

Errata Sheet 2 for Tentative Order No. 01-20
NPDES No. CAS618030

Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and The Incorporated Cities of Orange County Within the Santa Ana Region Areawide Urban Storm Water Runoff

Text

Item No.	Location	Changes (strikeout/final)
27	Finding 27 (Page 9)	<p>27. The DAMP is a dynamic document and the permittees have implemented, or are in the process of implementing, the various elements of the DAMP. A revised DAMP was included with the NPDES permit renewal application. This order requires the permittees to continue to implement the BMPs listed in the revised DAMP; <u>update or modify the DAMP, when appropriate, consistent with the MEP and other applicable standards;</u> and to effectively prohibit illegal and illicit discharges to the storm drain system.</p> <p>27. The DAMP is a dynamic document and the permittees have implemented, or are in the process of implementing, the various elements of the DAMP. A revised DAMP was included with the NPDES permit renewal application. This order requires the permittees to continue to implement the BMPs listed in the revised DAMP; update or modify the DAMP, when appropriate, consistent with the MEP and other applicable standards; and to effectively prohibit illegal and illicit discharges to the storm drain system.</p>
28	Finding 37 (Page 11)	<p>37. The legislative history and the preamble to the federal storm water regulations indicate that the Congress and the U.S. EPA were aware of the difficulties in regulating urban storm water runoff solely through traditional end-of-pipe treatment. However, it is the Regional Board's intent that this order require the implementation of best management practices to reduce, to the maximum extent practicable, the discharge of pollutants in storm water from the MS4s in order to support attainment of water quality standards. This order, therefore, includes Receiving Water Limitations based upon water quality objectives, the prevention of nuisance and the reduction of water quality impairment in receiving waters. In accordance with Section 402 (p) of the Clean Water Act, this order requires the permittees to implement control measures, in accordance with the approved DAMP, that will reduce pollutants in storm water discharges to the maximum extent practicable. The Receiving Water Limitations similarly require the implementation of control measures, to the extent that they are technically and economically feasible to protect beneficial uses and attain water quality objectives of the receiving waters.</p> <p>37. The legislative history and the preamble to the federal storm water regulations indicate that the Congress and the U.S. EPA were aware of the difficulties in regulating urban storm water runoff solely through traditional</p>

		<p>end-of-pipe treatment. However, it is the Regional Board's intent that this order require the implementation of best management practices to reduce, to the maximum extent practicable, the discharge of pollutants in storm water from the MS4s in order to support attainment of water quality standards. This order, therefore, includes Receiving Water Limitations based upon water quality objectives, the prevention of nuisance and the reduction of water quality impairment in receiving waters. In accordance with Section 402 (p) of the Clean Water Act, this order requires the permittees to implement control measures, in accordance with the approved DAMP, that will reduce pollutants in storm water discharges to the maximum extent practicable. The Receiving Water Limitations similarly require the implementation of control measures to protect beneficial uses and attain water quality objectives of the receiving waters.</p>
<p>29</p>	<p>Finding 38 (Page 11)</p>	<p>38. The Regional Board finds that the unique aspects of the regulation of storm water discharges through municipal storm sewer systems, including the intermittent nature of discharges, difficulties in monitoring and limited physical control over the discharge, will require adequate time to implement and evaluate the effectiveness of BMPs. Therefore, the order includes a procedure for determining whether storm water discharges are causing exceedances of receiving water limitations and for evaluating whether the DAMP must be revised <u>in order to comply with this aspect of the order</u>. The order establishes an iterative process to maintain compliance with the receiving water limitations.</p> <p>38. The Regional Board finds that the unique aspects of the regulation of storm water discharges through municipal storm sewer systems, including the intermittent nature of discharges, difficulties in monitoring and limited physical control over the discharge, will require adequate time to implement and evaluate the effectiveness of BMPs. Therefore, the order includes a procedure for determining whether storm water discharges are causing exceedances of receiving water limitations and for evaluating whether the DAMP must be revised in order to comply with this aspect of the order. The order establishes an iterative process to maintain compliance with the receiving water limitations.</p>
<p>30</p>	<p>Finding 51 (Page 13)</p>	<p>51. The Regional Board and the permittees recognize the importance of watershed management initiatives and regional planning and coordination in the development and implementation of programs and policies related to water quality protection. A number of such efforts are underway in which the permittees are active participants. This order encourages continued participation in such programs and policies. The Regional Board also recognizes that in certain cases, diversion of funds targeted for certain monitoring programs to regional monitoring programs may be necessary. The Executive Officer is authorized to approve, <u>after proper public notification and consideration of all comments received</u>, the watershed management initiatives and regional planning and coordination programs and regional monitoring programs. <u>The permittees are required to submit all documents, where appropriate, in an electronic format. All such documents will be posted at the Regional Board's website and all interested parties will be notified.</u> In addition, the website will include</p>

		<p><u>the administrative and civil procedures for appealing any decision made by the Executive Officer.</u></p>
		<p>51. The Regional Board and the permittees recognize the importance of watershed management initiatives and regional planning and coordination in the development and implementation of programs and policies related to water quality protection. A number of such efforts are underway in which the permittees are active participants. This order encourages continued participation in such programs and policies. The Regional Board also recognizes that in certain cases, diversion of funds targeted for certain monitoring programs to regional monitoring programs may be necessary. The Executive Officer is authorized to approve, after proper public notification and consideration of all comments received, the watershed management initiatives and regional planning and coordination programs and regional monitoring programs. The permittees are required to submit all documents, where appropriate, in an electronic format. All such documents will be posted at the Regional Board’s website and all interested parties will be notified. In addition, the website will include the administrative and civil procedures for appealing any decision made by the Executive Officer.</p>
31	Section I.7 (Page 15)	<p>7. In conjunction with the other permittees, implement the BMPs listed in the approved DAMP, <u>and take such other actions as may be necessary to meet the MEP standard.</u></p>
		<p>7. In conjunction with the other permittees, implement the BMPs listed in the DAMP, and take such other actions as may be necessary to meet the MEP standard.</p>
32	Section II.1 (Page 15)	<p>1. Implement management programs, monitoring programs, implementation plans and all BMPs outlined in the DAMP within each respective jurisdiction, <u>and take any other actions as may be necessary to meet the MEP standard.</u></p>
		<p>1. Implement management programs, monitoring programs, implementation plans and all BMPs outlined in the DAMP within each respective jurisdiction, and take any other actions as may be necessary to meet the MEP standard.</p>
33	Section III.3 (Page 16)	<p>The Executive Officer <u>Regional Board</u> may add categories of non-storm water discharges that are not significant sources of pollutants or remove categories of non-storm water discharges listed above based upon a finding that the discharges are a significant source of pollutants.</p>
		<p>The Regional Board may add categories of non-storm water discharges that are not significant sources of pollutants or remove categories of non-storm water</p>

		discharges listed above based upon a finding that the discharges are a significant source of pollutants.
34	Section III.8 (Page 17)	8. Discharges from the MS4s of storm water, or non-storm water, for which a Permittee is responsible, shall not cause or contribute to a condition of nuisance as that term is defined in Section 13050 of the Water Code.
		8. Discharges from the MS4s of storm water, or non-storm water, for which a Permittee is responsible, shall not cause or contribute to a condition of nuisance as that term is defined in Section 13050 of the Water Code.
35	Section IV.2 (Page 17)	2. Discharges from the MS4s of storm water, or non-storm water, for which a Permittee is responsible, shall not cause or contribute to a condition of nuisance as that term is defined in Section 13050 of the Water Code.
36	Section IV.3 (Page 17) Supercedes Errata Sheet 1	3. 2. The DAMP and its components shall be designed to achieve compliance with receiving water limitations. It is expected that compliance with receiving water limitations will be achieved through an iterative process and the application of increasingly more effective BMPs. The permittees shall comply with Sections III.2 and IV of this order through timely implementation of control measures and other actions to reduce pollutants in urban storm water runoff to the maximum extent practicable in accordance with the DAMP and other requirements of this order, including any modifications thereto.
		2. The DAMP and its components shall be designed to achieve compliance with receiving water limitations. It is expected that compliance with receiving water limitations will be achieved through an iterative process and the application of increasingly more effective BMPs. The permittees shall comply with Sections III.2 and IV of this order through timely implementation of control measures and other actions to reduce pollutants in urban storm water runoff in accordance with the DAMP and other requirements of this order, including any modifications thereto.
37	Section XVII.1 (Page 36)	1. By July 1 of each year, the permittees shall evaluate the DAMP to determine whether any revisions are necessary in order to reduce pollutants in MS4 discharges to the maximum extent practicable. At a minimum, <u>In addition,</u> the first annual review after adoption of this order shall include the following:
		1. By July 1 of each year, the permittees shall evaluate the DAMP to determine whether any revisions are necessary in order to reduce pollutants in MS4 discharges to the maximum extent practicable. In addition, the first annual review after adoption of this order shall include the following:

38	Section XIX.1 (Page 37)	<p>1. <u>All reports submitted by the permittees as per the requirements in this Order for the approval of the Executive Officer shall be publicly noticed and made available on the Regional Board’s website, or through other means, for public review and comments. The Executive Officer shall consider all comments received prior to approval of the reports. Any unresolved significant issues shall be scheduled for a public hearing at a Regional Board meeting prior to approval by the Executive Officer.</u></p> <p>1. All reports submitted by the permittees as per the requirements in this Order for the approval of the Executive Officer shall be publicly noticed and made available on the Regional Board’s website, or through other means, for public review and comments. The Executive Officer shall consider all comments received prior to approval of the reports. Any unresolved significant issues shall be scheduled for a public hearing at a Regional Board meeting prior to approval by the Executive Officer.</p>
39	Section XIX.1 (Page 37)	<p>1. 2. The purpose of this Order is to require the implementation of best management practices to reduce, to the maximum extent practicable, the discharge of pollutants from the MS4 in order to support reasonable further progress towards attainment of water quality objectives.</p> <p>Permittees shall demonstrate compliance with all the requirements in this order and specifically with Section III. Discharge Limitations and Section IV. Receiving Water Limitations, through timely implementation of their DAMP and any approved modifications, revisions, or amendments developed pursuant to this order <u>approved by the Executive Officer or determined by the permittee to be necessary to meet the requirements of this order</u>. The DAMP, as included in the Report of Waste Discharge, including any approved amendments thereto, is hereby made an enforceable component of this order.</p> <p>2. The purpose of this Order is to require the implementation of best management practices to reduce, to the maximum extent practicable, the discharge of pollutants from the MS4 in order to support reasonable further progress towards attainment of water quality objectives.</p> <p>Permittees shall demonstrate compliance with all the requirements in this order and specifically with Section III. Discharge Limitations and Section IV. Receiving Water Limitations, through timely implementation of their DAMP and any modifications, revisions, or amendments developed pursuant to this order approved by the Executive Officer or determined by the permittee to be necessary to meet the requirements of this order. The DAMP, as included in the Report of Waste Discharge, including any approved amendments thereto, is hereby made an enforceable component of this order.</p>
40	Section XIX.2 (Page 37)	<p>2. <u>3.</u> The permittees shall, <u>at a minimum</u>, implement all elements of the DAMP. Where the dates in the DAMP are different than those of this order, the dates in this order shall prevail. Any proposed revisions to the</p>

		<p>DAMP shall be submitted with the Annual Report to the Executive Officer of the Regional Board for review and approval. All approved revisions to the DAMP shall be implemented as per the time schedules approved by the Executive Officer. <u>In addition to those specific controls and actions required by (1) the terms of this Order and (2) the DAMP, each permittee shall implement additional controls, if any are necessary, to reduce the discharge of pollutants in storm water to the maximum extent practicable as required by this Order.</u></p> <p>3. The permittees shall, at a minimum, implement all elements of the DAMP. Where the dates in the DAMP are different than those of this order, the dates in this order shall prevail. Any proposed revisions to the DAMP shall be submitted with the Annual Report to the Executive Officer of the Regional Board for review and approval. All approved revisions to the DAMP shall be implemented as per the time schedules approved by the Executive Officer. In addition to those specific controls and actions required by (1) the terms of this Order and (2) the DAMP, each permittee shall implement additional controls, if any are necessary, to reduce the discharge of pollutants in storm water to the maximum extent practicable as required by this Order.</p>
41	<p>Section XIX.8 (Page 38) Supercedes Errata Sheet 1</p>	<p>8. The permit Permit application and special NPDES program requirements contained in 40 CFR 122.21 (a), (b), (d)(2), (f), (p); 122.41 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l); and 122.42 (c) are incorporated into this order by reference.</p> <p>8. The permit application and special NPDES program requirements contained in 40 CFR 122.21 (a), (b), (d)(2), (f), (p); 122.41 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l); and 122.42 (c) are incorporated into this order by reference.</p>
42	<p>M&RP Section IV.H (Page 48)</p>	<p>H. <u>An assessment of the permittees compliance status with the Receiving Water Limitations, Section IV of the Order, including any proposed modifications to the DAMP if the Receiving Water Limitations are not fully achieved.</u></p> <p>H. An assessment of the permittees compliance status with the Receiving Water Limitations, Section IV of the Order, including any proposed modifications to the DAMP if the Receiving Water Limitations are not fully achieved.</p>
43	<p>M&RP Section V (Page 49)</p>	<p>Review planning procedures and CEQA document preparation processes Completion Date – December 19, 2002 Report Due Date – January 2, 2004 <u>2003</u></p> <p>Review planning procedures and CEQA document preparation processes. Completion Date – December 19, 2002 Report Due Date – January 2, 2003</p>