California Regional Water Quality Control Board
Santa Ana Region

April 15, 2005

STAFF REPORT

ITEM: 9

SUBJECT: Waste Discharge Requirements for Sunkist Growers, Inc., Ontario, San Bernardino County, Order No. R8-2005-0034, NPDES No. CA8000364

DISCUSSION:

Sunkist Growers Inc. (hereinafter discharger) operates a citrus processing plant located in the Ontario area of San Bernardino County. Citrus fruits are processed to produce natural strength juices, juice concentrates, citrus oil and citrus peel products. Process wastewater results from washing of the citrus and cleaning of the fruit processing equipment. Order No. R8-2002-0068, which the Board adopted on October 25, 2002, currently regulates the discharge of 1.8 million gallons per day (mgd) of process wastewater onto approximately 238 acres of farmland, and the discharge of stormwater into storm drains that lead to Cucamonga Creek. All process wastewater collects in two sumps and then flows by gravity to the farmland for irrigation via an outfall designated in Order No. R8-2002-0068 as Outfall No. 001. The farmland is located along Archibald and Edison Avenues within the portions of Section 15, T2S, R7W, SBB&M, in Chino. All stormwater runoff at the plant for the first one-hour of storm events is also discharged to Outfall No. 001.

On October 1, 2004, the discharger requested permit modification. The discharger proposes to install a treatment process to treat the process wastewater and to discharge the treated process wastewater to Cucamonga Creek. The discharger plans to cease discharging process wastewater to the 238 acres of farmland. Because of changes in the citrus industry, there has been a significant reduction of work at the processing facility. The facility was previously operating with four lines of juice extraction, with four evaporators for concentrating juice and juice by-products. The facility reduced the extraction process line in the middle of 2004 to a single extraction line, thereby reducing significantly the amount of process wastewater generated. Additionally, the discharger added some water conservation measures, such as low flow nozzles on the conveyor belt system, sensors to control the timing of the belt and water nozzles, and shutoff release handles on water hoses. The discharger removed two evaporators from service and implemented training of employees regarding water conservation. These plant changes resulted in the reduction of the volume of process wastewater from 1.8 mgd to 0.6 mgd. Order No. R8-2002-0068 is being updated and reissued to reflect the changes in the amount and location of process wastewater discharges, as well as to implement relevant requirements of the recently approved Nitrogen/TDS Basin Plan amendments.

The discharger proposes to discharge approximately 0.6 million gallons per day (mgd) of treated wastewater to Cucamonga Creek, Reach 1. All process wastewater will be collected in two sumps, filtered using air flotation, and then aerobically biodigested using a membrane biological reactor (MBR) before it gravity flows to Cucamonga Creek (designated Outfall No. 001). The discharger also produces up to 0.2 MGD of evaporator condensate water (ECW) during juice concentration

operations. This ECW will be treated with ultraviolet light or ozone and then it will be either reused at the plant or discharged with the treated process wastewater at Outfall 001. The discharge Outfall No. 001 is located near the intersection of Chino Avenue and Cucamonga Creek within Section 10, T2S, R7W, SBB&M, in Chino. Outfall No. 001 is located at latitude 34°0'42"(N), longitude 117°35'57"(W). The locations of the facility and discharge Outfall No. 001 are shown in Attachment "A". A schematic of wastewater and stormwater flows is shown in Attachment "B".

Stormwater runoff from building roofs and perimeter areas gravity flows to two main storm drain discharge outfalls (designated as Outfall No. 002 and 003) to Cucamonga Creek. Other stormwater discharges that cannot gravity flow to Outfall No. 002 are captured and pumped to Outfall 001. Stormwater runoff that contacts pollutants within the processing areas will be treated through MBR and then discharged to Outfall No. 001. Discharge Outfall No. 002 is located at latitude 34°00'42", longitude 117°35'17". Discharge Outfall No. 003 is located at latitude 34°03'27", longitude 117°38'25".

Treated wastewater and stormwater are discharged into Cucamonga Creek, Reach 1, which is concrete-lined at and downstream of the points of discharge. The concrete lining terminates near Hellman Road, at which point the creek is known as Mill Creek (Prado Area). Mill Creek (Prado Area) lies within the Prado Basin Management Zone, identified as part of the recently approved Nitrogen/TDS Basin Plan amendments. Mill Creek is tributary to Chino Creek, Reach 1B, which in turn is tributary to Chino Creek, Reach 1A and Reach 3 of the Santa Ana River. Because of the concrete lining, discharges to Cucamonga Creek, Reach 1 do not affect underlying groundwater management zones. TDS and nitrogen discharges within the Prado Basin Management Zone, including those from the Sunkist facility, are governed by the established nitrogen and TDS water quality objectives for affected surface waters within the Zone. No nitrogen or TDS water quality objectives have been established for Mill Creek. Nitrogen and TDS objectives have been established for both Chino Creek and the Santa Ana River. The nitrogen and TDS limits in this Order are based on the most stringent of these objectives, namely those for Chino Creek, Reach 1B (550 mg/L TDS and 8 mg/L total inorganic nitrogen (TIN)).

The beneficial uses of Cucamonga Creek (Reach 1) include groundwater recharge, water contact Recreation, non-contact water recreation, limited warm freshwater habitat, and wildlife habitat. The beneficial uses of Mill Creek (Prado Area) include water contact recreation, non-contact water recreation, warm freshwater habitat, wildlife habitat, and rare, threatened and endangered species. The beneficial uses of Chino Creek (Reach 1B) include water contact recreation, non-contact water recreation, warm freshwater habitat, wildlife habitat, and rare, threatened and endangered species. The beneficial uses of the Santa Ana River, Reach 3, include agricultural supply, groundwater recharge, water contact recreation, non-contact water recreation, warm freshwater habitat, wildlife habitat, and rare, threatened or endangered species. In accordance with 40 CFR 407 sub part C-Citrus Products Subcategory, the facility is subject to effluent limitations guidelines. However, to prevent the lowering of water quality in the affected surface waters and to prevent adverse effects on beneficial uses, more stringent limitations than those required by the guidelines are specified in this Order for BOD_5 and total suspended limits (30-mg/l average weekly and 20-mg/l average monthly limit, respectively). Proper operation of the discharger' proposed treatment system should assure compliance with these limitations.

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 the United States Environmental Protection Agency (USEPA) in compliance with Section 402(p) of the Clean Water Act. This Order includes pertinent provisions of the General Industrial Storm Water permit appropriate for this discharge.

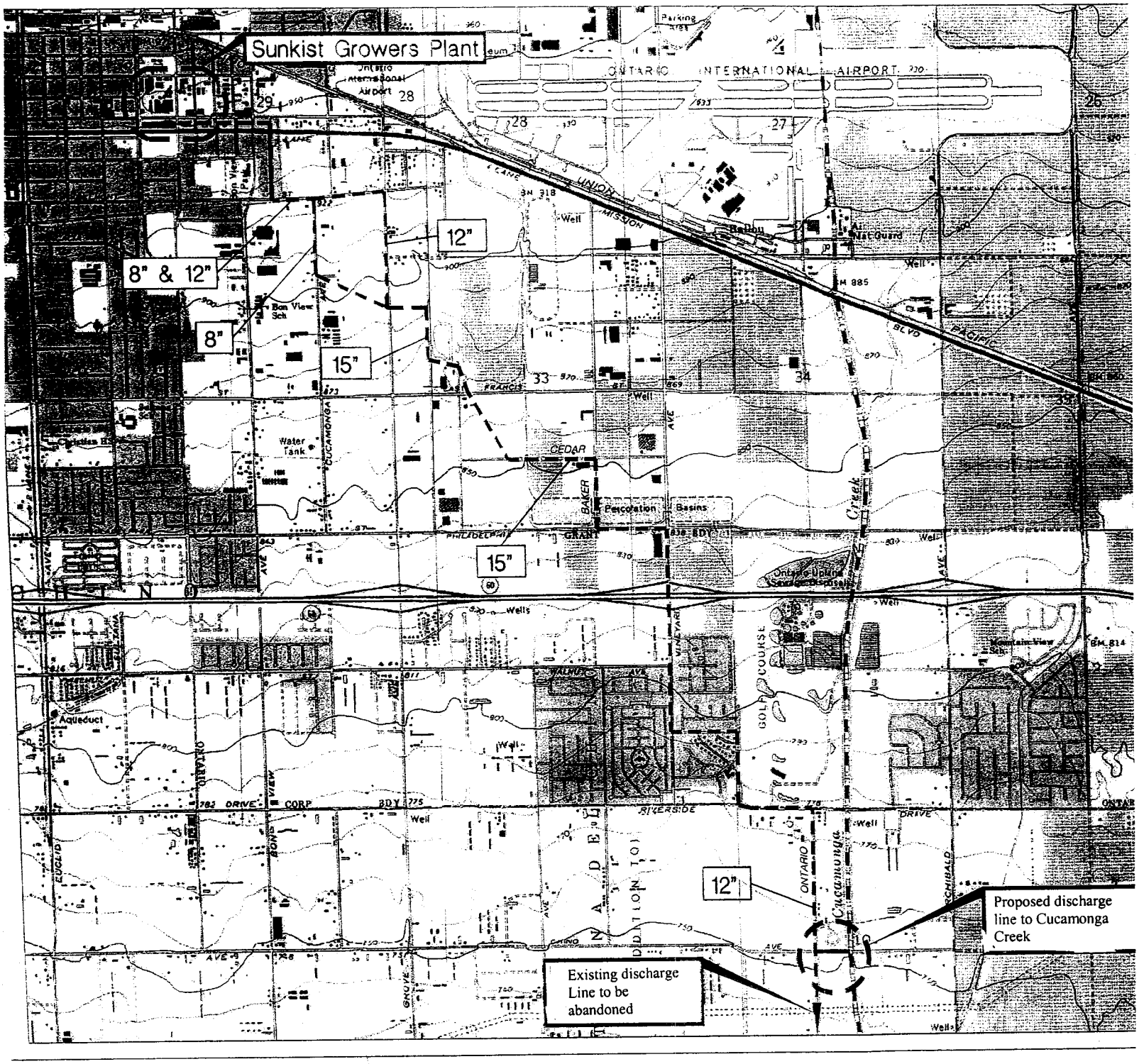
The discharge limitations in the proposed Order are based on the Water Quality Control Plan (Basin Plan) for the Santa Ana Region and best professional judgement. These limitations are expected to assure the protection of the water quality and beneficial uses of affected receiving waters.

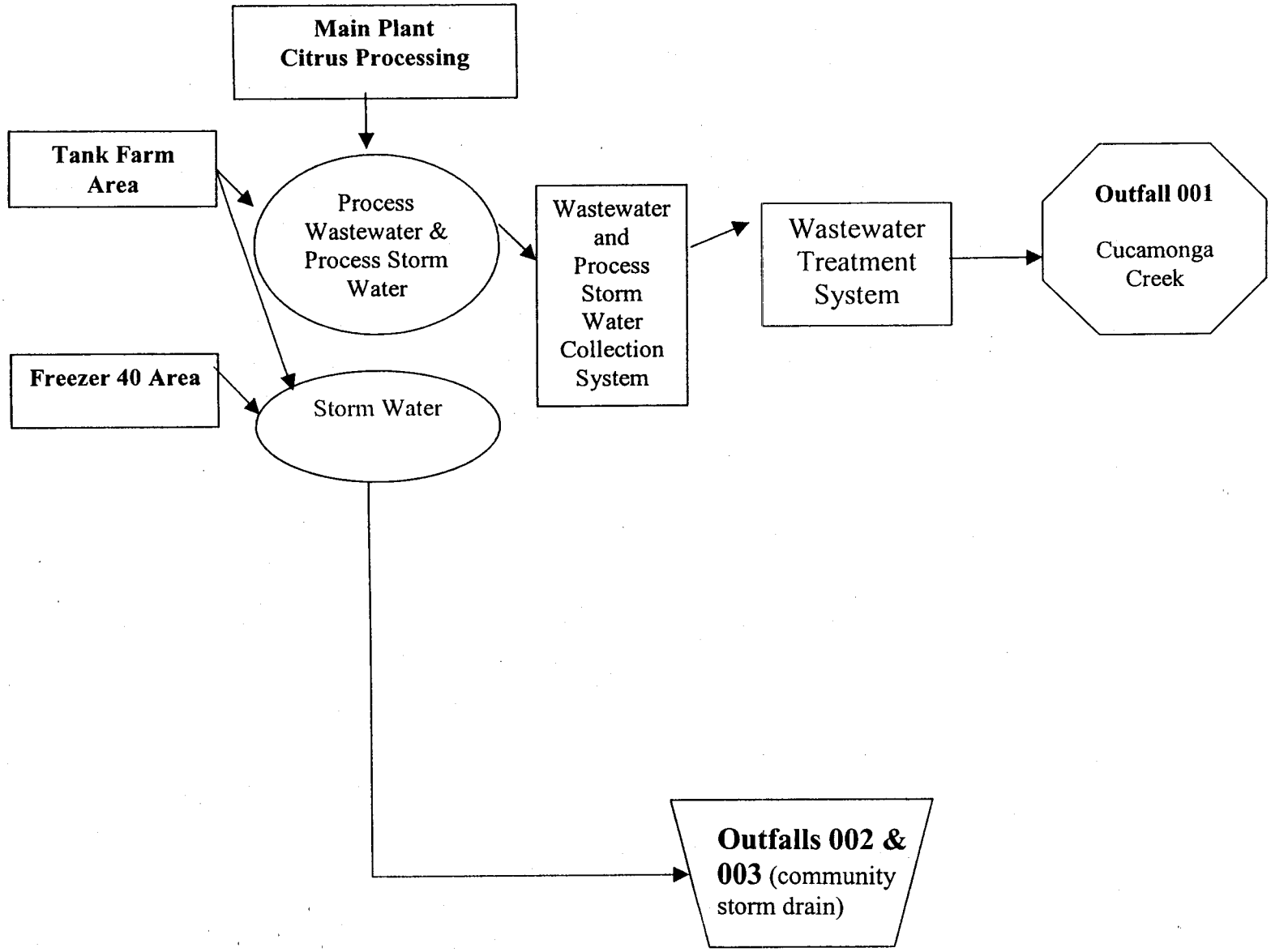
RECOMMENDATION:

Adopt Order No. R8-2005-0034, as presented.

Comments were solicited from the discharger and from the following agencies:

U.S. Environmental Protection Agency, Permits Issuance Section (WTR-5) – Dough Eberhardt
U.S. Army District, Los Angeles, Corps of Engineers, Regulatory Branch
U.S. Fish and Wildlife Service – Carlsbad
State Water Resources Control Board, Office of the Chief Counsel – Jorge Leon
State Water Resources Control Board, Division of Water Quality – Jim Maughan
California Department of Health Services, San Bernardino – Heather Collins
State Department of Water Resources - Glendale
State Department of Fish and Game – Long Beach
Orange County Water District – Nira Yamachika
San Bernardino County Department of Environmental Health Services – Ray Britain
San Bernardino County Transportation/Flood Control District – Naresh Varma
Santa Ana River Dischargers Association
City of Ontario - Mohamed El-Amamy
Orange County Coastkeeper – Garry Brown
Lawyers for Clean Water C/c San Francisco Baykeeper


Sunkist Growers Plant
ONTARIO INTERNATIONAL AIRPORT
12"
8" & 12"
8"
15"
15"
12"
Proposed discharge line to Cucamonga Creek
Existing discharge Line to be abandoned
Water Tank
Percolation Basins
Ontario Upland Sewage Disposal
Aqueduct
Bon View Sch
Mountain View Sch
Cucamonga Creek
GOLF COURSE
CEDAR
BAKER
CUCAMONGA
ONTARIO
RIVERSIDE
DRIVE
UNION
PACIFIC
MISSION
Well
Wells


Main Plant
Citrus Processing
Tank Farm
Area
Process
Wastewater &
Process Storm
Water
Wastewater
and
Process
Storm
Water
Collection
System
Wastewater
Treatment
System
Outfall 001
Cucamonga
Creek
Freezer 40 Area
Storm Water
Outfalls 002 &
003 (community
storm drain)

California Regional Water Quality Control Board
Santa Ana Region

ORDER NO. R8-2005-0034
NPDES No. CA8000364

Waste Discharge Requirements
for
Sunkist Growers, Inc.
San Bernardino County

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

1. Sunkist Growers Inc. (hereinafter discharger) operates a citrus processing plant located in the Ontario area of San Bernardino County. The discharger currently discharges process wastewater from the facility onto 238 acres of farmland. Stormwater from the facility is discharged into storm drains that are tributary to Cucamonga Creek, Reach 1. These discharges are currently regulated under waste discharge requirements, Order No. R8-2002-0068, NPDES No. CA8000364, which was adopted by the Board on October 25, 2002.

2. On October 1, 2004, the discharger requested modification of Order No. R8-2002-0068. The discharger plans to cease discharging process wastewater to the 238 acres farmland, which is currently for sale. The discharger proposes to install a treatment process and to discharge treated process wastewater to Cucamonga Creek, Reach 1. Order No. R8-2002-0068 is being updated to reflect these changes.

3. The facility is located at 616 East Sunkist Street in the City of Ontario, County of San Bernardino.

4. The discharger processes citrus fruits to produce natural strength juices, juice concentrates, citrus oil, and citrus peel products. The wastewater comes from washing of citrus fruits and cleaning of fruit processing equipment. The discharger produces approximately 0.6 million gallons per day (mgd) of wastewater. All process wastewater will be collected in two sumps, filtered using air flotation, and then aerobically biodigested using a membrane biological reactor (MBR). The treated wastewater will gravity flow to Cucamonga Creek, Reach 1 (Outfall No. 001). The discharger also produces up to 0.2 MGD of evaporator condensate water (ECW) during juice concentration operations. This ECW will be treated with ultraviolet or ozone and then either reused at the plant or discharged with the treated process wastewater at Outfall 001. Discharge Outfall No. 001 is located at latitude 34°0'42"(N), longitude 117°35'57"(W), near the intersection of Chino Avenue and Cucamonga Creek within Section 10, T2S, R7W, SBB&M, in Chino.

Tentative

5. Stormwater runoff from building roofs and perimeter areas gravity flows to two main storm drain outfalls, Outfall 002 and 003, to Cucamonga Creek, Reach 1. Other stormwater discharges that cannot gravity flow to storm drains are captured and pumped to Outfall 001. Stormwater runoff that comes into contact with pollutants within the processing areas will be treated through the MBR and then discharged to Outfall 001. Locations of Outfall 002 and 003 are shown in the following table.

Outfall Number	Longitude	Latitude
002	117^0 35' 17" W	34^0 0' 42" N
003	117^0 38' 25" W	34^0 03' 27" N

6. A revised Water Quality Control Plan (Basin Plan) became effective on January 24, 1995. The Basin Plan contains beneficial uses and water quality objectives for waters in the Santa Ana Region. More recently, the Basin Plan was amended significantly 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. This Basin Plan Amendment, shown in the Attachment to Resolution No. R8-2004-0001, also incorporate the new Prado Basin Management Zone. This Amendment was adopted by the Regional Board on January 22, 2004. The State Water Resources Control Board and Office of Administrative Law (OAL) approved the Amendment on September 30, 2004 and December 23, 2004, respectively.

   The surface water components of the Amendment are awaiting EPA approval, but do not significantly affect these proposed waste discharge requirements. The surface water components of the Amendment relevant to this Order are: a) the division of Chino Creek Reach 1 into Reach 1A and Reach 1B; and b) the establishment of new total dissolved solids (TDS) and total inorganic nitrogen (TIN) water quality objectives for Reach 1A for Chino Creek. However, the TDS and TIN water quality objectives that are the basis for the TDS and TIN limits in this Order are the same as those specified previously in the Basin Plan for Chino Creek Reach 1. These objectives are more stringent than the new water quality objectives for Chino Creek, Reach 1A. Thus, the nitrogen and TDS limits in this Order are not materially affected by the Amendment. There is no need to await EPA approval of the surface water components of the Amendment in order to proceed with consideration of this Order.

7. Cucamonga Creek, Reach 1 is concrete-lined at and downstream of Discharge Outfalls No. 001,002 and 003. The concrete lining terminates near Hellman Road, at which point the creek is known as Mill Creek (Prado Area). Mill Creek (Prado Area) lies within the Prado Basin Management Zone. Mill Creek is tributary to Chino Creek, Reach 1B, which in turn is tributary to Chino Creek, Reach 1A and Reach 3 of the Santa Ana River. Because of the concrete lining, discharges to Cucamonga Creek, Reach 1 do not affect underlying groundwater management zones. As specified in the Basin Plan, TDS and nitrogen

discharges within the Prado Basin Management Zone, including those from the Sunkist facility to Mill Creek (Prado Area), are governed by the established nitrogen and TDS water quality objectives for affected surface waters within the Zone. No nitrogen or TDS water quality objectives have been established for Mill Creek (Prado Area). Nitrogen and TDS objectives have been established for both Chino Creek and the Santa Ana River. The nitrogen and TDS limits in this Order are based on the most stringent of these objectives, namely those for Chino Creek, Reach 1B (550 mg/L TDS and 8 mg/L total inorganic nitrogen (TIN)).

8. The beneficial uses of Cucamonga Creek, Reach 1 include:

   a. Groundwater recharge
   b. Water contact Recreation
   c. Non-contact water recreation,
   d. Limited warm freshwater habitat, and
   e. Wildlife habitat.

9. The beneficial uses of Mill Creek (Prado Area) include:

   a. Water contact recreation
   b. Non-contact water recreation
   c. Warm freshwater habitat,
   d. Wildlife habitat, and
   e. Rare, threatened and endangered species.

10. The beneficial uses of Chino Creek, Reach 1 B and 1A include:

    a. Water contact recreation,
    b. Non-contact water recreation,
    c. Warm freshwater habitat,
    d. Wildlife habitat, and
    e. Rare, threatened and endangered species.

11. The beneficial uses of the Santa Ana River, Reach 3, include:

    a. Agricultural supply,
    b. Groundwater recharge,
    c. Water contact recreation,
    d. Non-contact water recreation,
    e. Warm freshwater habitat,
    f. Wildlife habitat, and
    g. Rare, threatened or endangered species.

12. The requirements contained in this Order are necessary to implement the Basin Plan.

13. It is appropriate and necessary to limit the concentrations of individual mineral/inorganic constituents that may be discharged from the facility.

14. 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 the United States Environmental Protection Agency (USEPA) in compliance with Section 402(p) of the Clean Water Act. This Order includes pertinent provisions of the General Industrial Storm Water permit appropriate for this discharge.

15. In accordance with Water Code Section 13389, the issuance of waste discharge requirements for this discharge is exempt from those provisions of the California Environmental Quality Act contained in Chapter 3 (commencing with Section 21100), Division 13 of the Public Resources Code.

16. Effluent limitations, national standards of performance, and toxic pretreatment effluent standards established pursuant to Section 208(b), 301, 303(d), 304, and 307 of the Clean Water Act and amendments thereto are applicable to the discharge.

17. The Regional Board has considered antidegradation pursuant to 40CFR 131.12 and State Board Resolution No. 68-16 and finds that the discharge is consistent with those provisions.

18. The Regional Board has notified the discharger and other 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 views and recommendations.

19. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED THAT the discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

A. DISCHARGE SPECIFICATIONS:

1. The discharge of waste to Discharge Outfall No. 001 containing constituent concentrations in excess of the following limits is prohibited:

Constituent	Average Weekly	Average Monthly	Average Weekly Emission Rate[1]	Average Monthly Emission Rate
	mg/l	mg/l	lbs/day	lbs/day
Biochemical Oxygen Demand$_5$	30	20	150	100
Total Suspended Solids (TSS)	30	20	150	100

Constituent	Maximum Daily Concentration Limit (mg/l)
Surfactants MBAS	0.5
Oil and Grease	15

2. The discharge of wastes to Cucamonga Creek containing a 12-month average total dissolved solids (TDS) concentration in excess of 550 mg/l is prohibited.

3. The discharge of wastes to Cucamonga Creek containing a 12-month average total inorganic nitrogen (TIN) concentration in excess of 8 mg/l is prohibited.

4. The pH of the discharge shall at all times be within the range of 6.5 and 8.5 pH units.

5. The discharge of process wastewater or any other wastewater, except stormwater, to any storm drain or any other surface water body is prohibited.

6. The discharge of any substances in concentrations toxic to human, animal, and plant life is prohibited.

7. The discharge of any truck engine washwater or gasoline/diesel to any area that may affect water quality is prohibited. Truck washing shall be restricted to the outside of the trucks only.

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1 Except where noted, mass emission rates for this and all other tables in this permit are based on 0.6 mgd.

B. RECEIVING WATER LIMITATIONS:[2]

1. 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.

2. The discharge shall not cause any of the following:

   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 that 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 in the receiving waters. In addition, the waste discharge shall not cause the median dissolved oxygen concentration to fall below 85% of saturation or the 95th percentile concentration to fall below 75% of saturation within a 30-day period.

   g. The temperature of the receiving waters to be raised above $90^{O}F$ ($32^{O}C$) which normally occurs during the period of June through October, or above $78^{O}F$ ($26^{O}C$) 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.

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2 Receiving water limitations are specific interpretations of water quality objectives from applicable water quality control plans. As such they are a required part of this Order. A receiving water condition not in conformance with any of these receiving water limitations, is not necessarily a violation of this Order. The Regional Board may require an investigation to determine the cause and culpability prior to asserting a violation has occurred, or requiring that corrective action be taken.

i. 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.

C. STORM WATER REQUIREMENTS:

1. 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.

2. The discharger must develop and implement a Storm Water Pollution Prevention Plan for the facility in accordance with Attachment "A" of this Order.

D. REQUIRED NOTICES AND REPORTS:

1. Reporting Provisions:

   a. All applications, reports, or information submitted to the Regional Board shall be signed and certified in accordance with 40 CFR 122.22 except as otherwise specified by the Regional Board's Executive Officer.

   b. The discharger shall furnish, within a reasonable time, any information the Regional Board or EPA may request to determine compliance with this Order or whether cause exists for modifying, revoking and reissuing, or terminating this Order. The discharger shall also furnish to the Regional Board, upon request, copies of records required to be kept by this Order.

   c. Except for data determined to be confidential under Section 308 of the CWA, all reports prepared in accordance with the terms of this Order shall be available for public inspection at the offices of the Regional Board and the Regional Administrator of EPA. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statements on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the CWA and Section 13387 of the California Water Code.

2. The discharger shall notify the Regional Board in advance of any planned physical alterations or additions to the permitted facility or changes in operation or activity that may result in noncompliance with these waste discharge requirements.

3. The discharger notify the Regional Board of:

   a. Any change in the volume or character of pollutants being introduced by an existing or new source into the facility that will cause or threaten to cause a violation of this Order.

b. Any proposed change in the character, location, or method of disposal of the discharge, or any proposed change in ownership of the facility.

c. All instances of noncompliance. Reports of noncompliance shall be submitted with the discharger's next scheduled self-monitoring report or earlier, as specified in this Order or, if requested by the Executive Officer or if required by an applicable standard for sludge use and disposal.

4. The discharger shall file with the Regional Board a Report of Waste Discharge at least 180 days before making any material change in the character, location, or volume of the discharge. A material change includes, but is not limited to, the following:

a. Adding a major industrial waste discharge to a discharge of essentially domestic sewage, or adding a new process or product by an industrial facility resulting in a change in the character of the waste.

b. Significantly changing the disposal method or location, such as changing the disposal to another drainage area or water body.

c. Significantly changing the method of treatment.

d. Increasing the discharge flow beyond that specified in this Order.

5. Noncompliance Reporting: The discharger shall report any condition related to the discharger's collection, treatment or disposal facilities that may endanger human health or the environment. All available information concerning the condition shall be provided to the Executive Officer or the Executive Officer's designee (909-782-4130) and the Office of Emergency Services (1-800-852-7550), as soon as the discharger becomes aware of the circumstances. A written report shall be submitted within 5 days and shall contain a description of the condition and its cause; the duration of the condition, including exact dates and times, and, if the condition has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the condition, with a schedule for their implementation.

E. PENALTIES:

1. Violation of any of the provisions of the NPDES program or of any of the provisions of this Order may subject the violator to any of the penalties described under Section 309(c) of the CWA, or any subsequent amendments to Section 309(c). The violator may be subjected to any combination of the penalties described herein at the discretion of the prosecuting authority; however, only one kind of penalty may be applied for each kind of violation.

2. The CWA provides that any person, who violates any portion of this Order implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA, or any Order requirement or limitation implementing any such sections in this Order, is subject to a civil penalty not to exceed $25,000 per day for each violation. The CWA provides that any person who willfully or negligently violates this Order with regard to these sections of the CWA is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both. Any person who knowingly violates a provision implementing these sections is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment of not more than 3 years, or both.

3. The CWA provides that any person who knowingly falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this Order shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 2 years per violation, or by both.

4. 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 2 years per violation, or by both.

5. The California Water Code provides that any person who violates an Order of the Regional Board is subject to civil penalties of up to $25,000 per day of violation, and when the violation involves the discharge of pollutants, additional civil penalties of up to $25 per gallon.

F. PROVISIONS:

1. This Order shall become effective upon its adoption. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the CWA, or amendments thereto. The NPDES permit shall become effective 10 days after the date of adoption provided the Regional Administrator of the EPA has no objection. If the Regional Administrator objects to its issuance, this Order shall not serve as an NPDES permit until such objection is withdrawn.

2. 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.

3. This Order expires April 1, 2010 and the discharger must file a Report of Waste Discharge in accordance with Title 23, Division 3, Chapter 9 of the California Code of Regulations not later than 180 days in advance of this expiration date. The Report of Waste Discharge shall serve as the application for issuance of new waste discharge requirements.

4. Order No. R8-2002-0068 is hereby rescinded.

5. The discharger shall comply with M&RP No. R8-2005-0034 as issued by the Executive Officer. 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.

6. The discharger shall not discharge wastes containing a hazardous substance equal to or in excess of a reportable quantity listed in 40 CFR Part 117 and/or 40 CFR Part 302.

7. The discharger shall design, construct and maintain a wastewater management system to prevent any process wastewater from leaving property owned or controlled by the discharger. All storm water runoff that may come in contact with process waste or process chemicals stored or used onsite shall be contained on property owned or controlled by the discharger.

8. 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.

9. The discharger must comply with all of the requirements of this Order. Any violation of this Order constitutes a violation of the California Water Code and may constitute a violation of the CWA and its regulations, and is grounds for enforcement action, termination of this Order, revocation and reissuance of this Order, denial of an application for reissuance of this Order; or a combination thereof.

10. The discharger shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.

11. 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.

12. The discharger shall immediately provide and maintain safeguards to assure that, should there be reduction, loss, or failure of electric power, the discharger will comply with the requirements of this Order. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. The adequacy of the safeguards is subject to the approval of the Regional Board's Executive Officer.

13. The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control including sludge use, disposal facilities, and related appurtenances which are installed or used by the discharger to achieve compliance with this Order. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, effective performance, adequate funding, adequate staffing and training, and adequate process controls. This provision requires the operation of back up or auxiliary facilities or similar systems which are installed by a discharger only when the operation is necessary to achieve compliance with the requirements of this Order.

14. The discharge of any radiological, chemical, or biological warfare agent or high level radiological waste is prohibited.

15. 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.

16. The filing of a request by the discharger for modification, revocation and reissuance, or termination of this Order or a notification of planned changes or anticipated noncompliance does not stay any requirements of this Order.

17. The requirements prescribed herein do not authorize the commission of any act causing injury to the property of another, nor protect the discharger from liabilities under federal, state, or local laws, nor guarantee the discharger a capacity right in the receiving waters.

18. This Order does not convey any property rights of any sort, or any exclusive privilege.

19. This Order is not transferable to any person except after notice to, and approval by the Executive Officer. The Regional Board may require modification or revocation and reissuance of this Order to change the name of the discharger and incorporate such other requirements as may be necessary under the CWA.

20. 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 Board.

21. 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 requirements of this Order.

22. The Regional Board, EPA, and other authorized representatives shall be allowed:

    a. Entry upon premises where a regulated facility or activity is located or conducted, or where records are kept under the requirements of this Order;

b. Access to copy any records that are kept under the requirements of this Order;

c. To inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and

d. To photograph, sample and monitor for the purpose of assuring compliance with this Order, or as otherwise authorized by the CWA.

e. Access to interview any plant operating personnel.

G. PERMIT RE-OPENING, REVISION, REVOCATION, AND RE-ISSUANCE:

1. This Order may be modified, revoked and reissued, or terminated for cause.

2. 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.

3. This Order may be reopened to include effluent limitations for pollutants determined to be present in concentrations in the discharge that pose a reasonable potential to adversely affect water quality.

4. This Order may be reopened and modified to include appropriate conditions or limits to address demonstrated effluent toxicity based on newly available information, or to implement any new federal or State standards applicable to effluent toxicity.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on April 15, 2005.

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Gerard J. Thibeault
Executive Officer

STORM WATER 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 May 31, 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 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. R8-2005-0034. 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. R8-2005-0034. The discharger shall identify any existing facility plans that contain storm water pollutant control measures or relate to the requirements of Order No. R8-2005-0034. 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. R8-2005-0034.

(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. R8-2005-0034 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. R8-2005-0034. 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 Section H.1. "Required Notices and Reports" of Order No. R8-2005-0034.

10. *SWPPP General Requirements*

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

b. The Regional 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 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 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 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. R8-2005-0034.

e. When any part of the SWPPP is infeasible to implement by the deadlines specified in Order No. R8-2005-0034, due to proposed significant structural changes, the discharger shall submit a report to the Regional 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 Board approval and/or modifications. The discharger shall provide written notification to the Regional Board within 14 days after the SWPPP revisions are implemented.

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

TABLE A

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

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	

California Regional Water Quality Control Board
Santa Ana Region

Monitoring and Reporting Program No. R8-2005-0034
NPDES No. CA8000364
for
Sunkist Growers, Inc.
Ontario, San Bernardino County

A. MONITORING AND REPORTING REQUIREMENTS:

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 "Guidelines Establishing Test Procedures for the Analysis of Pollutants," promulgated by the United States Environmental Protection Agency (EPA) unless otherwise specified in this monitoring and reporting program (M&RP). In addition, the Regional Board and/or EPA, at their discretion, may specify test methods which 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 Board's Executive Officer.

4. All analytical data shall be reported with method detection limit (MDLs) and with identification of either practical quantitation levels (PQLs) or limits of quantitation (LOQs).

5. Laboratory data for effluent samples must quantify each constituent down to the PQLs specified in Attachment "A" or to lower PQLs achieved by the laboratory. Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Regional Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.

6. For any priority pollutant constituent monitoring, the discharger shall require its testing laboratory to calibrate the analytical system down to the minimum level (ML)[1] specified in Attachment "B" for priority pollutants with effluent limitations in this Order, unless an alternative minimum level is approved by the Regional Board's Executive Officer. When there is more than one ML value for a given substance, the discharger shall use the ML value and their associated analytical methods, listed in Attachment "B" that are below the calculated effluent limitation or equal to or less than the most stringent applicable

Tentative

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[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.*

receiving water quality objective specified for that pollutant in 40 CFR 131.382 for those constituents without effluent limitations. 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 "B" shall be used. Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Regional Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.

a. 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)[3], 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."

b. The discharger shall follow the chemical nomenclature and sequential order of constituents shown in Attachment "C" – Priority Pollutant Lists for any priority pollutant monitoring.

7. The discharger shall assure that records of all monitoring information are maintained and accessible for a period of at least five years 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 Board at any time. Records of monitoring information shall include:

a. The date, exact place, and time of sampling or measurements;
b. The date(s) analyses were performed;

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

3 *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.*

c. The laboratory that performed the analyses,
d. The analytical techniques or methods used;
e. All sampling and analytical results;
f. All monitoring equipment calibration and maintenance records;
g. All original strip charts from continuous monitoring devices;
h. All data used to complete the application for this order; and
i. Copies of all reports required by this Order.

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

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

b. The monitoring and reporting of discharge shall be done more frequently as necessary to maintain compliance with this Order and or as specified in this order.

c. 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.

d. A "grab" sample is defined as any individual sample collected during the first 30-minutes of the discharge.

e. 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.

f. Weekly samples shall be collected on any representative day of the week.

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

h. Bi-monthly samples shall be collected once every two weeks on any representative day of the two-week period.

i. Semi-annual samples shall be collected from the first storm-induced discharge between October and April and the first dry weather discharge between April and October.

B. EFFLUENT MONITORING:

1. Representative samples shall be collected at Outfall No. 001 and analyzed for the following constituents:

Constituent	Type of Sample	Units	Minimum Frequency of Sampling and Analysis
Flow	-	mgd	Continuous
Total Suspended Solids	Composite	mg/l	Weekly for the first 3 months and bi-monthly thereafter
BOD_5	Composite	"	"
Total Dissolved Solids[4]	Composite	"	Weekly for the first 3 months and bi-monthly thereafter
Total Inorganic Nitrogen	Composite	"	"
PH	Grab	-	"
Oil and Grease	Grab	mg/l	"
Total Petroleum Hydrocarbons (TPH-G[5])	Grab	mg/l	"
Surfactants MBAS	Composite	mg/l	"
Volatile Organics Portion of the EPA[6] Priority Pollutants (See Attachment "C")	Grab	µg/l	Semi-annually

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4 *Total Dissolved Solids at 550°C.*

5 *Total Petroleum Hydrocarbons with gasoline distinction. TPH-G (Modified 8015) must include analysis for carbon range C4 through C12.*

6 *Analysis for Acrylonitrile and Acrolein are not required.*

C. STORM WATER MONITORING:

For storm water discharges, the discharger shall comply with the monitoring and reporting requirements as outlined in Attachment "D".

D. REPORTING:

1. Monitoring reports shall be submitted by the 30th day of month following sampling and shall include:

   a. The results of the chemical analyses; and

   b. The flow data

2. Discharge monitoring data shall be submitted in a format acceptable to the Regional Board and EPA. 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 Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this order.

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

4. 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 Board by letter when compliance with the time schedule has been achieved.

5. All reports shall be signed by either a principal executive officer or ranking elected or appointed official or a duly authorized representative of a principal executive officer or ranking elected or appointed official. A duly authorized representative of a principal executive officer or ranking elected or appointed official may sign the reports only if;

   a. The authorization is made in writing by a principal executive officer or ranking elected or appointed official,

   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position), and

   c. The written authorization is submitted to the Regional Board.

Each person signing a report required by this Order or other information requested by the Regional Board 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."

Gerard J. Thibeault
Executive Officer

April 15, 2005

PRACTICAL QUANTITATION LEVELS FOR COMPLIANCE DETERMINATION

	Constituent	PQL µg/l	Analysis Method
1	Arsenic	7.5	GF/AA
2	Barium	20.0	ICP/GFAA
3	Cadmium	15.0	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	0.50	CV/AA
12	Nickel	50.0	ICP
13	Selenium	2.0	EPA Method 1638, 1640 or 7742
14	Silver	16.0	ICP
15	Zinc	20.0	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	604/625
20	4 - Chloro -3- methylphenol	10.0	604/625
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	610/625
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	610/625
37	PCB	1.0	608
38	Pentachlorophenol	10.0	604/625
39	Phenol	10.0	604/625
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	604/625

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 Attachment "A" 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 "A".

ML Usage: The ML value in Attachment "A" 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.

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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	SPGF AA	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		5	10	0.5	2				
Lead	20	5	5	0.5	2				10000
Mercury				0.5			0.2		
Nickel	50	5	20	1	5				1000
Selenium		5		2	5	1			
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 "C"
M&RP No. R8-2005-0034

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		

Note: All laboratory analyses shall be performed in accordance with test procedures under 40 CFR 136 (latest edition) and shall meet the minimum levels specified in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California

Revised: 1/12/2005

STORMWATER MONITORING PROGRAM 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 May 31, 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. R8-2005-0034.

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 Attachment "A" Stormwater Pollution Prevention Plan of Order No. R8-2005-0034.

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 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 Attachment "A" Stormwater Pollution Prevention Plan of Order No. R8-2005-0034.

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 Attachment "A" Stormwater Pollution Prevention Plan of Order No. R8-2005-0034.

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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 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 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 Board's Executive Officer. Alternative monitoring plans are subject to modification by the Regional 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. R8-2005-0034 or by the Regional Board's Executive Officer. All metals shall be reported as total recoverable metals or unless otherwise specified in Order No. R8-2005-0034. 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 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 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 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 Board's Executive Officer (and local agency) within 30 days and immediately comply with Section 5., Sampling and Analysis requirements. Should a Regional 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 Board Certification Programs

The Regional 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 Board certification program. Regional 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. R8-2005-0034.

(3) Local Agency Certifications

A local agency may develop a local agency certification program. Such programs must be approved by the Regional 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. R8-2005-0034 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. R8-2005-0034 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 Board, the discharger shall collect and analyze samples from two additional storm events during the remaining term of Order No. R8-2005-0034 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, 2003	Oct. 1, 2004-May 31, 2005	Oct. 1, 2006-May 31, 2007
Sept. 1, 2004	Oct. 1, 2005-May 31, 2006	Oct. 1, 2007-May 31, 2008
Sept. 1, 2005	Oct. 1, 2006-May 31, 2007	Oct. 1, 2008-May 31, 2009

11. Records

Records of all storm water monitoring information and copies of all reports (including the Annual Stormwater Reports) required by Order No. R8-2005-0034 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 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 "A" of Order No. R8-2005-0034, an explanation of why a facility did not implement any activities required by Order No. R8-2005-0034 (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 Section H.1. "Required Notices and Reports" of Order No. R8-2005-0034. The discharger shall prepare and submit their Annual Stormwater Reports using the annual report forms provided by the State Water Board or Regional Board or shall submit their information on a form that contains equivalent information.

13. *Watershed Monitoring Option*

Regional Boards may approve proposals to substitute watershed monitoring for some or all of the requirements of this section if the Regional Board finds that the watershed monitoring will provide substantially similar monitoring information in evaluating discharger compliance with the requirements of Order No. R8-2005-0034.