California Regional Water Quality Control Board

Santa Ana- Region

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Alan C. Lloyd, Ph.D.
Agency Secretary

Arnold Schwarzenegger
Governor

ORDER NO. R8-2005-0075
NPDES NO. CA0105236

The following Discharger is authorized to discharge in accordance with the Waste Discharge Requirements set forth in this Order:

Discharger	**City of Colton**
Name of Facility	**Water Reclamation Facility, City of Colton**
Facility Address	**1201 S. Rancho**
	Colton, CA. 92324
	San Bernardino County

The Discharger is authorized to discharge from the following discharge points as set forth below:

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	**Secondary Treated and Disinfected**	**34 ° 02' 45" N**	**117 ° 21' 00" W**	**Reach 4 of Santa Ana River**
S-001	**Stormwater**	**34 ° 03' 00" N**	**117 ° 20' 03" W**	**Reach 4 of Santa Ana River**

This Order was adopted by the Regional Water Board on:	**September 30, 2005**
This Order shall become effective on:	**September 30,2005**
This Order shall expire on:	**September 1, 2010**
The U.S. Environmental Protection Agency (U.S. EPA) and the Regional Water Board have classified this discharge as a **major** discharge.	
The Discharger shall file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, **not later than 180 days in advance of the Order expiration date** as application for issuance of new waste discharge requirements.	

IT IS HEREBY ORDERED, that Order No. 00-9 is superseded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted therein, and the provisions of the federal Clean Water Act (CWA), and regulations and guidelines adopted therein, the Discharger shall comply with the requirements in this Order.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that Order No. R8-2005-0075 with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on September 30, 2005.

Gerard J. Thibeault, Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
REGION 8, SANTA ANA REGION

ORDER NO. R8-2005-0075
NPDES NO. CA0105236

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I. FACILITY INFORMATION

The following Discharger is authorized to discharge in accordance with the Waste Discharge Requirements set forth in this Order:

Discharger	**City of Colton**
Name of Facility	**Water Reclamation Facility, City of Colton**
Facility Address	**1201 S. Rancho**
	Colton, CA 92324
	San Bernardino County
Facility Contact, Title, and Phone	**Martin Guerrero, chief operator, (909) 825-4114; mguerrero@ci.colton.ca.us**
Mailing Address	**150 S. 10th, Colton, CA 92324**
Type of Facility	**POTW**
Facility Design Flow	**10.4 million gallons per day (mgd)**

II. FINDINGS

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Water Board), finds:

A. **Background.** The City of Colton (hereinafter Discharger) is currently discharging under Order No. 00-9 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0105236. The Discharger submitted a Report of Waste Discharge, dated April 1, 2005, and applied for a NPDES permit renewal to discharge from its Water Reclamation Facility (hereinafter Facility) up to 5.84 million gallons per day (mgd) of secondary treated and disinfected wastewater to surface water when 20:1 dilution or more can be provided by the natural receiving waters. The application was deemed complete on June 8, 2005.

B. **Facility Description.** The Discharger owns and operates a publicly owned treatment works with secondary treatment capability. The treatment system consists of screening, grit removal, sequencing batch reactors (activated sludge/secondary clarification), flow equalization, flocculation, filtration, chlorination and dechlorination. When there exists 20:1 dilution or more by the natural receiving waters, secondary treated and disinfected wastewater may be discharged from Discharge 001 (see table on cover page) to Reach 4 of Santa Ana River in Colton area. The average flow of these intermittent discharges was 5.8 mgd in the last five wet seasons between October to May. During recent dry years, the facility discharged secondary treated and disinfected wastewaters on the average of one to two times per year. However during the months of March 2005 and April 2005, due to heavy rainfall, the facility discharged on two occasions, for a total of 12 days. The Santa Ana River is a water of the United States.

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 (CWC). It shall serve as a NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to Article 4, Chapter 4 of the CWC.

D. **Background and Rationale for Requirements**. The Regional Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and through special studies. Attachment F, which contains background information and rationale for Order requirements, is hereby incorporated into this Order and, thus constitutes part of the Findings for this Order. Attachments A through E, and G through K are also incorporated into this Order.

E. **California Environmental Quality Act (CEQA).** This action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100, et seq.) in accordance with Section 13389 of the CWC.

F. **Technology-based Effluent Limitations.** The Code of Federal Regulations (CFR) at 40 CFR §122.44(a) requires that permits include applicable technology-based limitations and standards. This Order includes technology-based effluent limitations based on Secondary Treatment Standards at 40 CFR Part 133. A discussion of the development of the technology-based effluent limitations is included in the Fact Sheet (Attachment F).

G. **Water Quality-based Effluent Limitations.** Section 122.44(d) of 40 CFR requires that permits include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality objectives to protect the beneficial uses of the receiving water. Where numeric water quality objectives have not been established, 40 CFR §122.44(d) specifies that WQBELs may be established using USEPA criteria guidance under CWA section 304(a), proposed State objectives or a State policy interpreting narrative objectives supplemented with other relevant information, or an indicator parameter.

H. **Water Quality Control Plans.** The Regional Water Board adopted a Water Quality Control Plan for the Santa Ana River Basin (hereinafter 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. In addition, State Water Resources Control Board (State Water Board) Resolution No. 88-63 requires that, with certain exceptions, the Regional Water Board assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in the Basin Plan. Beneficial uses applicable to Reach 4 of Santa Ana River are as follows:

Discharge Point	Receiving Water Name	Beneficial Use(s)
001 and S-001	Reach 4 of Santa Ana River	Existing and potential: Warm freshwater habitat (WARM); wildlife habitat (WILD), Ground water recharge (GWR), contact (REC-1) and non-contact (REC-2) water recreation.
	Downstream Reaches of the Santa Ana River	Existing and potential: Agricultural supply (AGR), Warm freshwater habitat (WARM); wildlife habitat (WILD), Ground water recharge (GWR), contact (REC-1) and non-contact (REC-2) water recreation, and rare, threatened or endangered species (RARE). +

+ Specifically excepted from municipal and domestic supply (MUN).

Requirements of this Order specifically implement the applicable Water Quality Control Plans.

I. **Stormwater**. On April 17, 1997, the State Board adopted the General Industrial Storm Water Permit, Order No. 97-03-DWQ, NPDES No. CAS000001. This General Permit implements the Final Regulations (40 CFR 122, 123, and 124) for storm water runoff published on November 16, 1990 by EPA in compliance with Section 402(p) of the Clean Water Act (CWA). This Order includes pertinent provisions of the General Industrial Storm Water permit appropriate for this discharge. The Regional Water Board has determined that pollution prevention is necessary to achieve water quality objectives. Consequently this Order requires the Discharger to establish, update as necessary and implement a pollution prevention plan and stormwater monitoring.

J. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, which was amended on May 4, 1995 and November 9, 1999, and the CTR on May 18, 2000, which was amended on February 13, 2001. These rules include water quality criteria for priority pollutants and are applicable to this discharge.

K. **State Implementation Policy.** On March 2, 2000, 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 Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that have been approved by USEPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP became effective on May 18, 2000. The SIP includes procedures for determining the need for and calculating WQBELs and requires dischargers to submit data sufficient to do so.

L. **Antidegradation Policy.** Section 131.12 of 40 CFR requires that 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 68-16, which incorporates the requirements of the federal antidegradation policy. Resolution 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. As discussed in the Fact Sheet (Attachment F) the permitted discharge is consistent with the antidegradation provision of 40 CFR §131.12 and State Water Board Resolution 68-16.

M. **Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at 40 CFR § 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 No. 00-9.

N. **Monitoring and Reporting.** Section 122.48 of 40 CFR requires that all NPDES permits specify requirements for recording and reporting monitoring results. Sections 13267 and 13383 of the CWC authorize the Regional Water Boards 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.

O. **Standard and Special Provisions.** Standard Provisions, which in accordance with 40 CFR §§122.41and 122.42, apply to all NPDES discharges and must be included in every NPDES permit, are provided in Attachment D. The Regional Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet (Attachment F).

P. **Notification of Interested Parties.** The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet (Attachment F) of this Order.

Q. **Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet (Attachment F) of this Order.

III. DISCHARGE PROHIBITIONS

A. The direct discharge of wastewater to the Santa Ana River other than when the flow[1] in the River results in a dilution of 20:1 or more at the point of discharge is prohibited.

B. The discharge of oil or other solids directly to the surface waters in this region or in any manner that will ultimately affect surface waters in this region is prohibited.

C. The discharge of any substances in concentrations toxic to animal or plant life is prohibited.

D. Odors, vectors, and other nuisances of waste origin are prohibited beyond the limits of each discharger's facility.

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[1] *Exclusive of discharges to surface waters from upstream public owned treatment works.*

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point 001

1. Final Limitations: The discharge of secondary treated wastewater shall maintain compliance with the following effluent limitations, with compliance measured at monitoring location M-001, as described in the attached Monitoring and Reporting Program (Attachment E):

   a. Numeric Limitations:

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Biochemical Oxygen Demand 5-day @ 20°C	mg/L	30	45	- -	- -	- -
Total Suspended Solids	mg/L	30	45	- -	- -	- -
pH	standard units	- -	- -	- -	6.5	8.5

   b. The discharge shall at all times be adequately oxidized and disinfected secondary treated wastewater and shall meet the following limitations:

      (1). The number of coliform organisms does not exceed a median of 23 per 100 milliliters as determined from the daily coliform organism values for the last seven (7) days. (see also Compliance Determination VII. H. & J., below)

      (2). The discharge shall be considered adequately oxidized if the 5-day @ 20°C Biochemical Oxygen Demand and Total Suspended Solids constituent concentrations of the discharge are less than or equal to the limitations shown in A.1.a, above.

2. The monthly average biochemical oxygen demand and suspended solids concentrations of the discharge shall not be greater than fifteen percent (15%) of the monthly average influent concentration.

3. Wastes discharged from Discharge Point 001 shall be limited to secondary treated and disinfected Effluent.

B. Land Discharge Specifications - Not Applicable

C. Reclamation Specifications - Not Applicable.

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

1. Receiving water limitations are based upon water quality objectives contained in the Basin Plan. As such, they are a required part of this Order. The discharge shall not cause the following in the Santa Ana River, Reach 4, or in downstream Reaches of the Santa Ana River:

    a. Coloration of the receiving waters, which causes a nuisance or adversely affects beneficial uses.

    b. Deposition of oil, grease, wax or other materials in the receiving waters in concentrations which result in a visible film or in coating objects in the water, or which cause a nuisance or affect beneficial uses.

    c. An increase in the amounts of suspended or settleable solids in the receiving waters, which will cause a nuisance or adversely affect beneficial uses as a result of controllable water quality factors.

    d. Taste or odor-producing substances in the receiving waters at concentrations, which cause a nuisance or adversely affect beneficial uses.

    e. The presence of radioactive materials in the receiving waters in concentrations, which are deleterious to human, plant or animal life.

    f. The depletion of the dissolved oxygen concentration below 5.0 mg/l.

    g. The temperature of the receiving waters to be raised above 90°F (32°C) during the period of June through October, or above 78°F (26°C) during the rest of the year.

    h. The concentration of pollutants in the water column, sediments, or biota to adversely affect the beneficial uses of the receiving water. The discharge shall not result in the degradation of inland surface water communities and populations, including vertebrate, invertebrate, and plant species.

2. The discharge of wastes shall not cause a violation of any applicable water quality standards for receiving waters adopted by the Board or State Board, as required by the Clean Water Act and regulations adopted thereunder.

3. Pollutants not specifically mentioned and limited in this Order shall not be discharged at levels that will bioaccumulate in aquatic resources to levels, which are harmful to human health.

B. Groundwater Limitations - Not Applicable.

VI. PROVISIONS

A. Standard Provisions

1. **Federal Standard Provisions.** The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.

2. **Regional Water Board Standard Provisions.** The Discharger shall comply with the following provisions:

   a. Neither the treatment nor the discharge of waste shall create, or threaten to create, a nuisance or pollution as defined by Section 13050 of the California Water Code.

   b. The discharger shall maintain a copy of this Order at the site so that it is available to site operating personnel at all times. Key operating personnel shall be familiar with its content.

   c. The discharger shall take all reasonable steps to minimize any adverse impact to receiving waters resulting from noncompliance with any requirements specified in this Order, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

   d. The discharger shall optimize chemical additions needed in the treatment process to meet waste discharge requirements so as to minimize total dissolved solid increases in the treated wastewater.

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

   f. Collected screenings, sludge, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Regional Water Board's Executive Officer.

   g. If the discharger demonstrates a correlation between the biological oxygen demand (BOD_5) and total organic carbon (TOC) concentrations in the effluent to the satisfaction of the Executive Officer, compliance with the BOD_5 limits contained in this Order may be determined based on analyses of the TOC of the effluent.

   h. In the event of any change in control or ownership of land or waste discharge facility presently owned or controlled by the discharger, the discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Regional Water Board.

i. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.

j. By December 1, 2005, the discharger shall submit for approval by the Executive Officer, a report that details the manner in which sampling, monitoring and reporting will be performed as required in this Order. This report shall include a description of measures, control system(s) and monitoring the discharger will implement to comply with Provision VI.B. of this Order.

B. Monitoring and Reporting Program Requirements

1. The Discharger shall comply with the Monitoring and Reporting Program, and future revisions thereto, in Attachment D of this Order. This monitoring and reporting program may be modified by the Executive Officer at any time during the term of this Order, and may include an increase in the number of parameters to be monitored, the frequency of the monitoring or the number and size of samples to be collected. Any increase in the number of parameters to be monitored, the frequency of the monitoring or the number and size of samples to be collected may be reduced back to the levels specified in the original monitoring and reporting program at the discretion of the Executive Officer.

C. Special Provisions

1. Reopener Provisions

a. This Order may be reopened to address any changes in State or federal plans, policies or regulations that would affect the quality requirements for the discharges.

b. This Order may be reopened to include effluent limitations for pollutants determined to be present in the discharge in concentrations that pose a reasonable potential to cause or contribute to violations of water quality objectives.

c. This Order may be reopened and modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include the appropriate conditions or limits to address demonstrated effluent toxicity based on newly available information, or to implement any EPA-approved new State water quality standards applicable to effluent toxicity.

d. This Order may be reopened to incorporate appropriate biosolids requirements if the State Water Resources Control Board and the Regional Water Board are given the authority to implement regulations contained in 40 CFR 503.

2. **Special Studies, Technical Reports and Additional Monitoring Requirements**

   a. By January 1, 2006, the discharger shall submit for approval by the Regional Water Board's Executive Officer a plan to conduct studies to determine the concentration of chlorine that can be discharged without impairing water quality or harming aquatic life in the receiving water when a 20:1, or greater dilution is provided by the River. The study should include, but is not limited to, investigations into chlorine demand, chlorine decay, formation of chlorinated compounds that may be harmful to the receiving water, toxicity to resident species, and toxicity of chlorine due to physical and chemical characteristic of the receiving water. The discharger shall implement the plan immediately upon approval.

3. **Best Management Practices and Pollution Prevention**

   a. Stormwater[2] discharges from this facility shall not:

      i. Cause or contribute to a violation of any applicable water quality standards contained in the Basin Plan, or in the State or Federal regulations.

      ii. Cause or threaten to cause pollution, contamination, or nuisance.

      iii. Contain a hazardous substance equal to or in excess of a reportable quantity of listed in 40CFR part 117 and /or 40CFR part 302.

      iv. Adversely impact human health or the environment.

   b. Storm water discharges shall not result in noncompliance with the lawful requirements of municipalities, counties, drainage districts, and other local agencies on storm water discharges into storm drain systems or other courses under their jurisdiction.

   c. Stormwater Pollution Prevention Plan (SWPPP) and Best Management Practices Plan (BMPP).

      The discharger must update and implement the SWPPP for the treatment facility in accordance with Attachment "J" of this Order.

      The Discharger shall develop, notify the Regional Water Board of completion, and implement within 90 days of the effective date of this Order, a Best Management Practices Plan (BMPP). If necessary, the plan, or any existing plan, shall be updated to address any changes in operation and/or management of the facility. Notification that a plan has been updated shall be submitted to the Regional Water Board within 30 days of revision.

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[2] *Stormwater means stormwater runoff and surface runoff and drainage.*

The BMPP shall be consistent with the general guidance contained in the EPA *Guidance Manual for Developing Best Management Practices (BMPs)* (EPA 833-B-93-004). In particular, a risk assessment of each area identified by the Discharger shall be performed to determine the potential for hazardous or toxic waste/material discharge to surface waters.

The SWPPP and BMPP may be combined into a single plan to be submitted to the Regional Water Board.

4. **Compliance Schedules – Not Applicable**

5. **Construction, Operation and Maintenance Specifications**

   a. The discharger's wastewater treatment plant shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23, Division 3, Chapter 14, California Code of Regulations.

   b. The discharger shall provide safeguards to assure that should there be reduction, loss, or failure of electric power, the discharger will comply with the requirements of this Order.

   c. The discharger shall update as necessary, the "Operation and Maintenance Manual (O&M Manual)" which it has developed for the treatment facility to conform to latest plant changes and requirements. The O&M Manual shall be readily available to operating personnel onsite. The O&M Manual shall include the following:

      (1). Description of the treatment plant table of organization showing the number of employees, duties and qualifications and plant attendance schedules (daily, weekends and holidays, part-time, etc). The description should include documentation that the personnel are knowledgeable and qualified to operate the treatment facility so as to achieve the required level of treatment at all times.

      (2). Detailed description of safe and effective operation and maintenance of treatment processes, process control instrumentation and equipment.

      (3). Description of laboratory and quality assurance procedures.

      (4). Process and equipment inspection and maintenance schedules.

      (5). Description of safeguards to assure that, should there be reduction, loss, or failure of electric power, the discharger will be able to comply with requirements of this Order.

      (6). Description of preventive (fail-safe) and contingency (response and cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. These plans shall identify the possible sources (such as loading and storage areas, power outage, waste treatment unit failure, process equipment failure, tank and piping failure) of accidental discharges, untreated or partially treated waste bypass, and polluted drainage.

4. Special Provisions for Municipal Facilities (POTWs Only)

a. Sludge Disposal Requirements

(1). Collected screenings, biosolids, and other solids removed from liquid wastes shall be disposed of in a manner that is consistent with Chapter 15, Division 3, Title 23, of the California Code of Regulations and approved by the Executive Officer.

(2). The use and disposal of biosolids shall comply with existing Federal and State laws and regulations, including permitting requirements and technical standards included in 40 CFR 503.

(3). Any proposed change in biosolids use or disposal practice from a previously approved practice should be reported to the Executive Officer and EPA Regional Administrator at least 90 days in advance of the change.

(4). The discharger shall take all reasonable steps to minimize or prevent any discharge or biosolids use or disposal that has the potential of adversely affecting human health or the environment.

b. Pretreatment Program

(1). The discharger shall update as necessary and implement an acceptable pretreatment program.

(2). The discharger shall update as necessary the appropriate contractual agreements with all governmental agencies[3]. The contractual agreements shall give the discharger the authority to implement and enforce the EPA approved pretreatment program within the sewer service areas of the treatment facility. The discharger shall assure that any other steps necessary to provide this implementation and enforcement authority (e.g. adoption of ordinances, etc.) are taken by all governmental agencies. If a governmental agency has an EPA approved pretreatment program for any portion of the service area of the treatment facility, the discharger's pretreatment program shall contain provisions ensuring that that governmental agency's program is implemented. In the event that any agency discharging to discharger's facility fails to effectively implement its individual EPA approved pretreatment program, the discharger shall implement and enforce its approved program within that agency's service area.

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[3] *Member agencies and sewering agencies discharging wastewater into the facility.*

(3). The discharger shall ensure that the POTW[4] pretreatment program for all contributory agencies discharging to the discharger's treatment facility are implemented and enforced. The discharger shall be responsible and liable for the performance of all Control Authority pretreatment requirements contained in 40 CFR 403, including any subsequent regulatory revisions to Part 403. Where Part 403 or subsequent revisions place mandatory actions upon the discharger as Control Authority but does not specify a timetable for completion of the actions, the discharger shall submit for approval of the Regional Water Board's Executive Officer, a schedule for implementation of the required actions and shall implement the approved schedule. The schedule for implementation shall be submitted within six months from the date that such mandatory actions are established. For violations of pretreatment requirements, the discharger shall be subject to enforcement actions, penalties, fines and other remedies by the EPA, or other appropriate parties, as provided in the CWA, as amended (33 USC 1351 et seq.). The EPA or the Regional Water Board may also initiate enforcement action against an industrial user (IU) for non-compliance with applicable standards and requirements as provided in the CWA.

(4). The discharger shall perform the pretreatment functions as required in 40 CFR Part 403 including, but not limited to:

i. Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;
ii. Implement the necessary legal authorities as provided in 40 CFR 403.8(f)(1);
iii. Implement the programmatic functions as provided in 40 CFR 403.8(f)(2);
iv. Publish a list of significant non-compliance as required by 40 CFR 403.8(f)(2)(vii); and
v. Provide the requisite funding and personnel to implement the pretreatment program as provided in 40 CFR 403.8(f)(3).

(5). The following wastes shall not be introduced into the treatment works:

i. Wastes which create a fire or explosion hazard in the treatment works;
ii. Wastes which will cause corrosive structural damage to treatment works, but, in no case, wastes with a pH lower than 5.0 unless the works are designed to accommodate such wastes;
iii. Wastes at a flow rate and/or pollutant discharge rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency;
iv. Solid or viscous wastes in amounts that would cause obstruction to the flow in sewers or otherwise interfere with the proper operation of the treatment works.

(6). The discharger shall ensure compliance with any existing or future pretreatment standard promulgated by EPA under Section 307 of the CWA or amendments thereto for any discharge to the municipal system.

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[4] *Publicly owned treatment works.*

(7). The discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants 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.

(8). The discharger shall require each user not in compliance with any pretreatment standard to submit periodic notice (over intervals not to exceed nine months) of progress toward compliance with applicable toxic and pretreatment standards developed pursuant to the CWA or amendments thereto. The discharger shall forward a copy of such notice to the Regional Water Board and to the EPA Regional Administrator.

VII. COMPLIANCE DETERMINATION

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

A. Average Monthly Effluent Limitation (AMEL).
If the average of daily discharges over a calendar month exceeds the AMEL for a given parameter, an alleged violation will be flagged and the discharger may be considered out of compliance for each day of discharge within that month for that parameter.

B. Average Weekly Effluent Limitation (AWEL).
If the average of daily discharges over a calendar week exceeds the AWEL for a given parameter, an alleged violation will be flagged and the discharger may be considered out of compliance for each day of discharge within that week for that parameter.

C. Maximum Daily Effluent Limitation (MDEL).
If a daily discharge exceeds the MDEL for a given parameter, an alleged violation will be flagged and 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.

D. Instantaneous Minimum Effluent Limitation.
If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, a violation will be flagged and 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).

E. Instantaneous Maximum Effluent Limitation.

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, a violation will be flagged and 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).

F. Priority Pollutants.

The discharger shall be deemed out of compliance with an effluent limitation if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation.

1. Compliance determination shall be based on the reporting level selected from minimum level (ML)[5] specified in Attachment "I" of this Order, unless an alternative reporting level is approved by the Regional Water Board's Executive Officer. When there is more than one ML value for a given substance, the discharger shall select the ML value that is below the calculated effluent limitation, and use its associated analytical method, listed in Attachment "I" of this Order. If no ML value is below the effluent limitation, then the Regional Water Board will select as the reporting level the lowest ML value and its associated analytical method.

2. When determining compliance with an average monthly limit and more than one sample result is available in a month, 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:

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

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[5] *Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable 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.*

b. 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. If a sample result, or the arithmetic mean or median of multiple sample results, is below the reporting level, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the discharger conducts a pollutant minimization program (PMP)[6] the discharger shall not be deemed out of compliance.

G. Non-Priority Pollutants.

The discharge shall be considered to be in compliance with an effluent limitation that is less than or equal to the PQL specified in Attachment "H" of this Order if the arithmetic mean of all test results for the monitoring period is less than the constituent effluent limitation. Analytical results that are less than the specified PQL shall be assigned a value of zero.

H. Coliform Organism Effluent Limitations.

Compliance with the running median total coliform limit expressed in Discharge Specification IV.A.1.b.i. shall be based on a median of test results from the previous 7 days. To comply with the limit, the 7-day median MPN must not exceed 23 per 100 milliliters on any day during the week. However, only one violation is recorded for each calendar week, even if the 7-day median MPN value is greater than 23 for more than one day in the week.

I. Compliance Determination

Compliance determinations shall be based on available analyses for the time interval associated with the effluent limitation. Where only one sample analysis is available in a specified time interval (e. g., monthly or weekly average), that sample shall serve to characterize the discharge for the entire interval. If quarterly sample results show noncompliance with the average monthly limit and that sample result is used for compliance determinations for each month of the quarter, then three separate violations of the average monthly limit shall be deemed to have occurred.

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[6] *The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) 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.*

ATTACHMENT A – DEFINITIONS

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.

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.

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).

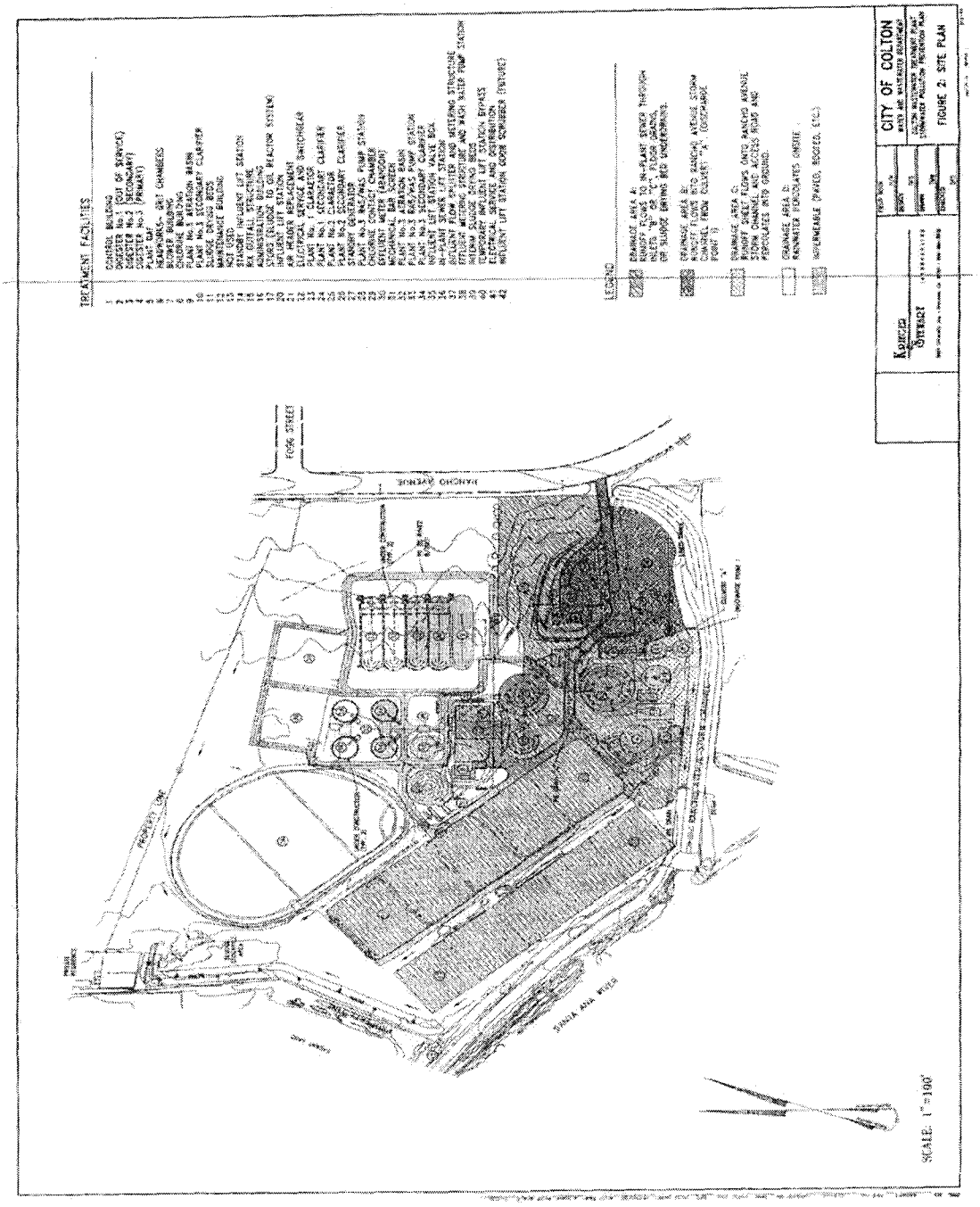
Maximum Daily Effluent Limitation (MDEL): the highest allowable daily discharge of a pollutant.

A "grab" sample is defined as any individual sample collected in less than 15 minutes.

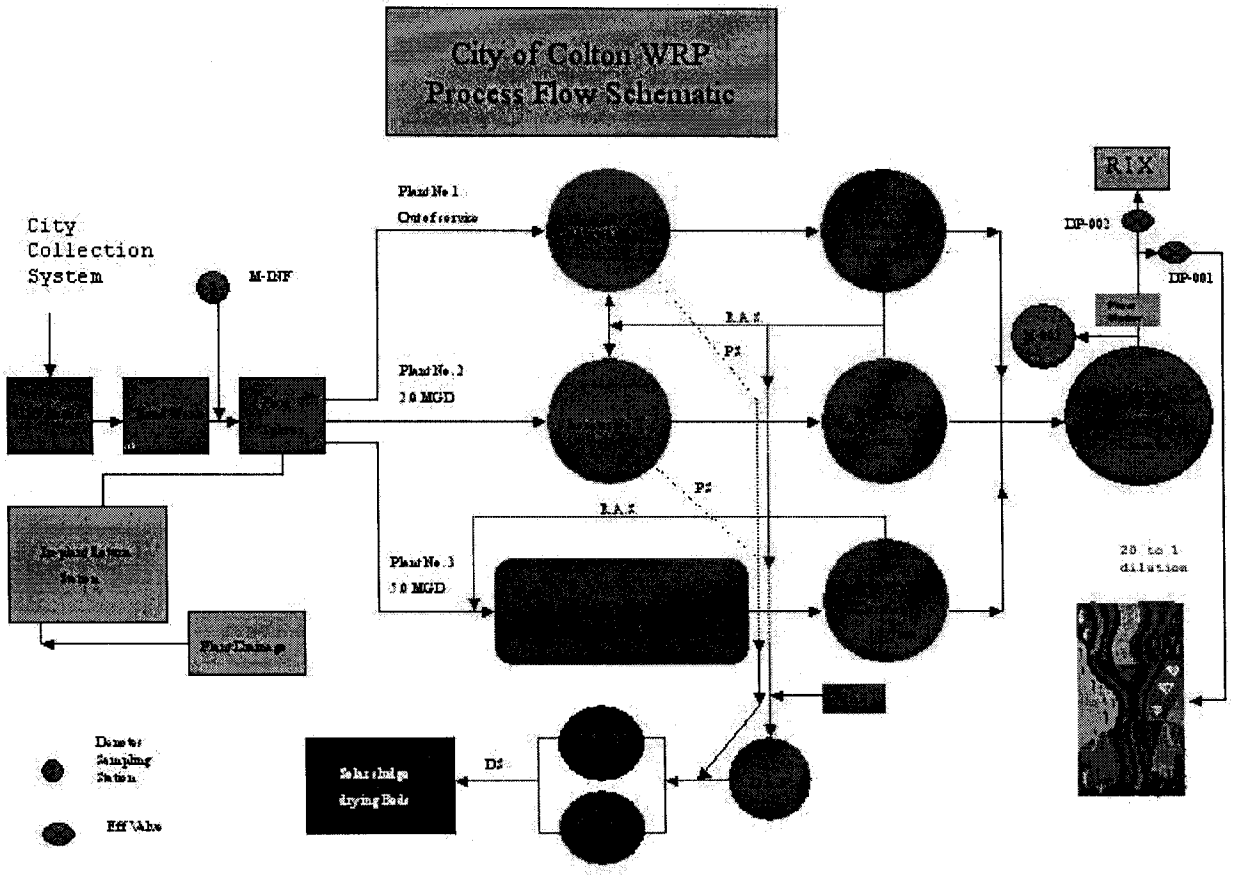
A composite sample is defined as a combination of no fewer than eight individual grab samples obtained over the specified sampling period. The volume of each individual grab sample shall be proportional to the discharge flow rate at the time of sampling. The compositing period shall equal the specific sampling period, or 24 hours, if no period is specified

Vector includes any insect or other arthropod, rodent, or other animal capable of transmitting the causative agents of human disease, or disrupting the normal enjoyment of life by adversely affecting the public health and well being.

ATTACHMENT B – LOCATION MAP



ATTACHMENT C – FLOW SCHEMATIC



ATTACHMENT D – FEDERAL 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 (CWC) and is grounds for enforcement action, for permit termination, revocation and reissuance, or denial of a permit renewal application [*40 CFR §122.41(a)*].

2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act 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 been modified to incorporate the requirement [*40 CFR §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 CFR §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 CFR §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 CFR §122.41(e)*].

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges [*40 CFR §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 CFR §122.5(c)*].

F. Inspection and Entry

The Discharger shall allow the Regional Water Quality Control Board (RWQCB), State Water Resources Control Board (SWRCB), 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 CFR §122.41(i)*] [*CWC 13383(c)*]:

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 CFR §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 CFR §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 CFR §122.41(i)(3)*];

4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the CWC, any substances or parameters at any location [*40 CFR §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 CFR §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 CFR §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 and I.G.5 below [*40 CFR §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 CFR §122.41(m)(4)(i)*]:

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage [*40 CFR §122.41(m)(4)(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 CFR §122.41(m)(4)(B)*]; and

c. The Discharger submitted notice to the Regional Water Board as required under Standard Provision – Permit Compliance I.G.5 below [*40 CFR §122.41(m)(4)(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 CFR §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 CFR §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 [*40 CFR §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 permittee. 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 CFR §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 paragraph H.2 of this section 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 CFR §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 CFR §122.41(n)(3)*]:

a. An upset occurred and that the Discharger can identify the cause(s) of the upset [*40 CFR §122.41(n)(3)(i)*];

b. The permitted facility was, at the time, being properly operated [*40 CFR §122.41(n)(3)(i)*];

c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b [*40 CFR §122.41(n)(3)(iii)*]; and

d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above [*40 CFR §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 CFR §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 Order condition [*40 CFR §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 CFR §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 the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the CWC [*40 CFR §122.41(l)(3)*] [*40 CFR §122.61*].

III. STANDARD PROVISIONS – MONITORING

A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity [*40 CFR §122.41(j)(1)*].

B. Monitoring results must be conducted according to test procedures under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503 unless other test procedures have been specified in this Order [*40 CFR §122.41(j)(4)*] [*40 CFR §122.44(i)(1)(iv)*].

IV. STANDARD PROVISIONS – RECORDS

A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), 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 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 CFR §122.41(j)(2)*].

B. Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements [*40 CFR §122.41(j)(3)(i)*];
2. The individual(s) who performed the sampling or measurements [*40 CFR §122.41(j)(3)(ii)*];
3. The date(s) analyses were performed [*40 CFR §122.41(j)(3)(iii)*];
4. The individual(s) who performed the analyses [*40 CFR §122.41(j)(3)(iv)*];
5. The analytical techniques or methods used [*40 CFR §122.41(j)(3)(v)*]; and
6. The results of such analyses [*40 CFR §122.41(j)(3)(vi)*].

C. Claims of confidentiality for the following information will be denied [*40 CFR §122.7(b)*]:

1. The name and address of any permit applicant or Discharger [*40 CFR §122.7(b)(1)*]; and
2. Permit applications and attachments, permits and effluent data [*40 CFR §122.7(b)(2)*].

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Regional Water Board, SWRCB, or USEPA within a reasonable time, any information which the Regional Water Board, SWRCB, 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, SWRCB, or USEPA copies of records required to be kept by this Order [*40 CFR §122.41(h)*] [*CWC 13267*].

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Regional Water Board, SWRCB, and/or USEPA shall be signed and certified in accordance with paragraph (2.) and (3.) of this provision [*40 CFR §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 CFR §122.22(a)(1)*];

   b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively [*40 CFR §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 CFR §122.22(a)(3)*].

3. All reports required by this Order and other information requested by the Regional Water Board, SWRCB, or USEPA shall be signed by a person described in paragraph (b) of this provision, 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 paragraph (2.) of this provision [*40 CFR §122.22(b)(1)*];

b. The authorization specified 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 CFR §122.22(b)(2)*]; and

c. The written authorization is submitted to the Regional Water Board, SWRCB, or USEPA [*40 CFR §122.22(b)(3)*].

4. If an authorization under paragraph (3.) of this provision 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 paragraph (3.) of this provision must be submitted to the Regional Water Board, SWRCB or USEPA prior to or together with any reports, information, or applications, to be signed by an authorized representative [40 CFR §122.22(c)].

5. Any person signing a document under paragraph (2.) or (3.) of this provision 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 CFR §122.22(d)*].

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program in this Order [*40 CFR §122.41(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 SWRCB for reporting results of monitoring of sludge use or disposal practices [*40 CFR §122.41(l)(4)(i)*].

3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR 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 CFR §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 CFR §122.41(l)(4)(iii)*].

D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date [*40 CFR §122.41(l)(5)*].

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 CFR §122.41(l)(6)(i)*].

2. The following shall be included as information that must be reported within 24 hours under this paragraph [*40 CFR §122.41(l)(6)(ii)*]:

   a. Any unanticipated bypass that exceeds any effluent limitation in this Order [*40 CFR §122.41(l)(6)(ii)(A)*].

   b. Any upset that exceeds any effluent limitation in this Order [*40 CFR §122.41(l)(6)(ii)(B)*].

   c. Violation of a maximum daily discharge limitation for any of the pollutants listed in this Order to be reported within 24 hours [*40 CFR §122.41(l)(6)(ii)(C)*].

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 CFR §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 CFR §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 40 CFR §122.29(b) [*40 CFR §122.41(l)(1)(i)*]; or

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

3. 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 SWRCB of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements [*40 CFR §122.41(l)(2)]*.

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting E.3, E.4, and E.5 at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E [*40 CFR §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, SWRCB, or USEPA, the Discharger shall promptly submit such facts or information [*40 CFR §122.41(l)(8)*].

VI. STANDARD PROVISIONS – ENFORCEMENT

A. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such

sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Clean Water Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions [*40 CFR §122.41(a)(2)*] [*CWC 13385 and 13387*].

B. Any person may be assessed an administrative penalty by the Regional Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000 [*40 CFR §122.41(a)(3)*].

C. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both [*40 CFR §122.41(j)(5)*].

D. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six months per violation, or by both [*40 CFR §122.41(k)(2)*].

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Publicly-Owned Treatment Works (POTWs)

All POTWs shall provide adequate notice to the Regional Water Board of the following [*40 CFR §122.42(b)*]:

1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to Sections 301 or 306 of the CWA if it were directly discharging those pollutants [*40 CFR §122.42(b)(1)*]; and

2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order [*40 CFR §122.42(b)(2)*].

Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW [*40 CFR §122.42(b)(3)*].

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

The Code of Federal Regulations (CFR) at 40 CFR §122.48 requires that all NPDES permits specify monitoring and reporting requirements. CWC sections 13267 and 13383 also authorize the Regional Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements that implement the federal and California regulations.

I. GENERAL MONITORING PROVISIONS

A. General Monitoring Provision

1. All sampling and sample preservation shall be in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater" (American Public Health Association).

2. All laboratory analyses shall be performed in accordance with test procedures under 40 CFR 136 (revised as of May 14, 1999) "Guidelines Establishing Test Procedures for the Analysis of Pollutants," promulgated by the United States Environmental Protection Agency (EPA), unless otherwise specified in this MRP. For priority pollutants, the test methods must meet the lowest minimum levels (MLs) specified in Attachment "I" of this Order, where no methods/MLs are specified in Attachment "I", then the monitoring is to be conducted in accordance with methods/MLs approved by the Regional Water Board or State Water Board consistent with the State Water Board's Quality Assurance Program. In addition, the Regional Water Board and/or EPA, at their discretion, may specify test methods that are more sensitive than those specified in 40 CFR 136.

3. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services or EPA or at laboratories approved by the Regional Water Board's Executive Officer.

4. Whenever the Discharger monitors any pollutant more frequently than is required by this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharge monitoring report specified by the Executive Officer.

5. In conformance with federal regulations 40 CFR 122.45(c), analyses to determine compliance with the effluent limitations for metals shall be conducted using the total recoverable method. For Chromium (VI), the dissolved method in conformance with 40 CFR 136 may be used to measure compliance with the Chromium (VI) limitation.

6. For effluent wastewater monitoring:

   a. The discharger shall require its testing laboratory to calibrate the analytical system down to the minimum level (ML)[1] specified in Attachment "I" for priority pollutants with effluent limitations in this Order, unless an alternative minimum level is approved by the Regional Water Board's Executive Officer. When there is more than one ML value for a given substance, the discharger shall use the ML values, and their associated analytical methods, listed in Attachment "I" that are below the calculated effluent limitation. The discharger may select any one of those cited analytical methods for compliance determination. If no ML value is below the effluent limitation, then the lowest ML value and its associated analytical method, listed in Attachment "I" shall be used. Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Regional Water Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.

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

      (1). 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).
      (2). Sample results less than the reported ML, but greater than or equal to the laboratory's current Method Detection Limit (MDL)[2], shall be reported as "Detected, but Not Quantified," or "DNQ." The estimated chemical concentration of the sample shall also be reported.
      (3). Sample results not detected above the laboratory's MDL shall be reported as "not detected" or "ND."

   c. The discharger shall submit to the Regional Water Board reports necessary to determine compliance with effluent limitations in this Order and shall follow the chemical nomenclature and sequential order of priority pollutant constituents shown in Attachment "G" – Priority Pollutant Lists. The discharger shall report with each sample result:

      (1) The reporting level achieved by the testing laboratory; and
      (2) The laboratory's current MDL, as determined by the procedure found in 40 CFR 136 (revised as of May 14, 1999).

---

1 Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable 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.

2 MDL is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analytical concentration is greater than zero, as defined in 40 CFR 136, Appendix B, revised as of May 14, 1999.

7. The discharger shall have, and implement an acceptable written quality assurance (QA) plan for laboratory analyses. Duplicate chemical analyses must be conducted on a minimum of ten percent (10%) of the samples, or at least one sample per month, whichever is greater. A similar frequency shall be maintained for analyzing spiked samples. When requested by the Regional Water Board or EPA, the discharger will participate in the NPDES discharge monitoring report QA performance study.

8. The flow measurement system shall be calibrated at least once per year or more frequently, to ensure continued accuracy.

9. 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. In the event that continuous monitoring equipment is out of service for greater than a 24-hour period, the discharger shall obtain a representative grab sample each day the equipment is out of service. The discharger shall correct the cause(s) of failure of the continuous monitoring equipment as soon as practicable. In its monitoring report, the discharger shall specify the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the discharger is taking or proposes to take to bring the equipment back into service and the schedule for these actions.

10. Monitoring and reporting shall be in accordance with the following:

    Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

    a. The monitoring and reporting of influent, effluent, and sludge shall be done more frequently as necessary to maintain compliance with this Order and or as specified in this order.

    b. Whenever the discharger monitors any pollutant more frequently than is required by this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharge monitoring report specified by the Executive Officer.

    c. A "grab" sample is defined as any individual sample collected in less than 15 minutes.

    d. A composite sample is defined as a combination of no fewer than eight individual grab samples obtained over the specified sampling period. The volume of each individual grab sample shall be proportional to the discharge flow rate at the time of sampling. The compositing period shall equal the specific sampling period, or 24 hours, if no period is specified.

    e. 24-hour composite samples shall be collected during a 24-hour operation of the facility.

    f. Daily samples shall be collected on each day of the week.

    g. Monthly samples shall be collected on any representative day of each month.

h. Quarterly samples shall be collected by any representative day of January, April, July, and October.

i. Annual samples shall be collected in accordance with the following schedule:

Year	Annual Samples
2005	October
2006	January
2007	April
2008	July
2009	October
2010	January

11. The discharger shall assure that records of all monitoring information are maintained and accessible for a period of at least five years (this retention period supercedes the retention period specified in Section IV.A. of Attachment D) from the date of the sample, report, or application. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or by the request of the Regional Water Board at any time. Records of monitoring information shall include:

    a. The information listed in Attachment D- IV Standard Provisions – Records, subparagraph B. of this Order;

    b. The laboratory which performed the analyses;

    c. The date(s) analyses were performed;

    d. The individual(s) who performed the analyses;

    e. The modification(s) to analytical techniques or methods used;

    f. All sampling and analytical results, including

        (1). Units of measurement used;
        (2). Minimum reporting level for the analysis (minimum level, practical quantitation level (PQL));
        (3). Results less than the reporting level but above the method detection limit (MDL);
        (4). Data qualifiers and a description of the qualifiers;
        (5). Quality control test results (and a written copy of the laboratory quality assurance plan);
        (6). Dilution factors, if used; and
        (7). Sample matrix type.

    g. All monitoring equipment calibration and maintenance records;

    h. All original strip charts from continuous monitoring devices;

    i. All data used to complete the application for this Order; and,

    j. Copies of all reports required by this Order.

k. Electronic data and information generated by the Supervisory Control And Data Acquisition (SCADA) System.

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:

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	M-INF	Influent line after Barscreen, before in-plant return
001	M-001	Effluent to Santa Ana River
--	R-001U	Flow measurement Station: 3 miles upstream of discharge point DP-001 in US Army Corp Engineering @SAR E St. Station
S-001	STORM-001	Stormwater runoff to the Santa Ana River, near the operation building

III. INFLUENT MONITORING REQUIREMENTS

A. Monitoring Location at M-INF

1. Sampling stations shall be established for the points of inflow to the treatment plant. The sampling station(s) shall be located upstream of any in-plant return flows and where representative sample(s) of the influent of the treatment plant can be obtained.

2. The Discharger shall monitor the influent to the facility at Monitoring Location M-INF as follows:

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	mgd	Recorder/Totalizer	Continuous	See Section I.A.2., above, of this MRP
PH	pH Units	"	"	"
Specific Conductance	µmhos/cm	"	"	"
BOD_5	mg/l	24-Hour Composite	Daily	"
Total Suspended Solids	"	"	Daily	"
COD	mg/l	24-hour Composite	Daily	"
Total Inorganic Nitrogen	"	"	Monthly	"
Nitrate-Nitrogen	mg/l	24-hour Composite	Monthly	See Section I.A.2., above, of this MRP

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total Dissolved Solids	"	"	"	"
Cyanide	"	Grab	Quarterly	See Section I.A.2., above, of this MRP
Volatile organic portion of EPA Priority Pollutants (see Attachment G)	µg/l	"	Annually	"
Remaining EPA Priority Pollutants (see Attachment G)	"	Composite	"	"

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location - Monitoring Location M-001

1. The Discharger shall monitor secondary treated effluent for **Discharge Point 001** as follows:

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Test Method
Flow	mgd	Recorder/ Totalizer	Continuous	See Section I.A.2., above, of this MRP
pH	pH units	Grab	Daily	"
Total Coliform	MPN	Grab	Daily	"
Suspended Solids	mg/l	"	"	"
BOD_5	"	"	"	"
Total Residual Chlorine	"	"	"	"
EPA Priority Pollutants	"	"	Annually[3] (See IV.A.2., below)	"

2. The monitoring frequency for those priority pollutants that are detected during the required annual monitoring at a concentration greater than fifty percent of the most stringent applicable receiving water objectives after accounting for a dilution rate of 20:1 (freshwater or human health (consumption of organisms only) as specified for that pollutant[4] in 40 CFR 131.38[5]) shall be accelerated to quarterly for one year. To return to the monitoring frequency specified, the discharger shall request and receive approval from the Regional Water Board's Executive Officer or designee. The Discharger shall use the lowest ML specified in Attachment "I" that would be below the most stringent applicable receiving water objectives (freshwater or human health (consumption of organisms only) as specified for that pollutant in 40 CFR 131.38).

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3 Sample is collected from the first discharge, once a year.

4 *For those priority pollutants without specified criteria values, accelerated monitoring is not required.*

5 See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS- NOT APPLICABLE.

VI. LAND DISCHARGE MONITORING REQUIREMENTS- NOT APPLICABLE.

VII. RECLAMATION MONITORING REQUIREMENTS- NOT APPLICABLE.

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

A. **Surface Water:** The discharger shall make provisions for the measurement of the receiving water flow at a suitable location (R-001U) in the Santa Ana River and determine whether a 20:1 dilution exists at the point of discharge before discharging secondary treated effluent. A dilution of 20:1 or more is required at the point of discharge. Flow measurements shall be made prior to any direct discharge to the river and shall continue on a daily basis until the discharged is terminated.

B. **Groundwater: Not Applicable.**

IX. OTHER MONITORING REQUIREMENTS

A. Biosolids Monitoring

1. Biosolids monitoring shall be conducted as follows:

Biosolids Monitoring	Units	Type of Sample	Minimum Frequency of Sampling & Testing
Priority Pollutants	mg/kg	grab	Quarterly
Moisture Content (% solid)	mg/kg	Grab	"

2. The discharger shall maintain a permanent log of solids hauled away from the treatment facilities for use/disposal elsewhere, including the date hauled, the volume or weight (in dry tons), type (screening, grit, raw sludge, biosolids), application (agricultural, composting, etc), and destination. This information shall be reported annually.

B. Stormwater Monitoring

The discharger shall comply with Attachment K of this Order, Stormwater Monitoring and Reporting Requirements. Samples shall be collected at location STORM-001.

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. All analytical data shall be reported with method detection limit[6] (MDLs) and with identification of either reporting level, practical quantitation levels (PQLs[7]) or limits of quantitation (LOQs) where appropriate.

3. Laboratory data for effluent samples must quantify each constituent down to the PQLs specified in Attachment "I" for non-priority pollutants and down to ML specified in Attachment "I" for priority pollutants. Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Regional Water Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.

4. Discharge monitoring data shall be submitted in a format acceptable by the Regional Water Board. Specific reporting format may include preprinted forms and/or electronic media. The results of all monitoring required by this Order shall be reported to the Regional Water Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this order.

5. The discharger shall tabulate the monitoring data to clearly illustrate compliance and/or noncompliance with the requirements of the Order.

6. For every item of monitoring data where the requirements are not met, the monitoring report shall include a statement discussing the reasons for noncompliance, and of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time, and an estimate of the date when the discharger will be in compliance. The discharger shall notify the Regional Water Board by letter when compliance with the time schedule has been achieved.

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6 The standardized test procedure to be used to determine the method detection limit (MDL) is given at Appendix B, "Definition and Procedure for the Determination of the Method Detection Limit' of 40 CFR 136".

7 PQL is the lowest concentration of a substance that can be determined within ± 20 percent of the true concentration by 75 percent of the analytical laboratories tested in a performance evaluation study. Alternatively, if performance data are not available, the PQL is the method detection limit (MDL) x 5 for carcinogens and MDL x 10 for noncarcinogens.

7. The reports for June and December shall include a roster of plant personnel, including job titles, duties, and level of State certification for each individual.

8. At any time during the term of this Order when electronic submittal of monitoring reports has become the norm, the State or Regional Water Board may notify the Discharger to discontinue submittal of hard copies of reports. When such notification is given, the Discharger shall stop submitting hard copies of required monitoring reports.

9. The Discharger shall report monitoring results for specific parameters in accordance with the following table:

Parameter	Measurement
Flow	Daily total flow
pH	Daily High and daily low
Total Residual Chlorine	Instantaneous Maximum

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. Until such notification is given, the Discharger shall submit self-monitoring reports in accordance with the requirements described below.

2. The Discharger shall submit monthly and quarterly Self Monitoring Reports including the results of all required monitoring using USEPA-approved test methods or other test methods specified in this Order. Monthly reports shall be due on the 1st day of the second month following the end of each calendar month; Quarterly reports shall be due on May 1, August 1, November 1, and February 1 following each calendar quarter.

3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
Continuous	October 1, 2005	All	First day of second calendar month following month of sampling
1 / day	October 1, 2005	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	First day of second calendar month following month of sampling
1 / week	Sunday following permit effective date or on permit effective date if on a Sunday	Sunday through Saturday	First day of second calendar month following month of sampling
1 / month	First day of calendar month following permit effective date or on permit effective date if that date is first day of the month	1st day of calendar month through last day of calendar month	First day of second calendar month following month of sampling
1 / quarter	Closest of January 1, April 1, July 1, or October 1 following (or on) permit effective date	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 1 August 1 November 1 February 1

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
1 / Discharge Event	October 1, 2005	All	First day of second calendar month follow month of sampling

4. The Discharger shall report with each sample result the applicable Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR Part 136.

5. 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.

6. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

7. 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:

   California Regional Water Quality Control Board
   Santa Ana Region
   3737 Main Street, Suite 500
   Riverside, CA 92501-3348

C. Discharge Monitoring Reports (DMRs)

1. As described in Section X.B.1 above, 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. Until such notification is given, the Discharger shall submit discharge monitoring reports (DMRs) in accordance with the requirements described below.

2. DMRs must be signed and certified as required by the standard provisions (Attachment D). The Discharger shall submit the original DMR and one copy of the DMR to the address listed below:

   State Water Resources Control Board
   Discharge Monitoring Report Processing Center
   Post Office Box 671
   Sacramento, CA 95812

3. All discharge monitoring results must be reported on the official USEPA pre-printed DMR forms (EPA Form 3320-1). Forms that are self-generated or modified cannot be accepted.

D. Pretreatment Monitoring and Reporting

1. The discharger shall submit to the Regional Water Board and the EPA Region 9, a quarterly compliance status report. The quarterly compliance status reports shall cover the periods January 1 - March 31, April 1 - June 30, July 1 - September 30, and October 1 - December 31. Each report shall be submitted by the end of the month following the quarter, except that the report for October 1 - December 31 may be included in the annual report. This quarterly reporting requirement shall commence for the first full quarter following issuance of this Order. The reports shall identify:

    a. All significant industrial users (SIUs) which violated any standards or reporting requirements during that quarter;
    b. The violations committed (distinguish between categorical and local limits);
    c. The enforcement actions undertaken; and
    d. The status of active enforcement actions from previous periods, including closeouts (facilities under previous enforcement actions which attained compliance during the quarter).

2. Annually, the discharger shall submit a report to the Regional Water Board, the State Water Resources Control Board and the EPA Region 9 describing the pretreatment activities within the service area during the previous year. In the event that any control authority within the service area is not in compliance with any conditions or requirements of this Order or their approved pretreatment program (such as due to industrial user discharges, interjurisdictional agency agreement implementation issues, or other causes,) then the discharger shall also include the reasons for non-compliance and state how and when the discharger and the control authority shall comply with such conditions and requirements. This annual report shall cover operations from July 1 through June 30 of each fiscal year and is due on September 1 of each year. The report shall contain, but not be limited to, the following information:

    a. A summary of analytical results from representative, flow-proportioned, 24-hour composite sampling of the POTW's influent and effluent wastewaters for those pollutants which are known or suspected to be discharged by industrial users (IUs) as identified by EPA under Section 307(a) of the CWA. The summary will include the result of annual full priority pollutant scan, with quarterly samples analyzed only for those pollutants[8] detected in the full scan. The discharger shall also provide any influent or effluent monitoring data for non-priority pollutants which the discharger believes may be causing or contributing to Interference, Pass Through or adversely impacting sludge quality. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR 136 and amendments thereto.

    b. A discussion of any upset, interference, or pass-through incidents at the treatment plant (if any), which the discharger knows or suspects were caused by IUs of the POTW system. The discussion shall include the following:

[8] The discharger is not required to analyze for asbestos.

(1) The reasons why the incidents occurred, the corrective actions taken, and, if known, the name and address of the IU(s) responsible.

(2) A review of the applicable pollutant limitations to determine whether any additional limitations, or changes to existing requirements, may be necessary to prevent pass through, interference or noncompliance with sludge disposal requirements.

c. A complete and updated list of the discharger's significant industrial users (SIUs), including names, Standard Industrial Classification (SIC) code(s) and addresses, and a list of any SIU deletions and/or additions. The discharger shall provide a brief explanation for each deletion. The SIU list shall identify the SIUs subject to Federal Categorical Standards by specifying which set(s) of standards are applicable to each SIU. The list shall also indicate which SIUs are subject to local limitations more stringent than Federal Categorical Standards and those which are not subject to local limits.

d. A list or table characterizing the industrial compliance status of each SIU, including:

(1) SIU name;
(2) Industrial category;
(3) The type (processes) of wastewater treatment in place;
(4) Number of samples taken by the POTW during the year;
(5) Number of samples taken by the SIU during the year;
(6) Whether all needed certifications (if allowed) were provided by SIUs which have limits for total toxic organics;
(7) Federal and Regional Standards violated during the year, reported separately;
(8) Whether the SIU at any time in the year was in Significant Noncompliance (SNC)[9], as defined by 40 CFR 403.12 (f)(2)(vii); and
(9) A summary of enforcement actions against the SIU taken during the year, including the type of action, final compliance date, and amount of fines assessed/collected (if any). Proposed actions, if known, should be included.
(10) Number of inspections conducted at each SIU during the year.

e. A compliance summary table which includes:

(1) SIU's which were in SNC at any time during the year;
(2) The total number of SIUs which are in SNC with pretreatment compliance schedules during the year;
(3) The total number of notices of violation and administrative orders issued against SIUs during the year;
(4) The total number of civil and criminal judicial actions filed against SIUs during the year;
(5) The number of SIUs which were published as being in SNC during the year; and
(6) The number of IUs from which penalties were collected during the year.

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[9] SNC is determined at the beginning of each quarter based on data of the previous six months.

f. A short description of any significant changes in operating the pretreatment program which differ from the previous year including, but not limited to changes concerning:

(1) The program's administrative structure;
(2) Local industrial discharge limitations;
(3) Monitoring program or monitoring frequencies;
(4) Legal authority or enforcement policy;
(5) Funding mechanisms; and
(6) Resource requirements and/or staffing levels.

g. A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases.

h. A summary of public participation activities to involve and inform the public.

i. A description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.

3. The cumulative number of industrial users that the discharger has notified regarding Baseline Monitoring Reports and the cumulative number of industrial user responses.

4. The discharger shall submit the quarterly compliance status reports and the annual pretreatment report to EPA Region 9, the State Board and the Regional Water Board.

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

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

I. PERMIT INFORMATION

A. The following table summarizes administrative information related to the facility.

WDID	**8360105001**
Discharger	**City of Colton**
Name of Facility	**Water Reclamation Facility, Colton**
Facility Address	**1201 S. Rancho**
	Colton, CA 92324
	San Bernardino County
Facility Contact, Title, Phone, and email	**Martin Guerrero, chief operator, (909) 825-4114, mguerrero@ci.colton.ca.us**
Authorized Person to Sign and Submit Reports	**Eric Fraser, Director of Water & Wastewater , (909) 370-6101, efraser@ci.colton.ca.us** **Martin Guerrero, chief operator, (909) 825-4114, mguerrero@ci.colton.ca.us**
Mailing Address	**150 S. 10th, Colton, CA 92324**
Billing Address	**150 S. 10th, Colton, CA 92324**
Type of Facility	**POTW**
Major or Minor Facility	**Major**
Threat to Water Quality	**1**
Complexity	**A**
Pretreatment Program	**Y**
Reclamation Requirements	**N**
Facility Permitted Flow	**10.4 mgd**
Facility Design Flow	**10.4 million gallons per day**
Watershed	**Santa Ana River**
Receiving Water	**Reach 4 of Santa Ana River-**
Receiving Water Type	**Fresh water-River**

B. City of Colton (hereinafter Discharger) is the owner and operator of Colton Water Reclamation Facility (hereinafter Facility), a secondary treatment facility.

C. The Facility discharges secondary treated and disinfected wastewater to Reach 4 of Santa Ana River in Colton area when at least 20:1 dilution is provided by the River. The Santa Ana River is a water of the United States. The discharge is currently regulated by Order No. 00-9, NPDES No. CA0105236, which was adopted on October 6, 2000 and will expire on October 1, 2005.

D. The Discharger filed a report of waste discharge and submitted an application for renewal of its Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permit on March 28, 2005. A site visit was conducted on July 22, 2005 to observe operations and collect additional data to develop permit limitations and conditions.

E. This Order contains requirements and effluent limits for the discharge of secondary treated and disinfected wastewater into Reach 4 of the Santa Ana River, when at least 20:1 dilution is provided by natural flows in the receiving waters. For discharges into the RIX facility, this Order considers that the City's wastewater treatment facility is a component of the RIX facility, and does not result in a direct discharge of wastewater by the City into either waters of the U.S. or of the State. As such, no effluent limits for discharges into the RIX facility are specified in this Order.

II. FACILITY DESCRIPTION

A. Description of Wastewater and Biosolids Treatment or Controls

The Facility is a secondary treatment plant located at 1201 S. Rancho Avenue in the City of Colton. The facility treats domestic, commercial, and industrial wastes generated within the Cities of Grand Terrace and Colton and unincorporated areas of San Bernardino County. This plant services a population of about 65,000. Attachment B provides a map of the area around the Facility.

The Facility has a design capacity of 10.4 mgd for secondary treatment and disinfection. The treatment system consists of screening, grit removal, sequencing batch reactors (activated sludge/secondary clarification), flow equalization, flocculation, filtration, chlorination and dechlorination. Attachment C provides a flow schematic of the facility.

On March 29, 1996, the Discharger started transporting its secondary treated wastewater to the Rapid Infiltration-Extraction (RIX) Facility for tertiary treatment and disposal. After treatment at RIX, the wastewater is discharged to Reach 4 of the Santa Ana River. Currently, an annual average flow rate of 5.8 million gallons per day (mgd) of secondary treated municipal wastewater is transported to the RIX facility. In 2004 to 2005, the maximum daily flow rate was 7.48 mgd. Before the implementation of the RIX facility, the Facility discharged secondary treated and disinfected wastewater directly to Reach 4 of the Santa Ana River.

The RIX facility is a regional tertiary (equivalent) treatment facility owned by the Colton/San Bernardino Regional Tertiary Treatment and Water Reclamation Authority, a joint power authority. The RIX facility is located at 1990 West Agua Mansa Road in the City of Colton.

The Discharger intermittently discharges permitted secondary treated and disinfected wastewaters into the Santa Ana River, Reach 4. During recent dry years, the facility discharged secondary treated and disinfected wastewaters on the average of one to two times per year. However during the months of March 2005 and April 2005, due to heavy rainfall, the facility discharged on two occasions, for a total of 12 days.

Sludge treatment consists of dissolved air floatation, primary and secondary anaerobic digestion, and dewatering. The sludge is disposed of at a designated landfill site.

All on-site storm water flows in the plant area are routed through the headworks, except a small area adjacent to the administrative building. Stormwater from this area is routed to the flood control channel. As there is potential industrial activity-related stormwater runoff from this facility, stormwater requirements and monitoring are included in this Order.

B. Discharge Points and Receiving Waters

The Discharger's secondary wastewater treatment facility is located in the SE of Section 30, T1S, R4W, SBB&M. The discharger discharges secondary treated and disinfected wastewater under conditions of 20:1 or more dilution by the natural receiving waters. The Facility discharges into Reach 4 of the Santa Ana River, in Colton area. The outfall, Discharge Point 001, is located at latitude 34° 02' 45" N and longitude 117° 21' 00" W.

The Discharger does not routinely discharge directly to the Santa Ana River. The current NPDES Permit allows discharges to the Santa Ana River only under when the flows in the receiving waters provide at least a 20:1 dilution.

C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Effluent limitations/Discharge Specifications contained in the existing Order No. 00-9 for discharges from Discharge Point 001 (Monitoring Location No.M-001) and representative monitoring data from the term of the previous Order are as follows:

Parameter (units)	**Effluent Limitation**			**Monitoring Data* (January 1, 2004 – To December 31, 2004)**		
	Average Monthly	**Average Weekly**	**Maximum Daily**	**Highest Average Annual Discharge**	**Highest Average Weekly Discharge**	**Highest Daily Discharge**
BOD (mg/l)	30	45	N/A	6		6
Suspended Solids (mg/l)	30	45	N/A	5.5		6
pH Daily Average Continuous Recorder (SU)	N/A	N/A	6.5-8.5			6.1-7.3
TDS (mg/l)	N/A	N/A	N/A	530		610
Total Inorganic Nitrogen (mg/l)	N/A	N/A	N/A	12		13
Coliform MPN (7-day Median)	N/A	23	N/A		22	22
Nitrate-N (mg/l)	N/A	N/A	N/A	12		12

D. Compliance Summary

The discharger is in full compliance with effluent limitations and reporting requirements for directly discharging wastewater into the River.

E. Planned Changes - Not Applicable.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in the proposed Order are based on the requirements and authorities described in this section.

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 (CWC). It shall serve as a NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to Article 4, Chapter 4 of the CWC.

B. California Environmental Quality Act (CEQA)

This action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100, et seq.) in accordance with Section 13389 of the CWC.

C. State and Federal Regulations, Policies, and Plans

1. **Water Quality Control Plans.** A revised Water Quality Control Plan (Basin Plan) became effective on January 24, 1995. On January 22, 2004, the Regional Water Board adopted Resolution No. R8-2004-0001, amending the Basin Plan to incorporate revised boundaries for groundwater subbasins, now termed "management zones", new nitrate-nitrogen and TDS objectives for the new management zones, and new nitrogen and TDS management strategies applicable to both surface and ground waters. The State Water Resources Control Board and Office of Administrative Law (OAL) approved the N/TDS Amendment on September 30, 2004 and December 23, 2004, respectively. The surface water components of the N/TDS Amendment are awaiting EPA approval. Neither the surface water nor groundwater related provisions of the N/TDS Amendment bear on these waste discharge requirements. As previously discussed, the Facility discharges into Reach 4 of the Santa Ana River. The beneficial uses of these affected waterbodies are as follows:

Discharge Point	Receiving Water Name	Beneficial Use(s)
001 and S-001	**Reach 4 of Santa Ana River**	Existing and potential: Warm freshwater habitat (WARM); wildlife habitat (WILD), Ground water recharge (GWR), contact (REC-1) and non-contact (REC-2) water recreation.
	Downstream Reaches of the Santa Ana River	Existing and potential: Agricultural supply, Warm freshwater habitat (WARM); wildlife habitat (WILD), Ground water recharge (GWR), contact (REC-1) and non-contact (REC-2) water recreation, and rare, threatened or endangered species.+

+ Excepted from municipal and domestic supply (MUN)

2. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, which was amended on May 4, 1995 and November 9, 1999, and the CTR on May 18, 2000, which was amended on February 13, 2001. These rules include water quality criteria for priority pollutants and are applicable to this discharge.

3. **State Implementation Policy.** On March 2, 2000, 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 Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that have been approved by USEPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP became effective on May 18, 2000. The SIP includes procedures for determining the need for and calculating water quality-based effluent limitations (WQBELs), and requires Dischargers to submit data sufficient to do so.

4. **Antidegradation Policy.** Section 131.12 of 40 CFR requires that 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 68-16, which incorporates the requirements of the federal antidegradation policy. Resolution 68-16 requires that existing water quality is maintained unless degradation is justified based on specific findings. As discussed in detail in this Fact Sheet, the permitted discharge is consistent with the antidegradation provision of 40 CFR §131.12 and State Water Board Resolution 68-16.

5. **Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and 40 CFR §122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed. All effluent limitations in the Order are at least as stringent as the effluent limitations in the previous Order.

6. **Monitoring and Reporting Requirements.** Section 122.48 of 40 CFR requires that all NPDES permits specify requirements for recording and reporting monitoring results. Sections 13267 and 13383 of the CWC authorize the Regional Water Boards to require technical and monitoring reports. The Monitoring and Reporting Program (M&RP) establishes monitoring and reporting requirements to implement federal and State requirements. This M&RP is provided in Attachment E.

7. **Pretreatment:** The treatment plant capacity is 10.4 mgd and there are significant industrial users within the service areas. Consequently, this Order contains requirements for the implementation of an effective pretreatment program pursuant to Section 307 of the Federal Clean Water Act; Parts 35 and 403 of Title 40, Code of Federal Regulations (40 CFR 35 and 40 CFR 403); and/or Section 2233, Title 23, California Code of Regulations.

8. **Biosolids:** On February 19, 1993, the USEPA issued a final rule for the use and disposal of sewage sludge, 40 CFR, Part 503. This rule requires that producers of sewage sludge meet certain reporting, handling, and disposal requirements. The State of California has not been delegated the authority to implement this program, therefore, the U.S. Environmental Protection Agency is the implementing agency.

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source discharges 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: 40 CFR §122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 CFR §122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water. Where numeric water quality objectives have not been established; three options exist to protect water quality: 1) 40 CFR §122.44(d) specifies that WQBELs may be established using USEPA criteria guidance under CWA section 304(a); 2) proposed State criteria or a State policy interpreting narrative criteria supplemented with other relevant information may be used; or 3) an indicator parameter may be established.

A. Discharge Prohibitions

1. The discharge prohibitions are based on the Federal Clean Water Act, Basin Plan, State Water Resources Control Board's plans and policies, U.S. Environmental Protection Agency guidance and regulations, and previous permit Order No. 00-9 provisions and are consistent with the requirements set for other discharges regulated by NPDES permits adopted by the Regional Water Board.

B. Technology-Based Effluent Limitations

1. Scope and Authority

Regulations promulgated in 40 CFR §125.3(a)(1) require technology-based effluent limitations for municipal Dischargers to be placed in waste discharge requirements based on Secondary Treatment Standards or Equivalent to Secondary Treatment Standards.

The Federal Water Pollution Control Act Amendments of 1972 (PL 92-500) established the minimum performance requirements for POTWs [defined in Section 304(d)(1)]. Section 301(b)(1)(B) of that Act requires that such treatment works must, as a minimum, meet effluent limitations based on secondary treatment as defined by the USEPA Administrator.

Based on this statutory requirement, USEPA developed secondary treatment regulations, which are specified in 40 CFR 133. These technology-based regulations apply to all municipal wastewater treatment plants and identify the minimum level of effluent quality attainable by secondary treatment in terms of biochemical oxygen demand (BOD_5), total suspended solids (TSS), and pH.

2. Applicable Technology-Based Effluent Limitations

a. Numerical Effluent limitations:

Summary of Technology-based Effluent Limitations
For Secondary Treated Effluent Discharge Points for Discharge Point 001

Parameter	Units	Effluent Limitations	
		Average Monthly	Average Weekly
Biochemical Oxygen Demand 5-day @ 20°C	mg/L	30	45
Total Suspended Solids	mg/L	30	45

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

As specified in 40 CFR §122.44(d)(1)(i), permits are required to include WQBELs for pollutants (including toxicity) that are or may be discharged at levels that cause, have reasonable potential to cause, or contribute to an excursion above any state water quality standard. 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 water quality criteria contained in the CTR and NTR.

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

a. The Basin Plan establishes narrative and numeric water quality objectives for pH and total residual chlorine.

pH: the pH of inland surface waters shall not be raised above 8.5 or depressed below 6.5 as a result of controllable water quality factors.

Total residual chlorine: Chlorine and its reactions products are toxic to aquatic life. The Basin Plan established numeric water quality objectives for residual chlorine as 0.1 mg/l. However, due to the absence of monitoring data to justify inclusion of a limit, this Order requires the discharger to conduct monitoring of the discharge for total chlorine residual and to conduct studies to determine the concentration of chlorine that can be discharged without impairing water quality or harming aquatic life in the receiving water when a 20:1, or greater dilution is provided by the River. The study should include, but is not limited to, investigations into chlorine demand, chlorine decay, formation of chlorinated compounds that may be harmful to the receiving water, toxicity to resident species, and toxicity of chlorine due to physical and chemical characteristic of the receiving water.

3. Determining the Need for WQBELs

As previously discussed, the discharger is permitted to directly discharge secondary treated wastewater to the Santa Ana River when 20 to 1 dilution is provided by the river. The discharger implements an effective pretreatment program and discharges secondary treated and disinfected wastewater only when the receiving waters provide at least 20:1 dilution. Because of the effective pretreatment program conducted by the Discharger, the Facility discharges a quality of secondary treated and disinfected wastewater when diluted at 20:1 that does not have the reasonable potential to adversely impact receiving water quality for most constituents. Consequently, except for total coliform organisms and pH effluent limits, there are no other WQBELs in this Order. However, this Order requires the discharger to conduct a priority pollutant scan once annually. This Order also requires the discharger to conduct accelerated monitoring for those constituents that are detected in the annual priority pollutant scan at a concentration greater than fifty percent of the most stringent applicable receiving water objectives after accounting for a dilution rate of 20:1 (freshwater or human health (consumption of organisms only) as specified for that pollutant[1] in 40 CFR 131.38[2]). The accelerated monitoring will be quarterly for one year.

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1 *For those priority pollutants without specified criteria values, accelerated monitoring is not required.*

2 *See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.*

D. Final Effluent Limitations

1. Effluent Limitations in Table

Summary of Final Effluent Limitations
Discharge Point 001

Parameter	Units	Effluent Limitations					Basis
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	
BOD_5	mg/l	30	45	--	--	--	CO
Total Suspended Solids	mg/l	30	45	--	--	--	CO
pH	unit	--	--	--	6.5	8.5	CO, BP

Notes: CO= Current Order; BP= Basin Plan.

2. Coliform: The discharge shall be considered adequately disinfected if at some location in the treatment process, the number of the coliform organisms does not exceed a median of 23 per 100 milliliters as determined from the daily coliform organism values for the last seven (7) days.

E. Interim Effluent Limitations - Not Applicable.

F. Land Discharge Specifications - Not Applicable.

G. Reclamation Specifications - Not Applicable.

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

The Department of Health Services has determined that public health and water contact recreation (REC-1) beneficial uses will be protected provided that at least 20:1 dilution of secondary treated and disinfected wastewater by natural receiving waters is achieved ("Wastewater Disinfection Guidelines Feb. 1987; these guidelines are based on sound science and are widely used as guidance to assure public health and beneficial use protection). Based on best professional judgment of the effluent limitations necessary to prevent nuisance and to assure public health and REC-1 use protection, it is necessary and appropriate to implement these guidelines in this Order.

The Santa Ana River is not naturally perennial. In dry weather, flow in the Santa Ana River is comprised predominantly of effluent discharges from municipal wastewater treatment facilities (POTWs), and very little natural flow exists. Under storm conditions, 20:1 (natural receiving waters to effluent) dilution of the effluent by storm flows may be provided. These storm conditions may also threaten the operational safety of the wastewater treatment facility through influx of infiltrated storm flows into the sanitary sewer system. The discharge of secondary effluent when 20:1 dilution is provided by the River may be necessary to protect the integrity of these facilities.

B. Groundwater - Not applicable.

VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

Section 122.48 of 40 CFR requires all NPDES permits to specify recording and reporting of monitoring results. Sections 13267 and 13383 of the California Water Code authorize the Water Boards to require technical and monitoring reports. The Monitoring and Reporting Program, 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 Monitoring and Reporting Program for this facility.

A. Influent Monitoring

Influent monitoring is required to determine the effectiveness of the treatment program and assess treatment plant performance.

B. Effluent Monitoring

The Discharger is required to conduct monitoring of the permitted discharges in order to evaluate compliance with permit conditions. Monitoring requirements are given in the proposed monitoring and reporting program (Attachment E). This provision requires compliance with the monitoring and reporting program, and is based on 40 CFR 122.44(i), 122.62, 122.63 and 124.5. The SMP is a standard requirement in almost all NPDES permits (including the proposed Order) issued by the Regional Water Board. In addition to containing definitions of terms, it specifies general sampling/analytical protocols and the requirements of reporting of spills, violations, and routine monitoring data in accordance with NPDES regulations, the California Water Code, and Regional Water Board's policies. The monitoring and reporting program also contains sampling program specific for the Discharger's wastewater treatment plant. It defines the sampling stations and frequency, pollutants to be monitored, and additional reporting requirements. Pollutants to be monitored include all pollutants for which effluent limitations are specified. Further, in accordance with Section 1.3 of the SIP, periodic monitoring is required for all priority pollutants defined by the CTR, for which criteria apply and for which no effluent limitations have been established, to evaluate reasonable potential to cause or contribute to an excursion above a water quality standard.

This Order modifies the monitoring requirements specified in the Order No. 00-9 and adds monitoring requirements for EPA priority pollutants.

C. Whole Effluent Toxicity Testing Requirements

Due to the intermittent frequency and 20:1 dilution conditions of the discharge, staff believes that it is not practical or necessary to include toxicity effluent limits and requirements in the Order.

D. Receiving Water Monitoring

1. Surface Water

The Order requires the Discharger to establish a sampling station(s) at a suitable location(s) where the flow[3] in the River at the point of discharge can be determined. The Order also requires that flow measurements in the river are made prior to any direct discharge to the river and shall continue on a daily basis until the discharge is terminated.

2. Groundwater - Not applicable.

E. Other Monitoring Requirements

1. Biosolids Monitoring
   This Order modifies the monitoring requirements specified in the Order No. 00-9.

2. Pretreatment Monitoring
   These monitoring and reporting requirements are established pursuant EPA 40 CFR 403 regulations.

VII. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which in accordance with 40 CFR §§122.41and 122.42, apply to all NPDES discharges and must be included in every NPDES permit, are provided in Attachment D to the Order.

B. Special Provisions

1. To assure that discharges occur only when the receiving waters can provide 20:1 dilution, the Order requires the discharger to make provisions for the measurement of the receiving water flow at a suitable location with the Santa Ana River and determine whether a 20:1 dilution exists at the point of discharge before discharging secondary treated effluent.

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[3] Exclusive of discharges to surface waters from upstream publicly owned treatment works.

VIII. PUBLIC PARTICIPATION

The California Regional Water Quality Control Board, Santa Ana Region (Regional Water Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for City of Colton Reclamation Facility. 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 the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided through the posting of Notice of Public Hearing at Colton City Hall and publication at the local newspaper; and posting at the Regional Water Board website: http://www.waterboards.ca.gov/santaana on August 31, 2005.

B. Written Comments

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments should 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 should be received at the Regional Water Board offices by 5:00 p.m. on September 12, 2005,

Jane Qiu
California Regional Water Quality Control Board
Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501-3348

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:	September 30, 2005
Time:	9:00 A.M.
Location:	Orange County Sanitation District 10844 Ellis Ave. Fountain Valley, CA

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 http://www.waterboards.ca.gov/santaana 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 (RWD), 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 9:00 a.m. and 3:00 p.m. Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling (951) 320-2008.

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 Jane Qiu at (951) 320-2008.

ATTACHMENT G – EPA PPL TABLE

EPA PRIORITY POLLUTANT LIST

Metals		Acid Extractibles		Base/Neutral Extractibles (continuation)	
1.	Antimony	45.	2-Chlorophenol	91.	Hexachloroethane
2.	Arsenic	46.	2,4-Dichlorophenol	92.	Indeno (1,2,3-cd) Pyrene
3.	Beryllium	47.	2,4-Dimethylphenol	93.	Isophorone
4.	Cadmium	48.	2-Methyl-4,6-Dinitrophenol	94.	Naphthalene
5a.	Chromium (III)	49.	2,4-Dinitrophenol	95.	Nitrobenzene
5b.	Chromium (VI)	50.	2-Nitrophenol	96.	N-Nitrosodimethylamine
6.	Copper	51.	4-Nitrophenol	97.	N-Nitrosodi-N-Propylamine
7.	Lead	52.	3-Methyl-4-Chlorophenol	98.	N-Nitrosodiphenylamine
8.	Mercury	53.	Pentachlorophenol	99.	Phenanthrene
9.	Nickel	54.	Phenol	100.	Pyrene
10.	Selenium	55.	2, 4, 6 – Trichlorophenol	101.	1,2,4-Trichlorobenzene
11.	Silver	**Base/Neutral Extractibles**		**Pesticides**	
12.	Thallium	56.	Acenaphthene	102.	Aldrin
13.	Zinc	57.	Acenaphthylene	103.	Alpha BHC
Miscellaneous		58.	Anthracene	104.	Beta BHC
14.	Cyanide	59.	Benzidine	105.	Delta BHC
15.	Asbestos (not required unless requested)	60.	Benzo (a) Anthracene	106.	Gamma BHC
16.	2,3,7,8-Tetrachlorodibenzo-P-Dioxin (TCDD)	61.	Benzo (a) Pyrene	107.	Chlordane
Volatile Organics		62.	Benzo (b) Fluoranthene	108.	4, 4' - DDT
17.	Acrolein	63.	Benzo (g,h,i) Perylene	109.	4, 4' - DDE
18.	Acrylonitrile	64.	Benzo (k) Fluoranthene	110.	4, 4' - DDD
19.	Benzene	65.	Bis (2-Chloroethoxy) Methane	111.	Dieldrin
20.	Bromoform	66.	Bis (2-Chloroethyl) Ether	112.	Alpha Endosulfan
21.	Carbon Tetrachloride	67.	Bis (2-Chloroisopropyl) Ether	113.	Beta Endosulfan
22.	Chlorobenzene	68.	Bis (2-Ethylhexyl) Phthalate	114.	Endosulfan Sulfate
23.	Chlorodibromomethane	69.	4-Bromophenyl Phenyl Ether	115.	Endrin
24.	Chloroethane	70.	Butylbenzyl Phthalate	116.	Endrin Aldehyde
25.	2-Chloroethyl Vinyl Ether	71.	2-Chloronaphthalene	117.	Heptachlor
26.	Chloroform	72.	4-Chlorophenyl Phenyl Ether	118.	Heptachlor Epoxide
27.	Dichlorobromomethane	73.	Chrysene	119.	PCB 1016
28.	1,1-Dichloroethane	74.	Dibenzo (a,h) Anthracene	120.	PCB 1221
29.	1,2-Dichloroethane	75.	1,2-Dichlorobenzene	121.	PCB 1232
30.	1,1-Dichloroethylene	76.	1,3-Dichlorobenzene	122.	PCB 1242
31.	1,2-Dichloropropane	77.	1,4-Dichlorobenzene	123.	PCB 1248
32.	1,3-Dichloropropylene	78.	3,3'-Dichlorobenzidine	124.	PCB 1254
33.	Ethylbenzene	79.	Diethyl Phthalate	125.	PCB 1260
34.	Methyl Bromide	80.	Dimethyl Phthalate	126.	Toxaphene
35.	Methyl Chloride	81.	Di-n-Butyl Phthalate		
36.	Methylene Chloride	82.	2,4-Dinitrotoluene		
37.	1,1,2,2-Tetrachloroethane	83.	2-6-Dinitrotoluene		
38.	Tetrachloroethylene	84.	Di-n-Octyl Phthalate		
39.	Toluene	85.	1,2-Dipenylhydrazine		
40.	1,2-Trans-Dichloroethylene	86.	Fluoranthene		
41.	1,1,1-Trichloroethane	87.	Fluorene		
42.	1,1,2-Trichloroethane	88.	Hexachlorobenzene		
43.	Trichloroethylene	89.	Hexachlorobutadiene		
44.	Vinyl Chloride	90.	Hexachlorocyclopentadiene		

Attachment H – PQL Table

PRACTICAL QUANTITATION LEVELS FOR COMPLIANCE DETERMINATION			
	Constituent	RL, µg/l	Analysis Method
1	Arsenic	7.5	GF/AA
2	Barium	20	ICP/GFAA
3	Cadmium	15	ICP
4	Chromium (VI)	15.0	ICP
5	Cobalt	10.0	GF/AA
6	Copper	19.0	GF/ICP
7	Cyanide	50.0	335.2/335.3
8	Iron	100.0	ICP
9	Lead	26.0	GF/AA
10	Manganese	20.0	ICP
11	Mercury	0.5	CV/AA
12	Nickel	50.0	ICP
13	Selenium	14.0	GF/HYDRIDE GENERATION
14	Silver	16.0	ICP
15	Zinc	20	ICP
16	1,2 - Dichlorobenzene	5.0	601/602/624
17	1,3 - Dichlorobenzene	5.0	601
18	1,4 - Dichlorobenzene	5.0	601
18	2,4 - Dichlorophenol	10.0	625/604
20	4 - Chloro -3- methylphenol	10.0	625/604
21	Aldrin	0.04	608
22	Benzene	1.0	602/624
23	Chlordane	0.30	608
24	Chloroform	5.0	601/624
25	DDT	0.10	608
26	Dichloromethane	5.0	601/624
27	Dieldrin	0.10	608
28	Fluorantene	10.0	625/610
29	Endosulfan	0.50	608
30	Endrin	0.10	608
31	Halomethanes	5.0	601/624
32	Heptachlor	0.03	608
33	Hepthachlor Epoxide	0.05	608
34	Hexachlorobenzene	10.0	625
35	Hexachlorocyclohexane		
	Alpha	0.03	608
	Beta	0.03	608
	Gamma	0.03	608
36	PAH's	10.0	625/610
37	PCB	1.0	608
38	Pentachlorophenol	10.0	625/604
39	Phenol	10.0	625/604
40	TCDD Equivalent	0.05	8280
41	Toluene	1.0	602/625
42	Toxaphene	2.0	608
43	Tributyltin	0.02	GC
44	2,4,6-Trichlorophenol	10.0	625/604

Attachment I – ML Table

MINIMUM LEVELS IN PPB (µg/l)

Table 1- VOLATILE SUBSTANCES[1]	GC	GCMS
Acrolein	2.0	5
Acrylonitrile	2.0	2
Benzene	0.5	2
Bromoform	0.5	2
Carbon Tetrachloride	0.5	2
Chlorobenzene	0.5	2
Chlorodibromomethane	0.5	2
Chloroethane	0.5	2
Chloroform	0.5	2
Dichlorobromomethane	0.5	2
1,1 Dichloroethane	0.5	1
1,2 Dichloroethane	0.5	2
1,1 Dichloroethylene	0.5	2
1,2 Dichloropropane	0.5	1
1,3 Dichloropropylene (volatile)	0.5	2
Ethylbenzene	0.5	2
Methyl Bromide (*Bromomethane*)	1.0	2
Methyl Chloride (*Chloromethane*)	0.5	2
Methylene Chloride (*Dichloromethane*)	0.5	2
1,1,2,2 Tetrachloroethane	0.5	1
Tetrachloroethylene	0.5	2
Toluene	0.5	2
trans-1,2 Dichloroethylene	0.5	1
1,1,1 Trichloroethane	0.5	2
1,1,2 Trichloroethane	0.5	2
Trichloroethylene	0.5	2
Vinyl Chloride	0.5	2
1,2 Dichlorobenzene (volatile)	0.5	2
1,3 Dichlorobenzene (volatile)	0.5	2
1,4 Dichlorobenzene (volatile)	0.5	2

Selection and Use of Appropriate ML Value:

ML Selection: When there is more than one ML value for a given substance, the discharger may select any one of those ML values, and their associated analytical methods, listed in this Attachment that are below the calculated effluent limitation for compliance determination. If no ML value is below the effluent limitation, then the discharger shall select the lowest ML value, and its associated analytical method, listed in this Attachment.

ML Usage: The ML value in this Attachment represents the lowest quantifiable concentration in a sample based on the proper application of all method-based analytical procedures and the absence of any matrix interferences. Assuming that all method-specific analytical steps are followed, the ML value will also represent, after the appropriate application of method-specific factors, the lowest standard in the calibration curve for that specific analytical technique. Common analytical practices sometimes require different treatment of the sample relative to calibration standards.
Note: chemical names in parenthesis and italicized is another name for the constituent.

[1] The normal method-specific factor for these substances is 1, therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

MINIMUM LEVELS IN PPB (µg/l)

Table 2 – Semi-Volatile Substances[2]	GC	GCMS	LC
2-Chloroethyl vinyl ether	1	1	
2 Chlorophenol	2	5	
2,4 Dichlorophenol	1	5	
2,4 Dimethylphenol	1	2	
4,6 Dinitro-2-methylphenol	10	5	
2,4 Dinitrophenol	5	5	
2- Nitrophenol		10	
4- Nitrophenol	5	10	
4 Chloro-3-methylphenol	5	1	
2,4,6 Trichlorophenol	10	10	
Acenaphthene	1	1	0.5
Acenaphthylene		10	0.2
Anthracene		10	2
Benzidine		5	
Benzo (a) Anthracene (*1,2 Benzanthracene*)	10	5	
Benzo(a) pyrene (*3,4 Benzopyrene*)		10	2
Benzo (b) Flouranthene (*3,4 Benzofluoranthene*)		10	10
Benzo(g,h,i)perylene		5	0.1
Benzo(k)fluoranthene		10	2
bis 2-(1-Chloroethoxyl) methane		5	
bis(2-chloroethyl) ether	10	1	
bis(2-Chloroisopropyl) ether	10	2	
bis(2-Ethylhexyl) phthalate	10	5	
4-Bromophenyl phenyl ether	10	5	
Butyl benzyl phthalate	10	10	
2-Chloronaphthalene		10	
4-Chlorophenyl phenyl ether		5	
Chrysene		10	5
Dibenzo(a,h)-anthracene		10	0.1
1,2 Dichlorobenzene (semivolatile)	2	2	
1,3 Dichlorobenzene (semivolatile)	2	1	
1,4 Dichlorobenzene (semivolatile)	2	1	
3,3' Dichlorobenzidine		5	
Diethyl phthalate	10	2	
Dimethyl phthalate	10	2	
di-n-Butyl phthalate		10	
2,4 Dinitrotoluene	10	5	
2,6 Dinitrotoluene		5	
di-n-Octyl phthalate		10	
1,2 Diphenylhydrazine		1	
Fluoranthene	10	1	0.05
Fluorene		10	0.1
Hexachloro-cyclopentadiene	5	5	
1,2,4 Trichlorobenzene	1	5	

MINIMUM LEVELS IN PPB (µg/l)

Table 2 - SEMI-VOLATILE SUBSTANCES[2]	GC	GCMS	LC	COLOR
Pentachlorophenol	1	5		
Phenol [3]	1	1		50
Hexachlorobenzene	5	1		
Hexachlorobutadiene	5	1		
Hexachloroethane	5	1		
Indeno(1,2,3,cd)-pyrene		10	0.05	
Isophorone	10	1		
Naphthalene	10	1	0.2	
Nitrobenzene	10	1		
N-Nitroso-dimethyl amine	10	5		
N-Nitroso -di n-propyl amine	10	5		
N-Nitroso diphenyl amine	10	1		
Phenanthrene		5	0.05	
Pyrene		10	0.05	

Table 3– INORGANICS[4]	FAA	GFAA	ICP	ICPMS	SPGFAA	HYDRIDE	CVAA	COLOR	DCP
Antimony	10	5	50	0.5	5	0.5			1000
Arsenic		2	10	2	2	1		20	1000
Beryllium	20	0.5	2	0.5	1				1000
Cadmium	10	0.5	10	0.25	0.5				1000
Chromium (total)	50	2	10	0.5	1				1000
Chromium VI	5							10	
Copper	25	5	10	0.5	2				1000
Lead	20	5	5	0.5	2				10000
Mercury				0.5			0.2		
Nickel	50	5	20	1	5				1000
Selenium		5	10	2	5	1			1000
Silver	10	1	10	0.25	2				1000
Thallium	10	2	10	1	5				1000
Zinc	20		20	1	10				1000
Cyanide								5	

2 With the exception of phenol by colorimetric technique, the normal method-specific factor for these substances is 1000, therefore, the lowest standards concentration in the calibration curve is equal to the above ML value for each substance multiplied by 1000.

3 Phenol by colorimetric technique has a factor of 1.

4 The normal method-specific factor for these substances is 1, therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

MINIMUM LEVELS IN PPB (µg/l)

Table 4- PESTICIDES – PCBs[5]	GC
Aldrin	0.005
alpha–BHC (*a-Hexachloro-cyclohexane*)	0.01
beta–BHC (*b-Hexachloro-cyclohexane*)	0.005
Gamma–BHC (*Lindane; g-Hexachloro-cyclohexane*)	0.02
Delta-BHC (*d-Hexachloro-cyclohexane*)	0.005
Chlordane	0.1
4,4'-DDT	0.01
4,4'-DDE	0.05
4,4'-DDD	0.05
Dieldrin	0.01
Alpha-Endosulfan	0.02
Beta-Endosulfan	0.01
Endosulfan Sulfate	0.05
Endrin	0.01
Endrin Aldehyde	0.01
Heptachlor	0.01
Heptachlor Epoxide	0.01
PCB 1016	0.5
PCB 1221	0.5
PCB 1232	0.5
PCB 1242	0.5
PCB 1248	0.5
PCB 1254	0.5
PCB 1260	0.5
Toxaphene	0.5

Techniques:
GC - Gas Chromatography
GCMS - Gas Chromatography/Mass Spectrometry
HRGCMS - High Resolution Gas Chromatography/Mass Spectrometry (i.e., EPA 1613, 1624, or 1625)
LC - High Pressure Liquid Chromatography
FAA - Flame Atomic Absorption
GFAA - Graphite Furnace Atomic Absorption
HYDRIDE - Gaseous Hydride Atomic Absorption
CVAA - Cold Vapor Atomic Absorption
ICP - Inductively Coupled Plasma
ICPMS - Inductively Coupled Plasma/Mass Spectrometry
SPGFAA - Stabilized Platform Graphite Furnace Atomic Absorption (i.e., EPA 200.9)
DCP - Direct Current Plasma
COLOR - Colorimetric

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5 The normal method-specific factor for these substances is 100, therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance multiplied by 100.

ATTACHMENT J – STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS

1. *Implementation Schedule*

The storm water pollution prevention plan (SWPPP) shall be updated and implemented in a timely manner, but in no case later than December 30, 2005.

2. *Objectives*

The SWPPP has two major objectives: (a) to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of storm water discharges and authorized non-storm water discharges from the facility; and (b) to identify and implement site-specific best management practices (BMPs) to reduce or prevent pollutants associated with industrial activities in storm water discharges and authorized non-storm water discharges. BMPs may include a variety of pollution prevention measures or other low-cost pollution control measures. They are generally categorized as non-structural BMPs (activity schedules, prohibitions of practices, maintenance procedures, and other low-cost measures) and as structural BMPs (treatment measures, run-off controls, over-head coverage). To achieve these objectives, dischargers should consider the five phase process for SWPPP development and implementation as shown in Table A (see page 10 of 11, below).

The SWPPP requirements are designed to be sufficiently flexible to meet the various needs of the facility. SWPPP requirements that are not applicable to the facility should not be included in the SWPPP.

A facility's SWPPP is a written document that shall contain a compliance activity schedule, a description of industrial activities and pollutant sources, descriptions of BMPs, drawings, maps, and relevant copies or references of parts of other plans. The SWPPP shall be revised whenever appropriate and shall be readily available for review by facility employees or Regional Water Board inspectors.

3. *Planning and Organization*

a. Pollution Prevention Team

The SWPPP shall identify a specific individual or individuals and their positions within the facility organization as members of a storm water pollution prevention team responsible for developing the SWPPP, assisting the facility manager in SWPPP implementation and revision, and conducting all monitoring program activities required in the Stormwater monitoring program of Order No. R8-2005-0075. The SWPPP shall clearly identify the storm water pollution prevention related responsibilities, duties, and activities of each team member.

b. Review Other Requirements and Existing Facility Plans

The SWPPP may incorporate or reference the appropriate elements of other regulatory requirements. The discharger shall review all local, state, and federal requirements that impact, complement, or are consistent with the requirements of Order No. R8-2005-0075. The discharger shall identify any existing facility plans that contain storm water pollutant control measures or relate to the requirements of Order No. R8-2005-0075. As examples, dischargers whose facilities are subject to Federal Spill Prevention Control and Countermeasures' requirements should already have instituted a plan to control spills of certain hazardous materials. Similarly, the discharger whose facilities are subject to air quality related permits and regulations may already have evaluated industrial activities that generate dust or particulates.

4. *Site Map*

The SWPPP shall include a site map. The site map shall be provided on an 8-1/2 x 11 inch or larger sheet and include notes, legends, and other data as appropriate to ensure that the site map is clear and understandable. If necessary, the discharger may provide the required information on multiple site maps. The following information shall be included on the site map:

a. The facility boundaries; the outline of all storm water drainage areas within the facility boundaries; portions of the drainage area impacted by run-on from surrounding areas; and direction of flow of each drainage area, on-site surface water bodies, and areas of soil erosion. The map shall also identify nearby water bodies (such as rivers, lakes, ponds) and municipal storm drain inlets where the facility's storm water discharges and authorized non-storm water discharges may be received.

b. The location of the storm water collection and conveyance system, associated points of discharge, and direction of flow. Include any structural control measures that affect storm water discharges, authorized non-storm water discharges, and run-on. Examples of structural control measures are catch basins, berms, detention ponds, secondary containment, oil/water separators, diversion barriers, etc.

c. An outline of all impervious areas of the facility, including paved areas, buildings, covered storage areas, or other roofed structures.

d. Locations where materials are directly exposed to precipitation and the locations where significant spills or leaks identified in Section 6.a.(4)., below, have occurred.

e. Areas of industrial activity. This shall include the locations of all storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, cleaning and rinsing areas, and other areas of industrial activity which are potential pollutant sources.

5. *List of Significant Materials*

The SWPPP shall include a list of significant materials handled and stored at the site. For each material on the list, describe the locations where the material is being stored, received, shipped, and handled, as well as the typical quantities and frequency. Materials shall include raw materials, intermediate products, final or finished products, recycled materials, and waste or disposed materials.

6. *Description of Potential Pollutant Sources*

a. The SWPPP shall include a narrative description of the facility's industrial activities, as identified in Section 4.e., above, associated potential pollutant sources, and potential pollutants that could be discharged in storm water discharges or authorized non-storm water discharges. At a minimum, the following items related to a facility's industrial activities shall be considered:

(1) Industrial Processes

Describe each industrial process, the type, characteristics, and quantity of significant materials used in or resulting from the process, and a description of the processes (manufacturing or treatment), cleaning, rinsing, recycling, disposal, or other activities related to the process. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

(2) Material Handling and Storage Areas

Describe each handling and storage area, type, characteristics, and quantity of significant materials handled or stored, description of the shipping, receiving, and loading procedures, and the spill or leak prevention and response procedures. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

(3) Dust and Particulate Generating Activities

Describe all industrial activities that generate dust or particulates that may be deposited within the facility's boundaries and identify their discharge locations; the characteristics of dust and particulate pollutants; the approximate quantity of dust and particulate pollutants that may be deposited within the facility boundaries; and a description of the primary areas of the facility where dust and particulate pollutants would settle.

(4) Significant Spills and Leaks

Describe materials that have spilled or leaked in significant quantities in storm water discharges or non-storm water discharges. Include toxic chemicals (listed in 40 Code of Federal Regulations [CFR] Part 302) that have been discharged to storm water as reported on U.S. Environmental Protection Agency (U.S. EPA) Form R, and oil and hazardous substances in excess of reportable quantities (see 40 CFR, Parts 110, 117, and 302).

The description shall include the type, characteristics, and approximate quantity of the material spilled or leaked, the cleanup or remedial actions that have occurred or are planned, the approximate remaining quantity of materials that may be exposed to storm water or non-storm water discharges, and the preventative measures taken to ensure spills or leaks do not reoccur. Such list shall be updated as appropriate during the term of Order No. R8-2005-0075.

(5) Non-Storm Water Discharges

The discharger shall investigate the facility to identify all non-storm water discharges and their sources. As part of this investigation, all drains (inlets and outlets) shall be evaluated to identify whether they connect to the storm drain system.

All non-storm water discharges shall be described. This shall include the source, quantity, frequency, and characteristics of the non-storm water discharges and associated drainage area.

Non-storm water discharges that contain significant quantities of pollutants or that do not meet the conditions of Order No. R8-2005-0075 are prohibited. (Examples of prohibited non-storm water discharges are contact and non-contact cooling water, boiler blowdown, rinse water, wash water, etc.). The SWPPP must include BMPs to prevent or reduce contact of non-storm water discharges with significant materials or equipment.

(6) Soil Erosion

Describe the facility locations where soil erosion may occur as a result of industrial activity, storm water discharges associated with industrial activity, or authorized non-storm water discharges.

b. The SWPPP shall include a summary of all areas of industrial activities, potential pollutant sources, and potential pollutants. This information should be summarized similar to Table B (see page 11 of 11, below). The last column of Table B, "Control Practices", should be completed in accordance with Section 8., below.

7. *Assessment of Potential Pollutant Sources*

a. The SWPPP shall include a narrative assessment of all industrial activities and potential pollutant sources as described in Section 6., above, to determine:

(1) Which areas of the facility are likely sources of pollutants in storm water discharges and authorized non-storm water discharges, and

(2) Which pollutants are likely to be present in storm water discharges and authorized non-storm water discharges. The discharger shall consider and evaluate various factors when performing this assessment such as current storm water BMPs; quantities of significant materials handled, produced, stored, or disposed of; likelihood of exposure to storm water or authorized non-storm water discharges; history of spill or leaks; and run-on from outside sources.

b. The discharger shall summarize the areas of the facility that are likely sources of pollutants and the corresponding pollutants that are likely to be present in storm water discharges and authorized non-storm water discharges.

The discharger is required to develop and implement additional BMPs as appropriate and necessary to prevent or reduce pollutants associated with each pollutant source. The BMPs will be narratively described in Section 8., below.

8. *Storm Water Best Management Practices*

The SWPPP shall include a narrative description of the storm water BMPs to be implemented at the facility for each potential pollutant and its source identified in the site assessment phase (Sections 6. and 7., above). The BMPs shall be developed and implemented to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Each pollutant and its source may require one or more BMPs. Some BMPs may be implemented for multiple pollutants and their sources, while other BMPs will be implemented for a very specific pollutant and its source.

The description of the BMPs shall identify the BMPs as (1) existing BMPs, (2) existing BMPs to be revised and implemented, or (3) new BMPs to be implemented. The description shall also include a discussion on the effectiveness of each BMP to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. The SWPPP shall provide a summary of all BMPs implemented for each pollutant source. This information should be summarized similar to Table B.

The discharger shall consider the following BMPs for implementation at the facility:

a. Non-Structural BMPs: Non-structural BMPs generally consist of processes, prohibitions, procedures, schedule of activities, etc., that prevent pollutants associated with industrial activity from contacting with storm water discharges and authorized non-storm water discharges. They are considered low technology, cost-effective measures. The discharger should consider all possible non-structural BMPs options before considering additional structural BMPs (see Section 8.b., below). Below is a list of non-structural BMPs that should be considered:

(1) Good Housekeeping: Good housekeeping generally consist of practical procedures to maintain a clean and orderly facility.

(2) Preventive Maintenance: Preventive maintenance includes the regular inspection and maintenance of structural storm water controls (catch basins, oil/water separators, etc.) as well as other facility equipment and systems.

(3) Spill Response: This includes spill clean-up procedures and necessary clean-up equipment based upon the quantities and locations of significant materials that may spill or leak.

(4) Material Handling and Storage: This includes all procedures to minimize the potential for spills and leaks and to minimize exposure of significant materials to storm water and authorized non-storm water discharges.

(5) Employee Training: This includes training of personnel who are responsible for (a) implementing activities identified in the SWPPP, (b) conducting inspections, sampling, and visual observations, and (c) managing storm water. Training should address topics such as spill response, good housekeeping, and material handling procedures, and actions necessary to implement all BMPs identified in the SWPPP. The SWPPP shall identify periodic dates for such training. Records shall be maintained of all training sessions held.

(6) Waste Handling/Recycling: This includes the procedures or processes to handle, store, or dispose of waste materials or recyclable materials.

(7) Record Keeping and Internal Reporting: This includes the procedures to ensure that all records of inspections, spills, maintenance activities, corrective actions, visual observations, etc., are developed, retained, and provided, as necessary, to the appropriate facility personnel.

(8) Erosion Control and Site Stabilization: This includes a description of all sediment and erosion control activities. This may include the planting and maintenance of vegetation, diversion of run-on and runoff, placement of sandbags, silt screens, or other sediment control devices, etc.

(9) Inspections: This includes, in addition to the preventative maintenance inspections identified above, an inspection schedule of all potential pollutant sources. Tracking and follow-up procedures shall be described to ensure adequate corrective actions are taken and SWPPPs are made.

(10) Quality Assurance: This includes the procedures to ensure that all elements of the SWPPP and Monitoring Program are adequately conducted.

b. Structural BMPs: Where non-structural BMPs as identified in Section 8.a., above, are not effective, structural BMPs shall be considered. Structural BMPs generally consist of structural devices that reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Below is a list of structural BMPs that should be considered:

(1) Overhead Coverage: This includes structures that provide horizontal coverage of materials, chemicals, and pollutant sources from contact with storm water and authorized non-storm water discharges.

(2) Retention Ponds: This includes basins, ponds, surface impoundments, bermed areas, etc., that do not allow storm water to discharge from the facility.

(3) Control Devices: This includes berms or other devices that channel or route run-on and runoff away from pollutant sources.

(4) Secondary Containment Structures: This generally includes containment structures around storage tanks and other areas for the purpose of collecting any leaks or spills.

(5) Treatment: This includes inlet controls, infiltration devices, oil/water separators, detention ponds, vegetative swales, etc., that reduce the pollutants in storm water discharges and authorized non-storm water discharges.

9. *Annual Comprehensive Site Compliance Evaluation*

The discharger shall conduct one comprehensive site compliance evaluation in each reporting period (July 1-June 30). Evaluations shall be conducted within 8-16 months of each other. The SWPPP shall be revised, as appropriate, and the revisions implemented within 90 days of the evaluation. Evaluations shall include the following:

a. A review of all visual observation records, inspection records, and sampling and analysis results.

b. A visual inspection of all potential pollutant sources for evidence of, or the potential for, pollutants entering the drainage system.

c. A review and evaluation of all BMPs (both structural and non-structural) to determine whether the BMPs are adequate, properly implemented and maintained, or whether additional BMPs are needed. A visual inspection of equipment needed to implement the SWPPP, such as spill response equipment, shall be included.

d. An evaluation report that includes, (1) identification of personnel performing the evaluation, (2) the date(s) of the evaluation, (3) necessary SWPPP revisions, (4) schedule, as required in Section 10.e, below, for implementing SWPPP revisions, (5) any incidents of non-compliance and the corrective actions taken, and (6) a certification that the discharger is in compliance with Order No. R8-2005-0075. If the above certification cannot be provided, explain in the evaluation report why the discharger is not in compliance with this order. The evaluation report shall be submitted as part of the annual report, retained for at least five years, and signed and certified in accordance with Attachment D, Standard Provision, Section V Reporting, Subsection B. Signatory and Certification Requirements of Order No. R8-2005-0075.

10. *SWPPP General Requirements*

a. The SWPPP shall be retained on site and made available upon request by a representative of the Regional Water Board and/or local storm water management agency (local agency) which receives the storm water discharges.

b. The Regional Water Board and/or local agency may notify the discharger when the SWPPP does not meet one or more of the minimum requirements of this section. As requested by the Regional Water Board and/or local agency, the discharger shall submit a SWPPP revision and implementation schedule that meets the minimum requirements of this section to the Regional Water Board and/or local agency that requested the SWPPP revisions. Within 14 days after implementing the required SWPPP revisions, the discharger shall provide written certification to the Regional Water Board and/or local agency that the revisions have been implemented.

c. The SWPPP shall be revised, as appropriate, and implemented prior to changes in industrial activities which (1) may significantly increase the quantities of pollutants in storm water discharge, (2) cause a new area of industrial activity at the facility to be exposed to storm water, or (3) begin an industrial activity which would introduce a new pollutant source at the facility.

d. The SWPPP shall be revised and implemented in a timely manner, but in no case more than 90 days after a discharger determines that the SWPPP is in violation of any requirement(s) of Order No. R8-2005-0075.

e. When any part of the SWPPP is infeasible to implement by the deadlines specified in Order No. R8-2005-0075, due to proposed significant structural changes, the discharger shall submit a report to the Regional Water Board prior to the applicable deadline that (1) describes the portion of the SWPPP that is infeasible to implement by the deadline, (2) provides justification for a time extension, (3) provides a schedule for completing and implementing that portion of the SWPPP, and (4) describes the BMPs that will be implemented in the interim period to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Such reports are subject to Regional Water Board approval and/or modifications. The discharger shall provide written notification to the Regional Water Board within 14 days after the SWPPP revisions are implemented.

f. The SWPPP shall be provided, upon request, to the Regional Water Board. The SWPPP is considered a report that shall be available to the public by the Regional Water Board under Section 308(b) of the Clean Water Act.

TABLE A

FIVE PHASES FOR DEVELOPING AND IMPLEMENTING INDUSTRIAL STORM WATER POLLUTION PREVENTION PLANS

Error! Bookmark not defined.PLANNING AND ORGANIZATION

*Form pollution prevention team
*Review other plans

ASSESSMENT PHASE

*Develop a site map
*Identify potential pollutant sources
*Inventory of materials and chemicals
*List significant spills and leaks
*Identify non-storm water discharges
*Assess pollutant risks

BEST MANAGEMENT PRACTICES IDENTIFICATION PHASE

*Non-structural BMPs
*Structural BMPs
*Select activity and site-specific BMPs

IMPLEMENTATION PHASE

*Train employees
*Implement BMPs
*Conduct record keeping and reporting

EVALUATION / MONITORING

*Conduct annual site evaluation
*Review monitoring information
*Evaluate BMPs
*Review and revise SWPPP

TABLE B

EXAMPLE

ASSESSMENT OF POTENTIAL POLLUTION SOURCES AND CORRESPONDING BEST MANAGEMENT PRACTICES
SUMMARY

AREA	ACTIVITY	POLLUTANT SOURCE	POLLUTANT	**BEST MANAGEMENT PRACTICES**
Vehicle & equipment fueling	Fueling	Spills and leaks during delivery	Fuel oil	- Use spill and overflow protection - Minimize run-on of storm water into the fueling area - Cover fueling area - Use dry cleanup methods rather than hosing down area - Implement proper spill prevention control program - Implement adequate preventative maintenance program to prevent tank and line leaks - Inspect fueling areas regularly to detect problems before they occur - Train employees on proper fueling, cleanup, and spill response techniques.
		Spills caused by topping off fuel oil	Fuel oil	
		Hosing or washing down fuel area	Fuel oil	
		Leaking storage tanks	Fuel oil	
		Rainfall running off fueling areas, and rainfall running onto and off fueling area	Fuel oil	

ATTACHMENT K – STORMWATER MONITORING AND REPORTING REQUIREMENTS

1. *Implementation Schedule*

The discharger shall continue to implement their existing Stormwater monitoring program and implement any necessary revisions to their Stormwater monitoring program in a timely manner, but in no case later than December 30, 2005. The discharger may use the monitoring results conducted in accordance with their existing Stormwater monitoring program to satisfy the pollutant/parameter reduction requirements in Section 5.c., below, and Sampling and Analysis Exemptions and Reduction Certifications in Section 10, below.

2. *Objectives*

The objectives of the monitoring program are to:

a. Ensure that storm water discharges are in compliance with waste discharge requirements specified in Order No. R8-2005-0075.

b. Ensure practices at the facility to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges are evaluated and revised to meet changing conditions.

c. Aid in the implementation and revision of the SWPPP required by Stormwater Pollution Prevention Plan of Order No. R8-2005-0075.

d. Measure the effectiveness of best management practices (BMPs) to prevent or reduce pollutants in storm water discharges and authorized non-storm water discharges. Much of the information necessary to develop the monitoring program, such as discharge locations, drainage areas, pollutant sources, etc., should be found in the Storm Water Pollution Prevention Plan (SWPPP). The facility's monitoring program shall be a written, site-specific document that shall be revised whenever appropriate and be readily available for review by employees or Regional Water Board inspectors.

3. *Non-Storm Water Discharge Visual Observations*

a. The discharger shall visually observe all drainage areas within their facility for the presence of unauthorized non-storm water discharges;

b. The discharger shall visually observe the facility's authorized non-storm water discharges and their sources;

c. The visual observations required above shall occur quarterly, during daylight hours, on days with no storm water discharges, and during scheduled facility operating hours[1]. Quarterly visual observations shall be conducted in each of the following periods: January-March, April-June, July-September, and October-December. The discharger shall conduct quarterly visual observations within 6-18 weeks of each other.

d. Visual observations shall document the presence of any discolorations, stains, odors, floating materials, etc., as well as the source of any discharge. Records shall be maintained of the visual observation dates, locations observed, observations, and response taken to eliminate unauthorized non-storm water discharges and to reduce or prevent pollutants from contacting non-storm water discharges. The SWPPP shall be revised, as necessary, and implemented in accordance with Stormwater Pollution Prevention Plan of Order No. R8-2005-0075.

4. *Storm Water Discharge Visual Observations*

a. With the exception of those facilities described in Section 4.d., below, the discharger shall visually observe storm water discharges from one storm event per month during the wet season (October 1-May 30). These visual observations shall occur during the first hour of discharge and at all discharge locations. Visual observations of stored or contained storm water shall occur at the time of release.

b. Visual observations are only required of storm water discharges that occur during daylight hours that are preceded by at least three (3) working days[2] without storm water discharges and that occur during scheduled facility operating hours.

c. Visual observations shall document the presence of any floating and suspended material, oil and grease, discolorations, turbidity, odor, and source of any pollutants. Records shall be maintained of observation dates, locations observed, observations, and response taken to reduce or prevent pollutants in storm water discharges. The SWPPP shall be revised, as necessary, and implemented in accordance with Stormwater Pollution Prevention Plan of Order No. R8-2005-0075.

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[1] "Scheduled facility operating hours" are the time periods when the facility is staffed to conduct any function related to industrial activity, but excluding time periods where only routine maintenance, emergency response, security, and/or janitorial services are performed.

[2] Three (3) working days may be separated by non-working days such as weekends and holidays provided that no storm water discharges occur during the three (3) working days and the non-working days.

d. The discharger with storm water containment facilities shall conduct monthly inspections of their containment areas to detect leaks and ensure maintenance of adequate freeboard. Records shall be maintained of the inspection dates, observations, and any response taken to eliminate leaks and to maintain adequate freeboard.

5. *Sampling and Analysis*

a. The discharger shall collect storm water samples during the first hour of discharge from (1) the first storm event of the wet season, and (2) at least one other storm event in the wet season. All storm water discharge locations shall be sampled. Sampling of stored or contained storm water shall occur at the time the stored or contained storm water is released. The discharger that does not collect samples from the first storm event of the wet season are still required to collect samples from two other storm events of the wet season and shall explain in the "Annual Stormwater Report" (see Section 12, below) why the first storm event was not sampled.

b. Sample collection is only required of storm water discharges that occur during scheduled facility operating hours and that are preceded by at least (3) three working days without storm water discharge.

c. The samples shall be analyzed for:

(1) Total suspended solids (TSS) pH, specific conductance, and total organic carbon (TOC). Oil and grease (O&G) may be substituted for TOC;

(2) Toxic chemicals and other pollutants that are likely to be present in storm water discharges in significant quantities. If these pollutants are not detected in significant quantities after two consecutive sampling events, the discharger may eliminate the pollutant from future sample analysis until the pollutant is likely to be present again;

(3) The discharger is not required to analyze a parameter when either of the two following conditions are met: (a) the parameter has not been detected in significant quantities from the last two consecutive sampling events, or (b) the parameter is not likely to be present in storm water discharges and authorized non-storm water discharges in significant quantities based upon the discharger's evaluation of the facilities industrial activities, potential pollutant sources, and SWPPP; and

(4) Other parameters as required by the Regional Water Board.

6. *Sample Storm Water Discharge Locations*

a. The discharger shall visually observe and collect samples of storm water discharges from all drainage areas that represent the quality and quantity of the facility's storm water discharges from the storm event.

b. If the facility's storm water discharges are commingled with run-on from surrounding areas, the discharger should identify other visual observation and sample collection locations that have not been commingled by run-on and that represent the quality and quantity of the facility's storm water discharges from the storm event.

c. If visual observation and sample collection locations are difficult to observe or sample (e.g., sheet flow, submerged outfalls), the discharger shall identify and collect samples from other locations that represent the quality and quantity of the facility's storm water discharges from the storm event.

d. The discharger that determines that the industrial activities and BMPs within two or more drainage areas are substantially identical may either (1) collect samples from a reduced number of substantially identical drainage areas, or (2) collect samples from each substantially identical drainage area and analyze a combined sample from each substantially identical drainage area. The discharger must document such a determination in the annual Stormwater report.

7. Visual Observation and Sample Collection Exceptions

The discharger is required to be prepared to collect samples and conduct visual observations at the beginning of the wet season (October 1) and throughout the wet season until the minimum requirements of Sections 4. and 5., above, are completed with the following exceptions:

a. The discharger is not required to collect a sample and conduct visual observations in accordance with Section 4 and Section 5, above, due to dangerous weather conditions, such as flooding, electrical storm, etc., when storm water discharges begin after scheduled facility operating hours or when storm water discharges are not preceded by three working days without discharge. Visual observations are only required during daylight hours. The discharger that does not collect the required samples or visual observations during a wet season due to these exceptions shall include an explanation in the "Annual Stormwater Report" why the sampling or visual observations could not be conducted.

b. The discharger may conduct visual observations and sample collection more than one hour after discharge begins if the discharger determines that the objectives of this section will be better satisfied. The discharger shall include an explanation in the "Annual Stormwater Report" why the visual observations and sample collection should be conducted after the first hour of discharge.

8. *Alternative Monitoring Procedures*

The discharger may propose an alternative monitoring program that meets Section 2, above, monitoring program objectives for approval by the Regional Water Board's Executive Officer. The discharger shall continue to comply with the monitoring requirements of this section and may not implement an alternative monitoring plan until the alternative monitoring plan is approved by the Regional Water Board's Executive Officer. Alternative monitoring plans are subject to modification by the Regional Water Board's Executive Officer.

9. *Monitoring Methods*

a. The discharger shall explain how the facility's monitoring program will satisfy the monitoring program objectives of Section 2., above. This shall include:

(1) Rationale and description of the visual observation methods, location, and frequency;

(2) Rationale and description of the sampling methods, location, and frequency; and

(3) Identification of the analytical methods and corresponding method detection limits used to detect pollutants in storm water discharges. This shall include justification that the method detection limits are adequate to satisfy the objectives of the monitoring program.

b. All sampling and sample preservation shall be in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater" (American Public Health Association). All monitoring instruments and equipment (including the discharger's own field instruments for measuring pH and Electro-conductivity) shall be calibrated and maintained in accordance with manufacturers' specifications to ensure accurate measurements. All laboratory analyses must be conducted according to test procedures under 40 CFR Part 136, unless other test procedures have been specified in Order No. R8-2005-0075 or by the Regional Water Board's Executive Officer. All metals shall be reported as total recoverable metals or unless otherwise specified in Order No. R8-2005-0075. With the exception of analysis conducted by the discharger, all laboratory analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The discharger may conduct their own sample analyses if the discharger has sufficient capability (qualified employees, laboratory equipment, etc.) to adequately perform the test procedures.

10. *Sampling and Analysis Exemptions and Reductions*

A discharger who qualifies for sampling and analysis exemptions, as described below in Section 10.a.(1) or who qualifies for reduced sampling and analysis, as described below in Section 10.b., must submit the appropriate certifications and required documentation to the Regional Water Board prior to the wet season (October 1) and certify as part of the annual Stormwater report submittal. A discharger that qualifies for either the Regional Water Board or local agency certification programs, as described below in Section 10.a.(2) and (3), shall submit certification and documentation in accordance with the requirements of those programs. The discharger who provides certification(s) in accordance with this section are still required to comply with all other monitoring program and reporting requirements. The discharger shall prepare and submit their certification(s) using forms and instructions provided by the State Water Board, Regional Water Board, or local agency or shall submit their information on a form that contains equivalent information. The discharger whose facility no longer meets the certification conditions must notify the Regional Water Board's Executive Officer (and local agency) within 30 days and immediately comply with Section 5., Sampling and Analysis requirements. Should a Regional Water Board (or local agency) determine that a certification does not meet the conditions set forth below, the discharger must immediately comply with the Section 5., Sampling and Analysis requirements.

a. Sampling and Analysis Exemptions

A discharger is not required to collect and analyze samples in accordance with Section 5., above, if the discharger meets all of the conditions of one of the following certification programs:

(1) No Exposure Certification (NEC)

This exemption is designed primarily for those facilities where all industrial activities are conducted inside buildings and where all materials stored and handled are not exposed to storm water. To qualify for this exemption, the discharger must certify that their facilities meet all of the following conditions:

(a) All prohibited non-storm water discharges have been eliminated or otherwise permitted.

(b) All authorized non-storm water discharges have been identified and addressed in the SWPPP.

(c) All areas of past exposure have been inspected and cleaned, as appropriate.

(d) All significant materials related to industrial activity (including waste materials) are not exposed to storm water or authorized non-storm water discharges.

(e) All industrial activities and industrial equipment are not exposed to storm water or authorized non-storm water discharges.

(f) There is no exposure of storm water to significant materials associated with industrial activity through other direct or indirect pathways such as from industrial activities that generate dust and particulates.

(g) There is periodic re-evaluation of the facility to ensure conditions (a), (b), (d), (e), and (f) above are continuously met. At a minimum, re-evaluation shall be conducted once a year.

(2) Regional Water Board Certification Programs

The Regional Water Board may grant an exemption to the Section 5. Sampling and Analysis requirements if it determines a discharger has met the conditions set forth in a Regional Water Board certification program. Regional Water Board certification programs may include conditions to (a) exempt the discharger whose facilities infrequently discharge storm water to waters of the United States, and (b) exempt the discharger that demonstrate compliance with the terms and conditions of Order No. R8-2005-0075.

(3) Local Agency Certifications

A local agency may develop a local agency certification program. Such programs must be approved by the Regional Water Board. An approved local agency program may either grant an exemption from Section 5. Sampling and Analysis requirements or reduce the frequency of sampling if it determines that a discharger has demonstrated compliance with the terms and conditions of the Industrial Activities Storm Water General Permit Order No. 97-03-DWQ which was adopted by the State Water Resources Control Board on April 17, 1997.

b. Sampling and Analysis Reduction

(1) A discharger may reduce the number of sampling events required to be sampled for the remaining term of Order No. R8-2005-0075 if the discharger provides certification that the following conditions have been met:

(a) The discharger has collected and analyzed samples from a minimum of six storm events from all required drainage areas;

(b) All prohibited non-storm water discharges have been eliminated or otherwise permitted;

(c) The discharger demonstrates compliance with the terms and conditions of the Order No. R8-2005-0075 for the previous two years (i.e., completed Annual Stormwater Reports, performed visual observations, implemented appropriate BMPs, etc.);

(d) The discharger demonstrates that the facility's storm water discharges and authorized non-storm water discharges do not contain significant quantities of pollutants; and

(e) Conditions (b), (c), and (d) above are expected to remain in effect for a minimum of one year after filing the certification.

(2) Unless otherwise instructed by the Regional Water Board, the discharger shall collect and analyze samples from two additional storm events during the remaining term of Order No. R8-2005-0075 in accordance with Table A, below. The discharger shall collect samples of the first storm event of the wet season. The discharger that does not collect samples from the first storm event of the wet season shall collect samples from another storm event during the same wet season. The discharger that does not collect a sample in a required wet season shall collect the sample from another storm event in the next wet season. The discharger shall explain in the "Annual Stormwater Report" why the first storm event of a wet season was not sampled or a sample was not taken from any storm event in accordance with the Table A schedule, below.

Table A
REDUCED MONITORING SAMPLING SCHEDULE

Discharger Filing Sampling Reduction Certification By	Samples Shall be Collected and Analyzed in these wet seasons	
	Sample 1	Sample 2
Sept. 1, 2005	Oct. 1, 2005-May 31, 2006	Oct. 1, 2005-May 31, 2006
Sept. 1, 2006	Oct. 1, 2006-May 31, 2007	Oct. 1, 2006-May 31, 2007
Sept. 1, 2007	Oct. 1, 2007-May 31, 2008	Oct. 1, 2007-May 31, 2008
Sept. 1, 2008	Oct. 1, 2008-May 31, 2009	Oct. 1, 2008-May 31, 2009
Sept. 1, 2009	Oct. 1, 2009-May 31, 2010	Oct. 1, 2009-May 31, 2010

11. Records

Records of all storm water monitoring information and copies of all reports (including the Annual Stormwater Reports) required by Order No. R8-2005-0075 shall be retained for a period of at least five years. These records shall include:

a. The date, place, and time of site inspections, sampling, visual observations, and/or measurements;

b. The individual(s) who performed the site inspections, sampling, visual observations, and or measurements;

c. Flow measurements or estimates;

d. The date and approximate time of analyses;

e. The individual(s) who performed the analyses;

f. Analytical results, method detection limits, and the analytical techniques or methods used;

g. Quality assurance/quality control records and results;

h. Non-storm water discharge inspections and visual observations and storm water discharge visual observation records (see Sections 3. and 4., above);

i. Visual observation and sample collection exception records (see Section 5.a, 6.d, 7, and 10.b.(2), above;

j. All calibration and maintenance records of on-site instruments used;

k. All Sampling and Analysis Exemption and Reduction certifications and supporting documentation (see Section 10);

l. The records of any corrective actions and follow-up activities that resulted from the visual observations.

12. *Annual Report*

The discharger shall submit an Annual Stormwater Report by July 1 of each year to the Executive Officer of the Regional Water Board and to the local agency (if requested). The report shall include a summary of visual observations and sampling results, an evaluation of the visual observation and sampling and analysis results, laboratory reports, the Annual Comprehensive Site Compliance Evaluation Report required in Section 9. of Attachment "J" of Order No. R8-2005-0075, an explanation of why a facility did not implement any activities required by Order No. R8-2005-0075 (if not already included in the Evaluation Report), and records specified in Section 11., above. The method detection limit of each analytical parameter shall be included. Analytical results that are less than the method detection limit shall be reported as "less than the method detection limit". The Annual Stormwater Report shall be signed and certified in accordance with Attachment D. Federal Standard Provisions, Section V-Reporting, Subsection B. Signatory and Certification requirements of Order No. R8-2005-0075. The discharger shall prepare and submit their Annual Stormwater Reports using the annual report forms provided by the State Water Board or Regional Water Board or shall submit their information on a form that contains equivalent information.

13. *Watershed Monitoring Option*

Regional Water Boards may approve proposals to substitute watershed monitoring for some or all of the requirements of this section if the Regional Water Board finds that the watershed monitoring will provide substantially similar monitoring information in evaluating discharger compliance with the requirements of Order No. R8-2005-0075.