

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 81-84

APPROVAL OF EXCEPTION TO THE WATER QUALITY CONTROL PLAN FOR OCEAN WATERS, GENERAL ELECTRIC CO. RE-ENTRY SYSTEMS DIVISION AND UNIVERSITY OF SOUTHERN CALIFORNIA (CATALINA TEST FACILITY), NPDES NO. CA0059170

WHEREAS:

1. On January 19, 1978, the State Water Resources Control Board adopted a revised "Water Quality Control Plan for Ocean Waters of California", hereinafter called the Ocean Plan; and
2. On March 21, 1974, the State Board adopted a resolution which designated the western end of Santa Catalina Island from Isthmus Cove to Catalina head an Area of Special Biological Significance (ASBS). This area includes Big Fisherman's Cove and the site of the proposed discharge; and
3. General Electric Co. Re-Entry Systems Division and the University of Southern California (Catalina Test Facility) are proposing to discharge up to 4.0 million gallons per day (15,160 m<sup>3</sup>/day) of seawater (to which small amounts of nitrate and phosphate have been added) which has passed through an enclosed kelp growing facility into the Pacific Ocean, a water of the United States, off Big Fisherman's Cove, Santa Catalina Island, California; and
4. On July 27, 1981, the California Regional Water Quality Control Board, Los Angeles Region, (Regional Board) adopted Order No. 81-21 including certain exceptions to the State Board's Ocean Plan; and
5. Order No. 81-21 conditionally grants an exception to the Ocean Plan's 75 percent removal of suspended solids requirement, the toxic materials limitations, and waives the prohibition of discharging into an ASBS; and
6. By memorandum dated July 31, 1981, the Regional Board determined that the discharge should be granted a waiver from the prohibition of discharging into an ASBS. The Regional Board bases this determination on:
  - a. The small amounts of nutrients which are being added to the flow-through water will not significantly alter the receiving water quality conditions in the immediate vicinity of the discharge; and
  - b. The discharge will undergo rapid dilution to background levels; and
  - c. The depth and current at the discharge point insure that the discharge will not affect the natural condition in the area.

7. By memorandum dated July 31, 1981, the Regional Board requested that the waste discharge requirements adopted by the Regional Board in Order No. 81-21 be approved by the State Board for the following reasons:
  - a. At the time of adoption of the Ocean Plan, no consideration was given to simple flow-through seawater systems which do not significantly alter the suspended solids and toxic materials concentrations of the intake water;
  - b. These exceptions will not compromise protection of ocean waters for recognized beneficial uses; and
  - c. The public interest will not be served by requiring the dischargers to remove 75 percent of the suspended solids contained in natural seawater; and
  - d. The public interest will not be served by requiring the dischargers to comply with the toxics limitations of Table B.
8. As set forth in Chapter VI, Section G, of the Ocean Plan, the State Board may, with the concurrence of the United States Environmental Protection Agency (EPA), grant exceptions to any provision of the Ocean Plan provided it determines:
  - "1. The existence of unusual circumstances not anticipated at any time of the Plan's adoption,
  - "2. The exception will not compromise protection of ocean waters for beneficial uses, and
  - "3. The public interest will be served."
9. Based on evidence received during a public hearing held on August 20, 1981, the State Board concurs with the Regional Board's findings and determinations.

THEREFORE BE IT RESOLVED:


That:

1. The exception to the 75 percent suspended solids removal limitations in Table A of the Ocean Plan requested by the Regional Board and contained within Order No. 79-45 be granted;
2. The exception to the toxic materials limitations in Table B of the Ocean Plan requested by the Regional Board and contained within Order No. 81-21 be granted;
3. If the Waste Discharge Requirements and the NPDES permit issued by Regional Board Order No. 81-21 are renewed or amended, the toxic materials limitations in Table B of the Ocean Plan shall be added to the permit;

4. The waiver of the prohibition against discharging into an ASBS contained in Chapter V, Section B, of the Ocean Plan as recommended by the Regional Board contained within Order No. 81-21 be approved;
  5. The exception will become effective upon receipt of written concurrence from EPA;
  6. EPA provide its concurrence as soon as possible; and
  7. This resolution and the Ocean Plan exceptions granted herein shall not be a precedent for similar circulated seawater discharges from commercial aquacultural facilities in this or other ASBS's, nor shall similar exceptions from the toxic materials limitations set forth in Table B of the Ocean Plan be granted for any such commercial aquacultural facility.
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CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 20, 1981.

  
Clint Whitney  
Executive Director