



**California Regional Water Quality Control Board
North Coast Region**



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**ORDER NO. R1-2009-0045
GENERAL NPDES PERMIT NO. CA0024902**

**WASTE DISCHARGE REQUIREMENTS
FOR
LOW THREAT DISCHARGES
TO SURFACE WATERS IN THE NORTH COAST REGION**

The following Dischargers are subject to waste discharge requirements as set forth in this Order upon authorization by the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) Executive Officer:

Table 1. Discharger Information

Dischargers	Discharges from individuals, public agencies, private businesses, and other legal entities (hereafter Dischargers) of clean or relatively pollutant-free wastewaters that pose little or no threat to the quality of waters of the United States.
The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board have classified these discharges as minor discharges.	

Table 2. Administrative Information

This Order/General Permit was adopted by the Regional Water Quality Control Board on:	July 23, 2009
This Order/ General Permit shall become effective on:	July 23, 2009
This Order/ General Permit shall expire on:	July 23, 2014
Enrollees covered under this Order at the time of expiration will continue to be covered until coverage becomes effective under a reissued Order. Upon reissuance of this Order by the Regional Water Board, Dischargers seeking coverage under the reissued Order shall file a revised Notice of Intent.	

IT IS HEREBY ORDERED, that Order No. 93-61 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in

Low Threat Discharges
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division 7 of the California Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA) and regulations and guidelines adopted thereunder, dischargers shall comply with the requirements in this Order.

I, Catherine Kuhlman, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on July 23, 2009.

Catherine Kuhlman, Executive Officer

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I. DISCHARGE INFORMATION

A. Low Threat Discharges

Individuals, public agencies, private businesses, and other entities often need to discharge to surface waters relatively pollutant-free wastewater that poses little threat to water quality. Some discharges may need minimal treatment, such as settling out sediment or dechlorination, in order to remove specific pollutants prior to discharge and/or application of best management practices (BMPs) to ensure that the discharge does not create conditions of pollution or nuisance.

The purpose of this Order (hereafter, General Permit or this Order) is to regulate discharges of low threat wastewaters from a discrete point source to surface waters of the North Coast Region. A low threat discharge is defined as a planned, short-term and/or minimized volume discharge from a definable project that results in a point source discharge where the discharge requires a minimal level of treatment and/or is controlled to eliminate or reduce pollutants and minimize volume and discharge rates through implementation of best management practices (BMPs). Discharges that may receive authorization for coverage under this General Permit shall not contain pollutants in concentrations above applicable water quality objectives or criteria and must be consistent with applicable State and federal antidegradation policies.

Many of these low threat discharges are short-term and may be completed in a period of one day to one week. Examples of short term discharges include ground water from well development or potable water from water supply maintenance projects. Although these projects occur over very short periods of time, the discharges may involve high flows relative to the receiving water flow and may involve volumes on the order of a thousand gallons per day to over one million gallons per day.

Other types of low threat discharges, such as construction dewatering projects, may occur over a longer period of time, sometimes months and occasionally periods that exceed one year. These discharges typically involve the discharge of smaller daily volumes. Some discharges, such as subterranean seepage dewatering (e.g., dewatering of structures situated below ground level such as basements or roadways) may occur seasonally and typically during the wet-weather season. Discharge flows may vary depending on the intensity of the wet-weather season.

Duration and flow rate are not necessarily limiting factors in the applicability of this General Permit for a specific surface water discharge. The discharge duration, flow rate, and volume must be disclosed and evaluated in relation to the receiving water flow rate and characteristics in order for the Regional Water Board to determine if the discharge will have a low threat to water quality. With proper management measures, many of these higher volume discharges can be done in a manner that poses a low threat to water quality.

It is anticipated that some enrollees under this General Permit will need to request an exception to the Basin Plan's discharge rate limitations that requires discharges to the Russian, Mad and Eel Rivers to be one percent or less of the receiving stream flow unless an exception is granted in accordance with the criteria identified in Section 4 Implementation Measures of the Basin Plan (Point Source Measures, Waste Discharge Prohibitions, North Coastal Basin, Item 5). Section II.A.3 of this General Permit identifies the criteria that a discharger must meet in requesting an exception to the one percent flow limitation.

In addition, the Basin Plan currently prohibits any point source discharges during the period of May 15 to September 30 of each year. If the Regional Water Board adopts an amendment to allow exceptions to this point source discharge prohibition for low threat discharges and the amendment is approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law and the USEPA, this General Permit contains provisions that would allow the Regional Water Board Executive Officer to approve exceptions to the point source discharge prohibition for low threat discharges when a Discharger meets the eligibility criteria identified in section II.C.2 of this General Permit.

Water suppliers may have numerous planned projects in the same watershed with similar discharge characteristics. For example, a water supplier may contract to have maintenance performed on multiple water storage reservoirs or on large sections of pipeline that are all conducted under a common workplan or contract. For the purpose of this Order, these multiple discharges from water suppliers may be considered under a single application provided that the application contains adequate information and justification to ensure that enrollment of multiple discharge points from similar projects meet the requirements of this General Permit. A water supplier may choose to develop a monitoring program that focuses on monitoring representative discharge points for the entire project (within the same watershed). Public and private water suppliers, such as irrigation districts, water districts, and water agencies, may apply for coverage of multiple discharge points under this General Permit.

B. Eligible Discharges

1. Eligible Discharges.

Low threat discharges that may be authorized by this General Permit are relatively pollutant-free wastewaters that pose little threat to water quality when treated with simple, low technology treatments and/or controlled with BMPs to eliminate or reduce pollutants and minimize volume and discharge rates. Discharges to surface waters of the North Coast Region that meet the definition of “low threat,” above, shall be eligible for coverage under the General Permit and may include, but are not limited to, the following categories of discharges.

- a. Construction dewatering of water where sediment and naturally occurring parameters (e.g., naturally occurring metals or salts, temperature, pH, etc.) in area ground water are the only pollutants of concern;
- b. Discharges resulting from maintenance, disinfection, cleaning or flushing of water supply wells, pipelines, tanks and reservoirs where chlorine, chlorine by-products, and naturally occurring parameters (e.g., naturally occurring metals, temperature, pH, etc.) in the water supply are the only pollutants of concern;
- c. Discharges resulting from well development, test pumping, maintenance, and purging of water supply or geothermal wells where sediment and naturally occurring parameters (e.g. naturally occurring metals or salts, temperature, pH, etc.) in area ground water and chlorine and chlorine disinfection by-products from well disinfection are the only pollutants of concern;
- d. Hydrostatic testing, maintenance, repair, and disinfection of potable water supply pipelines, tanks, and reservoirs, where chlorine, chlorine by-products, and naturally occurring parameters (e.g., naturally occurring metals, temperature, pH, etc.) in the water supply are the only pollutants of concern;
- e. Hydrostatic testing of newly constructed pipelines, tanks, and reservoirs used for purposes other than potable water supplies, where chlorine, chlorine by-products and naturally occurring parameters (e.g., naturally occurring metals, temperature, pH, etc.) in the water supply are the only pollutants of concern;
- f. Subterranean seepage dewatering (dewatering of structures situated below ground level such as basements, roadways, etc), where sediment and naturally occurring parameters (e.g., naturally occurring metals or salts, temperature, pH, etc.) in the area groundwater are the only pollutants of concern;
- g. Discharges resulting from dewatering of uncontaminated dredge spoils, where sediment and naturally occurring parameters (e.g., naturally occurring metals or salts, temperature, pH, etc.) are the only pollutants of concern;

- h. Other similar types of point source discharges that pose a low threat to water quality, yet technically must be regulated under an NPDES permit.

Proposed low-threat discharges to storm drains that are regulated under an municipal separate storm sewer system MS4 permit may be regulated under the MS4 permit provided that the MS4 permittee has developed a programmatic BMP plan that applies to non-storm water discharges to the permitted storm drain system that has been approved by the Regional Water Board (Phase 1 MS4 permittees) or Regional Water Board Executive Officer (Phase 2 MS4 permittees). On a case-by-case basis, it may be determined that proposed discharges to a permitted MS4 storm drain system may be more effectively regulated through enrollment under this Low Threat General Permit.

2. Ineligible Discharges

The following discharges shall not be eligible for coverage under the General Permit:

- a. Discharges which, based on the judgment of the Regional Water Board Executive Officer, do not meet the definition of "low threat" as contemplated by this General Permit.
- b. Discharges that are insufficiently characterized and thereby preclude a determination as to suitability for coverage under the General Permit;
- c. On-going high volume discharges. Discharges that fall into this category would require individual permit coverage.
- d. Discharges that would require extensive biological or chemical treatment in order to meet effluent limitations or water quality objectives or criteria;
- e. Discharges that cause acute or chronic toxicity to aquatic life in the receiving waters.
- f. Discharges from groundwater cleanup projects, including but not limited to sites polluted by industrial activities, above ground or underground leaking tanks, and agricultural (e.g., farming) practices. Discharges of highly treated groundwater to surface waters following extraction and cleanup of groundwater polluted with petroleum hydrocarbons and volatile organic compounds should apply for coverage under Order No. R1-2006-0048 or other applicable NPDES permits.
- g. Discharges of groundwater which have been polluted by industrial activities, above ground or underground leaking tanks, or agricultural (e.g., farming) practices, even if the project and/or proponent has no connection with the contamination.

- h. Discharges that contain chemical pollutants or physical or biological properties that may adversely impact beneficial uses and/or exceed any applicable water quality objective or criteria. Chemical pollutants of concern include, but are not limited to industrial chemicals, chlorinated hydrocarbons, or organic wastes, herbicides, pesticides, oil and grease, bacteria, radioactivity, and salinity. Biological properties of concern include, but are not limited to bacteria, algae, or undesirable aquatic organisms (e.g., mosquito larvae or exotic species). Physical properties of concern, include, but are not limited to temperature, dissolved oxygen, pH, conductivity, and turbidity (sediment).
- i. Discharges that would create nuisance conditions such as vector problems or localized flooding that cannot be mitigated through the implementation of BMPs.
- j. Discharges that could adversely affect a listed endangered or threatened species or their critical habitat.
- k. Discharges to Areas of Special Biological Significance.
- l. Discharges that could have a significant impact on biological or cultural resources, aesthetics, or air quality that cannot be mitigated.
- m. Discharges that could significantly alter the existing drainage pattern of the discharge site or surrounding area or result in downstream erosion.
- n. Discharges that do not consist solely of low threat wastewater. If a low threat discharge mixes with other wastewater (e.g., storm water, domestic wastewater, or industrial process wastewater) prior to contacting receiving water, the other wastewater must be covered under an NPDES permit, if required.
- o. Discharges from industrial facilities that are subject to Effluent Limitations Guidelines promulgated by the USEPA pursuant to CWA section 304 (b), which limits the discharge of pollutants from these facilities.
- p. Discharges that are not consistent with State and federal antidegradation policies.
- q. Discharges that result from releases from pipeline breaks or other spills.
- r. Discharges to a sanitary sewer or discharges covered by an individual NPDES permit.

Owners and operators of facilities that are deemed ineligible for coverage under the General Permit may seek authorization from the Regional Water Board to discharge under an individual NPDES permit or a State or Regional Water Board general permit.

C. Pollutants of Concern

Potential pollutants of concern for the discharge categories identified in Section I.B of this General Permit are summarized in Table 3 below.

Table 3 Pollutants of Concern by Discharge Type

Type of Discharge	Pollutants of Concern
Construction dewatering	<ul style="list-style-type: none"> • Sediments • Turbidity • Construction Materials • Total petroleum hydrocarbons • Metals (naturally occurring)¹ • High temperature
Discharges from potable water sources Maintenance and repair of water supply structures (e.g., pipelines, tanks, reservoirs)	<ul style="list-style-type: none"> • Chlorine and associated trihalomethanes • Metals² • Sediments • Total dissolved solids • Minor adhesives • Scale, rust, corrosion products
Development and test pumping of water supply wells	<ul style="list-style-type: none"> • Sediments • Total dissolved solids • Chlorine and associated trihalomethanes • Metals (naturally occurring)² • Glues (Volatile organic hydrocarbons)
Hydrostatic testing of new pipelines, tanks, reservoirs, etc., used for purposed other than potable water supply	<ul style="list-style-type: none"> • Scale and corrosion products • Total petroleum hydrocarbons • Metals³
Geothermal well testing	<ul style="list-style-type: none"> • Sediments • Total dissolved solids • High Temperature • Metals
Subterranean seepage dewatering (e.g., dewatering of structures situated below ground level such as basements, roadways, etc)	<ul style="list-style-type: none"> • Sediments • Total dissolved solids • Metals (naturally occurring)² • Dissolved Oxygen
Dewatering of dredge spoils	<ul style="list-style-type: none"> • Sediment • Turbidity • Nutrients • Metals (naturally occurring)² • Petroleum hydrocarbons • Grease and oil

¹ Metals, including, but not limited to arsenic and iron that are naturally occurring in local groundwater as a result of local geology but at concentrations below water quality objectives.

² e.g.,arsenic, iron, copper, lead, zinc: naturally occurring in groundwater used for water supply or picked up from metallic surfaces of pipes and storage tanks

II. APPLICATION/ENROLLMENT REQUIREMENTS

A. Application for Coverage Under the General Permit

1. Notice of Intent. It is the responsibility of the Discharger to obtain coverage under this General Permit prior to commencement of any discharge to surface waters. To apply for coverage under this General Permit, which also serves as a National Pollutant Discharge Elimination System (NPDES) Permit, the Discharger must submit a complete Notice of Intent (NOI), including all of the information required by the NOI, as detailed in Attachment A, to the Regional Water Board Executive Officer and the appropriate first annual fee as required by Title 23 of the California Code of Regulations, Division 3, Chapter 9, Article 1. All dischargers seeking coverage under the General Permit must submit a Best Management Practices (BMP) and Pollution Prevention (PP) Plan as outlined in Attachment A-1. Water suppliers seeking permit coverage for a project with more than one proposed discharge point may submit a Pollution Prevention and Monitoring and Reporting Plan (PPMRP) with the Notice of Intent, as outlined in Attachment A-2. The Discharger's PPMRP, upon approval by the Regional Water Board Executive Officer, may be used in lieu of the monitoring and reporting program attached to this General Permit.
2. If the proposed discharge involves the discharge of ground water, the applicant must contact Regional Water Board Cleanups Unit staff to identify whether there are known ground water contamination sites within one half ($\frac{1}{2}$) mile of the proposed project. If known ground water contamination sites exist within $\frac{1}{2}$ mile of the proposed project, the Discharger must demonstrate that ground water pumping will not capture the pollutants from the ground water contamination site.
3. If the Discharger proposes a discharge to the Mad, Eel or Russian Rivers or their tributaries that will exceed one percent of the receiving water flow, the Discharger may request that the Regional Water Board Executive Officer grant an exception to the one percent discharge limitation and must submit information to demonstrate that it meets the following eligibility criteria:
 - a. The wastewater treatment facility shall be reliable;
 - b. The discharge of waste shall be limited to rates and constituent levels which protect the beneficial uses of the receiving waters;
 - c. The exception shall be limited to that increment of wastewater which remains after reasonable alternatives for reclamation have been addressed;
 - d. The exception shall comply with State Water Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality Waters in

4. Submittal Deadlines.

- a. Dischargers that were authorized to discharge under Order No. 93-61 shall retain coverage under this General Permit but shall submit a completed NOI to the Regional Water Board within 30 days following the effective date of this General Permit. If an existing authorized Discharger does not submit an NOI in accordance with the provision herein, authorization to discharge will automatically be terminated, and the discharge shall be prohibited.
- b. Dischargers who are seeking authorization to discharge under the General Permit for the first time shall submit an NOI at least 90 days in advance of the proposed project start date to provide time for review of the NOI and submittal of additional information that may be necessary to complete the NOI. This time period may be waived by the Regional Water Board Executive Officer.

B. Regional Water Board Authorization

1. Existing Dischargers. Following review of a completed NOI, the Executive Officer shall provide written notice to an existing Discharger that coverage under the General Permit will continue or that an individual permit is required for the discharge.
2. New Dischargers. Following review of a completed NOI, the Executive Officer shall provide written notice to a new Discharger that:
 - a. The proposed discharge is eligible for coverage under this General Permit and that a 30-day public notice period has started. The Regional Water Board Executive Officer will place a public notice on the Regional Water Board's website providing a 30-day public notice of the Regional Water Board's intent to provide coverage under this General Permit. The Regional Water Board Executive Officer may also place a public notice in a newspaper of general circulation and/or mail the notice to adjacent property owners and nearby residences and businesses, and interested agencies and parties; or
 - b. Coverage under this General Permit shall be considered at a regularly scheduled Regional Water Board hearing; or
 - c. The proposed discharge is ineligible for coverage under this General Permit and whether or not the discharge is eligible for coverage under an individual permit.
3. At the end of the 30-day public notice period identified in section II.B.2.a. above, the Executive Officer shall provide written notice to the Discharger that:

- a. No significant comments were received and coverage under this General Permit is granted; or
 - b. Significant comments were received and coverage under this General Permit shall be considered at a regularly scheduled Regional Water Board hearing; or
 - c. Significant comments were received and an individual permit is required for the discharge.
4. In no case may a discharge occur until the applicant receives written notification of coverage under this General Permit or another permit issued or adopted by the State or Regional Water Board.
 5. All Dischargers. Pursuant to NPDES regulations at 40 CFR 122.28 (b) (2), the Executive Officer has the authority to require a Discharger to comply with the conditions of this General Permit. Such a Discharger shall be obligated to meet all discharge prohibitions effluent limitations, receiving water limitations, provisions, and monitoring and reporting requirements of the General Permit.
 6. Failure to Submit an NOI and/or filing fee prior to discharge. Dischargers who fail to submit an NOI and/or filing fee identified in section II.B of this Order prior to initiating a discharge will be deemed out of compliance with the General Permit and subject to all penalties allowable pursuant to applicable provisions of the Clean Water Act and the California Water Code, including section 13385 thereof.
 7. If multiple discharges (either by the same or different dischargers) are proposed into the same receiving water during a similar time period, the Regional Water Board Executive Officer may condition the timing of the permit coverage for one or more discharges, if necessary, to reduce potential cumulative impacts.
 8. Coverage under the General Permit may be denied or revoked if it is determined that:
 - a. There are alternative means to discharge the wastewater; or
 - b. A discharge contains pollutants that may adversely affect the beneficial uses of the receiving water and/or exceed applicable water quality objectives or criteria; or
 - c. The discharge is adversely impacting the beneficial uses of the receiving water and/or causing an exceedance of applicable water quality objectives or criteria; or
 - d. The Discharger violates provisions of this General Permit or the discharge is not consistent with information provided in the NOI.

C. Eligibility Criteria

1. This General Permit covers low threat discharges to surface waters.
2. To be authorized by this General Permit, Dischargers must demonstrate that the discharge or proposed discharge meets the following criteria:
 - a. Pollutant concentrations in the discharge will meet water quality objectives and criteria and will not cause, have a reasonable potential to cause, or substantially contribute to an excursion above any applicable federal water quality criterion established by USEPA pursuant to CWA section 303;
 - b. Pollutant concentrations in the discharge do not cause, have a reasonable potential to cause, or substantially contribute to an excursion above any water quality objective or criteria adopted by the Regional Water Board or State Water Resources Control Board (State Water Board);
 - c. The discharge does not cause acute or chronic toxicity in the receiving water;
 - d. The discharge does not cause or substantially contribute to impairment of beneficial uses of the receiving water. The discharge shall not cause or substantially contribute to adverse impacts on the receiving water, including, but not limited to, erosion, adverse impacts on aquatic life, or creation of undesirable nuisance conditions (e.g., algae, vectors, localized flooding); and
 - e. The discharge is necessary because no feasible alternative to the discharge (reclamation, evaporation, infiltration, discharge to a sanitary sewer system, etc) is available.
 - f. The discharge is limited to that increment of wastewater that remains after implementation of all reasonable alternatives for reclamation or disposal.
 - g. The Discharger shall comply with all the terms and provisions of this General Permit.

D. Termination of Coverage

1. Within 30 days following permanent termination of a discharge or discharges authorized under this General Permit, the Discharger shall submit the Notice of Termination (NOT) of Coverage Under the General Permit provided as Attachment G. Upon submission of NOT, the Discharger shall no longer be authorized to discharge wastewater covered by this General Permit. The Discharger is subject to the terms and conditions of this General Permit and is responsible for submitting the annual fee associated with this General Permit until the Discharger submits the NOT.

2. When the Regional Water Board issues an individual NPDES permit or Waste Discharge Requirements (WDRs) with more specific requirements to a Discharger for a discharge that is otherwise covered by this Order, the applicability of this General Permit to that Discharger is automatically terminated on the effective date of the individual permit or WDRs.
3. Authorization to discharge shall be terminated 30 days after the effective date of this General Permit for those Dischargers covered by Order No. 93-61, unless the Discharger submits an NOI as required by section II.A.2.i of this General Permit and receives a written Notice of Applicability for coverage under this General Permit from the Executive Officer.

III. FINDINGS

The California Regional Water Quality Control Board, North Coast Region (hereinafter, the Regional Water Board), finds:

A. Background.

1. On May 27, 1993, the Regional Water Board adopted Order No. 93-61 (General NPDES Permit No. CA0024902) – Waste Discharge Requirements for Discharges of Groundwater to Surface Water Related to Construction and Subsurface Seepage Dewatering Activities in the North Coast Region. The conditions of Order No. 93-61 were automatically continued past the General Permit's original expiration date in accordance with State Water Board regulations at Title 23 of the California Code of Regulations, Section 2235.4. This Order now reissues the requirements of the General Permit.
2. On September 22, 1989, a Memorandum of Agreement executed by the USEPA and the State Water Resources Control Board (State Water Board) authorized and established procedures for the State Water Board to issue general NPDES permits pursuant to NPDES regulations at 40 CFR 122.28 and 122.44.
3. NPDES regulations at 40 CFR 122.28 provide for the issuance of general NPDES permits to regulate a category of point sources, which:
 1. Involve the same or substantially similar types of operations;
 2. Discharge the same type of wastes;
 3. Require the same type of effluent limitations or operating conditions;
 4. Require similar monitoring; and

5. Are more appropriately regulated under a general permit rather than individual permits.
4. Water Code section 13263 (i) authorizes the Regional Water Board to prescribe general waste discharge requirements for a category of discharges, which:
 - a. Are produced by the same or similar operations;
 - b. Involve the same or similar types of waste;
 - c. Require the same or similar treatment standards; and
 - d. Are more appropriately regulated under general discharge requirements.

B. Industry/Facility Description.

Requests for authorization to discharge under this General Permit may come from individuals, public agencies, private businesses, and other legal entities. Requests are typically related to construction dewatering or water supply projects but may include other types of projects that may have relatively pollutant-free wastewater to dispose of.

The purpose of this General Permit is to regulate discharges to surface waters of the North Coast Region, including inland and ocean waters, which are low threat in nature. As described previously, low threat discharges are planned, short-term and/or low volume discharges from definable projects with discrete point source discharges where the discharge is controlled to eliminate or reduce pollutants and minimize volume and discharge rates through implementation of BMPs. Discharges covered under this General Permit shall not contain pollutants in concentrations that exceed applicable water quality objectives and criteria.

The determination of “low threat” and eligibility for coverage under the General Permit shall be made solely by the Regional Water Board Executive Officer and shall be based on information provided by a discharger in its application (Notice of Intent or NOI) for coverage, the Regional Water Board’s understanding of beneficial uses and water quality objectives, and all other site-specific information that is available for such a determination. In general, determination of eligibility for coverage will be based on information provided by a discharger in response to section II.A. of the General Permit (Application for Coverage Under the General Permit). Discharge flow characteristics, and anticipated flow rates and volumes, shall be specified in the NOI. Discharge and receiving water flow rates shall be considered but are not the sole or definitive factors in assessing the eligibility of a specific discharge for coverage under the General Permit.

C. Legal Authorities. This Order is issued pursuant to section 402 of the Federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and chapter 5.5, division 7 of the California Water Code

(commencing with section 13370). It shall serve as a general NPDES permit for low threat point source discharges to surface waters of the North Coast Region. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).

- D. Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information required by monitoring and reporting programs of Order No. 93-61 and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for requirements of the Order, is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A through E and G are also incorporated into this Order.
- E. California Environmental Quality Act (CEQA).** Pursuant to California Water Code section 13389, the action by the Regional Water Board to adopt Waste Discharge/NPDES Requirements does not trigger the requirements of CEQA, Public Resources Code sections 21100-21177, except requirements for “new sources”³ as defined in the Federal Water Pollution Control Act. For any “new source” compliance with CEQA must be achieved before coverage under this General Order can be authorized for the project.
- F. Technology-Based Effluent Limitations.** Section 301(b) of the CWA and implementing USEPA permit regulations at section 122.44, title 40 of the Code of Federal Regulations⁴, require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The technology-based requirements of this Order have been established using Best Professional Judgment (BPJ) in accordance with Part 125, section 125.3. A detailed discussion of the technology-based effluent limitations development is included in the Fact Sheet (Attachment F).

Because there are no applicable Effluent Limitation Guidelines (technology-based requirements established by USEPA) for low threat discharges authorized by this Order, the provisions of this General Permit require implementation of BMPs to control and abate the discharge of pollutants to surface waters and to achieve compliance with Best Available Technology Economically Achievable (BAT)/Best Conventional Pollutant Control Technology (BCT) requirements and compliance with Basin Plan water quality objectives. Discharges enrolled under this Order are expected to comply with all water quality objectives with implementation of BMPs.

- G. Water Quality-Based Effluent Limitations.** Section 301(b) of the CWA and section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

³ A “new source” is a discharge type for which USEPA has issued New Source Performance Standards. A “new source” does not mean a new discharge.

⁴ All further statutory references are to title 40 of the Code of Federal Regulations unless otherwise indicated.

Section 122.44(d)(1)(i) mandates that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) USEPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the State's narrative criterion, supplemented with other relevant information, as provided in section 122.44(d)(1)(vi).

H. Water Quality Control Plans. The following water quality control plans are applicable to this General Permit.

Basin Plan. The Regional Water Board adopted a *Water Quality Control Plan for the North Coast Region* (hereinafter the Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan. Beneficial uses are designated for all waters of the North Coast Region and are designated for coastal and inland waters, wetlands, and ground waters. Beneficial uses of any water body specifically identified in the Basin Plan generally apply to its tributary streams. In addition, the Basin Plan implements State Water Board Resolution No. 88-63, which establishes State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Applicable beneficial uses of surface waters for the North Coast Region are listed below.

- Municipal and Domestic Supply (MUN)
- Agricultural Supply (AGR)
- Industrial Service Supply (IND)
- Industrial Process Supply (PRO)
- Groundwater Recharge (GWR)
- Freshwater Replenishment (FRSH)
- Navigation (NAV)
- Hydropower Generation (POW)
- Water Contact Recreation (REC-1)
- Non-Contact Water Recreation (REC-2)
- Commercial and Sport Fishing (COMM)
- Aquaculture (AQUA)
- Warm Freshwater Habitat (WARM)
- Cold Freshwater Habitat (COLD)
- Inland Saline Water Habitat (SAL)

- Estuarine Habitat (EST)
- Marine Habitat (MAR)
- Wildlife Habitat (WILD)
- Preservation of Areas of Special Biological Significance (ASBS)
- Rare, Threatened, or Endangered Species (RARE)
- Migration of Aquatic Organisms (MIGR)
- Spawning, Reproduction, and/or Early Development (SPWN)
- Shellfish Harvesting (SHELL)
- Water Quality Enhancement (WQE)
- Flood Peak Attenuation/Flood Water Storage (FLD)
- Wetland Habitat (WET)
- Native American Culture (CUL)
- Subsistence Fishing (FISH)

Requirements of this Order protect beneficial uses by implementing water quality objectives and criteria, which are designed to protect such uses.

Thermal Plan. The State Water Board adopted the *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for coastal and interstate waters and enclosed bays and estuaries. Requirements of this Order implement the Thermal Plan for these waters.

California Ocean Plan. The State Water Board adopted the *Water Quality Control Plan for Ocean Waters of California, California Ocean Plan* (Ocean Plan) in 1972 and amended it in 1978, 1983, 1988, 1990, 1997, 2000, and 2005. The State Water Board adopted the latest amendment on April 21, 2005 and it became effective on February 14, 2006. The Ocean Plan is applicable, in its entirety, to point source discharges to the Ocean. The Ocean Plan requires that the following beneficial uses of ocean waters of the State be protected. Applicable beneficial uses of ocean waters for the North Coast Region are listed below.

- Industrial Water Supply
- Water Contact and Non-contact Recreation, Including Aesthetic Enjoyment
- Navigation
- Commercial and Sport Fishing
- Mariculture
- Preservation and Enhancement of Designated Areas of Special Biological Significance (ASBS)
- Protection of Rare and Endangered Species

- Marine Habitat
- Fish Migration
- Fish Spawning and Shellfish Harvesting

In order to protect the beneficial uses, the Ocean Plan establishes water quality objectives and a program of implementation. Requirements of this Order implement the Ocean Plan.

- I. National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants, which are applicable to inland surface waters, enclosed bays, and estuaries of the State.
- J. State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.

If pollutants are present that may cause or substantially contribute to violations of an applicable federal water quality criterion for receiving waters or numeric effluent limits are deemed necessary, coverage under the General Permit will be denied or revoked by the Regional Water Board Executive Officer, as this General Permit does not contain numeric effluent limitations for priority pollutants.

- K. Compliance Schedules and Interim Requirements.** Section 2.1 of the SIP provides that, based on a Discharger's request and demonstration that it is infeasible for an existing Discharger to achieve immediate compliance with an effluent limitation derived from a CTR criterion, compliance schedules may be allowed in an NPDES permit. Unless an exception had been granted under of the SIP, a compliance schedule may not exceed 5 years from the date that the permit is issued or reissued, nor may it extend beyond 10 years from the effective date of the SIP (or May 18, 2010) to establish and comply with CTR criterion-based effluent limitations. Where a compliance schedule for a final effluent limitation exceeds one year, the Order must include interim numeric limitations for that

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regulation (also known as the Alaska rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000 may be used for CWA purposes, whether or not approved by USEPA.

- M. Stringency of Requirements for Individual Pollutants.** As discussed in Finding III.F above, technology based limitations were established using BPJ and consist of BMPs to achieve BAT/BCT. This Order also contains several water quality-based effluent limitations for individual pollutants. These effluent limitations and requirements are consistent with the requirements of the CWA. Derivation of effluent limitations is discussed in sections V.B and V.C of the Fact Sheet.

Water quality-based effluent limitations for chlorine residual and pH have been scientifically derived to implement water quality objectives that protect beneficial uses. The water quality-based effluent limitations for settleable solids and total dissolved solids are based on the Basin Plan, as discussed further in sections V.C.4.a.ii and V.C.4.a.iv of the Fact Sheet. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. The scientific procedures for calculating the individual water quality-based effluent limitations for priority pollutants are based on the CTR-SIP, which was approved by USEPA on May 18, 2000, and/or the Ocean Plan, which was approved by USEPA on February 14, 2006. All beneficial uses and water quality objectives contained in the Basin and Ocean Plans were approved under State law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless “applicable water quality standards for purposes of the CWA” pursuant to section 131.21(c)(1). Collectively, this Order’s restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

In addition, this Order requires the implementation of best management practices in conjunction with effluent limitations to protect water quality and beneficial uses.

- N. Antidegradation Policy.** Section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water

Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. As discussed in detail in the Fact Sheet the permitted discharge is consistent with the antidegradation provisions of section 131.12 and State Water Board Resolution No. 68-16.

- O. Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at title 40, Code of Federal Regulations section 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order.
- P. Endangered Species Act.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
- Q. Monitoring and Reporting.** Section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorizes the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. This Monitoring and Reporting Program is provided in Attachment E.
- R. Standard and Special Provisions.** Standard Provisions, which apply to all NPDES permits in accordance with section 122.41, and additional conditions applicable to specified categories of permits in accordance with section 122.42, are provided in Attachment D. Dischargers must comply with all standard provisions and with those additional conditions that are applicable under section 122.42. The Regional Water Board has also included in this Order special provisions applicable to all dischargers authorized under the General Permit. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.
- S. Provisions and Requirements Implementing State Law.** The provisions/requirements in subsections IV. B, IV. C, and V. C of this General Permit are included to implement State law only. These provisions/requirements are not required or authorized under the

federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.

T. Notification of Interested Parties. The Regional Water Board has notified authorized dischargers and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the low threat discharges and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet of this Order.

U. Consideration of Public Comment. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the General Permit. Details of the Public Hearing are provided in the Fact Sheet of this Order.

IV. DISCHARGE PROHIBITIONS

- A. The discharge of wastes, other than those that meet the eligibility criteria in Section I.B and II.C of this Order are prohibited unless the Discharger obtains coverage under another general or individual permit that regulates the discharge of such wastes.
- B. The creation of a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code, is prohibited.
- C. Any low threat discharge in excess of the flow rate described by the Discharger in its NOI, or as authorized by the Executive Officer, is prohibited.
- D. Discharges containing pollutants which exceed applicable water quality objectives or criteria, or discharges which, wholly or in combination with other discharges, cause or substantially contribute to exceedances of applicable water quality criteria or objectives established by the Basin Plan, Ocean Plan or Clean Water Act for surface waters are prohibited and are precluded from coverage under this General Permit. Applicable numeric water quality criteria and objectives are presented in Attachment B of this Order.
- E. The discharge of polluted groundwater to waters of the State is prohibited.
- F. The discharge from the treatment facility at construction dewatering sites or other similar low-threat discharges of detectable levels of petroleum, petroleum constituents or volatile halogenated compounds is prohibited.⁵

⁵ For the purpose of this General Permit, levels of detection are as follows:

<u>Constituent</u>	<u>Units</u>	<u>Detection Limit</u>
Petroleum Hydrocarbons	ug/L	50
Benzene	ug/L	0.5
Toluene	ug/L	0.5
Xylene	ug.L	0.5

- G. The discharge of domestic and/or agricultural and/or commercial and/or industrial process wastes is prohibited.
- H. The discharge of an effluent with constituents in excess of applicable limits required by any watershed-specific TMDL, is prohibited.
- I. The contact of low threat discharges with contaminated soil or groundwater is prohibited.
- J. The discharge of low threat wastewater effluent to surface waters is prohibited during the period of May 15 through September 30 of each year in the Mad, Russian and Eel Rivers and their tributaries and year round in all other surface waters, unless the Regional Water Board Executive Officer grants an exception to this seasonal discharge prohibition.⁶
- K. During the period of October 1 through May 14, discharges of treated wastewater to the Mad, Eel or Russian River or tributaries thereto shall not exceed one percent of the receiving water flow, unless the Regional Water Board Executive Officer grants an exception to this discharge flow limitation. Discharges of treated wastewater to surface waters are prohibited year round to all other waterbodies in the North Coast Region, unless the Regional Water Board Executive Officer grants an exception to the year-round discharge prohibition.⁷

V. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations

The discharge of pollutants shall be controlled and minimized through the implementation of treatment and best management practices identified in the NOI and BMP/PP Plan and shall not exceed the following effluent limitations:

1. Final Effluent Limitations For Discharges to Inland Surface Waters, Enclosed Bays, and Estuaries

- a. Total Residual Chlorine. (Applicable to any discharge of water that was chlorinated) The discharge shall not contain total residual chlorine in excess of the following concentrations:⁷
 - i. 0.011 mg/L, as a 4-day average; and

Ethylbenzene	ug/L	0.5
Volatile Halogenated Compounds	ug/L	0.5

⁶ The Regional Water Board Executive Officer will only be able to grant exceptions to the Basin Plan seasonal discharge prohibitions upon adoption of the Low Threat Basin Plan Amendment (see discussion in Fact Sheet section I.A (page F-4))

⁷ For waters with different pH limits set in Table 3-1 of the Basin Plan (Attachment B-3 of this Order), the pH limits established in Attachment B-3 for that particular water body shall apply.

- ii. 0.019 mg/L, as a 1-hour average.
- b. Settleable Solids. Effluent shall not contain any measurable settleable solids, using a detection limit of 0.1 mL/L.
- c. pH. For waters listed in Attachment B-4 (Table 3-1 from the Basin Plan), the pH water quality objectives in Attachment B-4 shall apply as effluent limitations. For waters not listed in Attachment B-4 and where pH objectives are not prescribed, the pH of the discharge shall be not less than 6.5 nor greater than 8.5.
- d. Total Dissolved Solids. For waters listed in Attachment B-4 (Table 3-1 from the Basin Plan), the total dissolved solids water quality objectives in Attachment B-4 shall apply as effluent limitations.

2. Final Effluent Limitations for Discharges to Ocean Waters

- a. Total Residual Chlorine. (Applicable to any discharge of water that was chlorinated). The discharge shall not contain total residual chlorine in excess of 0.008 mg/L as a daily maximum.
- b. Settleable Solids. Effluent shall not contain any measurable settleable solids using a detection limit of 0.1 mL/L.
- c. The pH of the discharge shall be not less than 6.0 nor greater than 9.0 at all times.

3. Interim Effluent Limitations

The General Permit does not include interim effluent limitations.

B. Land Discharge Specifications

Land discharge is a means by which a discharger enrolled under this General Permit may reduce the volume and duration of discharge to surface waters. Such a discharge shall comply with the following land discharge specification:

- 1. Land discharges shall not cause the creation of pollution or nuisance conditions.

C. Reclamation Specifications

Reclamation specifications are not applicable to low threat discharges.

D. Other Requirements

1. Oil or oily materials, chemicals, refuse, or other materials that may cause pollution shall not be stored or deposited in areas where they may be picked up by the low threat discharge and discharged to surface waters. Any spill of such materials shall be contained, removed and cleaned immediately.
2. Discharges shall be controlled at the lowest possible flow rate to minimize potential impacts on aquatic life and habitat and to reduce erosion and stream scouring. Discharge locations must be selected to avoid sensitive habitats. BMPs shall include adequate velocity dissipation devices, when necessary to prevent and minimize erosion, stream scouring, increases in turbidity, and any other potential damage to receiving waters.
3. Discharges of low threat wastewater shall not be located within 500 feet of the intake for a domestic drinking water supply. Discharges shall be conducted to avoid potential pollution to private and public water wells.

VI. RECEIVING WATER LIMITATIONS

Receiving water limitations are based on water quality objectives contained in the Basin Plan and Ocean Plan and are a required part of this General Permit. All of the Basin Plan and Ocean Plan water quality objectives have been incorporated into this General Permit as standard language for consistency with the Statewide NPDES template; however some of the specific requirements have no application to low threat discharges because these requirements address pollutants or characteristics that would not be allowed in a low threat discharge (e.g., VI.A.13, VI.A.17, VI.B.5.d). Discharges authorized by this General Permit shall not cause the following conditions in receiving waters.

A. Surface Water Limitations – Inland Waters, Enclosed Bays, and Estuaries

Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order. Compliance with receiving water limitations shall be measured at monitoring locations described in the MRP. Note: Table 3-1 of the Basin Plan is included in this Order as Table B-4.

1. Unless more stringent water quality objectives for dissolved oxygen are established for a specific receiving water by Table 3-1 of the Basin Plan (Attachment B-4), authorized discharges shall not cause the dissolved oxygen concentration of receiving waters to be depressed below 7.0 mg/l at any time nor below 9.0 mg/L during critical spawning and egg incubation periods. In the event that the receiving waters have background dissolved oxygen concentrations of less than these levels, discharges shall not depress dissolved oxygen concentrations below existing levels.

2. Unless more stringent water quality objectives for pH are established for a specific receiving water by Table 3-1 of the Basin Plan, authorized discharges shall not cause the pH of receiving waters to be depressed below 6.5 nor raised above 8.5. Within this range, authorized discharges shall not cause receiving water pH to change more than 0.5 pH units at any time.
3. Authorized discharges shall not cause or substantially contribute to exceedances of water quality objectives for specific waters of the North Coast Region that are established in Table 3-1 of the Basin Plan (Attachment B-4) for specific conductance, total dissolved solids, hardness and boron.
4. Authorized discharges shall not cause the turbidity of receiving waters to be increased more than 20 percent above naturally occurring background levels.
5. Authorized discharges shall not cause receiving waters to contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses of receiving waters.
6. Authorized discharges shall not cause receiving waters to contain floating materials, including, but not limited to, solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.
7. Authorized discharges shall not cause receiving waters to contain taste or odor producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, that cause nuisance, or that adversely affect beneficial uses.
8. Authorized discharges shall not cause coloration of receiving waters that causes nuisance or adversely affects beneficial uses.
9. Authorized discharges shall not cause bottom deposits in receiving waters to the extent that such deposits cause nuisance or adversely affect beneficial uses.
10. Authorized discharges shall not cause or substantially contribute to concentrations of biostimulants in receiving waters that promote objectionable aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses of the receiving waters.
11. Authorized discharges shall not cause receiving waters to contain toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life.
12. Authorized discharges shall not cause alteration of natural temperature of receiving waters unless it can be demonstrated to the satisfaction of the Executive Officer that such alteration in temperature does not adversely affect beneficial uses. At no time

or place shall discharges cause temperature to increase more than 5° F above natural receiving water temperature.

13. Authorized discharges shall not cause an individual pesticide or combination of pesticides to be present in concentrations that adversely affect beneficial uses of receiving waters. Authorized discharges shall not cause bioaccumulation of pesticide, fungicide, wood treatment chemical, or other toxic pollutant concentrations found in bottom sediments or aquatic life to levels that are harmful to human health.

The authorized discharge shall not cause receiving waters to contain concentrations of pesticides in excess of the limiting concentrations set forth in Table 3-2 of the Basin Plan or in excess of more stringent Maximum Contaminant Levels (MCLs) established for these pollutants in title 22, Division 4, Chapter 15, Articles 4 and 5.5 of the California Code of Regulations.

14. Authorized discharges shall not cause the receiving waters to contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water that cause nuisance or that otherwise adversely affect beneficial uses.
15. Authorized discharges shall not cause a violation of any applicable water quality objectives for receiving waters adopted by the Regional Water Board or the State Board as required by the CWA and regulations adopted hereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to CWA Section 303 or amendments thereto, the Regional Water Board will revise and modify this General Permit in accordance with the more stringent standards.
16. Authorized discharges shall not cause concentrations of chemical constituents to occur in excess of limits specified in Table 3-2 of the Basin Plan or in excess of more stringent Maximum Contaminant Levels (MCLs) established for these pollutants in title 22, Division 4, Chapter 15, Articles 4 and 5.5 of the California Code of Regulations.
17. Authorized discharges shall not cause radionuclides to be present in concentrations which are deleterious to human, plant, animal, or aquatic life nor which result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal, or indigenous aquatic life.

Waters designated for use as domestic or municipal supply (MUN) shall not contain concentrations of radionuclides in excess of the limits specified in California Code of Regulations, Title 22, Division 4, Chapter 15, Article 4, Section 64442 (Table 64442).

B. Surface Water Limitations – Ocean Waters

Authorized discharges shall not cause violations of the following receiving water limitations established for the ocean waters of the North Coast Region.

1. Bacterial Characteristics

a. Body Contact Standards

Within a zone bounded by the shoreline and a distance of 1,000 feet from the shoreline or the 30-foot depth contour, whichever is further from the shoreline, and in areas outside this zone designated for water contact recreation use by the Regional Water Board, but including all kelp beds, the following bacteriological objectives shall be maintained throughout the water column.

30-Day Geometric Mean – The following standards are based on the geometric mean of the five most recent samples from each receiving water monitoring location.

- i. Total coliform density shall not exceed 1,000 per 100 ml;
- ii. Fecal coliform density shall not exceed 200 per 100 mL; and
- iii. Enterococcus density shall not exceed 35 per 100 mL.

Single Sample maximum;

- i. Total coliform density shall not exceed 10,000 per 100 ml;
- ii. Fecal coliform density shall not exceed 400 per 100 mL; and
- iii. Enterococcus density shall not exceed 104 per 100 mL.
- iv. Total coliform density shall not exceed 1,000 per 100 mL when the fecal coliform to total coliform ratio exceeds 0.1

b. Shellfish Harvesting

At all areas where shellfish may be harvested for human consumption, as determined by the Regional Water Board, the following bacteriological objectives shall be maintained throughout the water column:

- i. The median total coliform density shall not exceed 70 organisms per 100 mLs, and in not more than 10 percent of samples shall coliform density exceed 230 organisms per 100 mLs.

2. Physical Characteristics

a. Floating particulates and grease and oil shall not be visible.

b. The discharge of waste shall not cause aesthetically undesirable discoloration of the ocean surface.

- c. Natural light shall not be significantly reduced at any point outside the initial dilution zone as the result of the discharge of waste.
- d. The rate of deposition of inert solids and the characteristics of inert solids in ocean sediments shall not be changed such that benthic communities are degraded.

3. Chemical Characteristics

- a. The dissolved oxygen concentration shall not at any time be depressed more than 10 percent from that which occurs naturally as a result of the discharge of oxygen demanding waste material.
- b. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally.
- c. The dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions.
- d. The concentration of substances set forth in Chapter IV, Table B of the Ocean Plan in marine sediments shall not be increased to levels that would degrade indigenous biota.
- e. The concentration of organic materials in marine sediments shall not be increased to levels that would degrade marine life.
- f. Nutrient levels shall not cause objectionable aquatic growths or degrade indigenous biota.
- g. Discharges shall not cause exceedances of water quality objectives for ocean waters of the State established in Table B of the Ocean Plan.
- h. Discharge of radioactive waste shall not degrade marine life.

4. Biological Characteristics

- a. Marine communities, including vertebrate, invertebrate and plant species, shall not be degraded.
- b. The natural taste, odor, and color of fish, shellfish, or other marine resources used for human consumption shall not be altered.
- c. The concentration of organic materials in fish, shellfish, or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health.

5. General Standards

- a. The discharge shall not cause a violation of any applicable water quality standard for the receiving waters adopted by the Regional Water Board or the State Water Board as required by the Clean Water Act and regulations adopted thereunder.
- b. The discharge shall be essentially free of:
 - i. Material that is floatable or will become floatable upon discharge.
 - ii. Settleable material or substances that may form sediments that will degrade benthic communities or other aquatic life.
 - iii. Substances that will accumulate to toxic levels in marine waters, sediments or biota.
 - iv. Substances that significantly decrease natural light to benthic communities and other marine life.
 - v. Material that results in aesthetically undesirable discoloration of the ocean surface.
- c. Waste effluent shall be discharged in a manner that provides sufficient initial dilution to minimize the concentrations of substances not removed in the treatment.
- d. Location of waste discharges must be determined after a detailed assessment of the oceanographic characteristics and current patterns to assure that:
 - i. Pathogenic organisms and viruses are not present in areas where shellfish are harvested for human consumption or in areas used for swimming or other body contact sports.
 - ii. Natural water quality conditions are not altered in areas designated as being of special biological significance.
 - iii. Maximum protection is provided to the marine environment.
 - iv. The discharge does not adversely affect recreational beneficial uses such as surfing and beach walking.

C. Groundwater Limitations

Receiving water limitations for groundwater are based on water quality objectives in the Basin Plan.

1. Low threat discharges shall not cause exceedances of applicable water quality objectives or create adverse impacts to beneficial uses of groundwater.
2. Low threat discharges shall not cause or substantially contribute to a statistically significant degradation of groundwater.

3. Low threat discharges shall not cause groundwater to contain taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses.

VII. PROVISIONS

A. Standard Provisions

1. **Federal Standard Provisions.** The Discharger shall comply with all Standard Provisions included in Attachment D of this General Permit and shall adhere to the following standard provisions applicable to General Permits from 40 CFR 122.28(b):
 1. The General Permit may be modified, revoked, and reissued, or terminated in accordance with applicable requirements of NPDES regulations at 40 CFR 124.
 2. The Executive Officer may require any discharger authorized by the General Permit to apply for and obtain an individual NPDES permit. Any interested person may petition the Executive Officer to take action under this paragraph. Cases where an individual NPDES permit may be required include the following:
 - i. The discharger is not in compliance with the terms of the general permit;
 - ii. A change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
 - iii. Effluent Limitations Guidelines are promulgated for the point sources covered by the General Permit;
 - iv. A water quality management plan applicable to the point sources covered by the General Permit is approved;
 - v. Circumstances have changed since the time of the request to be covered so that the discharger is no longer appropriately controlled under the General Permit or either a temporary or permanent reduction or elimination of the authorized discharge is necessary; or
 - vi. The discharger is a significant contributor of pollutants to the receiving waters.
 - c. Any owner or operator authorized under the General permit may request to be excluded from coverage by applying for an individual permit in accordance with 40 CFR 122.28(b)(3)(iii).

- d. When an individual NPDES permit is issued to an owner or operator otherwise subject to the General Permit, the applicability of the General Permit to the discharger is automatically terminated on the effective date of the individual permit.
2. **Regional Water Board Standard Provisions.** The Discharger shall comply with the following Regional Water Board standard provisions:
1. Authorization to discharge under this Order may be terminated for reasons which include, but are not limited to, the following:
 - i. Violation of any term or condition contained in this Order;
 - ii. Obtaining authorization to discharge under this Order by misrepresentation or failure to fully disclose relevant information;
 - iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - iv. A change in the characteristics of the wastewater which no longer meets the definition of low threat and therefore, is not eligible for coverage under this Order;
 - v. The discharge is endangering human health or the environment.
 2. The USEPA Administrator may request the Regional Water Board Executive Officer to require any discharger authorized to discharge under this General Permit to subsequently apply for and obtain an individual NPDES Permit. The Executive Officer may require any discharger authorized to discharge waste under this General Permit to subsequently apply for and obtain an individual NPDES Permit. An interested person may petition the Executive Officer or the Regional Administrator to take action under this provision. The Regional Water Board may also review and revise this General Permit at any time upon application by any person, or on the Regional Water Board's own motion.
 3. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under the federal CWA at Section 307(a) for a toxic pollutant which is present in the discharge, and that standard or prohibition is more stringent than any limitation for the pollutant in this General Permit, this General Permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and the Discharger so notified.
 4. The Executive Officer may modify or revoke authorization to discharge under this General Permit if it is determined that the Discharger is causing or significantly

contributing to adverse impacts to the water quality and/or beneficial uses of receiving waters. In the event that the Regional Water Board's interpretation of the narrative toxicity objective is modified or invalidated by the Regional Water Board, a court decision, or a State statute or regulation, this General Permit may be revised to be consistent with the decision, statute, or regulation.

5. In addition, the Regional Water Board may consider revising this General Permit to make it consistent with any Regional Water Board decisions arising from various petitions for re-hearing, and litigation concerning the State Implementation Plan, 303 (d) list, and TMDL Program.
6. Availability. A copy of this General Permit and the Executive Officer's authorization letter shall be maintained at the Discharger's facility or project site where the discharge occurs for reference by operating personnel. Key operating personnel shall be familiar with its content.
7. Change in Discharge. At least 30 days prior to an expected material change in the character, location, or volume of a discharge, the Discharger shall reapply for coverage under the General Permit by submitting a completed NOI to the Regional Water Board and submitting a new filing fee. A material change includes, but is not limited to, the following changes that could potentially cause different water quality or nuisance problems: identification of a pollutant that was not disclosed in the original NOI, an increase in the rate or volume of the discharge, or a change in the discharge location.
8. Monitoring and Reporting. The Regional Water Board or State Water Board may require the Discharger to establish and maintain records, make reports, install, use, and maintain monitoring equipment or methods (including, where appropriate, biological monitoring methods), sample effluent and receiving water as prescribed, and provide other information as may be reasonably required.

The Discharger shall file with the Regional Water Board technical reports on self monitoring work performed according to the detailed specifications contained in any monitoring and reporting program as directed by the Regional Water Board.

Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the California Department of Public Health Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer. In the event a certified laboratory is not available to the Discharger, analyses performed by a non-certified laboratory will be accepted, provided:

9. A quality assurance/ quality control program is instituted by the laboratory, and a manual containing the steps followed in this program is kept in the

laboratory and made available for inspection by representatives of the Regional Water Board. The quality assurance/quality control program must conform to U.S. EPA or State Department of Public Health guidelines.

- ii. The laboratory will become certified within the shortest practicable time if the State certification program is resumed.

All Discharge Monitoring Reports shall be sent to:

California Regional Water Quality Control Board
North Coast Region
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

- i. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
- j. The Discharger shall immediately cease any discharge authorized by this Order in the event there is a violation or threatened violation of this General Permit, or if the Executive Officer so orders. The Discharger must notify Regional Water Board staff orally, as soon as reasonably possible, with a written confirmation within a week, when a violation of this Order is known to exist. The Discharge may not be resumed until authorized in writing by the Executive Officer.
- k. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, effluent limitation, or receiving water limitation of this Order, the Discharger shall notify the Regional Water Board orally⁸ within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Regional Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance and shall describe the measures being taken to remedy the current noncompliance and, prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

⁸ Oral reporting means direct contact with a Regional Water Board staff person. The oral report may be given in person or by telephone. After business hours, oral contact must be made by calling the State Office of Emergency Services at (800)852-7550 or Regional Water Board spill officer at (707) 576-2220.

- I. Transfers. This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. (40 C.F.R. § 122.41(l)(3); § 122.61.)

B. Monitoring and Reporting Program (MRP) Requirements

Authorized dischargers shall comply with the MRP requirements, and future revisions thereto, in Attachment E of this Order. In accordance with section IV.A of the MRP, when granting authorization to discharge under the General Permit, the Regional Water Board Executive Officer may modify the monitoring and reporting program for a specific discharger to reduce monitoring frequency and/or eliminate a monitoring parameter if it can be demonstrated that any reduction in monitoring requirements will not compromise water quality. In addition, the Executive Officer may stipulate conditions and requirements in addition to those established by the MRP for all authorized discharges, including monitoring and reporting requirements, for each specific discharge to assess compliance with requirements of the General Permit and/or to characterize the discharge and/or receiving water quality. Any deviations from the standard MRP that are proposed by the Executive Officer will be identified in the public notice placed on the Regional Water Board's website for each specific applicant.

C. Special Provisions

1. Reopener Provisions

- a. Standard Revisions. This Order may be reopened for modification, or revocation and reissuance in accordance with the provisions contained in 40 CFR section 122.62 which identifies the following conditions that may necessitate a permit modification:
 - i. If new or amended applicable water quality standards are promulgated or approved pursuant to section 303 of the CWA, or amendments thereto, the Regional Water Board may reopen this Order and make modifications in accordance with the new or amended standards.
 - ii. When new information, that was not available at the time of permit issuance, would have justified different permit conditions at the time of issuance.
- b. Total Chlorine Residual. If a statewide policy for total residual chlorine is adopted during the term of this Order, this Order may be reopened and modified to maintain consistency with the statewide policy.

2. Special Studies, Technical Reports and Additional Monitoring Requirements

- a. **Pollution Prevention and Monitoring and Reporting Plan (PPMRP).** Water suppliers that propose to have multiple discharge points from a single project covered under a single enrollment may elect to prepare and implement a PPMRP in lieu of the specific Effluent Monitoring Requirements and Receiving Water Monitoring Requirements contained in sections IV and VIII of the Monitoring and Reporting Program (Attachment E). The PPMRP must be submitted with the Notice of Intent and is subject to approval by the Executive Officer. The PPMRP shall include, at a minimum, the elements identified in Attachment A-2 and shall be prepared and implemented in accordance with the General Monitoring Provisions, Other Monitoring Requirements, and Reporting Requirements contained in sections I, IX, and X, respectively, of the Monitoring and Reporting Program (Attachment E).

3. Best Management Practices (BMPs) and Pollution Prevention (PP)

1. With its NOI, each discharger shall submit a BMP/PP Plan. Dischargers shall develop and implement a BMP/PP Plan to identify and implement site-specific BMPs and pollution prevention measures to reduce or prevent the discharge of wastes and pollutants to waters of the North Coast Region. The BMP/PP Plan shall include, at a minimum, the elements identified in Attachment A-1 and shall be submitted with the NOI. Only that volume of wastewater that remains after utilization of other reasonable disposal alternatives shall be allowed to discharge to the receiving water.
2. The BMP/PP Plan shall be consistent with the general guidance contained in USEPA's *Guidance Manual for Developing Best Management Practices* (EPA 833-B-93-004) and with the California Stormwater Quality Association's *Stormwater Best Management Practices Handbook for Commercial and Industrial Properties* (June 2003) and shall include the following elements:
 - i. Characterization of Discharges. The BMP/PP Plan shall include a narrative assessment of all activities conducted at the site; potential pollutant sources associated with each activity; and the nature of the pollutants that could be discharged, including pollutants that could occur at the point of discharge due to stream bank erosion and stream scouring.
 - ii. Identification of Best Management Practices. The BMP/PP Plan shall include a narrative description of the specific BMPs to be implemented at the site to control the discharge of pollutants. The BMP/PP Plan shall also identify any necessary measures to mitigate any negative impacts of the BMPs. Dischargers shall consider:

- (a) Preventative BMPs - measures to reduce or eliminate the generation of pollutants and waste,
 - (b) Control BMPs - measures to control or manage pollutants and waste after they are generated and before they come into contact with receiving water,
 - (c) Treatment BMPs - measures to remove pollutants and waste from water prior to discharge (see section II.A of the fact Sheet for a discussion of wastewater treatment systems, which will not preclude coverage under the General Permit), and
 - (d) Response BMPs - measures to respond to leaks, spills, and other releases with containment, control, and cleanup measures to prevent or minimize the potential for the discharge of pollutants and to minimize the adverse effects of such discharges.
- iii. Site Map that includes site boundaries, structures, location of site runoff collection and conveyance systems and points of discharge, and location of BMPs and treatment systems.
- c. When low threat discharges will continue for more than one year, the Discharger shall conduct a compliance evaluation before the end of each year (including the first year) to determine the effectiveness of the BMP Program.
- d. The compliance evaluation shall include:
- i. A review of all visual observation records, inspection records, and sampling and analysis results.
 - ii. A visual inspection of all potential pollutant sources for evidence of, or the potential for, the discharge of pollutants.
 - iii. A review and evaluation of all BMPs to determine whether the BMPs are adequate, properly implemented and maintained, and determination of what additional BMPs are necessary.
- e. Following the compliance evaluation, the BMP/PP Plan shall be revised, as appropriate, and submitted to the Regional Water Board with documentation of the results of the compliance evaluation. Revisions to the BMP/PP Plan shall be implemented within 90 days following completion of the compliance evaluation.

4. Construction, Operation and Maintenance Specifications

Treatment systems and BMPs shall be constructed, operated, and maintained in a manner that ensures compliance with all requirements of this General Permit.

5. Special Provisions for Municipal Facilities (POTWs Only)

This section of the standardized permit template is not applicable to discharges of low threat wastewaters.

6. Other Special Provisions

a. Stormwater

- i. **Industrial Storm Water.** If applicable, authorized dischargers shall seek coverage under and comply with the requirements of State Water Board Order No. 97-03-DWQ, NPDES General Permit No. CAS000001 – Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities (1997). If this Industrial General Storm Water Permit is reissued, authorized dischargers shall seek coverage under and comply with the requirements of the most recent version of the permit.
- ii. **Construction Storm Water.** If applicable, authorized dischargers shall seek coverage under and comply with the requirements of State Water Board Order No. 99-08-DWQ, NPDES General Permit No. CAS 000002 – Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity. If this Construction General Storm Water Permit is reissued, authorized dischargers shall seek coverage under and comply with the requirements of the most recent version of the permit.

b. Mitigation Measures

Dischargers enrolled under this General Permit are required to implement BMPs in accordance with a BMP/PP Plan submitted with each Dischargers' NOI. In order to ensure that BMPs do not cause adverse environmental impacts, each Discharger shall implement the following mitigation measures, as applicable:

- i. Discharge volumes and flow rates and pollutants shall be minimized to reduce impacts on beneficial uses of the receiving water.
- ii. BMPs shall be implemented for periods of time corresponding with the period of discharge. BMPs shall be removed once a discharge is completed.

- iii. BMPs shall be sized properly for the discharge that is enrolled under this General Permit.
- iv. BMPs shall be monitored to ensure that they are working correctly.
- v. BMPs that could result in stagnant water shall be inspected regularly to ensure that the treatment devices are not clogged, pooling water, or causing odors or other nuisance conditions such as vectors. If deficiencies are identified, the Discharger shall contact the appropriate Regional Water Board staff person and appropriate corrective measures shall be implemented immediately to correct any deficiencies.
- vi. BMPs shall be carefully sited and/or camouflaged so that they are not unsightly.
- vii. During the installation of any BMPs that require earth movement, moisture shall be used to reduce the transfer of particulates and dust into the air.
- viii. Prior to installing BMPs that involve substantial earth movement, the Discharger shall consult with the appropriate federal, state and local agencies, including, but not limited to the county the project is located in, California Department of Fish and Game, U.S. Fish and Wildlife Service, and National Marine Fisheries Service, and implement any mitigation measures identified by the agencies to avoid impacts to rare, threatened, or endangered species; wildlife migration; and/or use of native wildlife nursery areas. If appropriate, to avoid conflicts with any of these plans, the timing and/or location of the BMPs must be adjusted to reduce any potential conflict. If such adjustments cannot be made, the BMP would need to be changed to avoid any adverse impacts.
- ix. BMPs shall be consistent with the requirements of any existing Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. If appropriate, to avoid conflicts with any of these plans, the timing and/or location of the BMPs must be adjusted to reduce any potential conflict. If such adjustments cannot be made, the BMP would need to be changed to avoid any adverse impacts.
- x. BMPs that require substantial earth movement shall not be installed in riparian or federally protected wetland areas.
- xi. If BMP installation involves excavation activities, a cultural resources investigation shall be conducted before any substantial disturbance of land that has not been disturbed previously. The cultural resources investigation

will include, at a minimum, a records search for previously identified cultural resources and previously conducted cultural resources investigations of the project parcel and vicinity. This record search will include, at a minimum, contacting the appropriate information center of the California Historical Resources Information System, operated under the auspices of the California Office of Historic Preservation. In coordination with the information center or a qualified archaeologist, a determination shall be made regarding whether previously identified cultural resources will be affected by the proposed project and if previously conducted investigations were performed to satisfy the requirements of CEQA. If not, a cultural resources survey shall be conducted. The purpose of this investigation will be to identify resources before they are affected by a proposed project and avoid the impact. If the impact is unavoidable, mitigation will be determined on a case-by-case basis, as warranted.

- xii. During construction of any structural BMP that requires earth movement, the Discharger shall minimize off-site sediment runoff or deposition under general construction storm water waste discharge requirements and/or through the construction program of the applicable municipal separate storm water system WDR. Both of these permits require that erosion impacts minimize or eliminate impacts on the receiving water.
- xiii. Hazardous materials stored and used at the site of a low threat discharge shall be properly stored and handled to ensure that hazardous materials are not discharged.
- xiv. BMPs shall be implemented in a manner that does not cause the alteration of the existing drainage pattern.
- xv. BMPs that involve discharges to a local sanitary sewer system shall obtain proper permission and permitting from the owner/operator of the sanitary sewer system.
- xvi. BMPs that involve a storm drain system to be retrofitted or reconfigured shall obtain permission and any necessary permitting from the municipality that owns the storm water system.
- xvii. Solid or liquid wastes generated during implementation of a BMP shall be properly disposed of.
- xviii. BMPs that involve dredge and fill shall not be constructed until permit coverage has been received under any other applicable permit (e.g., CWA 401 and 404 permits, WDRs or waiver of WDRs).

7. Compliance Schedules

This section of the standardized permit template is not applicable to discharges of low threat wastewaters.

VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in section IV of this Order will be determined as specified below:

A. General.

Compliance with effluent limitations shall be determined using sample reporting protocols defined in the MRP and Attachment A of this Order. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentrations pollutants in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).

B. Multiple Sample Data.

When determining compliance with an AMEL, AWEL, or MDEL and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

C. Average Monthly Effluent Limitation (AMEL).

If the average or when applicable, the median determined by subsection B above for multiple sample data of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the

Discharger will be considered out of compliance for that calendar month. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

D. Average Weekly Effluent Limitation (AWEL).

If the average or when applicable, the median determined by subsection B above for multiple sample data of daily discharges over a calendar week exceeds the AWEL for a given parameter, this will represent a single violation, though the Discharger will be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the Discharger will be considered out of compliance for that calendar week. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

E. Maximum Daily Effluent Limitation (MDEL).

If a daily discharge or when applicable, the median determined by subsection B above for multiple sample data of a daily discharge exceeds the MDEL for a given parameter, the Discharger will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

F. Instantaneous Minimum Effluent Limitation.

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

G. Instantaneous Maximum Effluent Limitation.

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

ATTACHMENT A – NOTICE OF INTENT

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD NORTH COAST REGION

NOTICE OF INTENT

TO COMPLY WITH THE TERMS OF ORDER NO. R1-2009-0045 GENERAL PERMIT FOR LOW THREAT DISCHARGES TO SURFACE WATERS IN THE NORTH COAST REGION

A. OWNER/OPERATOR

Name:		Owner/Operator Type (Check one):	
Mailing Address:		<input type="checkbox"/> City	<input type="checkbox"/> Federal
		<input type="checkbox"/> County	<input type="checkbox"/> Special District
		<input type="checkbox"/> State	<input type="checkbox"/> Private
City:	State:	ZIP:	Phone:
Contact Person:		<input type="checkbox"/> Owner	<input type="checkbox"/> Owner/Operator
		<input type="checkbox"/> Operator	<input type="checkbox"/> Contractor
Email:		Fax:	

B. FACILITY/SITE INFORMATION

Facility Name:		County:	
Street Address:		Contact Person:	
City:	State:	ZIP:	Phone:
Email:		Fax:	

C. BILLING ADDRESS

Send to: <input type="checkbox"/> Owner/Operator <input type="checkbox"/> Facility <input type="checkbox"/> Other (Enter information at right)	Name:			
	Mailing Address:			
	City:	State:	ZIP:	Phone:

D. PROFESSIONAL ENGINEER

If a professional engineer has evaluated the existing or proposed discharge for compliance with this General Permit, identify.			
Name:			
Mailing Address:			
City:	State:	ZIP:	Phone:
Signature:		Certificate No.:	Date:

E. DISCHARGE INFORMATION

Identify type of discharge			
<input type="checkbox"/> Well Development Water	<input type="checkbox"/> Pipeline/Tank Pressure Testing	<input type="checkbox"/> Subterranean seepage dewatering	
<input type="checkbox"/> Construction Dewatering	<input type="checkbox"/> Pipeline/Tank Flushing or Dewatering	<input type="checkbox"/> Geothermal well testing	
<input type="checkbox"/> Pump/Well Testing	<input type="checkbox"/> Condensate	<input type="checkbox"/> Other	
<input type="checkbox"/> Water Supply System	<input type="checkbox"/> Dredge spoils dewatering	_____	
Vessels, pipelines, structures, and processes with which the water has contact prior to discharge shall be fully described and quantified to allow characterization regarding possible additives or pollutants, including chemical (e.g., chlorine or petroleum, trihalomethanes, naturally occurring metals), thermal, or physical (e.g., suspended or settleable solids) pollutants.			
The points of discharge and the up and down stream receiving waters shall be described to allow an understanding of potential physical impacts such as bank erosion, stream scouring, impacts on aquatic life.			
Field Parameters of Proposed Discharge (below):		Date of Field Parameter Test: _____	
Temperature _____	Dissolved Oxygen _____	Specific Conductance _____	pH _____
Proposed Start Date:		Stop Date (estimate):	
Discharge Rate (MGD):		Estimated Volume:	
Will the discharge rate exceed one-percent of the receiving water flow? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, submit written information to document that the discharge meets the eligibility criteria identified in section II.A.3 of the General Permit.			
<input type="checkbox"/> Continuous		<input type="checkbox"/> Intermittent	<input type="checkbox"/> Seasonal

**F. IDENTIFICATION OF KNOWN GROUNDWATER CONTAMINATION SITES
(Groundwater Projects)**

If the proposed discharge involves the discharge of groundwater, the applicant must contact Regional Water Board Cleanups Unit staff to identify whether there are known groundwater contamination sites within ½ mile of the proposed project.

- Not applicable. The proposed project does not involve the discharge of groundwater.
- Applicable. The proposed project does involve the discharge of groundwater. If this box is checked, include (1) an attachment that identifies groundwater contamination site name(s), address(es), known pollutants, and contact name(s) at Regional Water Board or County and (2) demonstration that the groundwater proposed for discharge is unaffected by the contaminated site and pumping activities will not have the inadvertent effect of capturing groundwater pollutants

G. POLLUTANTS/PARAMETERS OF CONCERN/WASTE WATER SAMPLING

Provide a written description characterizing the discharge and potential pollutants of concern. Attach additional pages if necessary.

Are additives in the discharge? Yes (describe and quantify) No

If yes, provide a list of all chemicals (including Material Safety Data Sheets) added to the water to be discharged and the concentration of such additives in the discharged effluent.

Discharges to inland surface waters, enclosed bays and estuaries must submit:

- (1) The analytical results of a representative sample of the proposed effluent for pollutants listed in Attachment B, Tables B-1 and B-2 of this General Permit.¹
- (2) the analytical results of a representative sample of the proposed effluent for BOD, total suspended solids, settleable solids, total chlorine, pH, temperature, dissolved oxygen, specific conductance, hardness, turbidity, nitrate, and total dissolved solids;
- (3) the analytical results of the upstream receiving water for pH, temperature, dissolved oxygen, specific conductance, hardness, turbidity, and total dissolved solids.

Discharges to ocean waters must submit the analytical results of a representative sample of the proposed effluent for:

- (1) oil and grease, total suspended solids, settleable solids, turbidity and pH.
- (2) The pollutants in Attachment B, Table B-5 of this General Permit.

Provide the results of analysis of the existing or proposed effluent for pollutants causing impairment under the current CWA 303(d) list if proposing to discharge to an impaired surface water. The list of impaired surface waters can be found under the CWA Section 303(d) list at the web site:

http://www.waterboards.ca.gov/water_issues/programs/tmdl/303d_lists2006_epa.shtml

Provide the analytical report from the laboratory.

¹ Dischargers of low volume discharges seeking an exception to the sampling requirements contained in Attachment B must describe why specific pollutants or categories of pollutants are not expected to be in the discharge and submit justification that the existing or proposed discharge will have no significant adverse impact on water quality.

H. EVALUATION OF DISPOSAL/RECLAMATION OPTIONS

Provide an evaluation of disposal options or means for eliminating the need for discharge and justification for selecting a surface water disposal alternative. If no alternative disposal options are viable, explain why (attach additional sheet as necessary).

If alternative disposal options are feasible, contact the Regional Water Board. This General Permit does not apply if there is no discharge to surface waters.

Is discharge to the local municipal wastewater treatment plant a viable option? If no, include a written statement that describes why discharge to a sanitary sewer is not viable, and, a written statement from the sewer authority, if the sewer authority cannot accept the discharge.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is land disposal or reclamation a viable option?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is wastewater reuse (e.g., dust control, etc.) a viable option?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is it possible to eliminate or reduce the discharge volume through some other means such as conservation or engineering measures? Describe additional measures evaluated.	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I. DISCHARGE LOCATION² AND DISCHARGE POINT DESCRIPTION

Street (including address, if any)
City/County
Nearest Cross Street(s)
Township/Range/Section T____, R____, Section____, MDB&M
Attach a map of at least 1:24000 (1" = 2000') showing the discharge site (e.g., USGS 7.5' topographic map). The map should show the treatment system, flow path, discharge point and surface waters. Wells and residences within 1,500 feet shall be identified.

J. RECEIVING WATER INFORMATION

Does your project discharge to :		
<input type="checkbox"/> Storm drain system – Enter owner's name: _____		
<input type="checkbox"/> Directly to waters of the State or U.S. (e.g., creek, river, lake, ocean)		
Name of receiving water body:		
Fresh Water, Estuarine, or Marine:	Tributary to:	
Estimated Receiving water Flow (mgd or cfs)	Minimum:	Average:

² Water suppliers that have more than one existing or proposed discharge point are not required to complete this section. Dischargers other than water suppliers with more than one existing or proposed discharge point should provide the information in a supplementary letter.

Is Receiving Water Flow Continuous or Intermittent (Describe):		
Are receiving water conditions at time of discharge anticipated to change from what is described in this NOI?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, explain:		
Potable Water intakes within 500 feet:		
Other Nearby Point Source Discharges (Describe):		
Bank Conditions (e.g., presence or absence of vegetation and vegetation type, bank stability):		
Instream conditions (e.g., substrate type, presence or absence of pools, etc):		
Describe visual evidence or knowledge of aquatic species present:		
Physical Water Quality Characteristics of receiving water - Date of evaluation _____ pH: _____ Temperature: _____ Turbidity: _____ Dissolved Oxygen: _____ Specific Conductivity: _____		

K. TREATMENT SYSTEM

Identify type of treatment system: <input type="checkbox"/> None <input type="checkbox"/> Dechlorination <input type="checkbox"/> Settling/Filtration <input type="checkbox"/> Other -Identify:		
<input type="checkbox"/> If none, describe why a treatment system is not necessary:		
<input type="checkbox"/> Provide narrative and schematic descriptions of the existing or proposed treatment system and process and describe pollutant removal mechanisms and estimated effluent concentrations. Include engineering blueprints signed by a Registered Engineer or Geologist, if applicable. If there is no treatment system, describe why treatment is not necessary. Provide a residual waste disposal plan if residual wastes will be generated.		
Signature:	Certificate No.	Date:

L. MANAGEMENT/POLLUTION PREVENTION PLANS

- All dischargers shall submit a Best Management Practices Plan that addresses the appropriate elements identified in Attachment A-1.
- Dischargers may submit a Pollution Prevention and Monitoring and Reporting Plan (PPMRP) which contains all of the elements identified in Attachment A-2. Upon approval by the Executive Officer, the PPMRP may be substituted for the standard MRP that is attached to the Low Threat Permit.

M. MAPS AND PHOTOGRAPHS

- Attach a map(s) that shows the topography of the area extending at least one mile beyond site boundaries, site boundaries, identification of the receiving water and proposed discharge points, and the route of the discharge to the receiving water. The map should also identify the location of any known groundwater cleanup sites within ½ mile of the proposed project site³, if the project involves the discharge of groundwater.
- Attach a site drawing that identifies locations of BMPs and treatment systems and site runoff collection and conveyance systems (e.g., storm drains, ditches, etc) through which the proposed discharge would travel
- Attach representative photographs of the discharge point and the receiving water in the vicinity of the discharge point to document pre-project conditions.

N. FEE REQUIREMENTS

- Provide the applicable fees. Information concerning the applicable fees can be found at <http://www.waterboards.ca.gov/resources/fees>⁴ and should be verified with the appropriate Regional Water Board staff person. Checks must be made payable to the State Water Resources Control Board.

O. ABILITY TO COMPLY

Do you believe the discharge may have acute or chronic toxicity, chemical or organic constituents, sediment, total suspended solids, BOD, bacteria, pesticides, oil and grease, radioactivity, salinity or temperature that may violate receiving water objectives of this permit or adversely impact beneficial uses of the receiving water?

Yes No

If your answer is no, please provide an explanation of ability to comply considering the receiving water quality, discharge water quality, and the pollutant loading to the receiving water.

³ Known groundwater cleanup sites must be identified by contacting Regional Water Board Cleanups Staff.
⁴ The filing fee for this low threat permit is identified in the California Code of Regulations, Chapter 23, Division 3, Chapter 9, Article 1 and consists of the base fee identified in section 2200(b)(8) and the ambient water quality monitoring surcharge (21 percent of the base fee) identified in the second paragraph of section 2200

If your answer is yes, you must contact a Professional Engineer. A specific individual permit may be required from the Regional Water Board rather than this General Permit.

Professional Engineer:

Name:

Mailing Address:

City:

State:

Zip:

Phone:

P. SIGNATURE

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this Notice of Intent and all attachments, and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the Notice of Intent, I believe that the information is true, accurate and complete to the best of my knowledge. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment. By signing this NOI, I also agree to comply with the monitoring and reporting program and stop the discharge if there is any violation, or threatened violation, of the General Permit.

Signature of Contractor/Operator:

Signature of Property Owner:

Print or type name:

Print or type name:

Title:

Date:

Title:

Date:

For Agency Use Only.

AGENCY CONSULTATIONS/ NOTIFICATIONS

AGENCY	CONTACT / PHONE #	MITIGATIONS REQUIRED OR CONCERNS
<input type="checkbox"/> LOCAL FLOOD CONTROL		
<input type="checkbox"/> DEPT. OF FISH AND GAME		
<input type="checkbox"/> U.S. FISH AND WILDLIFE SERVICE		
<input type="checkbox"/> MUNICIPAL STORM WATER AGENCY/PERMITTEE		
<input type="checkbox"/>		
<input type="checkbox"/>		

Attachment A-1.

Best Management Practices/Pollution Prevention Plan

All dischargers shall submit a Best Management Practices/Pollution Prevention (BMP/PP) Plan with the Notice of Intent (NOI). In its determination of suitability for authorization/coverage under the General Permit, the Regional Water Board will assess the BMP/PP Plan for its consideration of site-specific conditions and its effectiveness at pollution prevention, control, and treatment, as well as its effectiveness at preventing erosion, stream scouring, nuisance conditions, and other potential adverse impacts to the receiving waters. The BMP/PP Plan must include sufficient detail to allow the Regional Water Board to assess whether or not all reasonable measures will be implemented to ensure that the discharge poses a low threat to water quality.

The purpose of the BMP/PP Plan is to evaluate potential sources of pollutants from the discharge and at the project site and to identify controls that will be implemented to effectively prevent pollutant discharges to surface and ground waters. The BMP/PP Plan shall include the following elements, as applicable:

1. Characterization of Discharges. The BMP/PP Plan shall include a narrative assessment of all activities conducted at the site; potential pollutant sources associated with each activity; and the nature of the pollutants that could be discharged, including pollutants that could occur at the point of discharge due to stream bank erosion and stream scouring.
2. Identification of Best Management Practices. The BMP/PP Plan shall include a narrative description of the specific BMPs to be implemented at the site to control the discharge of pollutants and minimize impacts to water quality. The BMP/PP Plan shall also identify applicable mitigation measures from section VII.C.6.b of the General Permit to ensure that the BMPs do not cause environmental impacts. Dischargers shall consider:
 - a. Preventative BMPs - measures to reduce or eliminate the generation of pollutants and waste and undesirable nuisance conditions. The discharger shall include measures to prevent or reduce the generation of pollutants and minimize the volume, rate of discharge and duration of discharge from the proposed discharge source and to prevent the discharge of other pollutants associated with any construction activity at the site associated with the proposed discharge.
 - b. The Discharger shall demonstrate that the discharge will be conducted in a manner that will prevent the creation of nuisance conditions, including, but not limited to creation of mosquito breeding habitat, flooding, nuisance algae conditions, odors, etc. For proposed discharges to dry stream beds the demonstration shall include a plan to ensure that water soaks into the ground in a short period of time to preclude the creation of mosquito breeding habitat.

- c. Control BMPs - measures to control or manage pollutants and waste after they are generated and before they come into contact with receiving water. The Plan shall include, if necessary, measures to retain soil and sediment on the site and to permanently stabilize any disturbed soils.
 - d. Treatment BMPs - measures to remove pollutants and waste from water prior to discharge (see section II. A of the Fact Sheet for a discussion of wastewater treatment systems, which will not preclude coverage under the General Permit), and
 - e. Response BMPs - measures to respond to leaks, spills, and other releases with containment, control, and cleanup measures to prevent or minimize the potential for the discharge of pollutants and to minimize the adverse effects of such discharges.
3. Site Map and drawing as specified in Section M of NOI.

The BMP/PP Plan shall be consistent with the general guidance contained in USEPA's *Guidance Manual for Developing Best Management Practices* (EPA 833-B-93-004) and with the California Stormwater Quality Association's *Stormwater Best Management Practices Handbook for Commercial and Industrial Properties* (June 2003).

Low Threat Discharge Control

Indicate in the BMP/PP Plan what methods will be used to treat the discharge and prevent pollutants from impacting water quality and the environment. Options may include, but are not limited to:

1. Dechlorination of potable water or other water sources that have been chlorinated;
2. BMPs to remove pollutants from first flush water (e.g., settling for sediment, alternate disposal method for first flush water that may have residual chlorine or VOCs from drilling, welding debris, etc)
3. Ponds, trenches or basins for settling solids or cooling;
4. Vegetated filter strips or swales for removal of pollutants and/or to slow water velocity to prevent erosion);
5. Physical filter for removal of solids, dissolved solids, etc (e.g., sand filter, dirt bag, etc.);
6. Stabilized conveyance systems;
7. Energy dissipation (structures designed to prevent erosion and slow water velocity associated with conveyance systems);
8. Diverting flows around disturbed areas or other pollutant sources using stabilized conveyances;

9. Flow controls to minimize discharge rate and to prevent erosion and flooding;
10. Timing of discharge to eliminate or minimize impacts to receiving waters.

Sediment Control and Erosion Prevention

Indicate in the BMP/PP Plan the sediment controls that will be used to stabilize the site, as needed, to ensure that sediment is not discharged. Options may include, but are not limited to:

1. Filter barriers:
 - Fiber rolls/logs
 - Silt fence
 - Straw bales
 - Gravel inlet filters
2. Retention structures:
 - Sediment traps
 - Settling basins
3. Stabilized access points/good housekeeping:
 - Crushed rock
 - Mulch
 - Frequent sweeping

ATTACHMENT A-2.

POLLUTION PREVENTION AND MONITORING AND REPORTING PLAN

Water suppliers that have or propose to have numerous discharge points within the same receiving water covered by this General Permit may develop a Pollution Prevention and Monitoring and Reporting Plan (PPMRP) to implement in lieu of the Monitoring and Reporting Program in Attachment E of the General Permit. The PPMRP, if elected, shall be submitted with the Notice of Intent. The following requirements must be included in the PPMRP:

I. POLLUTION PREVENTION PLAN

- A.** Provide a general description of the distribution system and potential discharge locations. Identify pollutant types, flow rate ranges, and receiving waters.
- B.** Identify the treatment systems and best management practices that will be implemented to ensure protection of water quality, including but not limited to spill contingency plans, operation and maintenance procedures, inspections, equipment, supplies, training, erosion control, etc.

II. MONITORING AND REPORTING PROGRAM

- A.** Develop a representative sampling and analysis program. The sampling and analysis program shall describe proposed effluent and receiving water sampling locations, monitoring parameters and sampling methods, and frequency of monitoring. Dischargers are not required to sample all discharges if reasonable assurance is provided that the discharges will comply with requirements. Provide rationale for the sampling and analysis program. Inspection plans and visual observations for erosion, discoloration, stream bottom deposits, etc. must be included and must include the elements in section VIII.2 and VIII.3 of the Monitoring and Reporting Program (Attachment E).
- B.** The sampling and analysis program must be developed and implemented in accordance with the General Monitoring Provisions, and Reporting Requirements contained in sections I, and X, respectively, of the Monitoring and Reporting Program (Attachment E).

ATTACHMENT B – WATER QUALITY OBJECTIVES FOR NORTH COAST REGION

I. Proposed Discharges to Inland Surface Waters, Enclosed Bays and Estuaries.

Dischargers seeking authorization to discharge to inland surface waters, enclosed bays and estuaries under this General Permit shall sample and analyze the effluent for the constituents contained in Tables B-1, B-2, and B-3. The results of the analyses shall be compared to the corresponding screening level and shall be submitted as part of the Notice of Intent.

Table B-1. Screening Levels for Priority Pollutants for Discharges to Inland Surface Waters, Enclosed Bays and Estuaries

Priority Pollutant ¹	Units	Minimum ML ¹	Most Stringent CTR Objective/Criterion	Applicable CTR Objective/Criteria		
				Human Health	Chronic Aquatic Life	Acute Aquatic Life
Antimony, Total Recoverable	µg/L	5.0	6	6	--	--
Arsenic, Total Recoverable	µg/L	2.0	10	10	150	340
Beryllium, Total Recoverable	µg/L	1.0	4	4	--	--
Cadmium, Total Recoverable	µg/L	1.5	See Table B-2 for hardness-based objectives			
Chromium (VI)	µg/L	10	11	100	11	16
Copper, Total Recoverable	µg/L	2.0	See Table B-2 for hardness-based objectives			
Lead, Total Recoverable	µg/L	0.5	See Table B-2 for hardness-based objectives			
Mercury, Total Recoverable	µg/L	0.01	0.05	0.05	0.77	1.4
Nickel, Total Recoverable	µg/L	5.0	See Table B-2 for hardness-based objectives			
Selenium, Total Recoverable	µg/L	1.0	5.0	20	5.0	20
Silver, Total Recoverable	µg/L	0.1	See Table B-2 for hardness-based objectives			
Thallium, Total Recoverable	µg/L	1.0	1.7	1.7	40	1,400
Zinc, Total Recoverable	µg/L	10	See Table B-2 for hardness-based objectives			
Cyanide, Total (as CN)	µg/L	3.0	5.2	150	5.2	22
Asbestos	MFL	1.5	7	7	--	--
2,3,7,8-TCDD (Dioxin)	µg/L	1.3 x10 ⁻⁸	1.3E-08	1.3E-08	0.00001	0.01
Acrolein	µg/L	2.0	320	320	--	--
Acrylonitrile	µg/L	2.0	0.059	0.059	--	7,550
Benzene	µg/L	0.5	1	1	--	--
Bromoform	µg/L	0.5	4.3	4.3	--	--
Carbon Tetrachloride	µg/L	0.5	0.25	0.25	--	--
Chlorobenzene	µg/L	0.5	70	70	--	--
Chlorodibromomethane	µg/L	0.5	0.401	0.401	--	--

¹ ML = Minimum Levels are established in Attachment 4 of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP) and are based on the analytical method used. The ML is the concentration in a sample that is equivalent to the concentration in the lowest calibration standard analyzed for a specific analytical procedure, assuming that all method specified sample weights, volumes, and processing steps have been followed. **The Reporting Level for each pollutant shall be less than or equal to the ML described in this table.**

Priority Pollutant ¹	Units	Minimum ML ¹	Most Stringent CTR Objective/Criterion	Applicable CTR Objective/Criteria		
				Human Health	Chronic Aquatic Life	Acute Aquatic Life
Chloroethane	µg/L	0.5	--	--	--	--
2-Chloroethylvinyl Ether	µg/L	1.0	--	--	--	--
Chloroform	µg/L	0.5	80	80	1,240	--
Dichlorobromomethane	µg/L	0.5	0.56	0.56	--	--
1,1-Dichloroethane	µg/L	0.5	5	5	--	--
1,2-Dichloroethane	µg/L	0.5	0.38	0.38	20,000	--
1,1-Dichloroethylene	µg/L	0.5	0.057	0.057	--	--
1,2-Dichloropropane	µg/L	0.5	0.52	0.52	5,700	--
1,3-Dichloropropylene	µg/L	0.5	0.5	0.5	244	6,060
Ethylbenzene	µg/L	0.5	300	300	--	--
Methyl Bromide	µg/L	1.0	48	48	--	11,000
Methyl Chloride	µg/L	0.5	--	--	--	--
Methylene Chloride	µg/L	0.5	4.7	4.7	--	--
1,1,2,2-Tetrachloroethane	µg/L	0.5	0.17	0.17	2,400	--
Tetrachloroethylene	µg/L	0.5	0.8	0.8	840	--
Toluene	µg/L	0.5	150	150	--	--
1,2-Trans-Dichloroethylene	µg/L	0.5	10	10	--	--
1,1,1-Trichloroethane	µg/L	0.5	200	200	--	18,000
1,1,2-Trichloroethane	µg/L	0.5	0.60	0.60	9,400	--
Trichloroethylene	µg/L	0.5	2.7	2.7	--	45,000
Vinyl Chloride	µg/L	0.5	0.5	0.5	--	--
2-Chlorophenol	µg/L	2.0	120	120	--	--
2,4-Dichlorophenol	µg/L	1.0	93	93	--	--
2,4-Dimethylphenol	µg/L	1.0	540	540	--	--
2-Methyl-4,6-Dinitrophenol	µg/L	5.0	13.4	13.4	--	230
2,4-Dinitrophenol	µg/L	5.0	70	70	--	230
2-Nitrophenol	µg/L	10	--	--	--	--
4-Nitrophenol	µg/L	5.0	--	--	--	--
3-Methyl-4-Chlorophenol	µg/L	1.0	--	--	--	--
Pentachlorophenol	µg/L	1.0	0.28	0.28	23	30
Phenol	µg/L	1.0	21,000	21,000	--	--
2,4,6-Trichlorophenol	µg/L	10	2.1	2.1	--	--
Acenaphthene	µg/L	0.5	1,200	1,200	--	--
Acenaphthylene	µg/L	0.2	--	--	--	--
Anthracene	µg/L	2.0	9,600	9,600	--	--
Benzidine	µg/L	5.0	0.00012	0.00012	--	2,500
Benzo(a)Anthracene	µg/L	5.0	0.0044	0.0044	--	--
Benzo(a)Pyrene	µg/L	2.0	0.0044	0.0044	--	--
Benzo(b)Fluoranthene	µg/L	10	0.0044	0.0044	--	--
Benzo(ghi)Perylene	µg/L	0.1	--	--	--	--
Benzo(k)Fluoranthene	µg/L	2.0	0.0044	0.0044	--	--

Priority Pollutant ¹	Units	Minimum ML ¹	Most Stringent CTR Objective/Criterion	Applicable CTR Objective/Criteria		
				Human Health	Chronic Aquatic Life	Acute Aquatic Life
Bis(2-Chloroethoxy)Methane	µg/L	5.0	--	--	--	--
Bis(2-Chloroethyl)Ether	µg/L	1.0	0.031	0.031	122	238,000
Bis(2-Chloroisopropyl)Ether	µg/L	2.0	1,400	1,400	--	--
Bis(2-Ethylhexyl)Phthalate	µg/L	5.0	1.8	1.8	--	--
4-Bromophenyl Phenyl Ether	µg/L	5.0	--	--	--	--
Butylbenzyl Phthalate	µg/L	10	3,000	3,000	--	--
2-Chloronaphthalene	µg/L	10	1,700	1,700	--	--
4-Chlorophenyl Phenyl Ether	µg/L	5.0	--	--	--	--
Chrysene	µg/L	5.0	0.0044	0.0044	--	--
Dibenzo(a,h)Anthracene	µg/L	0.1	0.0044	0.0044	--	--
1,2-Dichlorobenzene	µg/L	0.5	600	600	763	--
1,3-Dichlorobenzene	µg/L	0.5	400	400	763	--
1,4-Dichlorobenzene	µg/L	0.5	5	5	763	--
3,3-Dichlorobenzidine	µg/L	5.0	0.04	0.04	--	--
Diethyl Phthalate	µg/L	2.0	23,000	23,000	--	--
Dimethyl Phthalate	µg/L	2.0	313,000	313,000	--	--
Di-n-Butyl Phthalate	µg/L	10	2,700	2,700	--	--
2,4-Dinitrotoluene	µg/L	5.0	0.11	0.11	230	330
2,6-Dinitrotoluene	µg/L	5.0	--	--	--	--
Di-n-Octyl Phthalate	µg/L	10	--	--	--	--
1,2-Diphenylhydrazine	µg/L	1.0	0.040	0.040	--	270
Fluoranthene	µg/L	0.05	300	300	--	--
Fluorene	µg/L	0.1	1,300	1,300	--	--
Hexachlorobenzene	µg/L	1.0	0.00075	0.00075	--	250
Hexachlorobutadiene	µg/L	1.0	0.44	0.44	9.3	90
Hexachlorocyclopentadiene	µg/L	5.0	50	50	--	--
Hexachloroethane	µg/L	1.0	1.9	1.9	540	980
Indeno(1,2,3-cd) Pyrene	µg/L	0.05	0.0044	0.0044	--	--
Isophorone	µg/L	1.0	8.4	8.4	--	117,000
Naphthalene	µg/L	0.2	--	--	--	--
Nitrobenzene	µg/L	1.0	17	17	--	27,000
N-Nitrosodimethylamine	µg/L	5.0	0.00069	0.00069	--	--
N-Nitrosodi-n-Propylamine	µg/L	5.0	0.005	0.005	--	5,850
N-Nitrosodiphenylamine	µg/L	1.0	5.0	5.0	--	5,850
Phenanthrene	µg/L	0.05	--	--	--	--
Pyrene	µg/L	0.05	960	960	--	--
1,2,4-Trichlorobenzene	µg/L	1.0	5	5	250	50
Aldrin	µg/L	0.005	0.00013	0.00013	--	3
alpha-BHC	µg/L	0.01	0.0039	0.0039	--	--
beta-BHC	µg/L	0.005	0.014	0.014	--	--
gamma-BHC	µg/L	0.02	0.019	0.019	0.08	0.95

Priority Pollutant ¹	Units	Minimum ML ¹	Most Stringent CTR Objective/Criterion	Applicable CTR Objective/Criteria		
				Human Health	Chronic Aquatic Life	Acute Aquatic Life
delta-BHC	µg/L	0.005	--	--	--	--
Chlordane	µg/L	0.1	0.00057	0.00057	0.0043	2.4
4,4-DDT	µg/L	0.01	0.00059	0.00059	0.001	1.1
4,4-DDE	µg/L	0.05	0.00059	0.00059	--	--
4,4-DDD	µg/L	0.05	0.00083	0.00083	--	--
Dieldrin	µg/L	0.01	0.00014	0.00014	0.056	0.24
alpha-Endosulfan	µg/L	0.02	0.056	42	0.056	0.22
beta-Endosulfan	µg/L	0.01	0.056	110	0.056	0.22
Endosulfan Sulfate	µg/L	0.05	110	110	--	--
Endrin	µg/L	0.01	0.036	0.76	0.036	0.086
Endrin Aldehyde	µg/L	0.01	0.76	0.76	--	--
Heptachlor	µg/L	0.01	0.00021	0.00021	0.0038	0.52
Heptchlor Epoxide	µg/L	0.01	0.00010	0.00010	0.0038	0.52
PCBs sum ²	µg/L	0.05	0.00017	0.00017	0.014	--
Toxaphene	µg/L	0.05	0.0002	0.00073	0.0002	0.73

² Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 and in accordance with the General Monitoring Provisions contained in section I of the Monitoring and Reporting Program (Attachment E).

³ This objective applies to the sum of PCB Aroclors 1242, 1254, 1221, 1232, 1248, 1280, and 1016.

TABLE B-2. MOST STRINGENT CTR HARDNESS DEPENDENT WATER QUALITY CRITERIA FOR METALS

Receiving Water Hardness (mg/L CaCO ₃)	Most Stringent CTR Water Quality Criterion (µg/L) ^A						
	Cadmium	Chromium ⁺³	Copper	Lead	Nickel	Silver	Zinc
1 - 10	0.07	4.8	0.18	0.01	1.1	0.01	2.4
11 - 20	0.44	34	1.4	0.19	8.1	0.09	18
21 - 30	0.72	58	2.5	0.44	14	0.28	32
31 - 40	0.98	79	3.4	0.72	19	0.54	44
41 - 50	1.2	100	4.4	1.0	25	0.88	56
51 - 60	1.5	120	5.2	1.4	30	1.3	68
61 - 70	1.7	140	6.1	1.7	34	1.7	79
71 - 80	1.9	160	7.0	2.1	39	2.3	90
81 - 90	2.1	170	7.8	2.4	44	2.8	100
91 - 100	2.3	190	8.6	2.8	48	3.5	110
101 - 110	2.5	210	9.4	3.2	53	4.1	120
111 - 120	2.7	230	10	3.6	57	4.9	130
121 - 130	2.9	240	11	4.1	61	5.6	140
131 - 140	3.0	260	12	4.5	66	6.5	150
141 - 150	3.2	270	13	4.9	70	7.3	160
151 - 160	3.4	290	13	5.4	74	8.2	170
161 - 170	3.6	310	14	5.8	78	9.2	180
171 - 180	3.8	320	15	6.3	82	10	190
181 - 190	3.9	340	15	6.8	86	11	200
191 - 200	4.1	350	16	7.3	90	12	210
201 - 210	4.3	370	17	7.7	94	13	220
211 - 220	4.4	380	18	8.2	98	15	230
221 - 230	4.6	400	18	8.7	100	16	230
231 - 240	4.8	410	19	9.2	110	17	240
241 - 250	4.9	430	20	9.7	110	18	250
251 - 260	5.1	440	20	10	110	20	260
261 - 270	5.2	450	21	11	120	21	270
271 - 280	5.4	470	22	11	120	23	280
281 - 290	5.5	480	23	12	130	24	290
291 - 300	5.7	500	23	12	130	25	300
301 - 310	5.8	510	24	13	130	27	300
311 - 320	6.0	520	25	13	140	29	310
321 - 330	6.2	540	25	14	140	30	320

Receiving Water Hardness (mg/L CaCO ₃)	Most Stringent CTR Water Quality Criterion (µg/L) ^A						
	Cadmium	Chromium ⁺³	Copper	Lead	Nickel	Silver	Zinc
331 – 340	6.3	550	26	15	140	32	330
341 – 350	6.5	570	27	15	150	33	340
351 – 360	6.6	580	27	16	150	35	350
361 – 370	6.7	590	28	16	150	37	360
371 – 380	6.9	610	29	17	160	39	360
381 – 390	7.0	620	29	17	160	41	370
391 – 400	7.2	630	30	18	170	42	380
> 400	7.3	650	31	19	170	44	390

^A Water quality criteria are expressed as total recoverable metal and are rounded to two significant figures.

Table B-3. Screening Levels for Other Pollutants of Concern for Inland Surface Waters, Enclosed Bays and Estuaries

Pollutant	CAS No.	Units	ML (µg/L)	Title 22 Primary MCL (µg/L)
Aluminum	7429905	mg/L	0.5	1.0
Nitrate (as N)	---	mg/L	2	10
Fluoride	7782414	mg/L	1.0	2.0

II. Proposed Discharges to Inland Surface Waters, Enclosed Bays and Estuaries. In accordance with Receiving Water Limitations VI.A.1, VI.A.2, and VI.A.3 of this General Permit, dischargers seeking authorization to discharge to inland surface waters, enclosed bays and estuaries under this General Permit shall not cause exceedances of the following water quality objectives in the downstream receiving water. pH limits in the following table shall apply as effluent limitations.

**Table B-4. Specific Water Quality Objectives for North Coast Region
 (from Basin Plan Table 3-1)**

Water Body	Specific Conductance (micromhos) @ 77 F.		Total Dissolved Solids (mg/L)		Dissolved Oxygen (mg/L)			Hydrogen Ion (pH)		Hardness (mg/L)	Boron (mg/L)	
	90% Upper Limit ³	50% Upper Limit ²	90% Upper Limit ³	50% Upper Limit ²	Min	90% Lower Limit ³	50% Lower Limit ²	Max	Min	50% Upper Limit ²	90% Upper Limit ³	50% Upper Limit ²
Lost River HA												
Clear Lake Reservoir and Upper Lost River	300	200			5.0		8.0	9.0	7.0	60	0.5	0.1
Lower Lost River	1000	700			5.0		--	9.0	7.0	--	0.5	0.1
Other Streams	250	150			7.0		8.0	8.4	7.0	50	0.2	0.1
Tule Lake	1300	900			5.0		--	9.0	7.0	400	--	--
Lower Klamath Lake	1150	850			5.0		--	9.0	7.0	400	--	--
Groundwater ⁴	1100	500			--		--	8.5	7.0	250	0.3	0.2
Butte Valley HA												
Streams	150	100			7.0		9.0	8.5	7.0	30	0.1	0.0
Meiss Lake	2000	1300			7.0		8.0	9.0	7.5	100	0.3	0.1
Groundwater ⁴	800	400			--		--	8.5	6.5	120	0.2	0.1
Shasta Valley HA												
Shasta River	800	600			7.0		9.0	8.5	7.0	220	1.0	0.5
Other Streams	700	400			7.0		9.0	8.5	7.0	200	0.5	0.1
Lake Shastina	300	250			6.0		9.0	8.5	7.0	120	0.4	0.2
Groundwaters ⁴	800	500			--		--	8.5	7.0	180	1.0	0.3
Scott River HA												
Scott River	350	250			7.0		9.0	8.5	7.0	100	0.4	0.1
Other Streams	400	275			7.0		9.0	8.5	7.0	120	0.2	0.1
Groundwaters ⁴	500	250			--		--	8.0	7.0	120	0.1	0.1
Salmon River HA												
All Streams	150	125			9.0		10.0	8.5	7.0	60	0.1	0.0
Middle Klamath River HA												
Klamath River above Iron Gate Dam including Iron Gate & Copco Reservoirs	425	275			7.0		10.0	8.5	7.0	60	0.3	0.2
Klamath River below Iron Gate Dam	350	275			8.0		10.0	8.5	7.0	80	0.5	0.2
Other Streams	300	150			7.0		9.0	8.5	7.0	60	0.1	0.0
Groundwaters ⁴	750	600			--		--	8.5	7.5	200	0.3	0.1
Applegate River HA												
All Streams	250	175			7.0		9.0	8.5	7.0	60	--	--
Upper Trinity River HA												
Trinity River ⁵	200	175			7.0		10.0	8.5	7.0	80	0.1	0.0
Other Streams	200	150			7.0		10.0	8.5	7.0	60	0.0	0.0
Claire Engle Lake and Lewiston Reservoir	200	150			7.0		10.0	8.5	7.0	60	0.0	0.0

**Table B-4. Specific Water Quality Objectives for North Coast Region
 (from Basin Plan Table 3-1) (Continued)**

Water Body	Specific Conductance (micromhos) @ 77 F.		Total Dissolved Solids (mg/L)		Dissolved Oxygen (mg/L)			Hydrogen Ion (pH)		Hardness (mg/L)	Boron (mg/L)	
	90% Upper Limit ³	50% Upper Limit ²	90% Upper Limit ³	50% Upper Limit ²	Min	90% Lower Limit ³	50% Lower Limit ²	Max	Min	50% Upper Limit ²	90% Upper Limit ³	50% Upper Limit ²
Hayfork Creek												
Hayfork Creek	400	275			7.0		9.0	8.5	7.0	150	0.2	0.1
Other Streams	300	250			7.0		9.0	8.5	7.0	125	0.0	0.0
Ewing Reservoir	250	200			7.0		9.0	8.0	6.5	150	0.1	0.0
Groundwaters ⁴	350	225			--		--	8.5	7.0	100	0.2	0.1
S.F. Trinity River HA												
S.F. Trinity River	275	200			7.0		10.0	8.5	7.0	100	0.2	0.0
Other Streams	250	175			7.0		9.0	8.5	7.0	100	0.0	0.0
Lower Trinity River HA												
Trinity River	275	200			8.0		10.0	8.5	7.0	100	0.2	0.0
Other Streams	250	200			9.0		10.0	8.5	7.0	100	0.1	0.0
Groundwaters ⁴	200	150			--		--	8.5	7.0	75	0.1	0.1
Lower Klamath River HA												
Klamath River	300 ⁶	200 ⁶			8.0		10.0	8.5	7.0	75 ⁶	0.5 ⁶	0.2 ⁶
Other Streams	200 ⁶	125 ⁶			8.0		10.0	8.5	6.5	25 ⁶	0.1 ⁶	0.0 ⁶
Groundwaters ⁴	300	225			--		--	8.5	6.5	100	0.1	0.0
Illinois River HA												
All Streams	200	125			8.0		10.0	8.5	7.0	75	0.1	0.0
Winchuck River HU												
All Streams	200 ⁶	125 ⁶			8.0		10.0	8.5	7.0	50 ⁶	0.0 ⁶	0.0 ⁶
Smith River HU												
Smith River-Main Forks	200	125			8.0		11.0	8.5	7.0	60	0.1	0.1
Other Streams	150 ⁶	125 ⁶			7.0		10.0	8.5	7.0	60 ⁶	0.1 ⁶	0.0 ⁶
Smith River Plain HSA												
Smith River	200 ⁶	150 ⁶			8.0		11.0	8.5	7.0	60 ⁶	0.1 ⁶	0.0 ⁶
Other Streams	150 ⁶	125 ⁶			7.0		10.0	8.5	6.5	60 ⁶	0.1 ⁶	0.0 ⁶
Lakes Earl & Talawa	--	--			7.0		9.0	8.5	6.5	--	--	--
Groundwaters ⁴	350	100			--		--	8.5	6.5	75	1.0	0.0
Crescent City Harbor	--	--										
Redwood Creek HU												
Redwood Creek	220 ⁶	125 ⁶	115 ⁶	75 ⁶	7.0	7.5	10.0	8.5	6.5			
Mad River HU												
Mad River	300 ⁶	150 ⁶	160 ⁶	90 ⁶	7.0	7.5	10.0	8.5	6.5			
Eureka Plain HU												
Humboldt Bay	--	--	--	--	6.0	6.2	7.0	8.5	⁷			
Eel River HU												
Eel River	375 ⁶	225 ⁶	275 ⁶	140 ⁶	7.0	7.5	10.0	8.5	6.5			
Van Duzen River	375	175	200	100	7.0	7.5	10.0	8.5	6.5			
South Fork Eel River	350	200	200	120	7.0	7.5	10.0	8.5	6.5			

Table B-4. Specific Water Quality Objectives for North Coast Region (from Basin Plan Table 3-1) (Concluded)

Water Body	Specific Conductance (micromhos) @ 77 F.		Total Dissolved Solids (mg/L)		Dissolved Oxygen (mg/L)			Hydrogen Ion (pH)		Hardness (mg/L)	Boron (mg/L)	
	90% Upper Limit ³	50% Upper Limit ²	90% Upper Limit ³	50% Upper Limit ²	Min	90% Lower Limit ³	50% Lower Limit ²	Max	Min	50% Upper Limit ²	90% Upper Limit ³	50% Upper Limit ²
Middle Fork Eel River	450	200	230	130	7.0	7.5	10.0	8.5	6.5			
Outlet Creek	400	200	230	125	7.0	7.5	10.0	8.5	6.5			
Cape Mendocino HU												
Bear River	390 ⁶	255 ⁶	240 ⁶	150 ⁶	7.0	7.5	10.0	8.5	6.5			
Mattole River	300 ⁶	170 ⁶	170 ⁶	105 ⁶	7.0	7.5	10.0	8.5	6.5			
Mendocino Coast HU												
Ten Mile River	--	--	--	--	7.0	7.5	10.0	8.5	6.5			
Noyo River	185 ⁶	150 ⁶	120 ⁶	105 ⁶	7.0	7.5	10.0	8.5	6.5			
Jug Handle Creek	--	--	--	--	7.0	7.5	10.0	8.5	6.5			
Big River	300 ⁶	195 ⁶	190 ⁶	130 ⁶	7.0	7.5	10.0	8.5	6.5			
Albion River	--	--	--	--	7.0	7.5	10.0	8.5	6.5			
Navarro River	285 ⁶	250 ⁶	170 ⁶	150 ⁶	7.0	7.5	10.0	8.5	6.5			
Garcia River	--	--	--	--	7.0	7.5	10.0	8.5	6.5			
Gualala River	--	--	--	--	7.0	7.5	10.0	8.5	6.5			
Russian River HU												
(upstream) ⁸	320	250	170	150	7.0	7.5	10.0	8.5	6.5			
(downstream) ⁹	375 ⁶	285 ⁶	200 ⁶	170 ⁶	7.0	7.5	10.0	8.5	6.5			
Laguna de Santa Rosa	--	--	--	--	7.0	7.5	10.0	8.5	6.5			
Bodega Bay	--	--	--	--	6.0	6.2	7.0	8.5	⁷			
Coastal Waters ¹⁰	--	--	--	--	¹¹	¹¹	¹¹	¹²	12			

¹ Water bodies are grouped by hydrologic unit (HU), hydrologic area (HA), or hydrologic subarea (HAS).
² 50% upper and lower limits represent the 50 percentile values of the monthly means for a calendar year. 50% or more of the monthly means must be less than or equal to an upper limit and greater than or equal to a lower limit.
³ 90% upper and lower limits represent the 90 percentile values for a calendar year. 90% or more of the values must be less than or equal to an upper limit and greater than or equal to a lower limit.
⁴ Value may vary depending on the aquifer being sampled. This value is the result of sampling over time, and as pumped, from more than one aquifer.
⁵

<u>Daily Average Not to Exceed</u>	<u>Period</u>	<u>River Reach</u>
60°F	July 1–Sept. 14	Lewiston Dam to Douglas City Bridge
56°F	Sept. 15–Oct. 1	Lewiston Dam to Douglas City Bridge
56°F	Oct. 1–Dec. 31	Lewiston Dam to confluence of North Fork Trinity River

⁶ Does not apply to estuarine areas.
⁷ pH shall not be depressed below natural background levels.
⁸ Russian River (upstream) refers to the mainstem river upstream of its confluence with Laguna de Santa Rosa.
⁹ Russian River (downstream) refers to the minstem river downstream of its confluence with Laguna de Santa Rosa.
¹⁰ The State’s Ocean Plan applies to all North Coast Region coastal waters.
¹¹ Dissolved oxygen concentrations shall not at any time be depressed more than 10 percent from that which occurs naturally.
¹² pH shall not be changed at any time more than 02 units from that which occurs naturally.
 -- No water body specific objective available.

III. Proposed Discharges to Ocean Waters. Dischargers seeking authorization to discharge to ocean waters under this General Permit shall sample and analyze the effluent for the constituents contained in Table B-5. The results of the analyses shall be compared to the corresponding screening level and shall be submitted as part of the Notice of Intent.

Table B-5. Water Quality Criteria for the Ocean Plan Table B Pollutants

Table B Pollutant	CAS No.	ML ¹⁴ (µg/L)	WQ Criterion ¹⁵ (µg/L)
Arsenic	7440382	1.0	8.0
Cadmium	7440439	0.2	1.0
Chromium ⁺⁶	18540299	5.0	2.0
Copper	7440508	0.5	3.0
Lead	7439921	0.5	2.0
Mercury	7439976	0.2	0.04
Nickel	7440020	1.0	5.0
Selenium	7782492	1.0	15
Silver	7440224	0.2	0.7
Zinc	7440666	1.0	20
Cyanide	57125	5.0	1.0
Ammonia	---	200	600
Non-Chlorinated Phenolics	---	10	30
Chlorinated Phenolics	---	1	1.0
Endosulfan	---	0.01	0.009
Endrin	72208	0.01	0.002
HCH	58899	0.02	0.004
Acrolein	107028	2.0	220
Antimony	7440360	0.5	1,200
Bis (2-chloroethoxy) methane	111911	5.0	4.4
Bis (2-chloroisopropyl) ether	39638329	2.0	1,200
Chlorobenzene	108907	0.5	570
Chromium (trivalent)	7440473	---	190,000
Di-n-butyl phthalate	84742	10	3,500

¹⁴ ML = Minimum Level, established by the *Water Quality Control Plan for Ocean Waters of California* (Ocean Plan). The ML is the concentration in a sample that is equivalent to the concentration in the lowest calibration standard analyzed for a specific analytical procedure, assuming that all method specified sample weights, volumes, and processing steps have been followed. The Reporting Level for each pollutant shall be less than or equal to the ML described in this table.

¹⁵ The listed water quality criterion is the most stringent criterion of those established by the Ocean Plan.

Table B Pollutant	CAS No.	ML¹⁴ (µg/L)	WQ Criterion¹⁵ (µg/L)
Dichlorobenzenes	---	0.5	5,100
Diethyl phthalate	84662	2.0	33,000
Dimethyl phthalate	131113	2.0	820,000
4,6-dinitro-2-methylphenol	534521	5.0	220
2,4-dinitrophenol	51285	5.0	4.0
Ethylbenzene	100414	0.5	4,100
Fluoranthene	206440	0.05	15
Hexachlorocyclopentadiene	77474	5.0	58
Nitrobenzene	98953	1.0	4.9
Thallium	7440280	1.0	2.0
Toluene	108883	0.5	85,000
1,1,1-trichloroethane	71556	0.5	540,000
Tributyltin			0.0014
Acrylonitrile	107131	2.0	0.10
Aldrin	309002	0.005	0.000022
Benzene	71432	2.0	5.9
Benzidine	92875	5.0	0.000069
Beryllium	7440417	0.5	0.033
Bis (2-chloroethyl) ether	111444	1.0	0.045
Bis (2-ethylhexyl) phthalate	117817	5.0	3.5
Carbon tetrachloride	56235	0.5	0.90
Chlordane	57749	0.1	0.000023
Chlorodibromomethane	124481	0.5	8.6
Chloroform	67663	0.5	130
DDT	50293	0.01	0.00017
1,4-dichlorobenzene	106467	0.5	18
3,3-dichlorobenzidine	91941	5.0	0.0081
1,2-dichloroethane	107062	0.5	28
1,1-dichloroethylene	75354	0.5	0.9
Dichlorobromomethane	75274	0.5	6.2
Dichloromethane	75092	0.5	450
1,3-dichloropropene	542756	0.5	8.9
Dieldrin	60571	0.01	0.00004
2,4-dinitrotoluene	121142	5.0	2.6
1,2-diphenylhydrazine	122667	1.0	0.16
Halomethanes	---	---	130
Heptachlor	76448	0.01	0.00005
Heptachlor epoxide	1024573	0.01	0.00002
Hexachlorobenzene	118741	1.0	0.00021
Hexachlorobutadiene	87683	1.0	14

Table B Pollutant	CAS No.	ML¹⁴ (µg/L)	WQ Criterion¹⁵ (µg/L)
Hexachloroethane	67721	1.0	2.5
Isophorone	78591	1.0	730
N-nitrosodimethylamine	62759	5.0	7.3
N-nitrosodi-N-propylamine	621647	5.0	0.38
N-nitrosodiphenylamine	86306	1.0	2.5
PAHs	---	---	0.0088
PCBs	---	---	0.000019
TCDD equivalents	---	---	0.0000000039
1,1,2,2-tetrachloroethane	79345	0.5	2.3
Tetrachloroethylene	127184	0.5	2.0
Toxaphene	8001352	0.5	0.00021
Trichloroethylene	79016	0.5	27
1,1,2-trichloroethane	19005	0.5	9.4
2,4,6-trichlorophenol	88062	0.05	0.29
Vinyl chloride	75014	0.5	36

ATTACHMENT C – DEFINITIONS

Acute Toxicity:

a. Acute Toxicity (TUa)

Expressed in Toxic Units Acute (TUa)

$$TUa = \frac{100}{96\text{-hr LC } 50\%}$$

b. Lethal Concentration 50% (LC 50)

LC 50 (percent waste giving 50% survival of test organisms) shall be determined by static or continuous flow bioassay techniques using standard marine test species as specified in Ocean Plan Appendix III. If specific identifiable substances in wastewater can be demonstrated by the discharger as being rapidly rendered harmless upon discharge to the marine environment, but not as a result of dilution, the LC 50 may be determined after the test samples are adjusted to remove the influence of those substances.

When it is not possible to measure the 96-hour LC 50 due to greater than 50 percent survival of the test species in 100 percent waste, the toxicity concentration shall be calculated by the expression:

$$TUa = \frac{\log (100 - S)}{1.7}$$

where: S = percentage survival in 100% waste. If S > 99, TUa shall be reported as zero.

Areas of Special Biological Significance (ASBS): are those areas designated by the State Water Board as ocean areas requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable. All Areas of Special Biological Significance are also classified as a subset of STATE WATER QUALITY PROTECTION AREAS.

Arithmetic Mean (μ), also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

Arithmetic mean = $\mu = \Sigma x / n$ where: Σx is the sum of the measured ambient water concentrations, and n is the number of samples.

Average Monthly Effluent Limitation (AMEL): the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL): the highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Bioaccumulative pollutants are those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

Carcinogenic pollutants are substances that are known to cause cancer in living organisms.

Coefficient of Variation (CV) is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

Chlordane shall mean the sum of chlordane-alpha, chlordane-gamma, chlordene-alpha, chlordene-gamma, nonachlor-alpha, nonachlor-gamma, and oxychlordane.

Chronic Toxicity: This parameter shall be used to measure the acceptability of waters for supporting a healthy marine biota until improved methods are developed to evaluate biological response.

a. Chronic Toxicity (TUc)

Expressed as Toxic Units Chronic (TUc)

$$TUc = \frac{100}{NOEL}$$

b. No Observed Effect Level (NOEL)

The NOEL is expressed as the maximum percent effluent or receiving water that causes no observable effect on a test organism, as determined by the result of a critical life stage toxicity test listed in Ocean Plan Appendix II.

Daily Discharge: Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that

reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

DDT shall mean the sum of 4,4'DDT, 2,4'DDT, 4,4'DDE, 2,4'DDE, 4,4'DDD, and 2,4'DDD.

Degrade: Degradation shall be determined by comparison of the waste field and reference site(s) for characteristic species diversity, population density, contamination, growth anomalies, debility, or supplanting of normal species by undesirable plant and animal species. Degradation occurs if there are significant differences in any of three major biotic groups, namely, demersal fish, benthic invertebrates, or attached algae. Other groups may be evaluated where benthic species are not affected, or are not the only ones affected.

Detected, but Not Quantified (DNQ) are those sample results less than the reported Minimum Level, but greater than or equal to the laboratory's MDL.

Dilution Credit is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

Dichlorobenzenes shall mean the sum of 1,2- and 1,3-dichlorobenzene.

Downstream Ocean Waters shall mean waters downstream with respect to ocean currents.

Dredged Material: Any material excavated or dredged from the navigable waters of the United States, including material otherwise referred to as "spoil".

Effluent Concentration Allowance (ECA) is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as waste load allocation (WLA) as used in USEPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

Enclosed Bays means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

Estimated Chemical Concentration is the estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

Endosulfan shall mean the sum of endosulfan-alpha and -beta and endosulfan sulfate.

Estuaries and Coastal Lagoons are waters at the mouths of streams that serve as mixing zones for fresh and ocean waters during a major portion of the year. Mouths of streams that are temporarily separated from the ocean by sandbars shall be considered as estuaries. Estuarine waters will generally be considered to extend from a bay or the open ocean to the upstream limit of tidal action but may be considered to extend seaward if significant mixing of fresh and salt water occurs in the open coastal waters. The waters described by this definition include but are not limited to the Sacramento-San Joaquin Delta as defined by Section 12220 of the California Water Code, Suisun Bay, Carquinez Strait downstream to Carquinez Bridge, and appropriate areas of the Smith, Klamath, Mad, Eel, Noyo, and Russian Rivers.

Halomethanes shall mean the sum of bromoform, bromomethane (methyl bromide) and chloromethane (methyl chloride).

HCH shall mean the sum of the alpha, beta, gamma (lindane) and delta isomers of hexachlorocyclohexane.

Initial Dilution is the process that results in the rapid and irreversible turbulent mixing of wastewater with ocean water around the point of discharge.

For a submerged buoyant discharge, characteristic of most municipal and industrial wastes that are released from the submarine outfalls, the momentum of the discharge and its initial buoyancy act together to produce turbulent mixing. Initial dilution in this case is completed when the diluting wastewater ceases to rise in the water column and first begins to spread horizontally.

For shallow water submerged discharges, surface discharges, and non-buoyant discharges, characteristic of cooling water wastes and some individual discharges, turbulent mixing results primarily from the momentum of discharge. Initial dilution, in these cases, is considered to be completed when the momentum induced velocity of the discharge ceases to produce significant mixing of the waste, or the diluting plume reaches a fixed distance from the discharge to be specified by the Regional Board, whichever results in the lower estimate for initial dilution.

Inland Surface Waters are all surface waters of the State that do not include the ocean, enclosed bays, or estuaries.

Instantaneous Maximum Effluent Limitation: the highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation: the lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Kelp Beds, for purposes of the bacteriological standards of the Ocean Plan, are significant aggregations of marine algae of the genera Macrocystis and Nereocystis. Kelp beds include the total foliage canopy of Macrocystis and Nereocystis plants throughout the water column.

Mariculture is the culture of plants and animals in marine waters independent of any pollution source.

Material: (a) In common usage: (1) the substance or substances of which a thing is made or composed (2) substantial; (b) For purposes of the Ocean Plan relating to waste disposal, dredging and the disposal of dredged material and fill, MATERIAL means matter of any kind or description which is subject to regulation as waste, or any material dredged from the navigable waters of the United States. See also, DREDGED MATERIAL.

Maximum Daily Effluent Limitation (MDEL) means the highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

Median is the middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements (n) is odd, then the median = $X_{(n+1)/2}$. If n is even, then the median = $(X_{n/2} + X_{(n/2)+1})/2$ (i.e., the midpoint between the $n/2$ and $n/2+1$).

Method Detection Limit (MDL) is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in title 40 of the Code of Federal Regulations, Part 136, Attachment B.

Minimum Level (ML) is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

Natural Light: Reduction of natural light may be determined by the Regional Water Board by measurement of light transmissivity or total irradiance, or both, according to the monitoring needs of the Regional Water Board.

Not Detected (ND) are those sample results less than the laboratory's MDL.

Ocean Waters are the territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. If a discharge outside the territorial waters of the state could affect the quality of the waters of the state, the discharge may be regulated to assure no violation of the Ocean Plan will occur in ocean waters.

PAHs (polynuclear aromatic hydrocarbons) shall mean the sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene, 1,12-benzoperylene, benzo[a]pyrene, chrysene, dibenzo[ah]anthracene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene and pyrene.

PCBs (polychlorinated biphenyls) shall mean the sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254 and Aroclor-1260.

Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

Pollutant Minimization Program (PMP) means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of Ocean Plan Table B pollutants through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Regional Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not

include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State or Regional Water Board.

Reported Minimum Level is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Regional Water Board either from Appendix II of the Ocean Plan in accordance with section III.C.5.a. of the Ocean Plan or established in accordance with section III.C.5.b. of the Ocean Plan. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the reported ML.

Satellite Collection System is the portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

Shellfish are organisms identified by the California Department of Health Services as shellfish for public health purposes (i.e., mussels, clams and oysters).

Significant Difference is defined as a statistically significant difference in the means of two distributions of sampling results at the 95 percent confidence level.

Six-month Median Effluent Limitation: the highest allowable moving median of all daily discharges for any 180-day period.

Source of Drinking Water is any water designated as municipal or domestic supply (MUN) in a Regional Water Board Basin Plan.

Standard Deviation (σ) is a measure of variability that is calculated as follows:

$$\sigma = (\sum[(x - \mu)^2]/(n - 1))^{0.5}$$

where: x is the observed value;

μ is the arithmetic mean of the observed values;
and

n is the number of samples.

State Water Quality Protection Areas (SWQPAs) are non-terrestrial marine or estuarine areas designated to protect marine species or biological communities from an undesirable alteration in natural water quality. All AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE

(ASBS) that were previously designated by the State Water Board in Resolution No.s 74-28, 74-32, and 75-61 are now also classified as a subset of State Water Quality Protection Areas and require special protections afforded by the Ocean Plan.

TCDD Equivalents shall mean the sum of the concentrations of chlorinated dibenzodioxins (2,3,7,8-CDDs) and chlorinated dibenzofurans (2,3,7,8-CDFs) multiplied by their respective toxicity factors, as shown in the table below.

Isomer Group	Toxicity Equivalence Factor
2,3,7,8-tetra CDD	1.0
2,3,7,8-penta CDD	0.5
2,3,7,8-hexa CDDs	0.1
2,3,7,8-hepta CDD	0.01
octa CDD	0.001
2,3,7,8 tetra CDF	0.1
1,2,3,7,8 penta CDF	0.05
2,3,4,7,8 penta CDF	0.5
2,3,7,8 hexa CDFs	0.1
2,3,7,8 hepta CDFs	0.01
octa CDF	0.001

Toxicity Reduction Evaluation (TRE) is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

Waste: As used in the Ocean Plan, waste includes a Discharger’s total discharge, of whatever origin, i.e., gross, not net, discharge.

Water Reclamation: The treatment of wastewater to render it suitable for reuse, the transportation of treated wastewater to the place of use, and the actual use of treated wastewater for a direct beneficial use or controlled use that would not otherwise occur.

ATTACHMENT D – STANDARD PROVISIONS

I. STANDARD PROVISIONS – PERMIT COMPLIANCE

A. Duty to Comply

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (40 C.F.R. § 122.41(a).)
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 C.F.R. § 122.41(a)(1).)

B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 C.F.R. § 122.41(c).)

C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. § 122.41(d).)

D. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 C.F.R. § 122.41(e).)

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. § 122.41(g).)

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 C.F.R. § 122.5(c).)

F. Inspection and Entry

The Discharger shall allow the Regional Water Board, State Water Board, United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to (40 C.F.R. § 122.41(i); Wat. Code, § 13383):

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (40 C.F.R. § 122.41(i)(1));
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (40 C.F.R. § 122.41(i)(2));
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (40 C.F.R. § 122.41(i)(3)); and
4. Sample or monitor, at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (40 C.F.R. § 122.41(i)(4).)

G. Bypass

1. Definitions
 - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 C.F.R. § 122.41(m)(1)(i).)
 - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 C.F.R. § 122.41(m)(1)(ii).)
2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 C.F.R. § 122.41(m)(2).)

3. Prohibition of bypass. Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. § 122.41(m)(4)(i)):
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. § 122.41(m)(4)(i)(A));
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 C.F.R. § 122.41(m)(4)(i)(B)); and
 - c. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. § 122.41(m)(4)(i)(C).)
4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 C.F.R. § 122.41(m)(4)(ii).)
5. Notice
 - a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass. (40 C.F.R. § 122.41(m)(3)(i).)
 - b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). (40 C.F.R. § 122.41(m)(3)(ii).)

H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 C.F.R. § 122.41(n)(1).)

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No

determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 C.F.R. § 122.41(n)(2).)

2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 C.F.R. § 122.41(n)(3)):
 - a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. § 122.41(n)(3)(i));
 - b. The permitted facility was, at the time, being properly operated (40 C.F.R. § 122.41(n)(3)(ii));
 - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 C.F.R. § 122.41(n)(3)(iii)); and
 - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 C.F.R. § 122.41(n)(3)(iv).)
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 C.F.R. § 122.41(n)(4).)

II. STANDARD PROVISIONS – PERMIT ACTION

A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order. (40 C.F.R. § 122.41(f).)

B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 C.F.R. § 122.41(b).)

C. Transfers

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of this Order to change the name of the Discharger and incorporate such other

requirements as may be necessary under the CWA and the Water Code. (40 C.F.R. § 122.41(l)(3); § 122.61.)

III. STANDARD PROVISIONS – MONITORING

- A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 C.F.R. § 122.41(j)(1).)
- B. Monitoring results must be conducted according to test procedures under Part 136 (40 C.F.R. § 122.41(j)(4)) [BR edited]

IV. STANDARD PROVISIONS – RECORDS

- A. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application and the NOI for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time. (40 C.F.R. § 122.41(j)(2).)
- B. Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements (40 C.F.R. § 122.41(j)(3)(i));
 - 2. The individual(s) who performed the sampling or measurements (40 C.F.R. § 122.41(j)(3)(ii));
 - 3. The date(s) analyses were performed (40 C.F.R. § 122.41(j)(3)(iii));
 - 4. The individual(s) who performed the analyses (40 C.F.R. § 122.41(j)(3)(iv));
 - 5. The analytical techniques or methods used (40 C.F.R. § 122.41(j)(3)(v)); and
 - 6. The results of such analyses. (40 C.F.R. § 122.41(j)(3)(vi).)
- C. Claims of confidentiality for the following information will be denied (40 C.F.R. § 122.7(b)):
 - 1. The name and address of any permit applicant or Discharger (40 C.F.R. § 122.7(b)(1)); and
 - 2. Permit applications and attachments, permits and effluent data. (40 C.F.R. § 122.7(b)(2).)

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Regional Water Board, State Water Board, or USEPA within a reasonable time, any information which the Regional Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, State Water Board, or USEPA copies of records required to be kept by this Order. (40 C.F.R. § 122.41(h); Wat. Code, § 13267.)

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Regional Water Board, State Water Board, and/or USEPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, and V.B.5 below. (40 C.F.R. § 122.41(k).)
2. All permit applications shall be signed as follows:
 - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. [40 C.F.R. § 122.22(a)(1)];
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively [40 C.F.R. § 122.22(a)(2)]; or
 - c. For a municipality, State, federal, or other public agency; by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the

overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA) [40 C.F.R. § 122.22(a)(3)].

3. All reports required by this Order and other information requested by the Regional Water Board, State Water Board, or USEPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Standard Provisions – Reporting V.B.2 above (40 C.F.R. § 122.22(b)(1));
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) (40 C.F.R. § 122.22(b)(2)); and
 - c. The written authorization is submitted to the Regional Water Board and State Water Board. (40 C.F.R. § 122.22(b)(3).)
4. If an authorization under Standard Provisions – Reporting B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Regional Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. § 122.22(c).)
5. Any person signing a document under Standard Provisions – Reporting V above shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.” (40 C.F.R. § 122.22(d).)

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 C.F.R. § 122.22(l)(4).)

2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Regional Water Board or State Water Board for reporting results of monitoring of sludge use or disposal practices. (40 C.F.R. § 122.41(l)(4)(i).)
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board. (40 C.F.R. § 122.41(l)(4)(ii).)
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 C.F.R. § 122.41(l)(4)(iii).)

D. Compliance Schedules

The General Permit does not include compliance schedules.

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger 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 reoccurrence of the noncompliance. (40 C.F.R. § 122.41(l)(6)(i).)
2. The following shall be included as information that must be reported within 24 hours under this paragraph (40 C.F.R. § 122.41(l)(6)(ii)):
 - a. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(A).)
 - b. Any upset that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(B).)
3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours. (40 C.F.R. § 122.41(l)(6)(iii).)

F. Planned Changes

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 C.F.R. § 122.41(l)(1)):

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) (40 C.F.R. § 122.41(l)(1)(i)); or
2. If the discharge is not an existing manufacturing, commercial, mining, or silvicultural discharge as referenced in 40 CFR 122.42(a), the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (40 CFR 122.41(l)(1)(ii).)

The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in this Order nor to notification requirements under 40 CFR 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1). (40 CFR 122.41(l)(1)(ii).); or

3. If the discharge is an existing manufacturing, commercial, mining, or silvicultural discharge, the alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 CFR 122.41(l)(1)(iii).)

G. Anticipated Noncompliance

The Discharger shall give advance notice to the Regional Water Board or State Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with any requirements of this General Permit. (40 C.F.R. § 122.41(l)(2).)

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. (40 C.F.R. § 122.41(l)(7).)

I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, State Water Board, or USEPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. § 122.41(l)(8).)

VI. STANDARD PROVISIONS – ENFORCEMENT

- A. The Regional Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Regional Water Board as soon as they know or have reason to believe (40 C.F.R. § 122.42(a)):

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 C.F.R. § 122.42(a)(1)):
 - a. 100 micrograms per liter ($\mu\text{g/L}$) (40 C.F.R. § 122.42(a)(1)(i));
 - b. 200 $\mu\text{g/L}$ for acrolein and acrylonitrile; 500 $\mu\text{g/L}$ for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony (40 C.F.R. § 122.42(a)(1)(ii));
 - c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 C.F.R. § 122.42(a)(1)(iii)); or
 - d. The level established by the Regional Water Board in accordance with section 122.44(f). (40 C.F.R. § 122.42(a)(1)(iv).)
2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 C.F.R. § 122.42(a)(2)):
 - a. 500 micrograms per liter ($\mu\text{g/L}$) (40 C.F.R. § 122.42(a)(2)(i));
 - b. 1 milligram per liter (mg/L) for antimony (40 C.F.R. § 122.42(a)(2)(ii));

- c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 C.F.R. § 122.42(a)(2)(iii)); or
- d. The level established by the Regional Water Board in accordance with section 122.44(f). (40 C.F.R. § 122.42(a)(2)(iv).)

**ATTACHMENT E – MONITORING AND REPORTING PROGRAM NO. R1-2009-0045
(Revised January 6, 2010)**

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**ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP) NO. R1-2009-0045
(Revised January 6, 2010)**

The Code of Federal Regulations section 122.48 requires that all NPDES permits specify monitoring and reporting requirements. Water Code Sections 13267 and 13383 also authorize the Regional Water Quality Control Board (Regional Water Board) to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement the federal and California regulations.

The Regional Water Board Executive Officer may modify the monitoring and reporting program for a specific discharger to reduce monitoring frequency and/or eliminate a monitoring parameter if it can be demonstrated that any reduction in monitoring requirements will not compromise water quality. In addition, the Executive Officer may stipulate conditions and requirements in addition to those established by the MRP for all authorized discharges, including monitoring and reporting requirements, for each specific discharge to assess compliance with requirements of the General Permit and/or to characterize the discharge and/or receiving water quality. Any deviations from this standard MRP that are proposed by the Executive Officer will be identified in the public notice placed on the Regional Water Board's website for each specific applicant.

I. GENERAL MONITORING PROVISIONS

- A.** Laboratories analyzing monitoring samples shall be certified by the California Department of Public Health, in accordance with Water Code section 13176, and must include quality assurance/quality control data with their reports.
- B.** If the Discharger monitors any pollutant more frequently than required by this MRP, using test procedures approved by 40 CFR Part 136 or as specified in this MRP, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the Discharger's self-monitoring reports.
- C.** Samples and measurements taken as required by this MRP shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and the approval of the Regional Water Board Executive Officer.
- D.** Monitoring results, including noncompliance, shall be reported at intervals and in the manner specified in this MRP.
- E.** Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. 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. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.

- F. Wastewater Monitoring Provision. Composite samples may be taken by a proportional sampling device approved by the Executive Officer or by grab samples composited in proportion to flow. In compositing grab samples, the sampling interval shall not exceed one hour.

II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order.

Table E-1. Monitoring Station Locations

Discharge Point	Monitoring Location	Monitoring Location Description
001	EFF-001 ¹	Wastewater to be discharged, following treatment and before contact with receiving water and before dilution by any other water or waste.
002	EFF-002	If more than one discharge point is authorized under the General Permit, compliance monitoring locations shall be named EFF-002, EFF-003, etc. and shall be located to allow collection of wastewater to be discharged, following treatment and before contact with receiving water and before dilution by any other water or waste.
Receiving Water	RSW-001	Receiving water immediately upstream of the point of discharge at a location unaffected by the discharge to allow collection of water samples or observation of conditions that are representative of upstream, background conditions within the receiving water. Applicable to inland surface waters, enclosed bays and estuaries.
Receiving Water	RSW-002	Receiving water at an appropriate monitoring location approved by the Executive Officer, downstream of the point of discharge, that represents downstream water quality after mixing of the discharge and receiving water. This monitoring location must be located within 25 feet of the discharge outfall unless otherwise approved by the Discharger. Applicable to inland surface waters, enclosed bays and estuaries.

III. INFLUENT MONITORING REQUIREMENTS

This section of the standardized MRP is not applicable to discharges of low threat wastewaters.

¹ Dischargers enrolled under this General Permit for more than one discharge point must comply with effluent limitations and monitoring requirements at each discharge point.

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Locations EFF-001, EFF-002, etc.

1. The Discharger shall monitor the discharge(s) at Monitoring Locations EFF-001, EFF-002, etc. for the constituents identified in Table E-2, and record the monitoring results.

Table E-2. Effluent Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency ²	Required Analytical Test Method
Biochemical Oxygen Demand	mg/L	Grab	Monthly	Standard Methods ³
Total Suspended Solids	mg/L	Grab	Monthly	Standard Methods
Settleable Solids	ml/L	Grab	Monthly	Standard Methods
Flow ⁴	gpd ⁵	Meter or Estimate	1X/Day ⁶	Standard Methods
Chlorine, Total Residual ⁷	mg/L	Field Sample ⁸	Daily	Standard Methods
pH	standard units	Field Sample ⁸	4X/day ⁹	Standard Methods
Temperature	°C or °F	Field Sample ⁸	4X/day ⁹	Standard Methods
Turbidity	NTU	Grab or Field Sample ⁸	4X/day ⁹	Standard Methods

² The first sample shall be collected at the start of discharge.

³ In accordance with the most current edition of Standard Methods for the Examination of Water and Wastewater (American Public Health Administration) or current test procedures as specified in 40 CFR 136.

⁴ The Discharger shall monitor the flow rate and calculate the average daily flow rate of the discharge during the entire period of the discharge. The flow rate, duration, and total volume of the discharge shall be monitored and reported. Flow estimates are acceptable provided that the basis for the estimates is clearly indicated with the monitoring report(s).

⁵ gpd = gallons per day

⁶ This flow sampling frequency assumes steady state flow. Flow rate shall be monitored more frequently if flow rate changes. Continuous flow monitoring is desirable if flow rates change frequently.

⁷ Chlorine monitoring shall be required when the water being discharged originates from a chlorinated water source or has otherwise been chlorinated.

⁸ All field equipment shall be properly calibrated. Calibration records shall be retained for a period of three years.

⁹ Field sampling for pH, temperature, turbidity, specific conductance and dissolved oxygen shall occur twice hourly until such time that steady state compliance conditions for all parameters are established. Thereafter, field sampling for pH, temperature, turbidity, specific conductance and dissolved oxygen shall occur four times per day, evenly spaced during the hours that the discharge is manned. Field sampling shall occur more frequently if needed to demonstrate compliance with effluent and receiving water limitations.

Parameter	Units	Sample Type	Minimum Sampling Frequency ²	Required Analytical Test Method
Specific Conductance (@ 25°C)	µmhos/cm	Grab or Field Sample ⁸	4X/day ⁹	Standard Methods
Dissolved Oxygen	mg/L	Field Sample ⁸	4X/day ⁹	Standard Methods
Visual Observations ¹⁰	---	Visual	Daily	Standard Methods
Other ¹¹	---	---		Standard Methods

2. The Discharger shall take photographs at the point of discharge (discharge outfall) at the commencement of the discharge and daily thereafter, at a time of peak discharge. The photographs shall be labeled with a date and time and shall be included with monitoring reports submitted to the Regional Water Board.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

The General Permit does not require whole effluent toxicity testing.

VI. LAND DISCHARGE MONITORING REQUIREMENTS

The General Permit is not applicable to discharges to land and therefore does not establish monitoring requirements for wastewater that is land applied.

VII. RECLAMATION MONITORING REQUIREMENTS

The General Permit is not applicable to reclamation uses of wastewater and therefore does not establish monitoring requirements for wastewaters that are reclaimed in lieu of discharge.

¹⁰ Visual observations shall include the appearance of the discharge including color, turbidity, floating or suspended matter or debris, appearance of the receiving water at the point of discharge (occurrence of erosion and scouring, turbidity, solids deposition, unusual aquatic growth, etc), and observations about the receiving water, such as the presence of aquatic life.

¹¹ When granting authorization to discharge under the General Permit, the Regional Water Board Executive Officer may stipulate conditions in addition to the requirements described by the General Permit for all authorized discharges, including monitoring requirements, for a specific discharge. Such monitoring requirements shall become enforceable requirements of the General Permit and may include effluent and/or receiving water monitoring requirements. When the discharge originates from groundwater with naturally occurring arsenic, monitoring the discharge for arsenic may be required. When the discharge originates from a potable supply, monitoring for the trihalomethanes may be required in the discharge. When stream scouring or bank erosion is a concern, for example, monitoring for suspended solids in receiving water, upstream and downstream of the point of discharge, may be required.

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

A. Monitoring Locations RSW-001 and RSW-002 for Discharges to Inland Surface Waters, Enclosed Bays and Estuaries

1. The Discharger shall monitor receiving water at Monitoring Locations RSW-001 and RSW-002 for the constituents identified in Table E-3 and record the monitoring results.

Table E-3. Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Method
Flow	gpd, mgd, or cfs	Continuous	Daily	Standard Methods
pH	standard units	Field Sample ⁸	4X/day ⁹	Standard Methods
Temperature	°C or °F	Field Sample ⁸	4X/day ⁹	Standard Methods
Turbidity	NTU	Grab or Field Sample ⁸	4X/day ⁹	Standard Methods
Specific Conductance @25°C	µmhos/cm	Grab or Field Sample ⁸	4X/day ⁹	Standard Methods
Dissolved Oxygen	mg/L	Field Sample ⁸	4X/day ⁹	Standard Methods
Visual Observations ¹⁰	---	Visual	Daily	---
Other ¹¹	---	---	---	---

2. In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by RSW-001 and RSW-002. Attention shall be given to the presence or absence of:
 - a. Erosion or scouring caused or exacerbated by the discharge;
 - b. Nuisance conditions such as algae, fungi, slimes, or objectionable growths, mosquitoes, flooding, etc) caused or exacerbated by the discharge
 - b. Floating or suspended matter;
 - c. Bottom deposits;
 - d. Aquatic life;

- e. Visible films, sheens, or coatings;

Notes on receiving water conditions shall be summarized in the monitoring report submitted to the Regional Water Board.

- 3. The Discharger shall take photographs of the receiving water at Monitoring Location RSW-002 prior to commencement of discharge and, when discharging, one time per week at a time of peak discharge. The photographs shall be labeled with a date and time and shall be included with monitoring reports submitted to the Regional Water Board.

IX. OTHER MONITORING REQUIREMENTS

This section is not applicable as there are no additional monitoring requirements to add.

X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

- 1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
- 2. The Discharger shall report to the Regional Water Board any toxic chemical release data it reports to the State Emergency Response Commission within 15 days of reporting the data to the Commission pursuant to section 313 of the "Emergency Planning and Community Right to Know Act" of 1986.
- 3. Noncompliance Reporting. The Discharger shall report by telephone any noncompliance with Order No. R1-2009-0045, including any violation of discharge prohibitions, discharge limitations or receiving water limitations, or evidence that the discharge has adversely impacted any beneficial use of the receiving water. The telephone report must be made by calling the Regional Water Board staff person assigned to the enrolled project or an available Regional Water Board staff person (707-576-2220), as soon as possible, but no later than 24 hours from the time the Discharger becomes aware of the noncompliance.

B. Self Monitoring Reports (SMRs)

- 1. At any time during the term of this permit, the State or Regional Water Board may notify the Discharger to electronically submit Self-Monitoring Reports (SMRs) using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (<http://www.waterboards.ca.gov/ciwqs/index.html>). Until such notification is given, the Discharger shall submit hard copy SMRs. The CIWQS Web site will provide additional directions for SMR submittal in the event there will be service interruption for electronic submittal.

2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections III through IX. The Discharger shall submit SMRs including the results of all required monitoring using USEPA-approved test methods or other test methods specified in this Order. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.
3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-4. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date
Continuous	When discharge is initiated	All	<p>For discharges that are two weeks or less in duration: A single monitoring report shall be submitted within 30 days of ceasing the discharge.</p> <p>For discharges of longer duration: Monthly reports shall be submitted by the 1st day of the 2nd month following the monitoring period</p>
Daily	When discharge is initiated	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	
Weekly	When discharge is initiated	If discharge lasts less than a month, each full week following the discharge initiation date. If discharge lasts longer than one month, Sunday through Saturday.	
Monthly	When discharge is initiated	1 st day of calendar month through last day of calendar month. If discharge lasts less than a month, but spans two months, the monitoring period shall be the discharge period.	
Quarterly			

4. Reporting Protocols. The Discharger shall report with each sample result the applicable reported Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in Part 136.

The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

- a. Sample results greater than or equal to the reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
- b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words "Estimated Concentration" (may be shortened to "Est. Conc."). The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (+ a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

- c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.
 - d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.
5. The Discharger shall submit SMRs in accordance with the following requirements:
- a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.
 - b. The SMR shall contain documentation to demonstrate that field sampling staff have been properly trained and that all field equipment used for water quality monitoring was properly calibrated.
 - c. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify:
 - (1) Facility name;
 - (2) WDID number;

- (3) Applicable period of monitoring and reporting;
 - (4) Any variations from the Notice of Intent;
 - (5) A brief evaluation of the effectiveness of all treatment methods and/or management measures implemented;
 - (6) If the discharge resulted in observable changes or impacts in the receiving water, including, but not limited to, discoloration or turbidity and an explanation of upstream and downstream conditions identified in the receiving water monitoring required by section VIII.A of this Monitoring and Reporting Program;
 - (7) Identification and explanation of any violations of the General Permit (include a description of the requirement that was violated and a description of the violation);
 - (8) Explanation of corrective actions taken or planned to comply with the General Permit,
 - (9) The proposed time schedule for any corrective actions planned;
 - (10) Identification and explanation of any complaints caused by the discharge;
 - (11) Authorized signature; and
 - (12) Certification Statement: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- d. SMRs must be submitted to the Regional Water Board, signed and certified as required by the Standard Provisions (Attachment D), to the address listed below:

North Coast Regional Water Board
5550 Skylane Boulevard, Suite A
Santa Rosa, California 95403

C. Discharge Monitoring Reports (DMRs)

Discharge Monitoring Reports are not required under this Order.

D. Other Reporting Requirements

1. Notice of Start Up. The Discharger shall notify the appropriate Regional Water Board staff person by telephone or email at least three (3) days before initiating an authorized discharge, unless a shorter notification period is authorized by the Regional Water Board Executive Officer.
2. Notice of Termination. Using the Notice of Termination (NOT) form provided as Attachment G to this General Permit, within 30 days following permanent termination of an authorized discharge, dischargers shall provide notice that the authorized discharge has been completed.

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

As described in section III of this Order, this Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for dischargers in California. Only those sections or subsections of this Order that are specifically identified as “not applicable” have been determined not to apply to discharges authorized for coverage under this General Permit. Sections or subsections of this Order not specifically identified as “not applicable” are fully applicable to this Discharger.

I. PERMIT INFORMATION

A. Background

In 1972, the Federal Water Pollution Control Act (also referred to as the Clean Water Act) was amended to provide that the discharge of pollutants to waters of the United States from any point source is effectively prohibited unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) Permit. On 22 September 1989, the United States Environmental Protection Agency (USEPA) granted the State of California, through the State Water Resources Control Board (State Water Board) and the Regional Water Quality Control Boards (Regional Water Boards), the authority to issue general NPDES permits pursuant to 40 Code of Federal Regulations (CFR) Parts 122 and 123.

40 CFR 122.28 provides for issuance of general permits to regulate a category of point sources if the sources involve the same or substantially similar types of operations; discharge the same type of waste; require the same type of effluent limitations or operating conditions; require similar monitoring; and are more appropriately regulated under a general order rather than individual orders.

On May 27, 1993, the Regional Water Board adopted Order No. 93-61 (General NPDES Permit No. CA 0024902) – Waste Discharge Requirements for Discharges of Groundwater to Surface Water Related to Construction and Subsurface Seepage Dewatering Activities in the North Coast Region. The requirements of Order No. 93-61 have been continued and remain in effect until new Waste Discharge and NPDES Requirements are adopted pursuant to this Order.

This new General Permit reissues and updates the requirements of Order No. 93-61 to conform to current regulations. This new General Permit is expanded to cover low threat discharges that meet the criteria specified in sections I.B.1 and II of the Order, including a requirement that in order to receive authorization to discharge to surface waters during the prohibition periods set out in the Basin Plan (May 15-September 30 on the Mad, Eel and Russian Rivers, and year-round in all other surface water bodies within the North Coast Region), each applicant will need to demonstrate that all

alternatives to surface water discharge have been exhausted. This new General Permit is also part of a Region-wide effort to regulate low threat discharges in a consistent manner.

This new General Permit was developed concurrently with a Basin Plan amendment, titled *Amendment to the Point Source Measures in Section 4 of the Water Quality Control Plan for the North Coast Region to Revise the Action Plan for Storm Water Discharges and Include a New Action Plan for Low Threat Discharges to Provide Exception Criteria to the Waste Discharge Prohibitions* (Low Threat Discharge Amendment) which provides exception criteria to the seasonal discharge prohibitions and the one-percent flow limitation in section IV (Implementation Plans) of the Basin Plan. Section IV of the Basin Plan contains point source prohibitions that limit point source waste discharges to the Mad, Eel and Russian Rivers and their tributaries to the period of October 1 through May 14 each year (seasonal discharge prohibition) and disallow point source waste discharges to all other surface water bodies in the North Coast Region year round (year-round prohibition). The Basin Plan also includes a discharge flow rate limitation for the Mad, Eel, and Russian Rivers, requiring that waste discharge flow must be no greater than one percent of the receiving stream's flow, although the Regional Water Board may consider exceptions for cause to this waste discharge rate limitation.

The year-round and seasonal point source prohibitions and the one-percent flow limitation are intended to protect water quality and beneficial uses of the waterbodies in the North Coast Region, but they do not contain the flexibility to permit the discharge of water considered to be a low threat to water quality during the stated discharge prohibition periods. These point source prohibitions currently apply to the discharge of water that meets water quality objectives and may not pose a threat to water quality, such as uncontaminated groundwater pumped from a well. This is because almost all water has some small amount of pollutants, and would be considered the discharge of waste under the Porter-Cologne Water Quality Act. Pollutants that are most common in low threat discharges are sediment, elevated temperature, and chlorine.

Once the Low Threat Discharge Amendment is fully approved (e.g, Regional Water Board adoption and State Water Board Office of Administrative Law and USEPA approvals), applicants under this General Permit will be able to request exceptions to the point source prohibitions and the one-percent flow limitation upon demonstration that all alternatives to surface water discharge have been exhausted, including a demonstration that justifies the need for a discharge during the discharge prohibition periods. For discharges to the Mad, Eel and Russian Rivers and their tributaries, the applicant must demonstrate why the surface water discharge cannot occur during the allowable discharge period of October 1 to May 14. For point source waste discharges to all other surface water bodies, a demonstration of why a surface water discharge is necessary must always be made. Requests for exception from the one-percent

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discharge limitation must include documentation that the discharge meets the eligibility criteria identified in section II.A.3 of the General Permit.

B. General Criteria

1. This Order serves as a general NPDES Permit for the discharge to surface waters of wastewater with a low threat to water quality. The following low threat discharges may be covered under this General Permit:
 - a. Construction dewatering of water where sediment and naturally occurring parameters (e.g., naturally occurring metals or salts, temperature, pH, etc.) in area ground water are the only pollutants of concern;
 - b. Discharges resulting from maintenance, disinfection, cleaning or flushing of uncontaminated water supply wells, pipelines, tanks and reservoirs where chlorine, chlorine by-products, and naturally occurring parameters (e.g., naturally occurring metals, temperature, pH, etc.) in the water supply are the only pollutants of concern;
 - c. Discharges resulting from well development, test pumping, maintenance, and purging of uncontaminated water supply or geothermal wells where sediment and naturally occurring parameters (e.g., naturally occurring metals or salts, temperature, pH, etc.) in area ground water and chlorine and chlorine disinfection by-products from well disinfection are the only pollutants of concern;
 - d. Hydrostatic testing, maintenance, repair, and disinfection of potable water supply pipelines, tanks, and reservoirs, where chlorine, chlorine by-products, and naturally occurring parameters (e.g., naturally occurring metals, temperature, pH, etc.) in the water supply are the only pollutants of concern;
 - e. Hydrostatic testing of newly constructed pipelines, tanks, and reservoirs used for purposes other than potable water supplies, where chlorine, chlorine by-products and naturally occurring parameters (e.g., naturally occurring metals, temperature, pH, etc.) in the water supply are the only pollutants of concern;
 - f. Subterranean seepage dewatering (dewatering of structures situated below ground level such as basements, roadways, etc), where sediment and naturally occurring parameters (e.g., naturally occurring metals or salts, temperature, pH, etc.) in the area groundwater are the only pollutants of concern;
 - g. Discharges resulting from dewatering of uncontaminated dredge spoils, where sediment and naturally occurring parameters (e.g., naturally occurring metals or salts, temperature, pH, etc.) are the only pollutants of concern;
 - h. Other similar types of point source discharges that pose a low threat to water quality, yet technically must be regulated under an NPDES permit. This could include discharges that result from fire hydrant testing or flushing air conditioning

condensate if these discharges are discharged directly to a surface water body or to a storm drain system that is not regulated under an NPDES permit.

Proposed low-threat discharges to storm drains that are regulated under an Municipal separate storm sewer system (MS4) permit may be regulated under the MS4 permit provided that the MS4 permittee has developed a programmatic BMP plan that applies to non-storm water discharges to the permitted storm drain system that has been approved by the Regional Water Board (Phase 1 MS4 permittees) or Regional Water Board Executive Officer (Phase 2 MS4 permittees). On a case-by-case basis, it may be determined that proposed discharges to a permitted MS4 storm drain system may be more effectively regulated through enrollment under this Low Threat General Permit.

2. On April 1, 1997, the State Water Board adopted Order No. 97-03-DWQ, NPDES General Permit No. CAS000001 for the regulation of storm water discharges associated with industrial activities. Special Condition D.1 of Order No. 97-03-DWQ authorizes non-storm water discharges. Special Condition D.1.c of Order No. 97-03-DWQ allows the Regional Water Board to establish additional monitoring and reporting requirements for these discharges. The Regional Water Board finds that the additional monitoring and reporting requirements and discharge limitations contained in this General Permit for low threat discharges are necessary to ensure compliance with water quality objectives and standards and that coverage under this Order is therefore necessary for the following discharges listed in Special Condition D.1 of Order No. 97-03-DWQ, unless the discharge is to a municipal storm drain system covered by a Regional Water Board individual permit or by State Water Board Water Quality Order No. 2003-0005-DWQ, General Permit for Storm Water Discharges From Small Municipal Separate Storm Water Sewer Systems and the municipal storm water permittee has an approved programmatic best management plan that applies to non-storm water discharges to the permitted storm drain system: fire hydrant flushing; potable water sources, including potable water related to the operation, maintenance, or testing of potable water systems; atmospheric condensates including refrigeration, air conditioning and compressor condensate, and groundwater dewatering systems.
3. On August 19, 1999, the State Water Board adopted Order No. 99-08-DWQ, NPDES General Permit No. CAS000002 for the regulation of storm water discharges associated with construction activities. Special Provision C.3 of Order No. 99-08-DWQ allows for the limited discharge of non-storm water discharges where they do not cause or contribute to a violation of any water quality standard. The Receiving Water Limitations of Order No. 99-08-DWQ require compliance with all applicable water quality standards including those contained in the Basin Plans. The Regional Water Board finds that Order No. 99-08-DWQ provides adequate water quality protection and compliance monitoring. Most non-storm water discharges related to construction activities may continue to be regulated under Order No. 99-08-DWQ while construction activities continue.

The Regional Water Board further finds that the additional monitoring and reporting requirements and discharge limitations contained in this General Permit for low threat discharges are necessary to ensure compliance with water quality objectives and standards and that coverage under this Order is therefore necessary for construction dewatering projects.

4. This Order does not cover the following:
 - a. Discharges which, based on the judgment of Regional Water Board Executive Officer, do not meet the definition of “low threat” as contemplated by this General Permit.
 - b. Discharges that are insufficiently characterized and thereby preclude a determination as to suitability for coverage under the General Permit.
 - c. On-going high volume discharges. Discharges that fall into this category would require individual permit coverage.
 - d. Discharges that would require extensive biological or chemical treatment in order to meet effluent limitations or water quality objectives.
 - e. Discharges that cause acute or chronic toxicity to aquatic life in the receiving waters.
 - f. Discharges from groundwater cleanup projects, including but not limited to sites polluted by industrial activities, above ground or underground leaking tanks, and agricultural practices (e.g., farming practices, etc.) Discharges of highly treated groundwater to surface waters following extraction and cleanup of groundwater polluted with petroleum hydrocarbons and volatile organic compounds should apply for coverage under Order No. R1-2006-0048.
 - g. Discharges of groundwater which has been polluted by industrial activities, above or underground leaking tanks, or agricultural (e.g.farming) practices, even if the project and/or proponent has no connection with the contamination.
 - h. Discharges that contain chemical pollutants or physical or biological properties that may adversely impact beneficial uses and/or exceed any applicable water quality objective Chemical pollutants of concern include, but are not limited to industrial chemicals, chlorinated hydrocarbons, or organic wastes, herbicides, pesticides, oil and grease, bacteria, radioactivity, and salinity. Biological properties of concern include, but are not limited to bacteria, algae, or undesirable aquatic organisms (e.g., mosquito larvae). Physical properties of concern, include, but are not limited to temperature, dissolved oxygen, pH, conductivity, and turbidity (sediment).

- i. Discharges that would create nuisance conditions such as vector problems or localized flooding.
- j. Discharges that will adversely affect a listed endangered or threatened species or their critical habitat.

This General Permit does not apply to projects that would have adverse impacts on sensitive species and habitat, including but not limited to, rare, threatened, and endangered species or any other habitat deemed sensitive by the California Department of Fish and Game, U.S. Fish and Wildlife Service, National Marine Fisheries Service or any other resource agency. These agencies will be consulted through the public notice process identified in sections II.B.2 and II.B.3 of the General Permit to determine if the proposed discharge or implementation of BMPs (e.g., such as those that require substantial earth movement) have the potential to adversely impact sensitive communities or habitat (aquatic, riparian, or terrestrial (including wetlands and vernal pools)). If a sensitive community or habitat is identified, the Discharger shall implement any mitigation measures identified by the consulting agency to avoid adverse impacts. If no such mitigation is available, the discharge shall not be authorized to discharge under this General Permit.

- k. Discharges to Areas of Special Biological Significance.
- l. Discharges that could have a significant impact on biological or cultural resources, aesthetics, or air quality.

Biological, cultural resources and air resource agencies will be consulted, as necessary through the public notice process identified in sections II.B.2 and II.B.3 of this General Permit to determine if the proposed discharge or implementation of BMPs have the potential to adversely impact biological, cultural, or air resources.

If a low threat project requires the implementation of BMPs that involve substantial disturbance of land that has not been disturbed previously, a cultural resources investigation shall be conducted before any substantial disturbance of land occurs in relation to the BMP. The cultural resources investigation will include, at a minimum, a records search for previously identified cultural resources and previously conducted cultural resources investigations of the project parcel and vicinity. This record search will include, at a minimum, contacting the appropriate information center of the California Historical Resources Information System, operated under the auspices of the California Office of Historic Preservation. In coordination with the information center or a qualified historian, a determination shall be made regarding whether previously identified cultural resources will be affected by the proposed project and if previously conducted investigations were performed to satisfy the requirements

of CEQA. If not, a cultural resources survey shall be conducted. The purpose of this investigation will be to identify resources before they are affected by a proposed project and avoid the impact. If the impact is unavoidable, mitigation will be determined on a case-by-case basis, as warranted.

- m. Discharges that could significantly alter the existing drainage pattern of the discharge site or surrounding area or result in downstream erosion.
- n. Discharges that do not consist solely of low threat wastewater. If a low threat discharge mixes with other wastewater (e.g., storm water, domestic wastewater, or industrial process wastewater) prior to contacting receiving water, the other wastewater must be covered under an NPDES permit if required.

If an applicant plans to discharge a low threat wastewater in combination with another wastewater, this fact must be disclosed in the NOI and demonstration must be made that the other wastewater is covered under any required NPDES permits. Storm water discharges would require coverage under an NPDES permit if it is associated with (1) construction that involves the disturbance of greater than an acre of land (requires coverage under the Statewide General Construction Storm Water Permit (2) an industrial facility that requires coverage under the Statewide General Industrial Storm Water Permit; or (3) a discharge covered under a municipal storm water permit (individual or general).

- o. Discharges from industrial facilities that are subject to Effluent Limitations Guidelines promulgated by the USEPA pursuant to CWA section 304 (b), which limits the discharge of pollutants from these facilities.
- p. Discharges that are not consistent with State and federal antidegradation policies.
- q. Discharges that result from releases from pipeline breaks or other spills.

Accidental releases from pipeline breaks are not appropriately covered under this General Permit because these events are unplanned and therefore pollutants such as chlorine cannot be removed prior to discharge. When leaks or spills occur, they should be promptly reported and remediated as necessary. The Regional Water Board will evaluate its response to such events based on the particular circumstances of the release such as the size, effect, and nature of the spill events as well as the Discharger's response actions.

- r. Discharges to a sanitary sewer or discharges covered by an individual NPDES permit.
5. Dischargers of low threat discharges that are already covered under the NPDES program, whether by general or individual permit other than Order No. 93-61, may elect to continue coverage under the existing permit or may submit a complete

Notice of Intent for coverage under this General Permit. Dischargers who submit a complete Notice of Intent under this General Permit are not required to submit an individual permit application. The Regional Water Board may request additional information and determine that a Discharger is not eligible for coverage under this General Permit and would be better regulated under an individual or other general NPDES permit or, for discharges to land, under WDRs. If the Regional Water Board issues an NPDES permit or WDRs for a discharge that is otherwise covered by this General Permit, the applicability of this General Permit to the specified discharge is immediately terminated on the effective date of the NPDES permit or WDRs.

II. APPLICATION/ENROLLMENT REQUIREMENTS

A. Application for Coverage Under this General Permit.

Dischargers enrolling for coverage under this General Permit are required to submit the appropriate filing fee as required by Title 23 of the California Code of Regulations, Division 3, Chapter 9, Article 1. This schedule is complex and is subject to revision. Each applicant shall contact the appropriate Regional Water Board staff person to determine the appropriate annual fee. If the proposed discharge has a duration of one year or more, an annual filing fee will be required each year.

Dischargers enrolling for coverage under this General Permit must also submit a complete Notice of Intent at least 90 days in advance of the proposed project start date. The 90 days may be decreased at the discretion of the Regional Water Board Executive Officer. The Notice of Intent is detailed in Attachment A, and requires submittal of the following information and data:

1. General information about the Discharger and the Discharger's representatives (e.g., contractors, professional engineer).
2. Information about the existing or proposed discharge, including, but not limited to the source of the discharge, discharge rate and volume, and discharge characterization (see item 3 that follows). If a Discharger is requesting an exception to the one-percent discharge limitation, that Discharger must submit information to demonstrate that it meets the eligibility criteria identified in section II.A.3 of the General Permit.
3. Pollutants of concern and wastewater sampling.

Dischargers to inland surface waters, enclosed bays or estuaries applying for coverage under this Permit are required to analyze the proposed discharge for constituents regulated under the California Toxics Rule (CTR) (listed in Attachment B, Tables B-1, B-2, and B-3) and biochemical oxygen demand, total suspended solids, settleable solids, total chlorine, pH, temperature, dissolved

oxygen, specific conductance, hardness, turbidity, nitrate, and total dissolved solids, and submit the results with the Notice of Intent.

Dischargers to ocean waters are required to analyze the proposed discharge for constituents regulated under the Ocean Plan (listed in Attachment B, Table B-5) and oil and grease, total suspended solids, settleable solids, turbidity, and pH, and submit the results with the Notice of Intent.

The screening levels for the constituents in Attachment B, Tables B-1, and B-2 are based on the most restrictive water quality objectives/criteria from the California Toxics Rule. The screening levels in Table B-3 are based on primary maximum contaminant levels from Title 22 of the California Code of Regulations. The most restrictive criteria are necessary because this Order is intended as a general order and covers low threat discharges to all surface waters in the North Coast Region of California. If the analytical test results of the discharge show that any constituent concentrations exceed the water quality screening levels listed in Attachment B, then the discharge will not be allowed under this General Permit. If the analytical test results of the discharge show that all constituent concentrations are below the screening levels in Attachment B, then the Discharger will be enrolled under this General Permit.

Section 1.3, Step 8 of the SIP reads, in part, *“The RWQCB shall require periodic monitoring (at least once prior to the issuance and reissuance of a permit) for pollutants for which criteria or objectives apply and for which no effluent limitations have been established; however, the RWQCB may choose to exempt low volume discharges, determined to have no significant adverse impact on water quality, from this monitoring requirement.”* Certain types of low volume discharges may qualify for an exception to the sampling requirements contained in Attachment B, provided the Discharger can sufficiently justify that the discharge will have no significant adverse impact on water quality. For example, discharges of potable water from line flushing could be exempt from pesticide analysis since the presence of such pesticides would not be allowed in the potable water system. Dischargers seeking an exception to the sampling requirements contained in Attachment B must submit justification as part of the Notice of Intent. If the Regional Water Board finds that the justification is not sufficient to grant an exception to the sampling requirements, the Discharger will be required to analyze the existing or proposed discharge for all constituents regulated under the CTR, as listed in Attachment B, and submit the analytical test results.

If a Discharger discharges or proposes to discharge into a water quality limited segment (WQLS), the Discharger must sample the discharge for the constituents causing the impairment in the receiving water under the current 303(d) list and submit the result with the Notice of Intent. The list of WQLSs can be found under the Clean Water Act (CWA), Section 303(d) List at the web site:

http://www.waterboards.ca.gov/northcoast/water_issues/programs/tmdls/303d/. If the analytical data demonstrate that constituent concentrations in the discharge will substantially contribute to the impairment of the receiving water, the discharge will not be authorized under this General Permit.

4. Identification of known groundwater contamination sites (for discharges of groundwater).

If the proposed discharge involves the discharge of groundwater, the applicant must contact Regional Water Board Cleanups Division staff and/or the County underground tank program staff to identify whether there are known groundwater contamination sites within ½ mile of the proposed project. The applicant will need to demonstrate that the proposed discharge is not currently impacted due to nearby groundwater contamination and that pumping of groundwater will not cause contaminants from nearby contaminated sites to be drawn to the proposed project site and inadvertently discharged.

5. Evaluation of reclamation options and/or alternative disposal options.

Pursuant to section 2, Article X, California Constitution, and Water Code section 275, on preventing waste and unreasonable use of waters of the state, the Regional Water Board encourages, wherever practicable, water conservation and/or re-use of wastewater. Therefore, to obtain coverage under this Order, Dischargers are required to evaluate reclamation and/or alternative disposal options. These options include, but are not limited to:

- a. Sanitary Sewage System

If all the discharge is accepted by the local municipal wastewater treatment plant (WWTP), then authorization to discharge under an NPDES permit is not needed for the proposed project. Dischargers may submit any denial or restrictive flow letter from the WWTP as proof that this option is not viable or explain why it is infeasible to connect to the WWTP.

- b. Land Reclamation/Disposal

Each Discharger must evaluate all reasonable land reclamation and disposal options, including, but not limited to irrigation of nearby urban or agricultural land or use for dust control. Land reclamation generally refers to application of the water at agronomic rates of existing vegetation, while land disposal involves application of water at greater than agronomic rates of existing vegetation or discharge to infiltration basins in a manner that may allow the wastewater to reach groundwater. The land reclamation/disposal option is usually restricted to the dry season (May through October) unless the

Discharger can demonstrate that the discharge can be retained on land during the wet season (November through April).

If land reclamation/disposal is not proposed, the Discharger must fully explain why land reclamation/disposal is not a viable option.

c. Water Conservation

The Discharger must evaluate whether there are any viable options to reduce the discharge volume through water conservation measures.

6. Receiving water characterization, including, but not limited to, name of receiving water, receiving water flow, bank and in-stream conditions, and basic receiving water quality data.

The receiving water characterization is an important element of the evaluation. Even if the proposed discharge contains no pollutants of concern, the discharge must be conducted in a manner that protects beneficial uses. For example, if a stream will be dry at the time of a proposed discharge, the Discharger must be able to demonstrate that the discharge will not cause erosion or disrupt the life cycle of amphibians or other aquatic life that depend on the non-flowing conditions for part of their life cycle. If a low flow stream has pools that are populated with salmonids or other aquatic life, the Discharger would need to demonstrate that a short-term, high flow rate discharge will not disrupt or harm the aquatic life.

7. Description of any proposed treatment system.

Though treatment of the effluent is not required by this General Permit, continuous compliance with the requirements of this General Permit is required and may depend on some form of treatment being provided prior to discharge. It is anticipated that many dischargers will need to implement simple, low technology treatment measures such as dechlorination, sediment removal (sedimentation tanks or filters), and/or pH adjustments. Each discharger must demonstrate that the treatment is adequate to remove or reduce pollutants to levels that will not impact water quality.

The Discharger shall implement treatment control BMPs to protect water quality as follows:

a. Chlorine Residual

Chlorine is added to potable water and other potentially low threat wastewater for disinfection purposes. Chlorine is toxic to aquatic organisms. Therefore, all chlorinated discharges must be dechlorinated prior to discharge to protect the beneficial uses of the receiving water. The Discharger must achieve strict

levels that essentially ensure that there is no chlorine discharged to the receiving water.

b. Settleable and Suspended Solids

Sediment, algae and other solids may be present in the discharges at levels that could cause violation of the Basin Plan's narrative objectives for sediment, settleable material and suspended material. In addition, some treatment facilities occasionally discharge large volumes of water over a short period due to operation error or equipment or instrument malfunction. High flow rates may cause stream bank erosion and the discharge of a large amount of sediment downstream of the discharge. This General Permit requires the development of a site-specific BMP/PP Plan to avoid and/or minimize these impacts.

The Discharger must demonstrate that the discharge will not exceed the total suspended solids and settleable solids effluent limitations contained in the General Permit and further demonstrate that the proposed discharge will not cause an exceedance of turbidity receiving water limitations.

c. pH

Lime or sodium hydroxide is added to water to adjust water pH for corrosion protection in water conveyance systems. The discharge of water with high pH content may adversely impact aquatic organisms. The discharges shall have a balanced pH in order to prevent detrimental responses to aquatic organisms.

If there is any doubt about the ability to continuously comply with the requirements of this General Permit, the Discharger shall contact a professional engineer to ensure that the effluent is properly treated prior to discharge. Dischargers seeking authorization to discharge under this General Permit may be required to provide engineering blueprints (signed by a Registered Engineer or Geologist) of the existing or proposed treatment system to reduce any pollutants to levels that will meet the effluent limitations prior to discharging into surface waters.

8. Management Plans.

All applicants are required to develop and submit a Best Management Practices and Pollution Prevention Plan. Most dischargers must submit a Best Management Practices and Pollution Prevention Plan in accordance with Special Provision VII.C.3 of the General Permit that identifies management measures that will be implemented at the site to control the discharge of pollutants and

minimize impacts to water quality. Dischargers must consider and identify preventative, control, treatment and response BMPs that may be necessary. The BMP/PP Plan must include, at a minimum, the elements identified in Attachment A-1.

Special Provision VII.C.2.a allows water suppliers requesting coverage of multiple discharge points from a single project to prepare and implement a Pollution Prevention and Monitoring and Reporting Program (PPMRP) rather than identify and monitor each discharge, as required in sections IV and VIII of the Monitoring and Reporting Program (Attachment E). The PPMRP must be submitted with the Notice of Intent and is subject to approval by the Executive Officer. The PPMRP must include, at a minimum, the elements identified in Attachment A-2.

9. Current State Water Board Adopted Permit Fees. Information concerning the applicable fees can be found at <http://www.waterboards.ca.gov/resources/fees>.
10. Project map(s), site drawing, and photographs. The project map(s) must include the location of the project, discharge point(s), and receiving water. The map shall also identify drinking water supply wells and residences within 1,500 feet and groundwater contamination sites within ½ mile of the proposed project site. The site drawing must identify BMPs and treatment systems, site runoff and conveyance systems, such as storm drains and drainage ditches through which the proposed discharge would travel. Photographs should be included to supplement site and receiving water characterization.

B. Regional Water Board Authorization.

After reviewing the NOI, the Regional Water Board Executive Officer will notify each General Permit applicant in writing whether or not the proposed discharge is eligible for coverage under the General Permit and the Executive Officer's intent with regard to granting authorization to discharge. If the Executive Officer intends to authorize coverage, the proposed enrollment under the General Permit will be subject to a 30 day public notice period. At the end of the public notice period the Executive Officer will provide written notice to the General Permit applicant with a determination regarding coverage under the General Permit.

The Executive Officer may also elect to schedule a hearing at a Regional Water Board hearing if a proposed low threat discharge meets the eligibility criteria but is controversial and/or if any significant issues are raised during the public comment period.

In no case may a discharge occur until the applicant receives written notification of coverage under the General Permit or another permit issued or adopted by the State or Regional Water Board.

C. Eligibility Criteria.

All dischargers must demonstrate that that proposed discharge meets the definition of low threat in section I.B.1 and the eligibility criteria in section I.C. of the General Permit.

III. DESCRIPTION OF LOW THREAT DISCHARGES AND EXISTING DISCHARGE REQUIREMENTS

A. Description of Low Threat Discharges

The General Permit is a permitting tool used by the Regional Water Board to efficiently authorize and regulate a large number of similar dischargers. Following a determination of suitability for coverage, the Regional Water Board can efficiently regulate a large number of “low threat” discharges with a General Permit, rather than individual permits, and thereby reduce its administrative burdens and establish planning, operational, monitoring, and reporting requirements which are appropriate for the similar nature of all authorized discharges.

As the term “low threat” suggests, discharges authorized by this General Permit are similar in that they each present a low threat to water quality and beneficial uses of receiving waters within the Region. Authorization to discharge under the General Permit will be granted at the discretion of the Regional Water Board Executive Officer following review of information provided by the Discharger in its Notice of Intent (NOI) regarding suitability of a particular discharge for coverage under the General Permit and following a 30-day public comment period. During the public notice period, Regional Water Board staff will also notify public agencies with various authorities that may be affected by the authorization of a low threat discharge. Public agencies that will be notified include, but are not limited to, local flood control agencies, municipal storm water agencies/permittees, California Department of Fish and Game, U.S. Fish and Wildlife Service, and National Marine Fisheries Service. Any concerns identified by any of these agencies would need to be mitigated in order for a proposed discharge to qualify as a low threat discharge.

The proposed General Permit will cover more types of low threat discharges than Order No. 93-61, but the Regional Water Board has the discretion to limit coverage only to discharges which clearly present no or minimal threat to water quality. In general, the Regional Water Board views low threat discharges as planned, short-term and/or low volume discharges from definable projects with discrete point source discharges where the discharge is controlled to eliminate or reduce pollutants and minimize volume and discharge rates through implementation of BMPs. Discharges that may receive authorization for coverage under this General Permit shall not contain pollutants in concentrations that exceed applicable water quality objectives or criteria and must be consistent with applicable State and federal antidegradation policies.

For inland surface waters, enclosed bays, and estuaries, applicable water quality objectives and criteria are established in:

1. Chapter 3 of the Basin Plan, which includes specific numeric criteria, as well as narrative objectives (e.g., no discharge of biostimulatory substances in concentrations that promote aquatic growths to an extent that causes nuisance or that adversely impacts beneficial uses).

For receiving waters that are designated as municipal and domestic supplies, the Basin Plan adopts by reference as applicable water quality criteria the Maximum Contaminant Levels (MCLs) for drinking water established by the California Department of Public Health at Title 22 of the California Code of Regulations, section 64431 (Inorganic Chemicals) and section 64444 (Organic Chemicals). For purposes of the General Permit these water quality criteria are assumed to be applicable to all inland waters, enclosed bays, and estuaries of the North Coast Region.

2. The Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan), which establishes water quality objectives for temperature in the coastal and interstate waters and enclosed bays and estuaries of the Region, and
3. The California Toxics Rule (CTR), which establishes specific water quality criteria for toxic pollutants in the receiving waters of the Region and is published at 40 CFR 131.38.

For ocean waters, applicable water quality objectives and criteria are established in the Thermal Plan and the Ocean Plan, which includes water quality objectives for the bacterial, physical, chemical, biological, and radiological characteristics of the ocean waters of the North Coast Region. Numeric water quality objectives for toxic pollutants are presented in Table B of the Ocean Plan.

While meeting applicable water quality objectives and criteria, low threat discharges must also not cause a violation of the State's antidegradation policy, which is established by State Water Board Resolution No. 68-16 and through the Regional Water Board's implementation of USEPA rules regarding antidegradation expressed at 40 CFR 131.12. Discussion of the Regional Water Board's antidegradation analysis performed to reissue the General Permit is presented in section V.F of this Fact Sheet.

Section I.B of this General Permit includes examples of discharges that may be eligible or ineligible for coverage under the General Permit. These lists should be viewed as guidance only, as the Regional Water Board will determine eligibility for coverage strictly on a case-by-case basis. It is important to note that, with some exceptions, if discharges proposed for authorization under the General Permit must receive anything more than simple, low-technology treatment to meet applicable water quality objectives or criteria, such discharges will not be authorized under the General Permit. In general, the Regional Water Board views a need for anything more than simple, low-technology treatment to meet water quality criteria and objectives as indication that a

discharge also requires the close attention of an individual discharge permit or other appropriate general permit. Although each discharge proposed for coverage under the General Permit will be considered on a case-by-case basis, following are several types of wastewater treatment systems that will likely not be precluded from coverage under the General Permit:

- Treatment to remove physical pollutants, such as settleable and suspended solids, turbidity, and excessive temperature from the wastewater;
- Treatment to remove chlorine from the wastewaters that originate from a chlorinated potable supply or wastewaters that receive treatment by chlorine;
- Treatment to make pH adjustments to fall within the range of 6.5 and 8.5 (or range specified for a specific waterbody identified in Attachment B-4.)

B. Discharge Points and Receiving Waters

The discharge points and receiving water will be described in the Notice of Intent submitted by each discharger.

The Basin Plan and the Ocean Plan designate beneficial uses, establish water quality objectives and criteria, and contain implementation plans and policies to achieve those objectives and criteria for all waters of the North Coast Region. These plans identify specific beneficial uses for ground waters and surface waters, including ocean, coastal, and inland waters. Beneficial uses of inland waters specifically identified by the Basin Plan generally apply its tributary streams. The beneficial uses of all receiving waters within the North Coast Region are described in Findings H and I of the General Permit and section III.C of this Fact Sheet.

C. Summary of Existing Requirements, Order No. 93-61

The previous General Permit (Order No. 93-61) authorized discharges of ground water associated with construction and subsurface dewatering activities, to surface waters of the North Coast Region. Like this new Order, Order No. 93-61 placed significant emphasis on determining suitability for coverage by evaluating whether a proposed discharge does, in fact, present a low threat to water quality and beneficial uses. Order No. 93-61 does not contain any effluent limitations. It contains discharge limitations (prohibitions) and receiving water limitations and most of these have been retained in this new Order. The exception is that Discharge Limitation D.1, which prohibits the discharge of groundwater containing constituents in excess of the background level in the receiving water, has not been retained. Section V.E of this Fact Sheet provides an anti-backsliding analysis for removal of this prohibition.

IV. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in this General Permit are based on the requirements and authorities described in this section. This section provides supplemental information, where appropriate, for the plans, policies, and regulations relevant to the discharges authorized by the General Permit.

A. Legal Authorities

This Order is issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). It shall serve as an NPDES permit for low threat, point source discharges to surface waters of the North Coast Region. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).

B. California Environmental Quality Act (CEQA)

Pursuant to California Water Code section 13389, the action by the Regional Water Board to adopt Waste Discharge/NPDES Requirements does not trigger the requirements of CEQA, Public Resources Code sections 21100-21177, except Waste Discharge/NPDES Requirements for “new sources,” as defined by the Clean Water Act. NPDES regulations at 40 CFR 122.2 define “new source” as any building, structure, or facility, from which the discharge of pollutants may occur, that was built after the promulgation of applicable Effluent Limitations Guidelines. Because this Order precludes from coverage any discharge that is subject to Effluent Limitations Guidelines promulgated pursuant to CWA section 306, “new sources,” as contemplated by the CWA, will not be eligible for coverage, and therefore, the action by the Regional Water Board to adopt Waste Discharge/NPDES Requirements with this Order does not trigger the requirements of CEQA.

C. State and Federal Regulations, Policies, and Plans

1. Water Quality Control Plans. The Regional Water Board adopted a *Water Quality Control Plan for the North Coast Region* (the Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Plan. The Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which establishes State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. In addition, the Basin Plan (Chapter 2) states that the beneficial uses of any water body, specifically identified in the Basin Plan, generally apply to its tributary streams. Beneficial uses, established by the Basin Plan for inland surface waters and coastal waters of the North Coast Region are summarized as follows:

- Municipal and Domestic Supply (MUN)
- Agricultural Supply (AGR)
- Industrial Service Supply (IND)
- Industrial Process Supply (PRO)
- Groundwater Recharge (GWR)
- Freshwater Replenishment (FRSH)
- Navigation (NAV)
- Hydropower Generation (POW)
- Water Contact Recreation (REC-1)
- Non-Contact Water Recreation (REC-2)
- Commercial and Sport Fishing (COMM)
- Aquaculture (AQUA)
- Warm Freshwater Habitat (WARM)
- Cold Freshwater Habitat (COLD)
- Inland Saline Water Habitat (SAL)
- Estuarine Habitat (EST)
- Marine Habitat (MAR)
- Wildlife Habitat (WILD)
- Preservation of Areas of Special Biological Significance (ASBS)
- Rare, Threatened, or Endangered Species (RARE)
- Migration of Aquatic Organisms (MIGR)
- Spawning, Reproduction, and/or Early Development (SPWN)
- Shellfish Harvesting (SHELL)
- Water Quality Enhancement (WQE)
- Flood Peak Attenuation/Flood Water Storage (FLD)
- Wetland Habitat (WET)
- Native American Culture (CUL)
- Subsistence Fishing (FISH)

Requirements of this Order protect beneficial uses by implementing water quality objectives, which are designed to protect such uses.

The State Water Board adopted the *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for coastal and interstate waters and enclosed bays and estuaries. Requirements of this Order implement the Thermal Plan.

The State Water Board adopted the *Water Quality Control Plan for Ocean Waters of California, California Ocean Plan* (Ocean Plan) in 1972 and amended it in 1978,

1983, 1988, 1990, 1997, 2000, and 2005. The State Water Board adopted the latest amendment on April 21, 2005 and it became effective on February 14, 2006. The Ocean Plan is applicable, in its entirety, to point source discharges to the Ocean. The Ocean Plan requires that the following beneficial uses of ocean waters of the State be protected:

- Industrial Water Supply)
- Water Contact and Non-contact Recreation, Including Aesthetic Enjoyment
- Navigation
- Commercial and Sport Fishing
- Mariculture
- Preservation and Enhancement of Designated Areas of Special Biological Significance (ASBS)
- Protection of Rare and Endangered Species
- Marine Habitat
- Fish Migration
- Fish Spawning and Shellfish Harvesting

In order to protect the beneficial uses, the Ocean Plan establishes water quality objectives and a program of implementation. Requirements of this Order implement the Ocean Plan.

- 2. National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the State. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants and are applicable to discharges to inland surface waters, estuaries and enclosed bays.
- 3. State Implementation Policy.** On March 2, 2000, the State Water Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.

- 4. Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards (WQS) become effective for CWA purposes (40 C.F.R. § 131.21, 65 Fed. Reg. 24641 (April 27, 2000)). Under the revised regulation (also known as the Alaska Rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.
- 5. Antidegradation Policy.** Section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of section 131.12 and Resolution No. 68-16. As discussed in detail in section V.F of this Fact Sheet, the discharge is consistent with the antidegradation provisions of section 131.12 and State Water Board Resolution No. 68-16.
- 6. Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at title 40, Code of Federal Regulations¹ section 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions when limitations may be relaxed. As described by section V.E of this Fact Sheet, the Regional Water Board has determined that the General Permit is consistent with applicable anti-backsliding requirements established by the CWA and by USEPA regulations at 40 CFR 122.44 (l).

D. Impaired Water Bodies on CWA 303(d) List

An impaired or threatened waterbody is any waterbody that is listed according to section 303(d) of the Clean Water Act as not attaining water quality standards². Standards may be violated due to an individual pollutant, multiple pollutants, thermal pollution, or an unknown cause of impairment. If a Discharger is proposing to discharge into a water quality limited segment of a waterbody, the Discharger must provide a wastewater analysis of the 303(d) listed constituents of concern as part of the Notice of Intent.

¹ All further statutory references are to title 40 of the Code of Federal Regulations unless otherwise indicated.

² Water quality standards are adopted to protect public health or welfare, enhance the quality of water, and serve the purposes of the Clean Water Act (as defined in Sections 101(a)(2), and 303(c) of the Act). Water quality standards consist of 1) designated beneficial uses; 2) the water quality objectives to protect those designated uses; 3) implementation of the Federal and State policies for antidegradation; and 4) general policies for application and implementation.

In determining suitability for coverage under the General Permit, the 303 (d) status of the receiving water for a proposed discharge, as well as any total maximum daily loads (TMDLs) established in response to 303 (d) listing, will be considered by Regional Water Board staff. Dischargers will be required to seek coverage under an individual permit, if the discharge could cause further degradation to a 303 (d) listed water body, or if the discharge would be inconsistent with a TMDL.

E. Other Plans, Policies and Regulations

1. General NPDES Permits

On September 22, 1989, a Memorandum of Agreement executed by the U.S. EPA and State Water Board authorized and established procedures for the State Water Board to issue general NPDES permits pursuant to NPDES regulations at 40 CFR 122.28 and 122.44.

NPDES regulations at 40 CFR 122.28 provide for the issuance of general NPDES permits to regulate a category of point sources, which:

- a. Involve the same or substantially similar types of operations;
- b. Discharge the same type of wastes;
- c. Require the same type of effluent limitations or operations conditions;
- d. Require similar monitoring; and,
- e. Are more appropriate regulations under a General Permit rather than individual permits.

Water Code Section 13263 (i) authorizes the Regional Board to prescribe general waste discharge requirements for a category of discharges, which:

- a. Are produced by the same or similar operations;
- b. Involve the same or similar types of waste;
- c. Require the same or similar treatment standards; and,
- d. Are more appropriately regulated under general discharge requirements.

This General Permit meets these requirements in that the discharges that could potentially enroll under this General Permit are all de minimus discharges that are high quality, relatively pollutant-free wastewaters that pose a low threat to water quality. These discharges are most typically produced by water suppliers and construction-related operations. Many activities that result in low threat discharges

are vital to community development activities, such as construction and provision of reliable water supply and often there is no practical alternative to surface water discharge. The wastes are similar in that they are relatively pollutant-free and the pollutants that are typically present are generally naturally occurring parameters such as naturally occurring metals and salts, sediment, temperature, and pH. Many of the discharges could also contain chlorine and chlorine by-products that originate from disinfection. The discharges all require similar treatment ranging from no treatment to simple, low technology treatment. Regulating such discharges under a general permit rather than issuing individual permits allows the Regional Water Board to more efficiently permit these similar types of discharges.

V. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: section 122.44(a) requires that permits include applicable technology-based limitations and standards; and section 122.44(d) requires that permits include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

A. Discharge Prohibitions

1. Prohibition III. A. The discharge of waste, other than those that meet the eligibility criteria in Section I.B and II.C of this Order is prohibited unless the Discharger obtains coverage under another general or individual permit that regulates the discharge of such wastes.

NPDES regulations at 40 CFR 122.28 and Water Code section 13263 (i) authorize the issuance of general NPDES permits and general waste discharge requirements to regulate a category of point sources, which involve the same or substantially similar types of operations; discharge the same type of wastes; require the same type of effluent limitations or operating conditions; require similar monitoring; and are more appropriately regulated under a general permit than individual permits.

The advantage to the Regional Water Board in issuing a general permit is that a group of similar dischargers can be regulated by one permit, instead of with individual permits, thereby reducing some administrative burden. Before authorization to discharge under the General Permit can be granted, however, the Regional Water Board must be assured that all authorized dischargers have similarities required by the NPDES regulations and the Water Code. By this prohibition, the Regional Water Board is therefore prohibiting discharges which are

not “low threat” as represented by the Discharger in its NOI or as contemplated by the Regional Water Board.

2. Prohibition III. B. The creation of pollution, contamination, or nuisance, as defined by section 13050 of the California Water Code, is prohibited.

This prohibition is based on section 13050 of the Water Code. It has been retained from Order No.93-61.

3. Prohibition III.C. A low threat discharge in excess of the flow rate described by a discharger in its NOI is prohibited.

Authorization to discharge under the General Permit will be granted by the Regional Water Board only following its determination that a discharge is truly “low threat,” as that term is described and contemplated by the General Permit. Significant factors to be weighed in making such a determination are the volume and rate of discharge. Discharge rates or volumes greater than what are described by a discharger in its NOI or approved by the Regional Water Board may have significant adverse impacts to receiving waters, and therefore, such discharges will be viewed as unauthorized discharges and may subject the discharger to all available and appropriate penalties pursuant to the Water Code and the Clean Water Act.

4. Prohibition III.D. Discharges containing pollutants that exceed applicable water quality criteria or objectives, or that cause or substantially contribute to exceedances of applicable water quality criteria or objectives established by the Basin Plan, Ocean Plan, or Clean Water Act for surface waters are prohibited.

Discharges which contain pollutants at concentrations exceeding applicable water quality criteria and objectives, including any waterbody-specific TMDL, may cause or contribute to violations of water quality standards, and therefore, cannot be viewed as “low threat.” Such discharges are precluded from coverage under the General Permit. If, following authorization, a discharge is found to contain pollutants at concentrations exceeding applicable water quality criteria or objectives, such a discharge will be viewed as an unauthorized discharge, and, as such, the discharger will be subject to all available and appropriate penalties pursuant to the Water Code and the Clean Water Act and the discharge will be required to cease.

5. Prohibition III.E. The discharge of polluted groundwater to waters of the State is prohibited.

Projects that involve the discharge of groundwater have the potential to contain naturally occurring constituents that exceed applicable water quality objectives (e.g., naturogenic arsenic) or to draw in groundwater that has been contaminated by human activities. Such projects will not receive authorization for coverage under this

General Permit. The NOI requires identification of known groundwater contamination sites within a one half-mile radius of the project site.

6. Prohibition III.F. The discharge from the treatment facility at construction dewatering sites or other similar low-threat discharges of detectable levels of petroleum, petroleum constituents or volatile halogenated compounds is prohibited.

This prohibition is retained from Order No. 93-61.

7. Prohibition III.G. The discharge of domestic, and/or agricultural, and/or commercial and/or industrial process wastes are prohibited.

Wastewaters with any domestic, agricultural, commercial, or industrial waste component are not considered "low threat" wastewaters and therefore must be authorized and regulated by an individual discharge permit.

8. Prohibition III.H. The discharge of an effluent with constituents in excess of applicable limits required by any watershed-specific TMDL, is prohibited.

Wastewaters that contain constituents in excess of applicable limits required by a TMDL are not considered low threat wastewaters and therefore must be authorized and regulated by an individual discharge permit.

9. Prohibition III.I. The contact of low threat discharges with contaminated soil or groundwater is prohibited.

If a low threat wastewater comes in contact with contaminated soil or groundwater, the discharge would likely entrain pollutants that are not authorized under this General Permit and would no longer qualify as a low threat discharge.

10. Prohibition III.J. The discharge of low threat wastewater effluent to surface waters is prohibited during the period of May 15 through September 30 of each year in the Mad, Russian and Eel Rivers and their tributaries and year round in all other surface waters, unless the Regional Water Board Executive Officer grants an exception to this seasonal discharge prohibition.

This prohibition is required by the Basin Plan. The Basin Plan prohibits discharges to the Mad, Eel and Russian Rivers and their tributaries during the period May 15 through September 30 (Chapter 4, North Coastal Basin Discharge Prohibition No. 4) and year-round in all other surface waters of the North Coast Region. The original intent of this prohibition was to prevent the contribution of wastewater to the baseline flow of the Russian River during the period of the year when the Russian River and its tributaries experience the heaviest water-contact recreation use.

If the Regional Water Board adopts the *Basin Plan Amendment to Establish Exception Criteria to the Point Source Waste Discharge Prohibitions by Revising the*

Action Plan for Storm Water Discharges and Adding a New Action Plan for Low Threat Discharges, and the amendment is subsequently approved by the State Water Board Office of Administrative Law and the U.S. EPA, the Regional Water Board Executive Officer will have the authority to grant exceptions to the year-round and seasonal discharge prohibitions on a case-by-case basis after review of a discharger's NOI that has made a proper demonstration that all other discharge alternatives have been exhausted and that a discharge to surface waters during the seasonal discharge prohibition period is in compliance with the requirements of the General Permit.

11. During the period of October 1 through May 14, discharges of treated wastewater to the Mad, Eel, or Russian River or tributaries thereto shall not exceed one percent of the receiving water flow, unless the Regional Water Board Executive Officer grants an exception to this discharge flow limitation. Discharges of treated wastewater to surface waters are prohibited year-round to all other waterbodies in the North Coast Region, unless the Regional Water Board Executive Officer grants an exception to the year-round discharge prohibition.

These discharge flow limitations are required by the Basin Plan. The original intent of these flow limitations was to protect the water supply and contact recreation beneficial uses with respect to municipal wastewater discharges. Low threat wastewaters pose a much lower threat to water quality and will not threaten the municipal or contact recreation beneficial uses.

If the Regional Water Board adopts the *Basin Plan Amendment to Establish Exception Criteria to the Point Source Waste Discharge Prohibitions by Revising the Action Plan for Storm Water Discharges and Adding a New Action Plan for Low Threat Discharges*, and the amendment is subsequently approved by the State Water Board Office of Administrative Law and the U.S. EPA, the Regional Water Board Executive Officer will have the authority to grant exceptions to the discharge flow limitation on a case-by-case basis after review of a discharger's NOI that has made a proper demonstration that the discharge volume and flow rate is minimized to the extent practicable through the use of other discharge alternatives and that the discharge greater than one percent of the receiving water flow does not pose a threat to beneficial uses.

B. Technology-Based Effluent Limitations

1. Scope and Authority

Section 301(b) of the CWA and implementing USEPA permit regulations at section 122.44, title 40 of the Code of Federal Regulations, require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards.

Where the USEPA has not developed technology-based standards for a particular industry or a particular pollutant, the CWA section 402(a)(1) and 40 CFR section 125.3 authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis where effluent limit guidelines (ELGs) are not available for certain industrial categories and/or pollutants of concern. Where BPJ is used, the permit writer must consider specific factors outlined in 40 CFR section 125.3(d). This General Permit requires the use of BMPs to control and abate the discharge of pollutants to surface waters and to achieve compliance with Best Available Technology Economically Achievable (BAT)/Best Conventional Pollutant Control Technology (BCT) requirements and compliance with Basin Plan water quality objectives. Discharges enrolled under this Order are expected to comply with all water quality objectives with implementation of BMPs.

Technologies used for treatment of low threat wastewater include simple measures such as settling, dechlorination, and pH and temperature adjustment. These technologies are readily available and represent accepted standards of treatment for the categories of discharges that may be authorized under this General Permit. The cost of application of these technologies in relation to the effluent reduction benefits to be achieved from the application have been considered and determined to be reasonable. Non-water quality environmental impacts have been considered and mitigation measures have been identified in section VII.C.6.b of the General Permit. All other CFR section 125.3(d) factors are not directly applicable to low threat discharges due to the facts that these are generally short-term and temporary discharges.

2. Applicable Technology-Based Effluent Limitations

The General Permit will authorize numerous types of high quality discharges that are relatively pollutant-free and pose a low threat to water quality and beneficial uses of receiving waters. The primary mechanism for regulating/controlling such discharges will be through the development and implementation of a Best Management Practices (BMP)/Pollution Prevention (PP) Plan by each authorized discharger, as required by sections VII.C.2.a and VII. C. 3 of the Order.

NPDES regulations at 40 CFR 122.44 (k) allow the use of BMPs to take the place of numeric limitations in discharge permits under certain circumstances, including when numeric effluent limitations are infeasible. In these circumstances, discharges which contain pollutants at concentrations greater than applicable water quality objectives and criteria will be precluded from coverage under the General Permit. Pollutants of concern are therefore difficult to anticipate for each type of possible discharge; and it is therefore similarly infeasible to establish numeric effluent limitations to regulate/control each type of possible discharge authorized by the General Permit. In the General Permit, Regional Water Board staff view the thoughtful and effective implementation of BMPs as implementation of technology-based requirements and, with the prohibition of discharges that contain pollutants at concentrations greater

than applicable water quality standards, as the means to assure protection of water quality standards. In particular, BMPs will be directed to control “physical” pollutants such as settleable and suspended solids and turbidity.

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

Section 301 (b) of the CWA and NPDES regulations at 40 CFR 122.44 (d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards, including numeric and narrative objectives within a standard.

40 CFR 122.44 (d) (1) (i) mandates that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, WQBELs must be established using: (1) USEPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state’s narrative criterion, supplemented with other relevant information, as provided in 40 CFR 122.44(d)(1)(vi).

The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

- a. **Beneficial Uses.** Low threat discharges may potentially be authorized to discharge to all surface waters of the North Coast Region. Beneficial uses for receiving waters of the North Coast region are established by the Basin Plan and Ocean Plan and are discussed in detail in section III.C of this Fact Sheet.
- b. **Basin Plan Water Quality Objectives.** The Basin Plan contains narrative objectives for color, tastes and odors, floating material, suspended material, settleable material, oil and grease, biostimulatory substances, sediment, turbidity, pH, dissolved oxygen, bacteria, temperature, toxicity, pesticides, chemical constituents, and radioactivity that apply to inland surface waters, enclosed bays, and estuaries and coastal waters. For waters designated for use as domestic or municipal supply (MUN), the Basin Plan establishes as applicable water quality

criteria the Maximum Contaminant Levels (MCLs) established by the Department of Public Health for the protection of public water supplies at title 22 of the California Code of Regulations section 64431 (Inorganic Chemicals) and section 64444 (Organic Chemicals).

- c. Ocean Plan Water Quality Objectives. The Ocean Plan contains water quality objectives applicable to coastal waters and include water quality objectives for toxic pollutants established in Table B of the Ocean Plan.
- d. State Implementation Plan (SIP), CTR and NTR. Water quality criteria and objectives applicable to this receiving water are established by the California Toxics Rule (CTR), established by the UPEPA at 40 CFR 131.38; and the National Toxics Rule (NTR), established by the USEPA at 40 CFR 131.36. Criteria for most of the 126 priority pollutants are contained within the CTR and the NTR.

This General Permit does not authorize discharges that have the reasonable potential to exceed water quality objectives. This Order requires the Discharger to analyze the proposed effluent for priority pollutants and hardness and analyze the upstream receiving water for hardness and submit the analytical results with the Notice of Intent.

Due to the uncertainty of the various types of discharge conditions that could be covered under this General Permit, and in order to ensure the protection of water quality for all discharge conditions, the reasonable potential analysis must be conducted using a reasonable worst-case condition in order to protect beneficial uses for all discharge conditions. Depending on receiving water conditions, use of either the lowest observed effluent hardness or the lowest observed receiving water hardness may be more protective of aquatic life beneficial uses. For example, under effluent dominated discharge conditions, use of the lowest observed effluent hardness is the most protective.

This General Permit, Attachment B-2 includes screening levels for cadmium, chromium (III), copper, lead, nickel, silver, and zinc which are dependent on water hardness. The CTR expresses the objectives for these metals through equations where the hardness of the receiving water is a variable. To simplify the permitting process, it was necessary that fixed hardness values be used in these equations. To calculate screening levels for waters with hardness concentrations less than 50 mg/L, a hardness value of 25 mg/L was used. To calculate screening levels for water with hardness concentrations greater than or equal to 50 mg/L, but less than 100 mg/L, a hardness value of 75 mg/L was used. To calculate screening levels for water with hardness concentrations greater than or equal to 100 mg/L but less than 200 mg/L, a hardness level of 150 mg/L was used, and to calculate screening levels for waters with hardness concentrations greater than or equal to 200 mg/L, a hardness value of 200 mg/L was used.

3. Determining the Need for WQBELs

- a. CWA section 301 (b)(1) requires NPDES permits to include effluent limitations that achieve technology-based standards and any more stringent limitations necessary to meet water quality standards. Water quality standards include Regional Water Board Basin Plan beneficial uses and narrative and numeric water quality objectives, State Water Board-adopted standards, and federal standards, including the CTR and NTR. The Basin Plans include numeric site-specific water quality objectives and narrative objectives for toxicity, chemical constituents, and tastes and odors. The narrative toxicity objective states: “All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.” With regards to the narrative chemical constituents objective, the Basin Plans state that waters shall not contain chemical constituents in concentrations that adversely affect beneficial uses. At minimum, “...water designated for use as domestic or municipal supply (MUN) shall not contain concentrations of chemical constituents in excess of the maximum contaminant levels (MCLs)” in Title 22 of CCR. The narrative tastes and odors objective states: “Water shall not contain taste- or odor-producing substances in concentrations that impart undesirable tastes or odors to domestic or municipal water supplies or to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses.”
- b. Federal regulations require effluent limitations for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause, or contribute to an in-stream excursion above a narrative or numerical water quality standard.
- c. This Order requires Dischargers seeking authorization to discharge under this General Permit to provide analysis of the proposed effluent and demonstrate that the discharge does not pose reasonable potential to exceed any water quality objective. Although the SIP applies directly to the control of CTR priority pollutants, the State Water Board has held that the Regional Water Board may use the SIP as guidance for water quality-based toxics control.³ The SIP states in the introduction “The goal of this Policy is to establish a standardized approach for permitting discharges of toxic pollutants to non-ocean surface waters in a manner that promotes statewide consistency.” Therefore, in this Order the RPA procedures from the SIP were used to evaluate reasonable potential for both CTR and non-CTR constituents.

Prior to enrolling a discharger under this General Permit, Regional Water Board staff shall conduct an RPA in accordance with section 1.3, Step 7 of the SIP by

³ See Order WQO 2001-16 (Napa) and Order WQO 2004-0013 (Yuba City).

comparing the results to the screening criteria contained in Attachment B and Attachment C (if applicable) to determine reasonable potential. If reasonable potential is found for a proposed discharge to exceed or cause an exceedance of any water quality objective in Attachments B or C, the discharge will not be authorized under this General Permit, as this General Permit does not contain effluent limitations for any of the pollutants identified in Attachments B and C.

4. WQBELs for Low Threat Discharges

a. Inland Surface Waters.

i. Total Residual Chlorine.

Many low threat discharges will likely originate from potable water supplies (e.g., hydrostatic test waters, etc.) and other discharges that may contain chlorine. Chlorine is extremely toxic to aquatic organisms. Due to the potential for chlorine to be discharged, these discharges have a reasonable potential to cause or contribute to an in-stream excursion above the Basin Plan’s narrative toxicity objective which states, “[a]ll waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life.” In order to protect the beneficial uses of the receiving water, this Order includes an effluent limitation for total residual chlorine for any discharge of water that was chlorinated that requires no detectable levels of chlorine in the discharge.

Regional Water Board staff consider any chlorinated discharge as having the reasonable potential to cause or contribute to exceedances of this water quality objective for toxicity, and therefore, this Order establishes specific effluent limitations for chlorine. USEPA has established the following criteria for chlorine-produced oxidants for protection of fresh water aquatic life. [Quality Criteria for Water 1986 (The Gold Book, 1986, EPA 440/5/-86-001)]

Chronic Criteria	Acute Criteria
0.011 mg/L	0.019 mg/L

The USEPA *Technical Support Document for Water Quality-Based Toxics Control* (EPA/505/2-90-001) contains statistical methods for converting chronic (4-day) and acute (1-hour) aquatic life criteria to average monthly and maximum daily effluent limitations based on the variability of the existing data and the expected frequency of monitoring. Because projects that would be granted coverage under this General Permit are typically short in duration, reasonable potential exists for acute toxicity over short periods of time and an average 1-hour limitation is considered more appropriate than an average

daily limitation. Average 1-hour and 4-day effluent limitations for chlorine, based on these criteria, are included in this Order.

- ii. **Settleable Solids.** For inland surface waters, the Basin Plan states that “[w]ater shall not contain substances in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.” Settleable solids are a constituent of concern in low threat discharges and are a component of sediment. Many water bodies in the North Coast Region are on the CWA 303(d) list for sediment. The General Permit establishes an effluent limitation for settleable solids of < 0.1 mL/L based on protection of the narrative settleable solids objective.
- iii. **pH.** The effluent limitations for pH are specific to the receiving water and are based on the water quality objectives for pH established in Chapter 3 and identified in Table 3-1 of the Basin Plan.

For waters not listed in Table 3-1 of the Basin Plan (included as Attachment B-4 of the General Permit) and where pH objectives are not otherwise prescribed, the General Permit requires that the pH of the discharge be not less than 6.5 nor greater than 8.5, based on the general pH water quality objective specified in Chapter 3 of the Basin Plan.

- iv. **Total Dissolved Solids.** For waters listed in Attachment B-4 (Table 3-1 from the Basin Plan), the total dissolved solids water quality objectives in Attachment B-4 shall apply as effluent limitations.

This effluent limitation is based on water quality objectives for specific waterbodies identified in Table 3-1 of the Basin Plan.

- v. **Priority Pollutants.** This General Permit is not intended to regulate discharges that have the reasonable potential to exceed water quality objectives; such discharges would be more appropriately regulated by an individual order. Since this is a general order for all low threat discharges to surface waters in the North Coast Region of California, this General Permit establishes screening levels in Attachment B, Tables B-1 and B-2 that are protective of beneficial uses under all discharge conditions and are based on the most protective water quality criteria for priority pollutants from the California Toxics Rule. Dischargers enrolling under this Order are required to analyze the proposed discharge for constituents regulated under the CTR and submit the results as part of the Notice of Intent. If the analytical data demonstrate that any constituent concentrations in the discharge exceed the water quality screening levels listed in Attachment B, the discharge will not be allowed under this General Permit. If all constituent concentrations are below the screening levels listed in Attachment B, the discharge may be authorized for

coverage under this General Permit, provided that all of the eligibility criteria and enrollment requirements are met.

b. Ocean Waters

i. Total Residual Chlorine.

The Ocean Plan establishes the following water quality criteria for chlorine in ocean waters of the State.

6-Month Median	Daily Maximum
0.002 mg/L	0.008 mg/L

The water quality criteria recommended by USEPA and established by the Ocean Plan are, in effect, nondetectable concentrations by the common amperometric analytical method used for the measurement of chlorine; and therefore, the Regional Water Board is establishing an effluent limitation for chlorine in the General Permit that requires no detectable level of chlorine in authorized discharges.

ii. Total Suspended Solids.

Total suspended solids effluent limitations for ocean waters are from Section III.B (Table A) of the Ocean Plan.

The Ocean Plan establishes a maximum effluent limitation of 60 mg/L, not to be exceeded at any time. The Ocean Plan further states “Dischargers shall, as a 30-day average, remove 75% of suspended solids from the influent stream before discharging wastewaters to the ocean, except that the effluent limitation to be met shall not be lower than 60 mg/L.”

iii. Settleable Solids.

Settleable solids effluent limitations for ocean waters are from Section III.B (Table A) of the Ocean Plan.

iv. Turbidity

Turbidity effluent limitations for ocean waters are from Section III.B (Table A) of the Ocean Plan.

v. Grease and Oil.

Grease and Oil effluent limitations for ocean waters are from Section III.B (Table A) of the Ocean Plan.

vi. pH.

Effluent limitations for pH for ocean waters are from Section III.B (Table A) of the Ocean Plan.

D. Final Effluent Limitations

Final effluent limitations are established in section V.A of the General Permit and are summarized in sections B.2 and C.4, above in this Fact Sheet.

E. Satisfaction of Anti-Backsliding Requirements

All effluent limitations and restrictions in this Order are at least as stringent as those established by the previous General Permit, Order No. 93-61, with one exception. Order No. 93-61 included the following discharge limitation which is not being retained in the reissued General Permit.

Discharge Limitation D.1. The discharge of groundwater containing constituents in excess of the background level in the receiving water is prohibited.

Discharge Limitation D.1 from the previous permit has been replaced with a prohibition against discharges containing constituents in concentrations higher than applicable water quality criteria and objectives (Discharge Prohibition IV.B of this Order). The need for this change is that Discharge Limitation D.1 from the previous permit has been found to be too prohibitive and not justified in order to protect water quality and beneficial uses. There may be situations where a discharge contains very low levels of a constituent and meets water quality objectives, but the receiving water does not contain any background levels of that constituent, and so the discharge is prohibited. A common example is naturally occurring metals in groundwater. Even though the levels of these metals meet water quality objectives, Discharge Limitation D.1 in Order No. 93-61 would prohibit such a discharge. The Regional Water Board has concluded that such a prohibition is overly restrictive and not necessary to protect water quality. Although this would result in the Regional Water Board being able to allow discharges that exceed background levels, as long as the discharge meets water quality objectives, the Regional Water Board may require a discharger to add reasonable and cost-effective BMPs to reduce pollutant levels down to the background levels of the receiving water for any naturally occurring constituent.

Where a permit contains a less stringent effluent limitation than in the previous permit, CWA section 402(o) requires compliance with CWA 303(d)(4). Where the water quality meets or exceeds the applicable water quality standard for that constituent, section 303(d)(4) allows the effluent limitation to be revised only if it is consistent with the anti-degradation policy. As explained below, this permit satisfies the requirements of the federal and state antidegradation policies.

F. Satisfaction of Antidegradation Policy

The Regional Water Board has determined that discharges authorized under the General Permit will be consistent with applicable antidegradation requirements of State Water Board Resolution No. 68-16, as well as USEPA policy established at 40 CFR 131.12. These provisions require that, at a minimum, existing instream water uses and the level of water quality necessary to protect those existing uses must be maintained. Where the existing water quality is better than the water quality objectives set to protect existing and potential beneficial uses, that quality must be maintained, unless specific findings are made. The federal antidegradation policy also requires that high quality waters that constitute an outstanding National resource must be maintained and protected⁴.

Because the proposed update to General Permit, Order No. 93-61 will apply to a broader range of low threat discharges, there will arguably be an increase in waste allowed to discharge to surface waters in the Region. There are, however, a number of additional requirements within this General Permit that will be implemented to ensure that not only are water quality objectives met, but existing water quality is protected to the greatest extent possible. For example, this General Permit requires characterization of the discharge and the receiving water, a certification that no pollutants will be discharged at levels that exceed water quality objectives, an evaluation of feasible alternatives to the discharge, and a description of treatment measures and BMPs that will be implemented to remove pollutants and minimize the rate, volume, and duration of the discharge. These requirements will help ensure that low threat discharges will protect the existing quality of water where that quality exceeds the objectives set forth in the Basin Plan and State Board plans and policies adopted for the protection of water quality, and will at a minimum, maintain water quality to protect existing beneficial uses, and will not impede recovery of those waterways that are not meeting all water quality objectives. Nonetheless, because of the potential for increased numbers of discharges to North Coast streams under the this General Permit, the Regional Water Board has considered the requirements of the federal and state anti-degradation policies.

Under the federal anti-degradation policy, existing instream water uses and the level of water quality necessary to protect existing uses must be maintained and protected. Where, however, the quality of the water exceeds levels necessary to support propagation of fish, shellfish, and wildlife, and recreation in and out of the water, that quality must be maintained and protected unless the State finds, after ensuring public participation, that:

1. Such activity is necessary to accommodate important economic or social development in the area in which the waters are located,
2. Water quality is adequate to protect existing beneficial uses fully, and

⁴ No waterbodies within the North Coast Region have been formally designated as outstanding national resources waters.

3. The highest statutory and regulatory requirements for all new and existing point source discharges and all cost-effective and reasonable best management practices for non point source control are achieved. (40 CFR 131.12.)

The federal policy also requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board actually established California's antidegradation policy in State Water Board Resolution No. 68-16 (Resolution) prior to the adoption of the federal policy. The Resolution incorporates the federal antidegradation policy and requires that existing quality of waters be maintained unless degradation is justified based on specific findings.

California's antidegradation policy is also included in the North Coast Basin Plan as a General Objective (Basin Plan pages 3-2.00 to 3-3.00).

California's antidegradation Policy applies to both groundwater and surface waters whose quality meets or exceeds (are better than) water quality objectives. The State policy establishes several conditions that must be met before the quality of high quality waters may be lowered by waste discharges.

The State must determine that lowering the quality of high quality waters:

1. Will be consistent with the maximum benefit to the people of the state;
2. Will not unreasonably affect present and anticipated beneficial uses of such water; and
3. Will not result in water quality less than that prescribed in state policies (e.g., water quality objectives).
4. In addition, before any degradation of water quality is permitted, it must be shown that the discharge will be required to meet waste discharge requirements that result in best practicable treatment or control of the discharge necessary to assure that:
 - a. Pollution or nuisance will not occur; and
 - b. The highest water quality consistent with maximum benefit to the people of the State is maintained.

Only those discharges that do not exceed Basin Plan water quality objectives or criteria, the California Toxics Rule objectives, or any other applicable Regional Water Board, State Water Board, or federal objective or criteria promulgated to protect water quality and beneficial uses are eligible to enroll under the this General Permit. Where a low threat discharge meets water quality objectives, it would not be expected to adversely affect the present or future beneficial use of surface waters, nor would it be expected to result in water quality less than that prescribed in the Basin Plan.

There may, however, be the potential for a small reduction in water quality from multiple low threat discharges cumulatively affecting water quality or where a discharge would be allowed that met water quality objectives, but exceeded background levels of the receiving water. The minor impact on water quality is, however, outweighed by the benefit of these low threat discharges, which are necessary to accommodate important economic or social development in the North Coast Region. Any such potential change in water quality is, therefore, consistent with the maximum benefit to the people of California. All of the potentially low threat discharges identified in Table 1 of the Order are associated with activities vital to communities. Activities such as construction dewatering, well development, and pipeline and reservoir maintenance that may produce discharges have been identified as having a potentially low threat to water quality, and serve important economic and social interests.

In order to enroll under this General Permit, each discharger will be required to implement BMPs and treatment, as necessary, to ensure that the discharge will not adversely affect beneficial uses of the receiving water and will comply with all applicable water quality objectives. Such BMPs could include BMPs designed to prevent, reduce or eliminate the generation of pollutants and waste; BMPs designed to control or manage pollutants and waste after they are generated, but before they come into contact with receiving water; BMPs designed to remove pollutants and waste from water prior to discharge; and BMPs intended to respond to leaks, spills and other releases with containment, control, and cleanup measures to prevent or minimize the potential for the discharge of pollutants and to minimize the adverse effects of such discharges. The BMPs identified by the discharger will be submitted as part of the Notice of Intent (NOI) for enrollment under this General Permit, and will be available for public review during the 30-day comment period on the proposed enrollment. This General Permit requires that the BMP/PP Plan include, at a minimum, the elements identified in Attachment A-1. The implementation of these measures will ensure the discharge is meeting the best practicable treatment or control of the discharge necessary to assure that the discharge will not cause pollution or nuisance, and result in the highest water quality consistent with maximum benefit to the people of the State.

G. Stringency of Requirements for Individual Pollutants

This Order contains water quality-based effluent limitations for individual pollutants that implement water quality objectives and criteria contained in the Basin Plan. This Order also requires each applicant to screen its proposed discharge and demonstrate that no pollutant is present in the discharge at levels that exceed applicable federal or state water quality objectives including CTR and NTR objectives and MCLs established by the State Department of Public Health.

The General Permit also requires each discharger to develop and implement an approved BMP/PP Plan to regulate and control the low threat discharge to minimize the volume, discharge rate and duration of the discharge and to ensure that the discharge

does not cause erosion, scouring, adverse impacts to aquatic life or any other adverse impact.

The requirements established by the General Permit are no more stringent than necessary to implement the mandates of the CWA.

H. Interim Effluent Limitations

This General Permit does not include interim effluent limitations.

I. Land Discharge Specifications

The General Permit is not applicable to discharges that are solely to land. Discharges that are solely to land may separately require waste discharge requirements or a waiver of waste discharge requirements.

Land discharge is a means by which a discharger enrolled under this General Permit may reduce the volume and duration of discharge to surface waters. Such a discharge shall comply with the following general land discharge specification:

1. Land discharges shall not cause the creation of pollution or nuisance conditions.

Land discharges that a discharger may elect to use as a manner of reducing the flow rate and volume of low threat wastewater discharged to surface waters may include, but are not limited to, spray or overland flow disposal, percolation trenches or basins, evaporation trenches or basins, subsurface infiltration, or other similar disposal methods. The NOI must describe how any proposed land disposal method will be implemented so that it does not create pollution or nuisance conditions, including but not limited to erosion, localized flooding, breeding of insects or other vectors of health significance, or the discharge of fertilizers, herbicides, pesticides, salts, nutrients or any other pollutant of concern to surface or groundwater.

J. Reclamation Specifications

Reclamation specifications are not applicable to low threat discharges.

The General Permit is not applicable to discharges that are solely reclamation uses of wastewater. Discharges that are solely to reclamation uses may separately require waste discharge requirements or a waiver of waste discharge requirements.

VI. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

The Basin Plan contains numeric and narrative water quality objectives applicable to all surface waters within the North Coast Region. Water quality objectives include an

objective to maintain high quality waters pursuant to federal regulations (40 CFR 131.12) and State Water Board Resolution No. 68-16. Receiving water limitations in this General Permit are retained from the previous permit (Order No. 93-61) but have been supplemented, modified and updated to reflect all applicable water quality objectives of the most currently amended versions of the Basin Plan, Ocean Plan and Thermal Plan.

Receiving water quality is a result of many factors, some unrelated to the discharges which will be authorized by the General Permit. This Order considers these factors and is designed to minimize the influence of low threat discharges on the receiving waters of the North Coast Region.

B. Groundwater

Receiving water limitations for groundwater established by the General Permit reflect the objectives established by the Basin Plan for the protection of the beneficial uses of groundwater of the North Coast Region.

VII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

Section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorizes the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program (MRP), Attachment E of this Order, establishes monitoring and reporting requirements to implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility.

A. Influent Monitoring

Influent monitoring requirements are not established by the General Permit.

B. Effluent Monitoring

The Monitoring and Reporting Program establishes the following effluent monitoring requirements for discharges authorized under the General Permit.

- 1. Flow.** Daily flow monitoring is required for all authorized discharges to allow comparison of actual discharge rate/volume with the rate/volume described in the NOI. Excessive rates of discharge or excessive volumes relative to flow of the receiving waters can have adverse impacts on aquatic habitats.
- 2. BOD and Total Suspended Solids.** The discharger must demonstrate that the discharge is a high quality, relatively pollutant free wastewater. Low threat discharges with a duration longer than a month are required to monitor monthly for BOD and TSS to ensure that the discharge continues as a high quality water that does not contain any degradable wastewater and is not discharging effluent that

has unacceptable levels of TSS that could result, for example, from algal growth in an effluent.

3. **Total Chlorine Residual.** Due to the aquatic toxicity of chlorine, daily monitoring for this pollutant is required for all discharges that originate as a disinfected water.
4. **Settleable Solids.** The discharger must demonstrate that the discharge is a high quality, relatively pollutant-free wastewater that will not contribute settleable solids to the receiving water.
5. **Field parameters – temperature, turbidity, pH, specific conductance and dissolved oxygen.**

The discharger must sample the field parameters of temperature, turbidity, pH, specific conductance, and dissolved oxygen at least twice hourly at the start of the discharge and until such time that steady state conditions can be demonstrated in order to ensure that receiving water limitations will not be violated by the discharge. On-going monitoring (4X/day) is a reasonable frequency to ensure that water quality objectives for these parameters are complied with. The General Permit allows the Executive Officer to reduce monitoring frequencies if this can be done without compromising water quality.

6. **Visual Observations.** The MRP requires daily observance of the discharge and receiving water conditions to detect the presence of such pollutants as debris, films, suspended solids, and turbidity, and to assess physical impacts to the receiving water - stream scouring, bank erosion, unusual aquatic growths, etc. to ensure compliance with narrative receiving water limitations.
7. **Toxic Pollutants.** Low threat discharges that continue for more than one year may be required to monitor for any toxic pollutants for which water quality criteria or objectives have been established for the receiving stream. For example, this additional monitoring requirement may be applied to any discharge for which pre-project sampling revealed levels of any toxic pollutant that was below the applicable water quality criteria. This additional monitoring requirement may be stipulated in the authorization letter or may be requested at a later date if Regional Water Board staff determines that this requirement is necessary to ensure water quality protection.

Monitoring for the toxic pollutants will provide on-going characterization of authorized discharges and assurance that toxic pollutants are not present in the concentrations that exceed applicable water quality criteria and objectives.

8. **Other.** In accordance with footnote 10 in section IV.A.1 of the Monitoring and Reporting Program, when granting authorization to discharge under the General Permit, the Regional Water Board may stipulate conditions, in addition to those

conditions and requirements established by the General Permit for all authorized discharges, including monitoring requirements, for a specific discharge.

When chlorinated (or brominated) water supplies are being discharged, for example, in addition to monitoring for chlorine (or bromine), the Regional Water Board may require monitoring for the common byproducts of chlorination, the trihalomethanes, which include chloroform, chlorodibromomethane, dichlorobromomethane, and bromoform.

C. Whole Effluent Toxicity Testing Requirements

Due to the low threat nature of discharges authorized under the General Permit, whole effluent toxicity monitoring requirements are not required by the General Permit and therefore there are no monitoring requirements for whole effluent toxicity established in the Monitoring and Reporting program in Attachment E.

D. Receiving Water Monitoring

1. Surface Water

Surface water monitoring is required to assess potential impacts to receiving waters and to determine compliance with receiving water limitations established by the General Permit. Visual monitoring to assess the success of BMPs at preventing erosion and scouring and nuisance conditions is an essential part of the MRP.

2. Groundwater

Discharges to land and surface waters, particularly when the surface water channel is dry or low flow conditions, have the potential to impact ground water. Receiving water limitations for groundwater in this General Permit are based on water quality objectives for groundwater from the Basin Plan.

E. Other Monitoring Requirements

As discussed previously, when authorization to discharge under the General Permit is granted, the Regional Water Board may establish monitoring requirements for a specific discharger, in addition to those established by the General Permit for all authorized discharges. It is not the intent of Regional Water Board staff to design a monitoring plan for each discharger. In fact, such "individualization" or monitoring requirements defeats, to some extent, the purpose of a General Permit, which is to ease the administrative burden of regulating a large number of similar dischargers. The Regional Water does want to retain, however, the discretion to require supplemental monitoring for a specific discharger, if site or discharge-specific conditions merit attention in addition to that provided by the General Permit.

F. Reporting Requirements

The Monitoring and Reporting Program establishes reporting requirements to enable Regional Water Board staff to assess compliance with the terms and conditions of the General Permit and to maintain effective oversight of low threat discharges and their potential impacts to receiving waters of the North Coast Region. Reporting requirements for most dischargers include a requirement to submit monthly Self Monitoring Reports (SMRs).

VIII. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with NPDES regulations at 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment D. Authorized dischargers must comply with all standard provisions and with those additional conditions that are applicable under 40 CFR 122.42.

Section 122.41(a)(1) and (b) through (n) establish conditions that apply to all State-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in this Order. Section 123.25(a) (12) allows the State to omit or modify conditions to impose more stringent requirements. In accordance with section 123.25, this Order omits federal conditions that address enforcement authority specified in sections 122.41(j) (5) and (k) (2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

B. Special Provisions

1. Reopener Provisions

- a. Standard Revisions (Provision VI.C.1.a). This provision contains a reopener provision that allows the Regional Water Board to reopen this Order to modify its conditions and requirements in accordance with 40 CFR section 122.62.
- b. Reasonable Potential (Provision VI.C.1.b). This provision allows the Regional Water Board to modify, or revoke and reissue, this Order if present or future investigations demonstrate that the Dischargers governed by this Order are causing or contributing to excursions above any applicable priority pollutant criterion or objective, or adversely impacting water quality and/or the beneficial uses of receiving waters.
- c. Chlorine Residual Policy (Provision VI.C.1.c). The State Water Board has developed the Total Residual Chlorine draft policy, which, when adopted, is intended to establish consistent standards and implementation procedures for regulating chlorine statewide. This reopener allows the Regional Water Board to

reopen this Order to include a revised reporting level to determine compliance with effluent limitations for total residual chlorine if a statewide policy for total residual chlorine is adopted during the term of this Order.

2. Special Studies and Additional Monitoring Requirements

Pollution Prevention and Monitoring and Reporting Plan (PPMRP). Water suppliers may request to have multiple discharge points from a single project covered under a single enrollment under this General Permit (see examples at the end of section I.A of the General Permit). For the purposes of this General Permit, these multiple discharge points may be considered a project. Water suppliers covered by this General Permit may include irrigation districts, water districts, and water agencies. In lieu of the specific effluent and receiving water monitoring requirements included in the Monitoring and Reporting Program (Attachment E), water suppliers may elect to develop and implement a PPMRP in accordance with the requirements of Attachment A-2.

3. Best Management Practices

- a. The General Permit will authorize numerous types of discharges which present no or minimal threat to water quality and beneficial uses of receiving waters. Although the General Permit establishes some water quality-based effluent limitations, the development and implementation of a Best Management Practices (BMP) Plan (as required by sections IV.A.1.b and VI.C.3 of this Order) by each authorized discharger is necessary to ensure that the discharge(s) pose a low threat to water quality. The Regional Water Board has determined that implementation of BMPs in combination with effluent limitations is the most efficient manner in which to regulate and control such discharges.

- b. Best Management Practices and Pollution Prevention Plan

As defined by NPDES regulations at 40 CFR 122.2, BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. The inclusion of BMPs as requirements in discharge permits is authorized by CWA Section 304 (e); and in accordance with NPDES regulations at 40 CFR 122.44 (k), BMPs can be used to control or abate the discharge of pollutants in several circumstances, including, when numeric effluent limitations are infeasible.

Each applicant that requests coverage of a low threat discharge under the General Permit must submit with its NOI, a BMP/PP Plan that identifies structural and nonstructural controls, schedules of activities, prohibited practices, maintenance procedures and other management practices that will be implemented to prevent or reduce the discharge of pollutants and prevent

impacts related to the discharge (e.g., erosion and scouring, adverse impacts on aquatic life, etc.)

The following table (Table F-1) identifies the types of treatment and best management practices to address pollutants of concern by types of discharges. This table identifies practices that are commonly used, but is by no means intended to be all-inclusive. Each discharger will develop a detailed BMP/PP Plan for approval by the Regional Water Board Executive Officer.

Table F-1. Pollutants of Concern and Reasonably Foreseeable Treatment/Management Measures by Discharge Type

Type of Discharge	Reasonably Foreseeable Treatment/Management Measures	Pollutants of Concern
Construction dewatering	<ul style="list-style-type: none"> • Segregation of flow to prevent introduction of pollutants. • Sediment removal through settling or filtration basins. • Utilize measures such as vegetation, straw bales, silt fences, wattles, and/or sand/gravel bags to control flow rate of discharge to minimize erosion potential and prevent sediment transport. • Utilize stormdrain inlet filters to capture some pollutants • Eliminate source of petroleum hydrocarbons. • No surface water discharge allowed if petroleum hydrocarbons are present or if naturally occurring metals concentrations exceed applicable water quality objectives. 	<ul style="list-style-type: none"> • Sediments • Turbidity • Construction Materials • Total petroleum hydrocarbons • Metals (naturally occurring) • High temperature
Development and test pumping of water supply wells	<ul style="list-style-type: none"> • Dechlorinate water (if chlorine has been used) using aeration and/ or sodium thiosulfate and/or other appropriate means. • Sediment removal in discharge through settling or filtration basins. • Utilize measures such as vegetation, straw bales, silt fences, wattles, and/or sand/gravel bags to control flow rate of discharge to minimize erosion potential and 	<ul style="list-style-type: none"> • Sediments • Total dissolved solids • Chlorine and associated trihalomethanes • Naturally occurring metals • Glues (volatile organic hydrocarbons)

Type of Discharge	Reasonably Foreseeable Treatment/Management Measures	Pollutants of Concern
	<p>prevent sediment transport.</p> <ul style="list-style-type: none"> • Utilize instream diffuser, if necessary, to prevent instream erosion. • No surface water discharge allowed if naturally occurring metals concentrations exceed applicable water quality objectives. 	
<p>Discharges from potable water sources</p> <p>Maintenance and repair of water supply structures (e.g., pipelines, tanks, reservoirs)</p>	<ul style="list-style-type: none"> • Dechlorinate water (if chlorine has been used) using aeration and/ or sodium thiosulfate and/or other appropriate means. • Settling and/or filtration as necessary to remove sediments, scale, rust, corrosion products • Utilize measures such as vegetation, straw bales, silt fences, wattles, and/or sand/gravel bags to control flow rate of discharge to minimize erosion potential and prevent sediment transport. • Utilize instream diffuser, if necessary, to prevent instream erosion. • No surface water discharge allowed if metals or trihalomethane concentrations exceed applicable water quality objectives. 	<ul style="list-style-type: none"> • Chlorine and associated trihalomethanes • Metals (e.g.,arsenic, iron, copper, lead, zinc: naturally occurring from water supply or picked up from metallic surfaces of pipes and storage tanks) • Sediments • Total dissolved solids • Minor adhesives • Scale, rust, corrosion products
<p>Hydrostatic testing of new pipelines, tanks, reservoirs, etc., used for purposes other than potable water supply</p>	<ul style="list-style-type: none"> • Eliminate source of petroleum hydrocarbons • Settling and/or filtration as necessary to capture scale, rust, corrosion products • No surface water discharge allowed if petroleum hydrocarbons are present or if naturally occurring metals concentrations exceed applicable water quality objectives. 	<ul style="list-style-type: none"> • Scale and corrosion products • Total petroleum hydrocarbons • Metals

Type of Discharge	Reasonably Foreseeable Treatment/Management Measures	Pollutants of Concern
Geothermal well testing	<ul style="list-style-type: none"> • Settling and/or filtration to remove sediment • Cooling to address high temperature 	<ul style="list-style-type: none"> • Sediments • Total dissolved solids • High Temperature • Metals
Subterranean seepage dewatering (e.g., dewatering of structures situated below ground level such as basements, roadways, etc)	<ul style="list-style-type: none"> • Segregation of flow to prevent introduction of pollutants. • Sediment removal through settling or filtration basins. • Control discharge flow rate to minimize erosion potential. • No surface water discharge allowed if petroleum hydrocarbons are present or if naturally occurring metals concentrations exceed applicable water quality objectives. 	<ul style="list-style-type: none"> • Sediments • Total Dissolved Solids • Petroleum Hydrocarbons • Metals (e.g., arsenic, iron) that are naturally occurring in groundwater • Low dissolved oxygen
Dewatering of dredge spoils	<ul style="list-style-type: none"> • Settling and/or filtration to remove sediment/turbidity from discharge • No surface water discharge allowed if petroleum hydrocarbons are present or if naturally occurring metals concentrations exceed applicable water quality objectives. 	<ul style="list-style-type: none"> • Sediments • Turbidity • Nutrients • Metals (naturally occurring) • Petroleum hydrocarbons • Grease and Oil

4. Special Provisions for Municipal Facilities (POTWs Only)

The General Permit is not applicable to discharges from POTWs.

5. Other Special Provisions

- a. Stormwater. This provision requires each Discharger authorized to discharge under this General Permit to comply with the State’s regulations relating to industrial and construction stormwater activities.
- b. Mitigation Measures. Dischargers enrolled under this General Permit are required to implement BMPs in accordance with a BMP/PP Plan submitted with each Dischargers’ NOI. In order to ensure that BMPs do not cause adverse environmental impacts, each Discharger shall implement all applicable mitigation measures identified in section VII.C.6.b of this General Permit.

6. Compliance Schedules

The General Permit does not include compliance schedules.

IX. PUBLIC PARTICIPATION

The California Regional Water Quality Control Board, North Coast Regional Water Board, is considering the issuance of waste discharge requirements (WDRs) that will serve as a General NPDES Permit for low threat discharges throughout the Region. As a step in the WDR adoption process, the Regional Water Board staff has developed tentative WDRs. The Regional Water Board encourages public participation in the WDR adoption process.

A. Notification of Interested Parties

The Regional Water Board has notified interested agencies, parties, and persons of its intent to prescribe general waste discharge requirements for low threat discharges and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided to interested parties through specific mailings, distribution through the Regional Water Board Lyris Email System, the following posting on the Regional Water Board's Internet site at: http://www.waterboards.ca.gov/northcoast/public_notices/public_hearings/npdes_permits_and_wdrs.shtml and through publication in the Press Democrat, Times Standard, Siskiyou Daily and Triplicate on May 7, 2009.

B. Written Comments

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments must be submitted either in person or by mail to the Executive Office at the Regional Water Board at the address above on the cover page of this Order.

To be fully responded to by staff and considered by the Regional Water Board, written comments must be received at the Regional Water Board offices by 5:00 p.m. on June 8, 2009.

C. Public Hearing

The Regional Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: July 23, 2009
Time: 8:30 a.m. or as soon as possible
Location: North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, California 95403

Interested persons are invited to attend. At the public hearing, the Regional Water Board will hear testimony, if any, pertinent to the discharge, WDRs, and permit. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our Web address is www.waterboards.ca.gov/northcoast where you can access the current agenda for changes in dates and locations.

D. Waste Discharge Requirements Petitions

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be submitted within 30 days of the Regional Water Board's action to the following address:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

E. Information and Copying

The Report of Waste Discharge (ROWD), related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling 707-576-2220.

F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Regional Water Board, reference this facility, and provide a name, address, and phone number.

G. Additional Information

Requests for additional information or questions regarding this Order should be directed to Cathleen Goodwin at cgoodwin@waterboards.ca.gov or (707) 576-2687.

ATTACHMENT G

**NOTICE OF TERMINATION
 OF COVERAGE UNDER THE
 GENERAL PERMIT/WASTE DISCHARGE REQUIREMENTS
 FOR**

**LOW THREAT DISCHARGES TO SURFACE WATERS IN THE NORTH COAST REGION
 NPDES Permit No. CA0024902, Order No. R1-2009-0045**

Pursuant to section II.D of the General Permit, this Notice of Termination must be submitted to the Regional Water Board within 30 days following completion of a discharge, which was authorized by the General Permit

I. Owner/Operator/Site

Owner:	Contact:	Phone:
Operator:	Contact:	Phone:
Site Name:	WDID No.	
Site Address:		
City:	County:	Zip:

II. Start / End Date

Discharge Start Date:
Discharge End Date:

III. Reason for Termination

	Y or N
a. The discharge authorized by the General Permit has been permanently terminated.	
b. Wastewater has been redirected:	
1. to a sanitary sewer system	
2. to land application	
3. to reuse (e.g., irrigation)	
4. to infiltration or evaporation ponds	
5. other (describe)	

IV. Certification

I certify under penalty of law that the discharge(s) authorized under NPDES General Permit No. CA0024902, at the site identified herein, has been permanently terminated. I understand that with the submittal of this Notice of Termination, the discharge(s) is no longer authorized; however the Owner / Operator shall remain responsible for any violations of the General Permit that occurred during the period of discharge.

Name (print):	
Title:	Date:
Signature:	