

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401  
<http://www.waterboards.ca.gov/centralcoast>

**DRAFT ORDER NO. R3-2017-0042  
NPDES NO. CAG993001**

**WASTE DISCHARGE REQUIREMENTS  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT  
FOR DISCHARGES WITH LOW THREAT TO WATER QUALITY**

Dischargers are subject to waste discharge requirements as set forth in this Order.

**Table 1. Discharger Information**

<b>Discharger Types</b>	Any person, partnership, firm, corporation, association, trust estate, or any other legal entity.
<b>Facility Address</b>	Locations throughout the Central Coast Region.
<b>Facility Types</b>	Facilities that discharge untreated wastewater streams that will not affect receiving water quality.
<b>Waste Types</b>	Low-threat discharges are discharges that contain minimal amounts of pollutants and pose little or no threat to water quality and the environment.
<b>Discharge Flow Rates</b>	These discharges may be treated and discharged on either continuous or batch bases. Discharge flow rates are generally limited to those rates specified in this Order and do not exceed 0.3million gallons per day (MGD).

Discharges to the discharge locations identified below are subject to waste discharge requirements as set forth in this Order.

**Table 2. Discharge Location**

<b>Discharge Point</b>	<b>Effluent Description</b>	<b>Discharge Point Latitude (North)</b>	<b>Discharge Point Longitude (West)</b>	<b>Receiving Water</b>
001	Discharges with Low Threat to Water Quality	Varies per Discharge	Varies per Discharge	Varies per Discharge

**Table 3. Administrative Information**

This Order was adopted on:	<b>December 7 or 8, 2017</b>
This Order shall become effective on:	<b>March 7 or 8, 2018</b>
This Order shall expire on:	<b>March 6 or 7, 2023</b>
The Discharger shall file a Report of Waste Discharge as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a National Pollutant Discharge Elimination System (NPDES) permit no later than:	<b>September 29, 2022</b>
The U.S. Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, Central Coast Region have classified this discharge as follows:	<b>Minor discharge</b>

I, John M. Robertson, Executive Officer, do hereby certify that this order with all attachments is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Central Coast Region on the date indicated above.

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John M. Robertson, Executive Officer

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## I. FACILITY INFORMATION

Information describing the types of facilities enrolled in this general permit is summarized in Table 1 and in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Facility's permit application.

## II. FINDINGS

The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

- A. Legal Authorities.** This Order serves as waste discharge requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDRs in this Order.
- B. Background and Rationale for Requirements.** The Central Coast Water Board developed the requirements in this Order based on information submitted as part of previously permitted discharges, numerous applications, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E are also incorporated into this Order.
- C. Provisions and Requirements Implementing State Law.** The provisions/requirements in subsections **IV.B**, **IV.C**, and **V.B** are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.
- D. Notification of Interested Parties.** The Central Coast Water Board has notified Dischargers currently enrolled in Order No. R3-2011-0223 and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet.
- E. Consideration of Public Comment.** The Central Coast Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet.
- F. Monitoring and Reporting –** Monitoring and Reporting Program (MRP) No. R3-2017-0042 is part of this General Permit. The MRP requires routine effluent and receiving water monitoring to verify compliance with this General Permit and protection of water quality.
- G. Annual Fee -** Annual fees are determined per CCR, Title 23, Chapter 9, Article 1, Section 2200. The Threat to Water Quality and Complexity rating for this General Permit is 3-C. The annual fee associated with this permit is based upon this rating and subject to change.
- H.** A permit and the privilege to discharge waste into waters of the state are conditional upon the discharge's complying with provisions of Division 7 of the California Water Code and of the CWA (as amended or as supplemented by implementing guidelines and regulations) and with any more stringent effluent limitations necessary to implement water quality control plans, protect beneficial uses, and prevent nuisance. This Order shall serve as a NPDES Permit pursuant to Section 402 of the CWA. Compliance with this Order should ensure the

aforementioned conditions are met and prevent any potential changes in water quality due to the discharge.

- I. For discharges into the Monterey Bay National Marine Sanctuary (MBNMS), a Notice of Intent (NOI) must be submitted to MBNMS for review. After reviewing the submitted information, MBNMS shall notify, in writing, whether or not MBNMS has an objection to issuance of a Low Threat Discharge permit (LTDP) to the applicant. If a LTDP cannot be issued, the Central Coast Water Board will consider permitting seawater/brine or backwash water discharges to MBNMS under individual NPDES permits.
- J. The Central Coast Water Board highly encourages water that would otherwise be discharged to surface water be collected and reused for landscape irrigation, agricultural irrigation or other uses that augment the existing water supply (i.e. groundwater recharge/storm water capture basins).
- K. **Public Notice** - On September 28, 2017, the Central Coast Water Board notified the public and interested agencies of its intent to issue general waste discharge requirements for low threat discharges, provided them with an opportunity to submit their written views and recommendations, and scheduled a public hearing.
- L. **Public Hearing** - In a public hearing on December 7-8, 2017, the Central Coast Water Board heard and considered all comments pertaining to the General Permit and found this Order consistent with the above findings.

THEREFORE, IT IS HEREBY ORDERED that this Order supersedes Order No. R3-2011-0223 except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. This action in no way prevents the Central Coast Water Board from taking enforcement action for violations of the previous Order.

### III. DISCHARGE PROHIBITIONS

- A. The discharge of any radiological, chemical, or biological warfare agent into the waters of the state is prohibited under Water Code Section 13375.
- B. In accordance with State Water Board Resolution No. 68-16 (Anti-Degradation Policy), the discharge shall not contain pollutants that will degrade receiving water quality.
- C. The discharge of any waste at a location or in a manner different from that described in the approved NOI or regulated by this General Permit, is prohibited.
- D. Discharge of waste creating conditions of pollution or nuisance as defined in Sections 13050(I) and 13050(m) of Division 7 of the California Water Code is prohibited.
- E. Discharge containing concentrations of pollutants in excess of applicable water quality objectives as stated in the Basin Plan, Table 4 and Table 5 is prohibited.
- F. Discharge containing substances in concentrations toxic to human, animal, plant, or aquatic life is prohibited. Discharge of polluted groundwater is prohibited.
- G. Discharge to an Area of Special Biological Significance, unless in compliance with the California Ocean Plan, is prohibited.
- H. The discharge shall cause no scouring or erosion at the point of discharge into the receiving waters.

**IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

**A. Effluent Limitations<sup>1</sup> – Discharge Point E-001**

**1. Final Effluent Limitations – Discharge Point E-001**

- i. The Discharger shall maintain compliance with the following effluent limitations at Discharge Point E-001, with compliance measured at Monitoring Location E-1, as described in the Monitoring and Reporting Program, Attachment E.
- ii. Effluent shall not have detectable chlorine residual greater than or equal to 0.02 milligrams per liter (mg/L).
- iii. Effluent shall not have measurable total dissolved solids greater than surface water and groundwater quality objectives.
- iv. Effluent shall be essentially free of substances that:
  - i. Float or become floatable upon discharge.
  - ii. May form sediments that degrade aquatic life.
  - iii. Accumulate to toxic levels in surface waters, sediments, or biota.
  - iv. Significantly decrease the natural light to aquatic life.
  - v. Result in aesthetically undesirable discoloration of the water surface.
- v. If the discharge qualifies for a categorical exception in accordance with the State Implementation Policy as stated in Section 5.3, then the discharge shall meet State Water Resources Control Board, Division of Drinking Water Maximum Contaminant Levels (MCLs)<sup>2</sup> for drinking water for protection of human health.
- vi. If the sampling for priority pollutants listed in 40 CFR 401.15 indicate the influent contains a priority pollutant above the corresponding effluent limitation, the discharge shall not exceed the corresponding effluent limitation for priority pollutants as listed in Table 4 below.
- vii. If the discharge is to the ocean, the pollutant concentrations in the effluent shall not exceed the concentration limits, as calculated using water quality objectives in the 2015 Ocean Plan Table 1 (Table 4 below). Methodology for calculating effluent concentration limits shall be performed according to the procedures identified in the Ocean Plan, which are incorporated into this permit by reference.

**Table 4. Compound-Specific Effluent Limitations**

Chemical Constituent	CAS Number	Basis	Inland Surface Waters, Enclosed Bays, and Estuaries Criteria (µg/L or noted)	Ocean Discharge Criteria (µg/L or noted)	Acceptable Analytical Methods <sup>B</sup>
<b>VOLATILE ORGANICS</b>					
1,1 Dichloroethane	75343	Primary MCL	5	--	GC, GCMS
1,1 Dichloroethene	75354	California Toxics Rule, Ocean Plan	0.057	0.9	GC
1,1,1 Trichloroethane (TCA)	71556	Primary MCL, Ocean Plan	200	540,000	GC, GCMS

<sup>1</sup> Compliance shall be determined at a point after exit of facility or site boundaries but before wastewater mixes with any receiving water (i.e. surface water or ocean water).

<sup>2</sup> California Code of Regulations Title 22.

Chemical Constituent	CAS Number	Basis	Inland Surface Waters, Enclosed Bays, and Estuaries Criteria (µg/L or noted)	Ocean Discharge Criteria (µg/L or noted)	Acceptable Analytical Methods <sup>B</sup>
1,1,2 Trichloroethane	79005	California Toxics Rule, Ocean Plan	0.6	9.4	GC
1,1,2,2 Tetrachloroethane	79345	California Toxics Rule, Ocean Plan	0.17	2.3	GC
1, 2,3 Trichloropropane	96184	Primary MCL	0.005	--	GC, GCMS
1,2 Dichlorobenzene	95501	Secondary MCL, Ocean Plan	10	5,100 <sup>A</sup>	GC, GCMS
1,2 Dichloroethane	107062	California Toxics Rule, Ocean Plan	0.38	28	GC
1,2 Dichloropropane	78875	California Toxics Rule	0.52	--	GC
1,3 Dichlorobenzene	541731	California Toxics Rule, Ocean Plan	400	5,100 <sup>A</sup>	GC, GCMS
1,3 Dichloropropene	542756	Primary MCL, Ocean Plan	0.5	8.9	GC, GCMS
1,4 Dichlorobenzene	106467	Primary MCL, Ocean Plan	5	18	GC, GCMS
Acrolein	107028	National Ambient Water Quality Criteria, Ocean Plan	21	220	GC, GCMS
Acrylonitrile	107131	California Toxics Rule, Ocean Plan	0.059	0.10	GC, GCMS
Benzene	71432	Primary MCL, Ocean Plan	1	5.9	GC
Bromoform	75252	California Toxics Rule, Ocean Plan	4.3	130 <sup>A</sup>	GC, GCMS
Methyl Bromide	74839	California Toxics Rule, Ocean Plan	48	130 <sup>A</sup>	GC, GCMS
Carbon Tetrachloride	56235	California Toxics Rule, Ocean Plan	0.25	0.90	GC
Chlorobenzene	108097	Primary MCL, Ocean Plan	70	570	GC, GCMS
Chlorodibromomethane	124481	California Toxics Rule, Ocean Plan	0.401	8.6	GC
Chloroethane	75003	Primary MCL	300	--	GC, GCMS
2-Chloroethyl vinyl ether	110758	No Criteria Available	--	--	GC, GCMS
Chloroform	67663	National Toxics Rule, Ocean Plan	5.7	130	GC, GCMS
Chloromethane	74873	USEPA Health Advisory, Ocean Plan	3	130 <sup>A</sup>	GC, GCMS
Dichlorobromo-methane	75274	California Toxics Rule, Ocean Plan	0.56	6.2	GC
Dichloromethane	75092	California Toxics Rule, Ocean Plan	4.7	450	GC, GCMS
Ethylbenzene	100414	Primary MCL, Ocean Plan	300	4,100	GC, GCMS
Tetrachloroethene	127184	California Toxics Rule, Ocean Plan	0.8	2.0	GC
Toluene	108883	Primary MCL, Ocean Plan	150	85,000	GC, GCMS
Trans-1,2 Dichloroethylene	156605	Primary MCL	10	--	GC
Trichloroethene	79016	California Toxics Rule, Ocean Plan	2.7	27	GC, GCMS
Vinyl Chloride	75014	Primary MCL, Ocean Plan	0.5	36	GC, GCMS
Xylenes (total)		Primary MCL, Ocean Plan	1,750	1.750	GC, GCMS
<b>SEMI VOLATILES</b>					
1,2 Benzanthracene	56553	California Toxics Rule, Ocean Plan	0.0044	0.0088 <sup>A</sup>	GCMS
1,2 Diphenylhydrazine	122667	California Toxics Rule, Ocean Plan	0.04	0.16	GCMS
1,2,4 Trichlorobenzene	120821	Public Health Goal	5	--	GC, GCMS
2 Chlorophenol	95578	California Toxics Rule	120	--	GC, GCMS
2,4 Dichlorophenol	120832	California Toxics Rule	93	--	GC, GCMS

Chemical Constituent	CAS Number	Basis	Inland Surface Waters, Enclosed Bays, and Estuaries Criteria (µg/L or noted)	Ocean Discharge Criteria (µg/L or noted)	Acceptable Analytical Methods <sup>B</sup>
2,4 Dimethylphenol	105679	CA Notification Level (DHS)	100	--	GC, GCMS
2,4 Dinitrophenol	51285	California Toxics Rule, Ocean Plan	70	4.0	GC, GCMS
2,4 Dinitrotoluene	121142	California Toxics Rule, Ocean Plan	0.11	2.6	GCMS
2,4,6 Trichlorophenol	88062	California Toxics Rule, Ocean Plan	2.1	0.29	GC, GCMS
2,6 Dinitrotoluene	606202	National Ambient Water Quality Criteria	230	---	GCMS
2-Nitrophenol	25154557	National Ambient Water Quality Criteria	150 <sup>C2</sup>	--	GCMS
2- Chloronaphthalene	91587	National Ambient Water Quality Criteria	1600 <sup>C3</sup> / 7.5 <sup>F</sup>	--	GCMS
3,3' Dichlorobenzidine	91941	California Toxics Rule, Ocean Plan	0.04	0.0081	GCMS
3,4 Benzofluoranthene	205992	California Toxics Rule, Ocean Plan	0.0044	0.0088 <sup>A</sup>	GCMS, LC
4 Chloro-3-methylphenol	59507	National Ambient Water Quality Criteria	30	--	GC, GCMS
4,6 Dinitro-2-methylphenol	534521	National Ambient Water Quality Criteria, Ocean Plan	13.4	220	GCMS
4-Nitrophenol	100027	National Ambient Water Quality Criteria	150	--	GC, GCMS
4-Bromophenyl phenyl ether	101553	National Ambient Water Quality Criteria	122 <sup>C1</sup>	--	GC, GCMS
4-Chlorophenyl phenyl ether	7005723	National Ambient Water Quality Criteria	122 <sup>C1</sup>	--	GCMS
Acenaphthene	83329	National Ambient Water Quality Criteria	520 / 500 <sup>F</sup>	--	GC, GCMS, LC
Acenaphthylene	208968	National Ambient Water Quality Criteria, Ocean Plan	300 <sup>F</sup>	0.0088 <sup>A</sup>	GCMS, LC
Anthracene	120127	California Toxics Rule, Ocean Plan	9600	0.0088 <sup>A</sup>	GCMS, LC
Benzidine	92875	California Toxics Rule, Ocean Plan	0.00012	6.9 x 10 <sup>-5</sup>	GCMS
Benzo(a)pyrene (3,4 Benzopyrene)	50328	California Toxics Rule, Ocean Plan	0.0044	0.0088 <sup>A</sup>	LC
Benzo(g,h,i)perylene	191242	National Ambient Water Quality Criteria, Ocean Plan	300 <sup>F</sup>	0.0088 <sup>A</sup>	GCMS, LC
Benzo(k)fluoranthene	207089	California Toxics Rule, Ocean Plan	0.0044	0.0088 <sup>A</sup>	LC
Bis (2-Chloroethoxyl) methane	111911	No Criteria Available, Ocean Plan	--	4.4	GCMS
Bis(2-chloroethyl) ether	111444	California Toxics Rule, Ocean Plan	0.031	0.045	GCMS
Bis(2-chloroisopropyl) ether	39638329	National Ambient Water Quality Criteria, Ocean Plan	122 <sup>C1</sup>	1,200	GC, GCMS
Bis(2-Ethylhexyl) phthalate	117817	California Toxics Rule, Ocean Plan	1.8	3.5	GCMS
Butyl benzyl phthalate	85687	Basin Plan	2 <sup>C4</sup>	--	GC, GCMS
Chlorine Residual, Total	--	Ocean Plan	--	60	COLOR
Chrysene	218019	California Toxics Rule, Ocean Plan	0.0044	0.0088 <sup>A</sup>	LC
Di-n-butylphthalate	84742	Basin Plan, Ocean Plan	2 <sup>C4</sup>	3,500	GCMS
Di-n-octylphthalate	117840	Basin Plan	2 <sup>C4</sup>	--	GCMS
Dibenzo(a,h)-anthracene	53703	California Toxics Rule, Ocean Plan	0.0044	0.0088 <sup>A</sup>	LC
Diethyl phthalate	84662	Basin Plan, Ocean Plan	2 <sup>C4</sup>	33,000	GC, GCMS
Dimethyl phthalate	131113	Basin Plan, Ocean Plan	2 <sup>C4</sup>	820,000	GC, GCMS
Fluoranthene	206440	California Toxics Rule,	300	15	GC, GCMS,

Chemical Constituent	CAS Number	Basis	Inland Surface Waters, Enclosed Bays, and Estuaries Criteria (µg/L or noted)	Ocean Discharge Criteria (µg/L or noted)	Acceptable Analytical Methods <sup>B</sup>
		Ocean Plan			LC
Fluorene	86737	California Toxics Rule, Ocean Plan	1300	0.0088 <sup>A</sup>	GCMS, LC
Hexachlorocyclopentadiene	77474	National Ambient Water Quality Criteria, Ocean Plan	5.2	58	GC, GCMS
Hexachlorobenzene	118741	California Toxics Rule, Ocean Plan	0.00075	2.1 x 10 <sup>-4</sup>	GCMS
Hexachlorobutadiene	87683	California Toxics Rule, Ocean Plan	0.44	14	GCMS
Hexachloroethane	67721	California Toxics Rule, Ocean Plan	1.9	2.5	GCMS
Indeno(1,2,3-cd)pyrene	193395	California Toxics Rule, Ocean Plan	0.0044	0.0088 <sup>A</sup>	LC
Isophorone	78591	California Toxics Rule, Ocean Plan	8.4	730	GCMS
N-Nitrosodiphenylamine	86306	California Toxics Rule, Ocean Plan	5	2.5	GCMS
N-Nitrosodimethylamine	62759	California Toxics Rule, Ocean Plan	0.00069	7.3	GCMS
N-Nitrosodi-n-propylamine	621647	California Toxics Rule, Ocean Plan	0.005	0.38	GCMS
Naphthalene	91203	Taste and Odor	21	--	GC, GCMS, LC
Nitrobenzene	98953	California Toxics Rule, Ocean Plan	17	4.9	GC, GCMS
Pentachlorophenol	87865	California Toxics Rule	0.28	--	GC
Phenanthrene	85108	National Ambient Water Quality Criteria, Ocean Plan	300 <sup>C5,F</sup>	0.0088 <sup>A</sup>	GCMS, LC
Phenol	108352	Basin Plan	1	--	GC, GCMS, COLOR
Pyrene	129000	California Toxics Rule, Ocean Plan	960	0.0088 <sup>A</sup>	GCMS, LC
<b>OTHER COMPOUNDS</b>					
Methyl tertiary butyl ether (MTBE)	1634044	California Secondary MCL	5.0	5.0	GC, GCMS
Nitrosamines (NDMA & others)	62759	California Drinking Water Notification Level	0.001	--	GC, GCMS
Tertiary butyl alcohol	75650	California Drinking Water Notification Level	12.0	12.0	GC, GCMS
Perchlorate	varies	California Primary MCL	6.0	6.0	GC, GCMS
<b>PESTICIDES</b>					
2,4'-DDT	--	Ocean Plan	--	1.7 x 10 <sup>-4 A</sup>	GC
2,4'-DDE	--	Ocean Plan	--	1.7 x 10 <sup>-4 A</sup>	GC
2,4'-DDD	--	Ocean Plan	--	1.7 x 10 <sup>-4 A</sup>	GC
4,4'-DDD	72548	California Toxics Rule,	0.00083	1.7 x 10 <sup>-4 A</sup>	GC
4,4'-DDE	72559	California Toxics Rule, Ocean Plan	0.00059	1.7 x 10 <sup>-4 A</sup>	GC
4,4'-DDT	50293	California Toxics Rule, Ocean Plan	0.00059	1.7 x 10 <sup>-4 A</sup>	GC
alpha-Endosulfan	959988	California Toxics Rule, Ocean Plan	0.056 <sup>C6</sup> / 0.0087 <sup>C6,F</sup>	0.027 <sup>A</sup>	GC
alpha-BHC	319846	California Toxics Rule, Ocean Plan	0.0039	0.012 <sup>A</sup>	GC
Aldrin	309002	California Toxics Rule, Ocean Plan	0.00013	2.2 x 10 <sup>-5</sup>	GC
beta-Endosulfan	33213659	California Toxics Rule, Ocean Plan	0.056 <sup>C6</sup> / 0.0087 <sup>C6,F</sup>	0.027 <sup>A</sup>	GC
beta-BHC	319857	California Toxics Rule, Ocean Plan	0.014	0.012 <sup>A</sup>	GC



Chemical Constituent	CAS Number	Basis	Inland Surface Waters, Enclosed Bays, and Estuaries Criteria (µg/L or noted)	Ocean Discharge Criteria (µg/L or noted)	Acceptable Analytical Methods <sup>B</sup>
Chlordane	57749	CA Toxics Rule, Ocean Plan	0.00057	2.3 x 10 <sup>-5</sup>	GC
delta-BHC	319868	Ocean Plan	--	0.012 <sup>A</sup>	GC
Dieldrin	60571	California Toxics Rule, Ocean Plan	0.00014	4.0 x 10 <sup>-5</sup>	GC
Endosulfan Sulfate	1031078	National Ambient Water Quality Criteria, Ocean Plan	0.056 / 0.0087 <sup>F</sup>	0.009 <sup>A</sup>	GC
Endrin	72208	California Toxics Rule, Ocean Plan	0.036 / 0.0023 <sup>F</sup>	0.002	GC
Endrin Aldehyde	7421934	California Toxics Rule	0.76	--	GC
Heptachlor	76448	California Toxics Rule, Ocean Plan	0.00021	5 x 10 <sup>-5</sup>	GC
Heptachlor Epoxide	1024573	California Toxics Rule, Ocean Plan	0.0001	2 x 10 <sup>-5</sup>	GC
Lindane (gamma-BHC)	58899	California Toxics Rule, Ocean Plan	0.019	0.012 <sup>A</sup>	GC
Aroclor 1016	12674112	California Toxics Rule, Ocean Plan	0.0001 <sup>C7</sup>	1.9 x 10 <sup>-5A</sup>	GC
Aroclor 1221	11104282	California Toxics Rule, Ocean Plan	0.00017 <sup>C7</sup>	1.9 x 10 <sup>A</sup>	GC
Aroclor 1232	11141165	California Toxics Rule, Ocean Plan	0.00017 <sup>C7</sup>	1.9 x 10 <sup>A</sup>	GC
Aroclor 1242	53469219	California Toxics Rule, Ocean Plan	0.00017 <sup>C7</sup>	1.9 x 10 <sup>A</sup>	GC
Aroclor 1248	12672296	California Toxics Rule, Ocean Plan	0.00017 <sup>C7</sup>	1.9 x 10 <sup>A</sup>	GC
Aroclor 1254	11097691	California Toxics Rule, Ocean Plan	0.00017 <sup>C7</sup>	1.9 x 10 <sup>A</sup>	GC
Aroclor 1260	11096825	California Toxics Rule, Ocean Plan	0.00017 <sup>C7</sup>	1.9 x 10 <sup>A</sup>	GC
Toxaphene	8001352	California Toxics Rule, Ocean Plan	0.0002	2.1 x 10 <sup>-4</sup>	GC
2,3,7,8-TCDD (Dioxin)	1746016	California Toxics Rule	1.30E-08	--	GC
<b>INORGANICS</b>					
Ammonia as N	7664417	Ocean Plan	--	600	--
Antimony	7440360	Primary MCL, Ocean Plan	6	1,200	FAA, GFAA, ICPMS, SPGFAA, HYDRIDE
Arsenic	7440382	National Toxics Rule, Ocean Plan	0.018	8	GFAA, ICP, ICPMS, SPGFAA
Asbestos	1332214	California Toxics Rule	7 MFL <sup>D</sup>	--	TEM
Beryllium	7440417	Primary MCL, Ocean Plan	4	0.033	FAA, GFAA, ICP, ICPMS, SPGFAA, DCP
Cadmium	7440439	National Toxics Rule, Basin Plan, Ocean Plan	1 <sup>G</sup> / 0.2 <sup>E</sup>	1	GFAA, ICPMS, SPGFAA
Chromium III	7440473	Primary MCL, Ocean Plan	50 <sup>H</sup>	190,000	FAA, GFAA, ICP, ICPMS, SPGFAA
Chromium VI	18540299	National Toxics Rule, Ocean Plan	10	2	FAA, COLOR
Copper	7440508	California Toxics Rule, National Toxics Rule, Ocean Plan	9 <sup>G</sup> / 2.4 <sup>F,G</sup>	3	GFAA, ICPMS, SPGFAA
Cyanide	57125	CA Toxics Rule, Ocean Plan	5.2 <sup>G</sup> / 1 <sup>F,G</sup>	10	COLOR
Lead	7439921	California Toxics Rule, Ocean Plan	2.5 <sup>G</sup>	2	ICPMS, SPGFAA

Chemical Constituent	CAS Number	Basis	Inland Surface Waters, Enclosed Bays, and Estuaries Criteria (µg/L or noted)	Ocean Discharge Criteria (µg/L or noted)	Acceptable Analytical Methods <sup>B</sup>
Mercury	7439976	National Toxics Rule, Ocean Plan	0.012	0.04	CVAA
Nickel	7440020	California Toxics Rule, Basin Plan, Ocean Plan	52 <sup>G</sup> / 2 <sup>E1</sup>	5	FAA, GFAA, ICP, ICPMS, SPGFAA
Selenium	7782492	California Toxics Rule, Ocean Plan	5	15	GFAA, ICPMS, SPGFAA, HYDRIDE
Silver	7440224	California Toxics Rule, Ocean Plan	3.4 <sup>G</sup> / 1.9 <sup>F,G</sup>	0.7	GFAA, ICPMS, SPGFAA
Thallium	7440280	California Toxics Rule, Ocean Plan	1.7	2	ICPMS
Zinc	7440666	National Toxics Rule, Basin Plan, Ocean Plan	100 <sup>G</sup> / 20 <sup>E</sup>	20	FAA, ICP, ICPMS, SPGFAA
<b>OTHER PARAMETERS</b>					
Acute Toxicity	--	Ocean Plan	--	0.3	TUa
Chronic Toxicity	--	Ocean Plan	--	1	Tuc
Phenolic Compounds	--	Ocean Plan	--	30	µg/L
Chlorinated Phenolics	--	Ocean Plan	--	1	µg/L
Tributyltin	688733	Ocean Plan	--	0.0014	µg/L
TCDD Equivalents	--	Ocean Plan	--	3.9 x 10 <sup>-9</sup>	µg/L
Total Chlorine Residual		Ocean Plan	--	600	µg/L
Ammonia as Nitrogen		Ocean Plan	--	600	µg/L
Endrin		Ocean Plan	--	0.002	µg/L
HCH		Ocean Plan	--	0.004	µg/L
Endosulfan		Ocean Plan	--	0.009	µg/L

Notes:

A. Constituent Criteria shall mean the sum of:

Constituent	Criteria is Sum of Constituents
dichlorobenzenes	1,2 Dichlorobenzene and 1,3 Dichlorobenzene
halomethanes	Bromoform, Methyl Bromide, Chloromethane
PAHs	1,2 Benzantracene, 3,4 Benzofluoranthene, Acenaphthylene, Anthracene, Benzo(a)pyrene (3,4 Benzopyrene), Benzo(g,h,i)perylene, Benzo(k)fluoranthene, Chrysene, Dibenzo(a,h)-anthracene, Fluorene, Indeno(1,2,3-cd)pyrene, Phenanthrene, Pyrene
DDT	4,4'-DDD, 4,4'-DDE, 4,4'-DDT, 2,4-DDT, 2,4-DDE, 2,4-DDD
Endosulfan	alpha-Endosulfan, beta-Endosulfan, Endosulfan Sulfate
HCH	alpha, beta, gamma (lindane) and delta isomers of hexachlorocyclohexane
PCBs	Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, Aroclor-1260

B. For each constituent the Discharger may select one of the indicated analytical methods, which are described in 40 CFR 136.3. The abbreviations refer to the following:

1. GC ..... Gas Chromatography
2. GCMS ..... Gas Chromatography/Mass Spectrometry
3. LC ..... High Pressure Liquid Chromatography
4. FAA ..... Flame Atomic Absorption
5. GFAA ..... Graphite Furnace Atomic Absorption
6. Hydride ..... Gaseous Hydride Atomic Absorption
7. CVAA ..... Cold Vapor Atomic Absorption
8. ICP ..... Inductively Coupled Plasma
9. ICPMS ..... Inductively Coupled Plasma/Mass Spectrometry
10. SPGFAA ..... Stabilized Platform Graphite Furnace Atomic Absorption
11. DCP ..... Direct Current Plasma
12. TEM ..... Transmission Electron Microscopy
13. COLOR ..... Colorimetric

C. Indicate a regulatory decision that the cited concentration is either necessary or sufficient for full protection of beneficial uses or indicate meaning of uncommon acronyms

<sup>C1</sup> - For haloethers

- c2 – For nitrophenols
- c3 – For chlorinated naphthalenes
- c4 – For phthalate esters
- c5 – For polynuclear aromatic hydrocarbons
- c6 – Criteria for sum of alpha and beta forms
- c7 – Criteria for sums of all PCBs
- D. MFL is defined as Million Fibers per Liter in the measurement of asbestos in water (EPA Method 600/R-93/116). Its detection limits are at 0.2 MFL of length greater than 10 microns
- E. Criteria for protection of Marine Habitat Beneficial Use (CCWB's Basin Plan)
  - E1 – value cited as objective pertains to nickel salts (not pure metallic nickel)
- F. Criteria only applies to discharges to saltwater inland surface waters, enclosed bays, and estuaries.
- G. Criteria values for metals are expressed as a function of a total hardness of 100 mg/L
- H. For total Chromium
- I. See "TCDD Equivalents" definition in Ocean Plan 2015

**Table 5. Background Seawater Concentrations (Cs)<sup>3</sup>**

Waste Constituent	Cs (µg/L)
Arsenic	3.0
Copper	2.0
Mercury	0.0005
Silver	0.16
Zinc	0.8

Note – for all other Table 1 parameters, Cs = 0.

viii. Effluent discharged to ocean waters shall not contain constituents in excess of the limits for the respective constituents shown in Table 6 below:

**Table 6. Discharge to Ocean Water Effluent Limitations**

Constituent	Unit	Monthly (30-day avg.)	Weekly (7-day avg.)	Maximum
Oil and Grease	mg/L	25	40	75
Suspended Solids	mg/L	--	--	60
Settleable Solids	ml/L	1.0	1.5	3.0
Turbidity	NTU	75	100	225
pH	units	between 6.0 to 9.0 at all times		

NTU = Nephelometric Turbidity Units  
mL/L = milliliters per liter

**V. RECEIVING WATER LIMITATIONS**

**A. Surface Water Limitations**

The following narrative water quality objectives apply to all surface waters, including wetlands, in the Central Coast Region. Receiving water quality is a result of many factors, some unrelated to the discharge. This permit considers these factors, and is designed to minimize the influence of the discharge in the receiving water. Surface water quality objectives for sub-basin/sub-areas within the region are specified in Table 3-7 in the Basin Plan.

<sup>3</sup> Table 3 from 2015 Ocean Plan used to calculate effluent limitations.

The discharge shall not cause:

1. The receiving water to exceed the following:

Constituent	Maximum or Range
<b>pH</b>	Between 7.0 and 8.3 at all times, and not changed more than 0.5 units.
<b>Temperature</b>	Maximum increase of 5°F above natural receiving water temperature.
<b>Color</b>	Maximum increase of 15 units, or 10% above natural background color, whichever is greater.

2. The following objectives apply to all inland surface waters, enclosed bays, and estuaries. The receiving water shall not exceed the following:

- a. **Taste and Odor** – Taste or odor-producing substances in concentrations imparting undesirable tastes or odors to fish flesh or other edible products of aquatic origin, causing nuisance, or adversely affecting beneficial uses.
- b. **Floating Materials** – Floating material, including solids, liquids, foams, and scum, in concentrations causing nuisance or adversely affecting beneficial uses.
- c. **Suspended Materials** – Suspended material in concentrations causing nuisance or adversely affecting beneficial uses.
- d. **Settleable Materials** – Settleable material in concentrations resulting in the deposition of material causing nuisance or adversely affecting beneficial uses.
- e. **Oil and Grease** – Oils, greases, waxes, or other similar materials in concentrations resulting in a visible film or floating on the surface of the water or on objects in the water, causing nuisance, or otherwise adversely affecting beneficial uses.
- f. **Biostimulatory Substances** – Biostimulatory substances in concentrations that promote aquatic growths causing nuisance or adversely affecting beneficial uses.
- g. **Sediment** – The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.
- h. **Turbidity** – Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increase in turbidity attributable to controllable water quality factors shall not exceed the following limits:

Where natural turbidity <sup>4</sup> is...	The turbidity shall not be increased more than...
less than 25 NTUs	5 NTUs
between 25 and 50 NTUs	20%
between 50 and 100 NTUs	10 NTUs

<sup>4</sup> “Natural Turbidity” shall be determined from receiving water samples taken upstream/upcurrent of the discharge point at a location free from controllable sources of pollution.

Where natural turbidity <sup>4</sup> is...	The turbidity shall not be increased more than...
greater than 100 NTUs	10%

- i. **Dissolved Oxygen** – Dissolved oxygen concentrations to be depressed below 7.0 mg/L or median values to fall below 85% of saturation.
- j. **Toxicity** – Substances in concentrations toxic to human, plant, animal, or aquatic life, or produce detrimental physiological responses therein.
- k. **Pesticides** – No individual pesticide or combination of pesticides shall reach concentrations that adversely affect beneficial uses. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life. For waters where existing concentrations are presently non-detectable or where beneficial uses would be impaired by concentrations in excess of non-detectable levels, total identifiable chlorinated hydrocarbon pesticides shall not be present at concentrations detectable within the accuracy of analytical methods prescribed in Standard Methods for the Examination of Water and Wastewater, latest edition, or other equivalent methods approved by the Executive Officer.
- l. **Chemical Constituents** – Where wastewater effluents are returned to land for irrigation uses, regulatory controls shall be consistent with Title 22 of the California Code of Regulations and other relevant local controls.
- m. **Other Organics** – Waters shall not contain organic substances in concentrations greater than the following:

Constituent	Effluent Limit	Units
Methylene Blue Activated Substances	0.2	mg/L
Phenols	0.1	mg/L
PCB's	0.3	µg/L
Phthalate Esters	0.002	µg/L

- n. **Radioactivity** – Radionuclides in concentrations deleterious to human, plant, animal or aquatic life; or that result in the accumulation of radionuclides in the food web to an extent presenting a hazard to human, plant, animal or aquatic life.
3. **An Excursion Above Any Water Quality Standard** –The discharge shall not (a) cause, (b) have a reasonable potential to cause, or (c) contribute to an excursion above any applicable criterion or water quality objective for the receiving waters adopted by the Central Coast Water Board or the State Water Board or promulgated by USEPA pursuant to Section 303 of the CWA. However, a discharge that has reasonable potential to cause or contribute to an excursion above water quality objectives is not prohibited if the discharge is subject to and meets effluent limitations set forth above for all pollutants with reasonable potential.

**B. Groundwater Limitations**

- 1. The discharge shall not cause constituent concentrations in groundwater down-gradient of the disposal area to exceed water quality objectives specified under II.A.4 and II.A.5 of the basin plan.

2. The discharge shall not cause constituent concentrations in groundwater to exceed primary or secondary drinking water limits set forth in Title 22 of the California Code of Regulations.

**C. Solid Waste Disposal**

1. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in a manner consistent with Chapter 15, Division 3, Title 23, and Division 2 of Title 27 of the California Code of Regulations and approved by the Executive Officer.

**VI. PROVISIONS**

**A. Standard Provisions**

Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment E to the Order.

NPDES regulations at 40 CFR 122.41 (a) (1) and (b - n) establish conditions that apply to all state-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. 40 CFR 123.25 (a) (12) allows the State to omit or modify conditions to impose more stringent requirements. In accordance with 40 CFR 123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR 122.41(j)(5) and (k)(2), because the enforcement authority under the CWC is more stringent. In lieu of these conditions, this Order incorporates by reference CWC §13387(e).

1. The Discharger shall comply with all Standard Provisions included in Attachment D.
2. The Discharger shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:
  - a. The Discharger shall comply with Monitoring and Reporting Program No. R3-2017-0042, included as Attachment E of this General Permit, and any revisions prescribed thereto by the Central Coast Water Board Executive Officer.
  - b. A copy of this General Permit shall be kept at the discharge facility for reference by operating personnel. Key operating and site management personnel shall be familiar with its contents.
  - c. If the discharge exceeds 0.3 MGD and is longer than six months in duration or if the discharge qualifies for a State Implementation Policy Categorical Exception, the Discharger shall develop a Contingency Plan. The Contingency Plan shall incorporate contingency measures to be implemented if the discharge violates water quality standards. Required information includes energy dissipation structures, erosion control measures, best management practices, and pollution prevention measures. In no case shall the discharge violate water quality standards or impair beneficial uses. The Water Board shall provide a public notice and comment period of at least 30 days and the opportunity for interested persons to request a hearing, before approving the Contingency Plan.
  - d. In the event the Discharger wishes to terminate authorization under this General Permit, the Discharger shall submit a completed Notice of Termination (NOT), included with this General Permit as Attachment C. Termination from coverage will occur on the date specified in the NOT, unless notified otherwise by the Central Coast Water Board. All discharges shall cease before the date of termination, and

any discharges to surface waters on or after this date shall be considered in violation of the CWA unless covered by another NPDES permit.

- e. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this General Permit by letter, a copy of which shall be immediately forwarded to the Board along with a completed NOT.
- f. The Discharger shall take all reasonable steps to prevent any discharge in violation of this permit.
- g. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) to achieve compliance with this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of this permit.
- h. The Discharger shall furnish the Central Coast Water Board, within a reasonable time, any information that the Central Coast Water Board may request to determine compliance with this General Permit.
- i. The Discharger shall allow the Central Coast Water Board or its authorized representatives to:
  - i. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records pertinent to this permit are kept;
  - ii. Inspect and photograph any facilities, equipment (including monitoring and control equipment), practices, or operations pertinent to this permit;
  - iii. Have access to and copy any records pertinent to this permit; and
  - iv. Sample or monitor for the purposes of assuring permit compliance.
- j. This permit is not transferable to any person except after notice to and approval by the Central Coast Water Board. The Central Coast Water Board may require reissuance or modification of the permit conditions to change the name of the Discharger and incorporate such other requirements as may be necessary to protect water quality.
- k. Monitoring results must be based on analyses conducted according to test procedures under 40 CFR Part 136, approved under 40 CFR Part 136, or authorized by the Central Coast Water Board Executive Officer.
- l. All reports, NOIs, other documents required by this permit, and other information requested by the Central Coast Water Board shall be signed by a person described below or by a duly authorized representative of that person.
  - i. For a corporation: by a responsible corporate officer such as: (a) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (b) any other person who performs similar policy or decision-making functions for the corporation; or (c) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  - ii. For a partnership or sole proprietorship: by a general partner or the proprietor.

- iii. For a municipal, state, federal, or other public agency: by either a principal executive officer or ranking elected official.
- m. Any person signing a document under Section G.13 of the General Permit Standard Provisions makes the following certification, whether written or implied:

"I certify under penalty of law this document and all attachments were prepared by, or under my direction or supervision, in accordance with a system designed to assure 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 there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- n. If the Discharger monitors any constituent more frequently than required by the permit, the monitoring results shall be submitted.
- o. The Discharger shall immediately report any non-compliance potentially endangering public health or the environment. Any information shall be provided orally within 24-hours from the time the Discharger becomes aware of the circumstances. A written report shall also be submitted to the Central Coast Water Board Executive Officer (and MBNMS Superintendent for discharges within the MBNMS) within five (5) days of the time the Discharger becomes aware of the circumstances. The written report shall contain (1) a description of the non-compliance and its cause; (2) the period of non-compliance, including dates and times, and if the non-compliance has not been corrected, the anticipated time it is expected to continue; and (3) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the non-compliance.
- p. The Discharger shall report all instances of non-compliance not reported under Standard Provision Section G.16 of the General Permit at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision Section G.16.
- q. The Discharger shall give notice to the Central Coast Water Board as soon as possible of any planned alterations to the permitted facility that may change the nature or concentration of pollutants in the discharge.
- r. Violations of this General Permit may result in enforcement actions pursued under the following or other applicable authorities:
  - i. The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA is subject to a civil penalty not to exceed \$25,000 per day of violation. Any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA is subject to a fine of not less than \$2,500 nor more than \$25,000 per day for each violation, to imprisonment of not more than one year, or to both penalties. Higher penalties may be imposed for knowing violations and for repeat offenders. The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to, and in some cases greater than, those provided under the CWA.
  - ii. 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 permit including monitoring reports or



reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, by imprisonment for not more than six (6) months per violation, or by both. Section 13387 of the California Water Code allows for fines up to \$25,000 per violation and imprisonment for up to two years after such violations.

- iii. The CWA provides any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, by imprisonment for not more than two years, or by both. Higher penalties may be imposed for repeat offenders.

## **B. Monitoring and Reporting Program (MRP) Requirements**

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E.

## **C. Special Provisions**

### **1. Reopener Provisions**

- a. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.
- b. This Order may be reopened and modified in accordance with NPDES regulations at 40 CFR parts 122 and 124, as necessary, to include additional conditions or limitations based on newly available information or to implement any U.S. EPA-approved, new state water quality objective.
- c. This Order may be reopened for modification to include an effluent limitation if monitoring establishes that the discharge causes, has the reasonable potential to cause, or contributes to an excursion above a California Ocean Plan Table 1 water quality objective.

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

#### **a. Toxicity Reduction Requirements**

If the discharge causes or contributes to chronic toxicity in the receiving water, a Toxicity Reduction Evaluation (TRE) shall be required as defined in Attachment A. The Water Board shall require the Discharger to conduct a TRE if repeated tests reveal toxicity as a result of waste discharge under this Order. The Discharger shall take all reasonable steps to control toxicity once the source of toxicity is identified. Failure to conduct the required toxicity tests or a TRE within two weeks shall result in the termination of enrollment in this Order and/or appropriate enforcement action.

**Chronic Whole Effluent Toxicity.** For compliance with the Basin Plan's narrative toxicity objective, this Order requires the Discharger to conduct chronic whole effluent toxicity (WET) testing, as specified in MRP section V. Furthermore, this Provision requires the Discharger to investigate the causes of, and identify corrective actions to reduce or eliminate effluent toxicity. If the discharge exceeds the numeric toxicity monitoring trigger during accelerated monitoring established in this Provision, the Discharger is required to initiate a Toxicity Reduction Evaluation (TRE) in accordance with an approved TRE Work Plan, and take actions to mitigate

the impact of the discharge and prevent recurrence of toxicity. A TRE is a site-specific study conducted in a stepwise process to identify the source(s) of toxicity and the effective control measures for effluent toxicity. TREs are designed to identify the causative agents and sources of whole effluent toxicity, evaluate the effectiveness of the toxicity control options, and confirm the reduction in effluent toxicity. This Provision includes requirements for the Discharger to develop and submit a TRE Work Plan and includes procedures for accelerated chronic toxicity monitoring and TRE initiation:

- i. TRE Work Plan. Within 90 days of the effective date of this Order, the Discharger shall submit to the Water Board a TRE Work Plan for approval by the Executive Officer. The TRE Work Plan shall outline the procedures for identifying the source(s) of, and reducing or eliminating effluent toxicity. The TRE Work Plan must be developed in accordance with U.S. EPA guidance and be of adequate detail to allow the Discharger to immediately initiate a TRE as required in this Provision.
- ii. Accelerated Monitoring and TRE Initiation. When the numeric toxicity monitoring trigger is exceeded during regular chronic toxicity monitoring, and the testing meets all test acceptability criteria, the Discharger shall initiate accelerated monitoring as required in the Accelerated Monitoring Specifications. The Discharger shall initiate a TRE to address effluent toxicity if any WET testing results exceed the numeric toxicity monitoring trigger during accelerated monitoring.
- iii. Numeric Toxicity Monitoring Trigger. The numeric toxicity monitoring trigger to initiate a TRE is  $> <X> TU_c$  (where  $TU_c = 100/NOEC$ ). The monitoring trigger is not an effluent limitation; it is the toxicity threshold at which the Discharger is required to begin accelerated monitoring and initiate a TRE.
- iv. Accelerated Monitoring Specifications. If the numeric toxicity monitoring trigger is exceeded during regular chronic toxicity testing, the Discharger shall initiate accelerated monitoring within 14-days of notification by the laboratory of the exceedance. Accelerated monitoring shall consist of four chronic toxicity tests conducted once every two weeks using the species that exhibited toxicity. The following protocol shall be used for accelerated monitoring and TRE initiation:
  - a. If the results of four consecutive accelerated monitoring tests do not exceed the monitoring trigger, the Discharger may cease accelerated monitoring and resume regular chronic toxicity monitoring. However, notwithstanding the accelerated monitoring results, if there is adequate evidence of a pattern of effluent toxicity, the Executive Officer may require that the Discharger initiate a TRE.
  - b. If the source(s) of the toxicity is easily identified (e.g., temporary plant upset), the Discharger shall make necessary corrections to the facility and shall continue accelerated monitoring until four consecutive accelerated tests do not exceed the monitoring trigger. Upon confirmation that the effluent toxicity has been removed, the Discharger may cease accelerated monitoring and resume regular chronic toxicity monitoring.
  - c. If the result of any accelerated toxicity test exceeds the monitoring trigger, the Discharger shall cease accelerated monitoring and begin a TRE to investigate the cause(s) of, and identify corrective actions to reduce or eliminate effluent toxicity. Within thirty (30) days of notification by the

laboratory of any test result exceeding the monitoring trigger during accelerated monitoring, the Discharger shall submit a TRE Action Plan to the Water Board including, at minimum:

- (1) Specific actions the Discharger will take to investigate and identify the cause(s) of toxicity, including a TRE WET monitoring schedule;
- (2) Specific actions the Discharger will take to mitigate the impact of the discharge and prevent the recurrence of toxicity; and
- (3) A schedule for these actions.

## VII. COMPLIANCE DETERMINATION

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

### A. General.

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

### B. Multiple Sample Data.

When determining compliance with a measure of central tendency (arithmetic mean, geometric mean, median, etc.) of multiple sample analyses and the data set contains one or more reported determinations of DNQ or ND, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

## ATTACHMENT A – DEFINITIONS

### Acute Toxicity

- a. Acute Toxicity (TUa)

Expressed in Toxic Units Acute (TUa)

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

- b. Lethal Concentration 50% (LC 50)

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

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

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

where:

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

### Areas of Special Biological Significance (ASBS)

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

### Arithmetic Mean ( $\mu$ )

Also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

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

### Average Monthly Effluent Limitation (AMEL)

The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

### Brine

Byproduct of desalinated water (i.e. seawater) having a salinity concentration greater than a desalination facility's intake source water.

**Chronic Toxicity**

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

- a. Chronic Toxicity (TUc)

Expressed as Toxic Units Chronic (TUc)

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

- b. No Observed Effect Level (NOEL)

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

**Composite Sample**

A combination of no fewer than eight individual samples obtained at equal time intervals (usually hourly) over the specified sampling (composite) period. The volume of each individual sample is proportional to the flow rate at the time of sampling. The period shall be specified in the Monitoring and Reporting Program ordered by the Executive Officer.

**Daily Discharge**

Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

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

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

**“Daily Maximum” Limit**

The maximum acceptable concentration or mass emission rate of a pollutant measured during a calendar day or during any 24-hour period reasonably representative of the calendar day for purposes of sampling. It is normally compared with results based on "composite samples" except for ammonia, total chlorine, phenolic compounds, and toxicity concentration. For all exceptions, comparisons will be made with results from a "grab sample."

**Discharger**

As appropriate: (1) the Discharger, (2) the local sewerage entity (when the collection system is not owned and operated by the Discharger), or (3) "indirect discharger" (where "Discharger" appears in the same paragraph as "indirect discharger," it refers to the discharger.)

**Degrade**

Degradation shall be determined by comparison of the waste field and reference site(s) for characteristic species diversity, population density, contamination, growth anomalies, debility, or

supplanting of normal species by undesirable plant and animal species. Degradation occurs if there are significant differences in any of three major biotic groups, namely, demersal fish, benthic invertebrates, or attached algae. Other groups may be evaluated where benthic species are not affected, or are not the only ones affected.

### **Detected, but Not Quantified (DNQ)**

DNQ are those sample results less than the RL, but greater than or equal to the laboratory's MDL. Sample results reported as DNQ are estimated concentrations.

### **Dilution Credit**

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

### **Discharge Volume**

The total effluent throughput occurring within a specified time frame.

### **Duly Authorized Representative**

Is one where:

- a. the authorization is made in writing by a person described in the signatory paragraph of Federal Standard Provision V.B.;
- b. the authorization specifies either an individual or the occupant of a position having either responsibility for the overall operation of the regulated facility, such as the plant manager, or overall responsibility for environmental matters of the company; and,
- c. the written authorization was submitted to the Central Coast Water Board.

### **Enclosed Bays**

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

### **Estimated Chemical Concentration**

The estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

### **Estuaries**

Estuaries means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

### **Flow Rate**

An estimated or accurate measurement of the average daily flow rate using supportable mass transfer calculations or properly calibrated and maintained flow-measuring device.

### **Grab Sample**

An individual sample collected in a short period of time not exceeding 15 minutes. The Discharger will collect grab samples during normal peak loading conditions for the parameter of interest, which may or may not be during hydraulic peaks. Analytical laboratory results of the grab sample typically determine compliance with annual effluent limits. Grab samples represent only the condition that exists at the time the wastewater is collected.

### **Hazardous Substance**

Any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.

### **Incompatible Wastes**

- a. Wastes that create a fire or explosion hazard in the treatment works.
- b. Wastes that will cause corrosive structural damage to treatment works, or wastes with a pH lower than 5.0 unless the works is specifically designed to accommodate such wastes.
- c. Solid or viscous wastes in amounts that cause obstruction to flow in sewers or that cause other interference with proper operation of treatment works.
- d. Any waste, including oxygen-demanding pollutants (BOD, etc), released in such volume or strength as to cause inhibition or disruption in the treatment works and subsequent treatment process upset and loss of treatment efficiency.
- e. Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.

### **Indirect Discharger**

A non-domestic discharger introducing pollutants into a publicly owned treatment and disposal system.

### **Initial Dilution**

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

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

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

### **Inland Surface Waters**

All surface waters of the state that do not include the ocean, enclosed bays, or estuaries.

### **Instantaneous Maximum Effluent Limitation**

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

### **Instantaneous Minimum Effluent Limitation**

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

### **Log Mean**

The geometric mean. Used for determining compliance of fecal or total coliform populations, it is calculated with the following equation:

$$\text{Log Mean} = (C_1 \times C_2 \times \dots \times C_n)^{1/n},$$

in which "n" is the number of days samples were analyzed during the period and any "C" is the concentration of bacteria (MPN/100 ml) found on each day of sampling. "n" should be five or more.

### **Mass Emission Rate**

Daily rate defined by the following equations:

$$\text{mass emission rate (lbs/day)} = 8.34 \times Q \times C; \text{ and,}$$

$$\text{mass emission rate (kg/day)} = 3.79 \times Q \times C,$$

where "C" (in mg/L) is the measured daily constituent concentration or the average of measured daily constituent concentrations and "Q" (in MGD) is the measured daily flowrate or the average of measured daily flowrates over the period of interest.

### **Maximum Allowable Mass Emission Rate**

Whether for a month, week, day, or six-month period, is a daily rate determined with the formulas in paragraph G.10, above, using the effluent concentration limit specified in the permit for the period and the average of measured daily flows (up to the allowable flow) over the period.

### **Maximum Allowable Six-Month Median Mass Emission Rate**

A daily rate determined with the formulas in Central Coast Standard Provision – Provision G.10, above, using the "six-month median" effluent limit specified in the permit, and the average of measured daily flows (up to the allowable flow) over a 180-day period.

### **Median**

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

### **Method Detection Limit (MDL)**

MDL is defined as the minimum concentration of a substance that can be reported with 99% confidence that the measured concentration is distinguishable from method blank results. (40 CFR part 136)

### **Minimum Level (ML)**

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



### **Mixing Zone**

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

### **Monthly Average" (or "Weekly Average," as the case may be)**

The arithmetic mean of daily concentrations or of daily mass emission rates over the specified 30-day (or 7-day) period.

$$\text{Average} = (X1 + X2 + \dots + Xn) / n$$

in which "n" is the number of days that samples were analyzed during the period and "X" is either the constituent concentration (mg/L) or mass emission rate (kg/day or lbs/day) for each sampled day. "n" should be four or greater.

### **Municipality**

A city, town, borough, county, district, association, or other public body created by or under State law and having jurisdiction over disposal of sewage, industrial waste, or other waste.

### **Not Detected (ND)**

Sample results which are less than the laboratory's MDL.

### **Ocean Waters**

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

### **Overflow**

The intentional or unintentional diversion of flow from the collection and transport systems, including pumping facilities.

### **Pollutant-Free Wastewater**

Inflow and infiltration, stormwaters, and cooling waters and condensates which are essentially free of pollutants.

### **Pollution Prevention**

Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State Water Resources Control Board (State Water Board) or Central Coast Water Board.

### **Primary Industry Category**

Any industry category listed in 40 CFR Part 122, Appendix A.

### **Removal Efficiency**

The ratio of pollutants removed by the treatment unit to pollutants entering the treatment unit. Removal efficiencies of a treatment plant shall be determined using "Monthly averages" of pollutant concentrations (C, in mg/L) of influent and effluent samples collected about the same time and the following equation (or its equivalent):

$$C_{\text{Effluent}} \text{ Removal Efficiency (\%)} = 100 \times (1 - C_{\text{Effluent}} / C_{\text{Influent}})$$

### **Reporting Level (RL)**

The RL is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order, including an additional factor if applicable as discussed herein. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Central Coast Water Board either from Appendix 4 of the SIP in accordance with section 2.4.2 of the SIP or established in accordance with section 2.4.3 of the SIP. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

### **Reverse Osmosis**

A process by which a solvent passes through a porous membrane in the direction opposite to that for natural osmosis when subjected to a hydrostatic pressure greater than the osmotic pressure.

### **Reverse Osmosis Reject Water**

The wastewater stream exiting from reverse osmosis or microfiltration advanced water treatment systems. Sources of municipal water supply include surface water or groundwater and this wastewater is further treated and disinfected via advanced water treatment systems.

### **Severe Property Damage**

Substantial physical damage to property, damage to treatment facilities that causes them to become inoperable, or substantial and permanent loss to natural resources that can reasonably be expected to occur in the absence of a "bypass." It does not mean economic loss caused by delays in production.

### **Sludge**

The solids, residues, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system.

### **(To) Significantly Contribute**

To a permit violation means an "indirect discharger" must:

- a. Discharge a daily pollutant loading in excess of that allowed by contract with the "Discharger" or by federal, state, or local law;
- b. Discharge wastewater which substantially differs in nature or constituents from its average discharge;
- c. Discharge pollutants, either alone or in conjunction with discharges from other sources, that results in a permit violation or prevents sewage sludge use or disposal; or
- d. Discharge pollutants, either alone or in conjunction with pollutants from other sources that increase the magnitude or duration of permit violations.

### **Source of Drinking Water**

Any water designated as municipal or domestic supply (MUN) in the Central Coast Water Board Basin Plan.

### **State Implementation Policy Categorical Exception**

Dischargers that meet all requirements for a Categorical Exception as defined in section 5.3 of the State Implementation Policy.

**State Water Quality Protection Areas (SWQPAs)**

Non-terrestrial marine or estuarine areas designated to protect marine species or biological communities from an undesirable alteration in natural water quality. All AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS) that were previously designated by the State Water Board in Resolutions 74-28, 74-32, and 75-61 are now also classified as a subset of State Water Quality Protection Areas and require special protections afforded by the Ocean Plan.

**Toxic Pollutant**

Any pollutant listed as toxic under Section 307 (a) (1) of the Clean Water Act or under 40 CFR Part 122, Appendix D. Violation of maximum daily discharge limitations are subject to 24-hour reporting (Federal Standard Provisions V.E.).

**Toxicity Reduction Evaluation (TRE)**

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

**Zone of Initial Dilution**

The region surrounding or adjacent to the end of an outfall pipe or diffuser ports whose boundaries are defined through calculation of a plume model verified by the State Water Board.

**ATTACHMENT B – NOTICE OF INTENT**

**TO COMPLY WITH THE TERMS OF THE  
GENERAL PERMIT FOR DISCHARGES WITH LOW THREAT TO WATER QUALITY  
(NPDES PERMIT NO. CAG993001, WDR ORDER NO. R3-2017-0042)**

<b>MARK ONLY ONE ITEM</b>	1. <input type="checkbox"/> Existing Discharger	2. <input type="checkbox"/> New Discharger	3. <input type="checkbox"/> Change of Information: WDID # _____
	4. <input type="checkbox"/> Change of ownership or responsibility: WDID# _____		

**I. FACILITY/SITE INFORMATION**

Facility Name:		County:	
Street Address:		Contact Person:	
City:	State:	Zip:	Phone:
Email Address:		FAX:	

**II. OWNER/OPERATOR** (if additional owners/operators are involved, provide the information in a supplemental page)

Name:		Owner/Operator Type (Check one):	
Mailing Address:		<input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> Special District <input type="checkbox"/> Gov. Combo <input type="checkbox"/> Private	
City:	State:	Zip:	Phone:
Contact Person:		<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Owner/Operator	
Email Address:		FAX:	

Additional Owners: \_\_\_\_\_

**III. BILLING ADDRESS** (Enter information only if different from II - above)

Send to: <input type="checkbox"/> OWNER/OPERATOR	Name:		
	Mailing Address:		
<input type="checkbox"/> OTHER (Enter information at right)	City:	State:	Zip:

**IV. DISCHARGE INFORMATION**

Flow volume (GPD):	Description of discharge and constituents: (Add additional pages as necessary)
Flow rate (GPM):	
Frequency & duration of discharge:	

A. Source of discharges (check all that apply) and attach a diagram of water flow through this facility:

- Installation and/or development of existing or new agricultural or non-community water supply well
- Aquifer pump test
- Cooling water from refrigerator-type systems
- Vegetable wash or rinsate water
- Other (describe below)
- 

Describe: \_\_\_\_\_

B. Discharge location: (Address) \_\_\_\_\_

Township/Range/Section: T _____, R _____, Sec. _____, _____ B&M	Latitude _____ Longitude _____
---	-----------------------------------

Attach a map showing the discharge site, receiving waters, other nearby surface waters, nearby wells & residences, treatment system, etc.

**V. RECEIVING WATER INFORMATION**

A. Does your facility discharge to (Check all that apply):

- Storm drain system? Attach written permission and list owner's name: \_\_\_\_\_
- Directly to waters of U.S. (e.g., river, lake, creek, ocean)?
- Directly into a water body that has a pollution budget or Total Maximum Daily Load (TMDL)?
- Indirectly to waters of U.S.?

B. Name of closest receiving water: \_\_\_\_\_

C: TMDL list (if applicable): \_\_\_\_\_

**VI. LAND DISPOSAL/RECLAMATION**

The Water Quality Control Plan encourages reuse/reclamation or land disposal of wastewater where practical. You must evaluate and rule out this alternative prior to any discharge to surface water under this General Permit.

Is land disposal/reclamation feasible? Yes \_\_\_\_\_ No \_\_\_\_\_ (explain on separate sheet)

**VII. VERIFICATION**

Have you obtained approval from the county or municipality who owns and maintains the storm drain system?  
Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please attach county/municipality authorization letter

Have you submitted a permit application or NOI to MBNMS and received confirmation that this project can be considered for a Low Threat Discharge Permit?  
Yes \_\_\_\_\_ No \_\_\_\_\_

**VIII. FEES**

A check payable to the State Water Resources Control Board in the amount appropriate for a discharge must be submitted. Fees are revised on an yearly basis; applicants should review the current fee schedule at <http://www.waterboards.ca.gov/resources/fees/>.

**IX. CERTIFICATIONS**

"I certify under penalty of law that this document and all attachments were prepared under my direction and 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." In addition, I certify that the provisions of the permit and the Monitoring Program, will be complied with.

Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

**ATTACHMENT C – NOTICE OF TERMINATION  
OF COVERAGE UNDER THE  
GENERAL PERMIT FOR DISCHARGES WITH LOW THREAT TO WATER QUALITY  
(NPDES PERMIT No. CAG993001, WDR ORDER No. R3-2017-0042)**

Submission of this Notice of Termination constitutes notice that the owner/operator of facility identified on this form is no longer authorized to discharge treated water by NPDES General Permit No. CAG993001.

**I. OWNER/OPERATOR**

Name:			
Mailing Address:			
City:	State:	Zip:	Phone:
Contact Person:	1. <input type="checkbox"/> Owner    2. <input type="checkbox"/> Operator 3. <input type="checkbox"/> Owner/Operator		

**II. BASIS OF TERMINATION** (Please provide additional detail under Section III)

\_\_\_\_\_ 1. All discharges subject to regulation under the general permit for discharges with low threat to water quality.

                    Date of termination \_\_\_\_/\_\_\_\_/\_\_\_\_.

\_\_\_\_\_ 2. All treated water discharges previously authorized by the general permit has been redirected to:

- \_\_\_\_\_ a. treated water retained on site.
- \_\_\_\_\_ b. treated water is discharged to a municipal sanitary sewer system.
- \_\_\_\_\_ c. treated water is discharged to evaporation ponds or percolation ponds offsite.
- \_\_\_\_\_ d. treated water is reused/reclaimed.
- \_\_\_\_\_ e. other, please

explain\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ 3. Discharge of treated water is now subject to another NPDES general permit or an individual NPDES permit.

                    NPDES Permit No. \_\_\_\_\_                      Date coverage began \_\_\_\_/\_\_\_\_/\_\_\_\_.

\_\_\_\_\_ 4. There is a new owner/operator of the identified facility.

                    Date of owner/operator transfer \_\_\_\_/\_\_\_\_/\_\_\_\_.

                    Has the new owner/operator been notified of NPDES general permit requirements? Yes\_\_\_ No\_\_\_

**NEW OWNER/OPERATOR INFORMATION**

Company Name:	
Contact Person:	Title:
Address:	

City, State:	Zip Code
Phone:	

**III. EXPLANATION OF BASIS OF TERMINATION:**

**IV. CERTIFICATION:**

I certify under penalty of law that all wastewater discharges associated with the identified facility that are authorized by NPDES general permit No. CAG993001 have been eliminated or that I am no longer the owner/operator of the facility. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge wastewater under the general permit, and that discharging pollutants in wastewater to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this Notice of Termination does not release an owner/operator from liability for any violations of the general permit or the Clean Water Act.

PRINTED NAME \_\_\_\_\_

TITLE \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE \_\_/\_\_/\_\_

## ATTACHMENT D – STANDARD PROVISIONS

### I. STANDARD PROVISIONS – PERMIT COMPLIANCE

#### A. Duty to Comply

1. The Discharger must comply with all of the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. (40 CFR § 122.41(a); Wat. Code, §§ 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 CFR § 122.41(a)(1).)

#### B. Need to Halt or Reduce Activity Not a Defense

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

#### C. Duty to Mitigate

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

#### D. Proper Operation and Maintenance

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

#### E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 CFR § 122.41(g).)
2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 CFR § 122.5(c).)

#### F. Inspection and Entry

The Discharger shall allow the Central Coast Water Board, State Water Board, U.S. EPA, and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to (33 U.S.C. § 1318(a)(4)(B); 40 CFR § 122.41(i); Wat. Code, §§ 13267, 13383):

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (33 U.S.C. § 1318(a)(4)(B)(i); 40 CFR § 122.41(i)(1); Wat. Code, §§ 13267, 13383);



2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 CFR § 122.41(i)(2); Wat. Code, §§ 13267, 13383);
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 CFR § 122.41(i)(3); Wat. Code, §§ 13267, 13383); and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (33 U.S.C. § 1318(a)(4)(B); 40 CFR § 122.41(i)(4); Wat. Code, §§ 13267, 13383.)

**G. Bypass**

1. Definitions
  - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR § 122.41(m)(1)(i).)
  - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 CFR § 122.41(m)(1)(ii).)
2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 CFR § 122.41(m)(2).)
3. Prohibition of bypass. Bypass is prohibited, and the Central Coast Water Board may take enforcement action against a Discharger for bypass, unless (40 CFR § 122.41(m)(4)(i)):
  - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 CFR § 122.41(m)(4)(i)(A));
  - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 CFR § 122.41(m)(4)(i)(B)); and
  - c. The Discharger submitted notice to the Central Coast Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 CFR § 122.41(m)(4)(i)(C).)
4. The Central Coast Water Board may approve an anticipated bypass, after considering its adverse effects, if the Central Coast Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 CFR § 122.41(m)(4)(ii).)
5. Notice

- a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass. (40 CFR § 122.41(m)(3)(i).)
- b. Unanticipated bypass. The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). (40 CFR § 122.41(m)(3)(ii).)

## H. Upset

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

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 CFR § 122.41(n)(2).)
2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 CFR § 122.41(n)(3)):
  - a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 CFR § 122.41(n)(3)(i));
  - b. The permitted facility was, at the time, being properly operated (40 CFR § 122.41(n)(3)(ii));
  - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 CFR § 122.41(n)(3)(iii)); and
  - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 CFR § 122.41(n)(3)(iv).)
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 CFR § 122.41(n)(4).)

## II. STANDARD PROVISIONS – PERMIT ACTION

### A. General

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

### B. Duty to Reapply

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

**C. Transfers**

This Order is not transferable to any person except after notice to the Central Coast Water Board. The Central Coast Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. (40 CFR §§ 122.41(l)(3), 122.61.)

**III. STANDARD PROVISIONS – MONITORING**

- A.** Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 CFR § 122.41(j)(1).)
- B.** Monitoring must be conducted according to test procedures approved under 40 CFR part 136 for the analyses of pollutants unless another method is required under 40 CFR chapter 1, subchapter N. Monitoring must be conducted according to sufficiently sensitive test methods approved under 40 CFR part 136 for the analysis of pollutants or pollutant parameters or as required under 40 CFR chapter 1, subchapter N. For the purposes of this paragraph, a method is sufficiently sensitive when:
1. The method minimum level (ML) is at or below the level of the most stringent effluent limitation established in the permit for the measured pollutant or pollutant parameter, and either the method ML is at or below the level of the most stringent applicable water quality criterion for the measured pollutant or pollutant parameter or the method ML is above the applicable water quality criterion but the amount of the pollutant or pollutant parameter in the facility's discharge is high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge; or
  2. The method has the lowest ML of the analytical methods approved under 40 CFR part 136 or required under 40 CFR chapter 1, subchapter N for the measured pollutant or pollutant parameter.

In the case of pollutants or pollutant parameters for which there are no approved methods under 40 CFR part 136 or otherwise required under 40 CFR chapter 1, subchapter N, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 CFR §§ 122.21(e)(3), 122.41(j)(4), 122.44(i)(1)(iv).)

For brine (negatively buoyant) discharges into MBNMS, monitoring must meet or exceed all applicable [Guidelines for Desalination Plants in MBNMS](#).

**IV. STANDARD PROVISIONS – RECORDS**

- A.** The Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Central Coast Water Board Executive Officer at any time. (40 CFR § 122.41(j)(2).)
- B.** Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements (40 CFR § 122.41(j)(3)(i));
  2. The individual(s) who performed the sampling or measurements (40 CFR § 122.41(j)(3)(ii));
  3. The date(s) analyses were performed (40 CFR § 122.41(j)(3)(iii));
  4. The individual(s) who performed the analyses (40 CFR § 122.41(j)(3)(iv));
  5. The analytical techniques or methods used (40 CFR § 122.41(j)(3)(v)); and

6. The results of such analyses. (40 CFR § 122.41(j)(3)(vi).)

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

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

## **V. STANDARD PROVISIONS – REPORTING**

### **A. Duty to Provide Information**

The Discharger shall furnish to the Central Coast Water Board, State Water Board, or U.S. EPA and MBNMS<sup>1</sup> within a reasonable time, any information which the Central Coast Water Board, State Water Board, or U.S. EPA and MBNMS<sup>1</sup> may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Central Coast Water Board, State Water Board, or U.S. EPA and MBNMS<sup>1</sup> copies of records required to be kept by this Order. (40 CFR § 122.41(h); Wat. Code, §§ 13267, 13383.)

### **B. Signatory and Certification Requirements**

1. All applications, reports, or information submitted to the Central Coast Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, V.B.5, and V.B.6 below. (40 CFR § 122.41(k).)
  - a. For a corporation, all permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. (40 CFR § 122.22(a)(1).)
  - b. For a partnership or sole proprietorship, all permit applications shall be signed by a general partner or the proprietor, respectively. (40 CFR § 122.22(a)(2).)
  - c. For a municipality, state, federal, or other public agency, all permit applications shall be signed by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA). (40 CFR § 122.22(a)(3).)

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<sup>1</sup> For discharges within MBNMS boundaries.

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

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.” (40 CFR § 122.22(d).)
5. Any person providing the electronic signature for documents described in Standard Provisions – V.B.1, V.B.2, or V.B.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting V.B, and shall ensure that all relevant requirements of 40 CFR part 3 (Cross-Media Electronic Reporting) and 40 CFR part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 C.F.R § 122.22(e).)

### C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 CFR § 122.41(l)(4).)<sup>2</sup>
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Central Coast Water Board or State Water Board. As of December 21, 2016, all reports and forms must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting V.J and comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. (40 CFR § 122.41(l)(4)(i).)

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<sup>2</sup> All monitoring and reporting information must also be submitted to MBNMS for discharges within sanctuary boundaries.

3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR part 136, or another method required for an industry-specific waste stream under 40 CFR chapter 1, subchapter N, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Central Coast Water Board or State Water Board. (40 CFR § 122.41(l)(4)(ii).)
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 CFR § 122.41(l)(4)(iii).)

#### **D. Compliance Schedules**

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

#### **E. Twenty-Four Hour Reporting**

1. The Discharger shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A report shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
2. The following shall be included as information that must be reported within 24 hours:
  1. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(A).)
  2. Any upset that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(B).)
  3. The Central Coast Water Board may waive the above required written report on a case-by-case basis if an oral report has been received within 24 hours. (40 CFR § 122.41(l)(6)(ii)(B).)

#### **F. Planned Changes**

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

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) (40 CFR § 122.41(l)(1)(i)); or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (40 CFR § 122.41(l)(1)(ii).)
3. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in this Order nor to notification requirements under section 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1). (40 CFR § 122.41(l)(1)(ii).)

#### **G. Anticipated Noncompliance**

The Discharger shall give advance notice to the Central Coast Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with this Order's requirements. (40 CFR § 122.41(l)(2).)

**H. Other Noncompliance**

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting V.E and the applicable required data in appendix A to 40 CFR part 127. The Central Coast Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 CFR § 122.41(l)(7).)

**I. Other Information**

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Central Coast Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 CFR § 122.41(l)(8).)

**J. Initial Recipient for Electronic Reporting Data**

The owner, operator, or the duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 CFR part 127 to the initial recipient defined in 40 CFR section 127.2(b). U.S. EPA will identify and publish the list of initial recipients on its website and in the Federal Register, by state and by NPDES data group [see 40 CFR section 127.2(c)]. U.S. EPA will update and maintain this listing. (40 CFR § 122.41(l)(9).)

**VI. STANDARD PROVISIONS – ENFORCEMENT**

- A.** The Central Coast Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13268, 13385, 13386 and 13387.

**VII. CENTRAL COAST WATER BOARD STANDARD PROVISIONS (JANUARY 2013)**

**A. Central Coast General Permit Conditions – Prohibitions**

1. Introduction of "incompatible wastes" to the treatment system is prohibited
2. Discharge of high-level radiological waste and of radiological, chemical, and biological warfare agents is prohibited.
3. Discharge of "toxic pollutants" in violation of effluent standards and prohibitions established under section 307(a) of the CWA is prohibited.
4. Discharge of sludge, sludge digester or thickener supernatant, and sludge drying bed leachate to drainageways, surface waters, or the ocean is prohibited.
5. Introduction of pollutants into the collection, treatment, or disposal system by an "indirect discharger" that:
  - a. Inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or
  - b. Flow through the system to the receiving water untreated; and

c. Cause or "significantly contribute" to a violation of any requirement of this Order, is prohibited.

6. Introduction of "pollutant free" wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this Order is prohibited.

**B. Central Coast Standard Provisions – Provisions**

1. Collection, treatment, and discharge of waste shall not create nuisance or pollution, as defined by California Water Code Section 13050.
2. All facilities used for transport or treatment of wastes shall be adequately protected from inundation and washout as the result of a 100-year frequency flood.
3. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.
4. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Central Coast Water Board Executive Officer.
5. Wastewater treatment plants shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to title 23 of the California Code of Regulations.
6. After notice and opportunity for a hearing, this Order may be terminated for cause, including, but not limited to:
  - a. Violation of any term or condition contained in this Order.
  - b. Obtaining this Order by misrepresentation, or by failure to disclose fully all relevant facts.
  - c. A change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge.
  - d. A substantial change in character, location, or volume of the discharge.
7. Provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.
8. After notice and opportunity for hearing, this Order may be modified or revoked and reissued for cause, including:
  - a. Promulgation of a new or revised effluent standard or limitation.
  - b. A material change in character, location, or volume of the discharge.
  - c. Access to new information that affects the terms of the Order, including applicable schedules.
  - d. Correction of technical mistakes or mistaken interpretations of law.
  - e. Other causes set forth under subpart D of 40 CFR part 122.
9. Safeguards shall be provided to ensure maximal compliance with all terms and conditions of this Order. Safeguards shall include preventative and contingency plans and may also include alternative power sources, stand-by generators, retention capacity, operating procedures, or other precautions. Preventative and contingency plans for controlling and minimizing the effect of accidental discharges shall:
  - a. Identify possible situations that could cause "upset," "overflow," "bypass," or other noncompliance. (Loading and storage areas, power outage, waste



treatment unit outage, and failure of process equipment, tanks and pipes should be considered.)

- b. Evaluate the effectiveness of present facilities and procedures and describe procedures and steps to minimize or correct any adverse environmental impact resulting from noncompliance with the permit.
10. Physical facilities shall be designed and constructed according to accepted engineering practice and shall be capable of full compliance with this Order when properly operated and maintained. Proper operation and maintenance shall be described in an Operation and Maintenance Manual. Facilities shall be accessible during the wet-weather season.
11. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the conditions of this Order. Electrical and mechanical equipment shall be maintained in accordance with appropriate practices and standards, such as NFPA 70B, *Recommended Practice for Electrical Equipment Maintenance*; NFPA 70E, *Standard for Electrical Safety in the Workplace*; ANSI/NETA MTS *Standard for Maintenance: Testing Specifications for Electrical Power Equipment and Systems*, or procedures established by insurance companies or other industry resources.
12. If the Discharger's facilities are equipped with SCADA or other systems that implement wireless, remote operation, the Discharger should implement appropriate safeguards against unauthorized access to the wireless systems. Standards such as NIST SP 800-53, *Recommended Security Controls for Federal Information Systems*, can provide guidance.
13. Production and use of recycled water is subject to the approval of the Central Coast Water Board. Production and use of recycled water shall be in conformance with Chapter 3, Division 4, Title 22 of the California Code of Regulations (Water Recycling Criteria) and Chapter 7, Division 7 of the California Water Code (Water Recycling Law). An engineering report pursuant Title 22, of the California Code of Regulations is required and a waiver or water recycling requirements from the Central Coast Water Board is required before recycled water is supplied for any use, or to any user, not specifically identified and approved either in this Order or another order issued by this Board.

### **C. Central Coast Standard Provisions – General Monitoring Requirements**

1. If results of monitoring a pollutant appear to violate effluent limitations based on a weekly, monthly, 30-day, or six-month period, but compliance or non-compliance cannot be validated because sampling is too infrequent, the frequency of sampling shall be increased to validate the test within the next monitoring period. The increased frequency shall be maintained until the Central Coast Executive Officer agrees the original monitoring frequency may be resumed.

For example, if copper is monitored annually and results exceed the six-month median numerical effluent limitation in the permit, monitoring of copper must be increased to a frequency of at least once every two months (Central Coast Standard Provisions – Definitions I.G.13.). If suspended solids are monitored weekly and results exceed the weekly average numerical limit in the permit, monitoring of suspended solids must be increased to at least four (4) samples every week (Central Coast Standard Provisions – Definitions I.G.14.).

2. Water quality analyses performed in order to monitor compliance with this Order shall be by a laboratory certified by the State Water Board Division of Drinking Water (formerly California Department of Public Health) for the constituents being analyzed. Bioassays

performed to monitor compliance with this Order shall be in accord with guidelines approved by the State Water Resources Control Board (State Water Board) and the Department of Fish and Wildlife.

3. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Samples shall be taken during periods of peak loading conditions. Influent samples shall be samples collected from the combined flows of all incoming wastes, excluding recycled wastes. Effluent samples shall be samples collected downstream of the last treatment unit and tributary flow and upstream of any mixing with receiving waters.
4. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

#### **D. Central Coast Standard Provisions – General Reporting Requirements**

Reports of marine monitoring surveys conducted to meet receiving water monitoring requirements of the Monitoring and Reporting Program shall include at least the following information:

- a. A description of climatic and receiving water characteristics at the time of sampling (weather observations, floating debris, discoloration, wind speed and direction, swell or wave action, time of sampling, tide height, etc.).
  - b. A description of sampling stations, including differences unique to each station (e.g., station location, grain size, rocks, shell litter, calcareous worm tubes, evident life, etc.).
  - c. A description of the sampling procedures and preservation sequence used in the survey.
  - d. A description of the exact method used for laboratory analysis. In general, analysis shall be conducted according to Central Coast Standard Provisions – C.1 above, and Federal Standard Provision – Monitoring III.B. However, variations in procedure are acceptable to accommodate the special requirements of sediment analysis. All such variations must be reported with the test results.
  - e. A brief discussion of the results of the survey. The discussion shall compare data from the control station with data from the outfall stations. All tabulations and computations shall be explained.
2. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule shall be submitted within 14 days following each scheduled date unless otherwise specified within this Order. If reporting noncompliance, the report shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance. A second report shall be submitted within 14 days of full compliance.
  3. The Discharger shall file a report of waste discharge at least 180 days before making any material change or proposed change in the character, location, or plume of the discharge.
  4. Within 120 days after the Discharger discovers, or is notified by the Central Coast Water Board, that monthly average daily flow will or may reach design capacity of waste treatment or disposal facilities within four years, the Discharger shall file a written report with the Central Coast Water Board. The report shall include:

- a. the best estimate of when the monthly average daily dry weather flow rate will equal or exceed design capacity; and,
- b. a schedule for studies, design, and other steps needed to provide additional capacity for waste treatment or disposal facilities before the waste flow rate equals the capacity of present units.

In addition to complying with Federal Standard Provision – Reporting V.B., the required technical report shall be prepared with public participation and reviewed, approved and jointly submitted by all planning and building departments having jurisdiction in the area served by the waste collection, treatment, or disposal facilities.

5. The Discharger shall submit monitoring reports (both eSMRs and DMRs) electronically to the CIWQS website. All other correspondence or reports shall be sent electronically to:

**Central Coast Water Board**  
[centralcoast@waterboards.ca.gov](mailto:centralcoast@waterboards.ca.gov)

6. Transfer of control or ownership of a waste discharge facility must be preceded by a notice to the Central Coast Water Board at least 30 days in advance of the proposed transfer date. The notice must include a written agreement between the existing Discharger and proposed Discharger containing a specific date for transfer of responsibility, coverage, and liability between them. Whether an Order may be transferred without modification or revocation and reissuance is at the discretion of the Board. If Order modification or revocation and reissuance are necessary, transfer may be delayed 180 days after the Central Coast Water Board's receipt of a complete application. Please also see Federal Standard Provision – Permit Action II.C
7. Except for data determined to be confidential under CWA section 308 (excludes effluent data and permit applications), all reports prepared in accordance with this Order shall be available for public inspection at the office of the Central Coast Water Board or Regional Administrator of U.S. EPA. Please also see Federal Standard Provision – Records IV.
8. By January 30 of each year, the Discharger shall submit an annual report to the Central Coast Water Board and MBNMS for discharges within its boundaries. The report shall contain the following:
  - a. Both tabular and graphical summaries of the monitoring data obtained during the previous year.
  - b. A discussion of the previous year's compliance record and corrective actions taken, or which may be needed, to bring the Discharger into full compliance.
  - c. An evaluation of wastewater flows with projected flow rate increases over time and the estimated date when flows will reach facility capacity.
  - d. A discussion of operator certification and a list of current operating personnel and their grades of certification.
  - e. The date of the Facility's Operation and Maintenance Manual (including contingency plans as described in Provision B.9), the date the manual was last reviewed, and whether the manual is complete and valid for the current facility.
  - f. A discussion of the laboratories used by the Discharger to monitor compliance with effluent limitation and a summary of performance relative to Section C, General Monitoring Requirements.
  - g. If the Facility treats industrial or domestic wastewater and there is no provision for periodic sludge monitoring in the Monitoring and Reporting Program, the report shall

include a summary of sludge quantities, analyses of its chemical and moisture content, and its ultimate destination.

- h. If appropriate, the report shall also evaluate the effectiveness of the local source control or pretreatment program using the State Water Board's "Guidelines for Determining the Effectiveness of Local Pretreatment Program."

**E. Central Coast Standard Provisions – General Pretreatment Provisions**

Discharge of pollutants by "indirect dischargers" in specific industrial sub-categories (40 CFR part 403 appendix C), where categorical pretreatment standards have been established, or are to be established, (according to 40 CFR chapter 1, subchapter N), shall comply with the appropriate pretreatment standards by the date specified therein or, if a new indirect discharger, upon commencement of discharge.

**F. Central Coast Standard Provisions – Enforcement**

1. Any person failing to file a report of waste discharge or other report as required by this Order shall be subject to a civil penalty not to exceed \$5,000 per day.
2. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
3. Upon reduction, loss, or failure of the treatment facility, the Discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided

**ATTACHMENT E – MONITORING AND REPORTING PROGRAM**

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## ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

Section 308 of the federal Clean Water Act (CWA) and sections 122.41(h), (j)-(l), 122.44(i), and 122.48 of title 40 of the Code of Federal Regulations (40 CFR) require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Central Coast Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. This MRP establishes monitoring, reporting, and recordkeeping requirements that implement the federal and California laws and/or regulations. Specific waste discharger reporting responsibilities are found in Sections 13225(a), 13383, and 13387(b) of the California Water Code and the Environmental Protection Agency's (USEPA) Discharge Monitoring Report (Form 3320-1).

Dischargers regulated under General NPDES Permit No. CAG993001 shall be subject to the following requirements unless such requirements are modified or waived by the Central Coast Water Board Executive Officer. **Additional requirements may be added by the Executive Officer if needed to adequately ensure compliance with the General Permit. This Monitoring and Reporting Program (MRP No. R3-2017-0042) may be revised, as necessary, by the Executive Officer.** Revisions may include addition of priority pollutants that exceed effluent limits in influent samples. Exceeded priority pollutants will be added to MRP No. R3-2017-0042 and are subject to sampling requirements as specified below.

The principal purposes of a monitoring program by a waste discharger, also referred to as self-monitoring program, are (1) to document compliance with waste discharge requirements and prohibitions established by the Central Coast Water Board, (2) to facilitate self-policing by the waste discharger in the prevention and abatement of pollution arising from waste discharge, (3) to develop or assist in the development of effluent or other limitations, discharge prohibitions, national standards of performance, pretreatment and toxicity standards, and other standards, and (4) to prepare water and wastewater quality inventories.

### I. GENERAL MONITORING PROVISIONS

- A. Laboratories analyzing monitoring samples shall be certified by the State Water Resources Control Board (State Water Board), in accordance with the provision of Water Code section 13176, and must include quality assurance/quality control data with their reports.
- B. A laboratory approved by the State Department of Health Services (DHS) or a laboratory waived by the Executive Officer from obtaining a certification by the DHS for specified analyses shall conduct water and waste analyses. The director of the laboratory whose name appears on the certification or his/her laboratory supervisor who is directly responsible for analytical work performed shall supervise all analytical work including appropriate quality assurance/quality control procedures in his or her laboratory and shall sign all reports of such work submitted to the Central Coast Water Board.
- C. Unless otherwise specified by this MRP, all monitoring shall be conducted according to test procedures established at 40 CFR part 136, Guidelines Establishing Test Procedures for Analysis of Pollutants. All analyses shall be conducted using the lowest practical quantitation limit achievable using the specified methodology. Where effluent limitations are set below the lowest achievable quantitation limits, pollutants not detected at the lowest practical quantitation limits will be considered in compliance with effluent limitations. Analysis for toxics listed by the California Toxics Rule shall also adhere to guidance and requirements contained in the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (2009). Analyses for toxics listed in Table 1 (formerly Table B) of the 2015 California Ocean Plan (California Ocean Plan) shall adhere to guidance and requirements contained in that document.

- D. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.
- E. Collection of annual samples shall occur at the initiation of the discharge for the first sample and thereafter collected during a volumetric flow period that is representative of the average annual effluent flow rate or average seasonal effluent flow rate, whichever average is higher. Collection of semi-annual samples shall occur at the initiation of the discharge for the first sample and during January and July thereafter. Quarterly samples shall be collected during January, April, July, and October.
- F. Samples shall be collected at a time, place, and manner so as most likely to be representative of the peak discharge.
- G. Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than  $\pm 10$  percent from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references:
1. *A Guide to Methods and Standards for the Measurement of Water Flow*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 96 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Stock No. C13.10:421)
  2. *Water Measurement Manual*, U.S. Department of Interior, Bureau of Reclamation, Third Edition, Revised Reprint, 2001, 317 pp. (Available from the U.S. Government Printing Office, Washington D.C. 20402. Stock No. 024-00215-1)
  3. *Flow Measurement in Open Channels and Closed Conduits*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Services (NTIS) Springfield, VA 22151. Order by NTIS No. PB-273 535/5ST.)
  4. *NPDES Compliance Sampling Manual*, U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-51, 1977, 140 pp. (Available from the General Services Administration (8FFS), Centralized Mailing Lists Services, Building 41, Denver Federal Center, CO 80225.)
- H. Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this MRP.
- I. Effluent Sampling and Analytical Methods
1. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and approval of the Central Coast Water Board.
  2. Total ammonia nitrogen analysis and un-ionized ammonia calculations shall occur whenever acute toxicity test results determine a potential for toxic effluent to human, animal, plant, or aquatic life.

3. If laboratory analyses indicates an exceedance of effluent limitations (Section IV. Of this General Permit), collection of a confirmation sample shall occur within 24 hours and results known within 24 hours of the sampling. If the confirmation sample results in a constituent limit exceedance then the discharge shall terminate until the Discharger determines the cause of the violation and takes corrective measures restoring compliance. In this case, both the initial and confirmed exceedances are violations. Otherwise, only the initial exceedance is a violation.
  4. If results of any single acute toxicity test indicate a threatened violation (i.e., the percentage of surviving test organisms is less than that for the same water body in areas unaffected by the waste discharge or, when necessary, for other control water that is consistent with requirements for “experimental water” as described in *Standard Methods for the Examination of Water and Wastewater*, latest edition), the Discharger shall cease the discharge and will be required to treat the discharge back to zero toxicity levels. This implies that the discharge is no longer “low threat,” and that the Discharger will need to apply for an individual NPDES permit.
- J. Receiving Water Sampling and Analytical Methods
1. Collection of receiving water samples shall occur on days coincident with sampling of effluent.
  2. Collection of receiving water samples shall occur up stream/coast and downstream/coast of the discharge point so as to be representative, unless otherwise stipulated.
  3. Collection of samples shall occur within one foot below the surface of the receiving water body, unless otherwise stipulated.
- K. The Discharger shall ensure that the results of the Discharge Monitoring Report-Quality Assurance (DMR-QA) Study or the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Board at the following address:
- State Water Resources Control Board  
Quality Assurance Program Officer  
Office of Information Management and Analysis  
1001 I Street, Sacramento, CA 95814
- L. For discharges of brine within MBNMS, monitoring must meet or exceed the all applicable Guidelines for Desalination Plants in MBNMS.

**II. MONITORING LOCATIONS**

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

**Table E- 1. Monitoring Station Locations**

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
Effluent	EFF-1	At a point in the discharge line immediately exiting the facility or site boundary but before discharge water mixes with any receiving water following treatment and before it joins or is diluted by any other waste stream, body of water, or substance.
Receiving Waters Upstream	RSW-1U	At a point 50 feet upstream or up coast from the point of discharge into the receiving water, or if access is limited, at the first point upstream/coast which is accessible



<b>Receiving Waters Downstream</b>	<b>RSW-1D</b>	At a point 50 feet downstream or down coast from the point of discharge into the receiving water, or if access is limited, at the first point downstream/coast which is accessible.
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Note: The Discharger is responsible to submit latitude and longitude information for the effluent and receiving water locations.

**III. START-UP MONITORING REQUIREMENTS**

- A. Notification: The Discharger shall notify Executive Officer in writing of the start-up date 7 to 14 days prior to start up beginning.
- B. Monitoring: During the initial effluent discharge, sampling of the effluent must occur on the first day.
  - 1. On the first day of the wastewater discharge system, the effluent shall run until at least three consecutive readings for pH, conductivity, and temperature are within five percent of each other. After attainment of consecutive readings for pH, conductivity, and temperature, the Discharger will collect and submit an effluent sample to a certified laboratory and test for constituents outlined in Table E-2 below. Prior to receipt of the results of the initial samples, all effluent shall be discharged into a holding tank (that is contained, not discharged to the receiving water) until the results of the analyses show the discharge to be within the effluent limits established in this Order and/or in the authorization letter. Shut down of the wastewater discharge system may occur after the first day's sampling to await the laboratory analytical results and, thereby, reduce the amount of storage needed. For the stored effluent, if the results of the analyses show the discharge to be in violation, the effluent shall: (1) be treated until the treated effluent is in compliance or (2) be disposed of in accord with the provisions of Chapter 15, Title 23, California Code of Regulations.
  - 2. If the first day's sampling shows compliance then the wastewater discharge system may proceed to discharge into the receiving water. If shut down of the treatment system is more than eight days during the original start up (awaiting analyses results, etc.), the Discharger must repeat the original sampling and startup procedures.
- C. Reporting: The discharger shall submit laboratory analytical results, flow rates, chain of custody forms, and descriptions of any changes or modifications to the wastewater discharge system in the start-up report in accordance with Section H of the MRP.

**IV. EFFLUENT MONITORING REQUIREMENTS**

**A. Minimum Level (ML) and Analytical Method Selection**

U.S. EPA published regulations for the Sufficiently Sensitive Methods Rule (SSM Rule) which became effective September 18, 2015. For the purposes of the NPDES program, when more than one test procedure is approved under 40 CFR part 136 for the analysis of a pollutant or pollutant parameter, the test procedure must be sufficiently sensitive as defined at 40 CFR 122.21(e)(3) and 122.44(i)(1)(iv). Both 40 C.F.R sections 122.21(e)(3) and 122.44(i)(1)(iv) apply to the selection of a sufficiently sensitive analytical method for the purposes of monitoring and reporting under NPDES permits, including review of permit applications. A U.S. EPA-approved analytical method is sufficiently sensitive where:

- 1. The ML is at or below both the level of the applicable water quality criterion/objective and the permit limitation for the measured pollutant or pollutant parameter; or
- 2. In permit applications, the ML is above the applicable water quality criterion/objective, but the amount of the pollutant or pollutant parameter in a facility's discharge is high enough

that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge; or

- The method has the lowest ML of the U.S. EPA-approved analytical methods where none of the U.S. EPA-approved analytical methods for a pollutant can achieve the MLs necessary to assess the need for effluent limitations or to monitor compliance with a permit limitation.

The MLs in SIP Appendix 4 remain applicable. However, there may be situations when analytical methods are published with MLs that are more sensitive than the MLs for analytical methods listed in the SIP. For instance, U.S. EPA Method 1631E for mercury is not currently listed in SIP Appendix 4, but it is published with an ML of 0.5 ng/L that makes it a sufficiently sensitive analytical method. Similarly, U.S. EPA Method 245.7 for mercury is published with an ML of 5 ng/L.

**B. Monitoring Location (EFF-1)**

- The following shall constitute the effluent monitoring program barring modification or waiver of requirements by the Executive Officer. The Executive Officer may require additional effluent monitoring if needed to adequately ensure compliance with the permit.
- The Discharger will perform monitoring within the **first 24 hours** of the wastewater discharge system startup and thereafter as directed by the following table. Representative samples of the discharge shall be collected and analyzed according to the following schedule:

**Table E- 2. Effluent Monitoring Schedule**

Constituents	Units	Type of Sample	Minimum Frequency of Sampling and Analysis <sup>1</sup>
Flow Rate	GPD	Estimate	Start-up then Daily <sup>2</sup>
Discharge Volume	Gallons	Estimate	Start-up then Monthly
pH	pH Units	Grab	Start-up then Monthly
Total Chlorine Residual <sup>3</sup>	mg/L	Grab	Start-up then Annually
Total Suspended Solids	mg/L	Grab	Start-up then Annually
Settleable Solids	mL/L	Grab	Start-up then Annually
Total Dissolved Solids	mg/L	Grab	Start-up then Annually
Oil and Grease	mg/L	Grab	Start-up then Annually
Temperature	°F	Grab	Start-up then Annually
Color	Units	Grab	Start-up then Annually
Turbidity	NTU	Grab	Start-up then Annually
Dissolved Oxygen	mg/L	Grab	Start-up then Annually
Acute Toxicity <sup>4</sup>	TUa	Grab	Start-up then Annually
Chronic Toxicity	TUc	Grab	Start-up then Annually
Total Coliform <sup>5</sup>	MPN/100 mL	Grab	Start-up then Annually
Others <sup>6</sup>			

<sup>1</sup> The Discharger will collect annual effluent samples during a volumetric flow period that is representative of the average effluent flow rate or average seasonal effluent flow rate, whichever average is higher.  
<sup>2</sup> Intermittent discharges shall include range, timing, and frequency of flow.  
<sup>3</sup> Discharge monitoring for total chlorine residual need not occur if the discharge is not chlorinated or from a chlorinated source.  
<sup>4</sup> Collect samples and analyze according to EPA Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, October 2002 (EPA-821-R-02-012)  
<sup>5</sup> Total coliform monitoring is applicable only to facilities with potential to contain fecal contamination.  
<sup>6</sup> Other pollutants commonly found in the discharge (e.g. chloride or metals in desalination brine discharges or nitrate, phosphorous, or pesticides if agricultural well discharges, or specific petroleum constituents if the

**V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS**

**A. Acute and Chronic Toxicity Testing**

1. Prior to discharging to surface water, Dischargers shall collect and analyze at least one effluent sample (EFF-1) for acute toxicity according to the EPA method and species listed below:

**Table E- 3. Acute Toxicity Test Methods<sup>7</sup>**

<b>EPA Method</b>	<b>Freshwater methods</b>
2000.0	Fathead Minnow ( <i>Pimephales promela</i> ) and Bannerfin shiner ( <i>Cyprinella leedsii</i> )
2002.0	Daphnia ( <i>Ceriodaphnia dubia</i> )
2019.0	Rainbow trout ( <i>Oncorhynchus mykiss</i> ) and Brook trout ( <i>Salvelinus fontinalis</i> )
2021.0	<i>Daphnia pulex</i> and <i>Daphnia magna</i>
<b>EPA Method</b>	<b>Marine/Estuarine methods</b>
2004.0	Sheepshead minnow ( <i>Cyprinodon variegatus</i> )
2006.0	Silverside ( <i>Menidia beryllina</i> , <i>Menidia menida</i> , and <i>Menida peninsulae</i> )
2007.0	Mysid ( <i>Americamysis bahia</i> )

2. Prior to discharging to surface water, Dischargers shall collect and analyze at least one effluent sample (EFF-1) for acute chronic according to the EPA method and species listed below:

**Table E- 4. Chronic Toxicity Test Methods**

<b>EPA Method</b>	<b>Freshwater methods<sup>8</sup></b>
1000.0	Fathead Minnow ( <i>Pimephales promela</i> ) larval survival and growth
1001.0	Fathead Minnow ( <i>Pimephales promela</i> ), larval survival and teratogenicity
1002.0	Daphnia ( <i>Ceriodaphnia dubia</i> ), survival and reproduction
1003.0	Green alga, ( <i>Selenastrum capricornutum</i> ), growth
<b>EPA Method</b>	<b>Marine/Estuarine methods<sup>9</sup></b>
1004.0	Sheepshead minnow ( <i>Cyprinodon variegatus</i> ), larval survival and growth
1005.0	Sheepshead minnow ( <i>Cyprinodon variegatus</i> ), embryo-larval survival and teratogenicity
1006.0	Inland Silverside ( <i>Menidia beryllina</i> ), larval survival and growth
1007.0	Mysid ( <i>Americamysis bahia</i> ), survival, growth and fecundity
1008.0	Sea urchin ( <i>Arbacia punctulata</i> ), fertilization

construction dewatering project is located within 250 feet of an active petroleum-transfer facility [i.e. gas station or bulk storage facility]).

<sup>7</sup> Dischargers shall choose the most-sensitive species that may be expected to live in the surface water body where effluent is being discharged into.

<sup>8</sup> See <https://www.epa.gov/cwa-methods/chronic-toxicity-freshwater-wet-methods> for more information.

<sup>9</sup> See <https://www.epa.gov/cwa-methods/chronic-toxicity-marine-and-estuarine-wet-methods> for more information.

3. In the second year of this General Permit term enrollment, Dischargers must collect and analyze one effluent sample (EFF-1) for both acute and chronic toxicity.

**VI. RECEIVING WATER MONITORING REQUIREMENTS**

A. The Discharger shall keep a log of the receiving water conditions throughout the reach bounded by stations RSW-1U and RSW-1D. At a minimum of quarterly, the discharger shall record the visual observations made of the receiving water for the presence or absence of:

**Table E- 5. Receiving Water Monitoring Requirements**

Observation	Minimum Frequency
Floating or suspended matter in the water	Start-up, then Quarterly
Discoloration of the water	Start-up, then Quarterly
Bottom deposits	Start-up, then Quarterly
Visible films, sheens, or coatings	Start-up, then Quarterly
Fungi, slimes, or objectionable growths	Start-up, then Quarterly
Potential nuisance conditions	Quarterly

B. The following shall constitute the receiving water monitoring program for inland surface waters at RSW-1U and RSW-1D barring modification or waiver by the Executive Officer. The Discharger will perform monitoring prior to startup of the wastewater discharge system and thereafter as directed by the following table. The Executive Officer may require additional receiving water monitoring for inland surface and ocean waters if needed to adequately assure compliance with the permit.

**Table E- 6. Receiving Water Body Sampling and Analyses Schedule**

Constituents	Units	Type of Sample	Minimum Frequency of Sampling and Analysis
pH	pH Units	Grab	Prior to Startup then Annually
Temperature	°F	Grab	Prior to Startup then Annually
Color	Units	Grab	Prior to Startup then Annually
Turbidity	NTU	Grab	Prior to Startup then Annually
Dissolved Oxygen	mg/L	Grab	Prior to Startup then Annually

**VII. REPORTING REQUIREMENTS**

**A. General Monitoring and Reporting Requirements**

The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping. Reporting of data shall be in accordance with the following:

1. Start-up Report: A report on the startup phase shall be submitted to the Central Coast Water Board no more than 15 days after the end of the startup phase. This report shall include field logs of observations and measurements, laboratory results, and a certification that a professional engineer or geologist certified in State of California oversees the wastewater discharge system operation and maintenance activities including the startup work.
2. Contingency Plan: A report summarizing the standard operating procedures of the wastewater discharge system and contingency measures to be implemented if the discharge exceeds 0.3 million gallons per day (MGD) and is longer than six months in

duration or if the discharge qualifies for a State Implementation Policy Categorical Exception. The Discharger shall submit a Contingency Plan prior to start-up of wastewater discharge system. At a minimum the report shall include:

- a. A description of the wastewater discharge system's function, design and operation;
  - b. A description of the nature of the discharge;
  - c. A description of soil erosion prevention measures to be taken at the point of discharge;
  - d. A description of actions that will be taken if the system were to malfunction; and
  - e. A description of actions if monitoring indicates potential violation of the Low Threat to Water Quality Waste Discharge Requirements Order No. R3-2017-0042 permit requirements.
3. For continuous discharges, Dischargers shall submit annual self-monitoring reports by **January 30** of each year. For intermittent discharges, Dischargers shall submit annual self-monitoring reports by **45 days after collection date of annual samples**. For one-time discharges, Dischargers shall submit annual self-monitoring reports within 30 days of termination of discharges.

#### **B. Self-Monitoring Reports (SMRs)**

1. The Discharger shall electronically submit SMRs using the State Water Board's California Integrated Water Quality System (CIWQS) Program website [http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/). The CIWQS website will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.
2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections III through IX. The Discharger shall submit **annual** SMRs including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMRs are to include all new monitoring results obtained since the last SMR was submitted. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR. The annual report shall contain at a minimum:
  - a. Letter of Transmittal: A letter transmitting self-monitoring reports should accompany each report. Such a letter shall include:
    - i. Identification of all violations of waste discharge requirements found during the reporting period, including the date of occurrence and date of determination for each violation.
    - ii. Details of the magnitude, frequency, and dates of all violations.
    - iii. The cause of the violations.
    - iv. Discussion of the corrective actions taken or planned and the time schedule for completion. If the discharger has previously submitted a detailed time schedule for correcting requirement violations, a reference to the correspondence transmitting such schedule will be satisfactory.
  - v. The Self-Monitoring Report must be submitted electronically to [centralcoast@waterboards.ca.gov](mailto:centralcoast@waterboards.ca.gov) and [mbnms.permits@noaa.gov](mailto:mbnms.permits@noaa.gov)<sup>10</sup>. The

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<sup>10</sup> For discharges within MBNMS boundaries.

subject heading in the email must include the site address and the reporting year (e.g., 12345 Main Street, San Luis Obispo, 2006). The electronic mail should contain the identification and number of all violations of this permit found during the reporting period or a statement identifying that no violations were found during the reporting period.

- vi. The annual report shall document that the annual fee has been paid to the State Water Board.
  - vii. A signature from a principal executive officer or ranking elected official of the discharger, or by a duly authorized representative of that person, along with the following certification: "I certify under penalty of law that this document and all attachments are prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who managed 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."
  - b. Map or Aerial Photograph: A map or aerial photograph shall accompany the report showing sampling and observation station locations.
  - c. Results of Analyses and Observations: The Discharger shall present monitoring data in tabular form so that the date, constituents, and concentrations are readily discernible. The Discharger shall summarize data in such a manner to clearly illustrate whether the discharge complies with waste discharge requirements. The annual report shall contain at a minimum the results from the monitoring specified above.
3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

**Table E- 7. Monitoring Periods and Reporting Schedule**

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date
Annually	January 1 following (or on) permit effective date	January 1 through December 31	January 30
Intermittent	Date started	After each start-up, then quarterly	45 days after collection date of annual samples

4. **Chemical Additives Report:** If the Discharger introduces chemical additives in a manner that will change effluent characteristics originally not reported in the NOI then the Discharger shall submit to the Central Coast Water Board a report describing the need, method of chemical application and disposal. The Discharger shall submit a Chemical Additives Report at least 30 days before the use of any chemicals in the operation and maintenance of the wastewater discharge system. This report shall include Material Safety Data Sheet (MSDS) for the proposed chemical(s). This MSDS shall include No Observed Effect Level (NOEL) data on most sensitive species for this chemical. The concentration of the proposed chemical should be much less than the NOEL.

5. **Late Reports:** Please note that effective January 1, 2004, assessment of monetary penalties shall occur for submitting late monitoring reports pursuant to California Water Code Section 13385.1.
6. If the Discharger receives a notification that the electronic mail was undeliverable, the Discharger shall deliver an electronic copy of each monitoring report on a compact disk or thumb drive to:

California Regional Water Quality Control Board  
Central Coast Region  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906

7. The Discharger shall ensure 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. A prolonged period of record retention shall occur during the course of any unresolved litigation regarding this discharge or by the request of the Executive Officer. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individual(s) who performed the sampling, and/or measurements;
  - c. The date(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or methods used;
  - f. All sampling and analytical results;
  - g. All monitoring equipment calibration and maintenance records;
  - h. All original strip charts from continuous monitoring devices;
  - i. All data used to complete the application for this general permit; and,
  - j. Copies of all reports required by this general permit.
8. Reporting Protocols. The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR part 136.  
The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:
  - a. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
  - b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.  
  
For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ. The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy ( $\pm$  a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.
  - c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.

- d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.
9. Compliance Determination. Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined above. For purposes of reporting and administrative enforcement by the Central Coast Water Board and State Water Board, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).
10. Multiple Sample Data. When determining compliance with an AMEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
  - a. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
  - b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
11. The Discharger shall submit SMRs in accordance with the following requirements:
  - a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.
  - b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the waste discharge requirements; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

### **C. Discharge Monitoring Reports (DMRs)**

DMRs are U.S. EPA reporting requirements. The Discharger shall electronically certify and submit DMRs together with SMRs using Electronic Self-Monitoring Reports module eSMR 2.5 or any upgraded version. Electronic DMR submittal shall be in addition to electronic SMR submittal. Information about electronic DMR submittal is available at the DMR website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/discharge\\_monitoring](http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring)



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**ATTACHMENT F – FACT SHEET**

As described in Section II.B. of this Order, the Central Coast Water Board incorporates this Fact Sheet as findings of the Central Coast Water Board supporting the issuance of this Order. This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

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

**I. PERMIT INFORMATION**

The following table summarizes administrative information related to the facility.

**Table F- 1. Facility Information**

<b>Discharger Types</b>	Any person, partnership, firm, corporation, association, trust estate, or any other legal entity.
<b>Facility Address</b>	Locations throughout the Central Coast Region.
<b>Facility Types</b>	Facilities that discharge untreated wastewater streams that will not affect receiving water quality.
<b>Major or Minor Discharge</b>	Minor
<b>Threat to Water Quality</b>	3 (low)
<b>Complexity</b>	C (not complex)
<b>Facility Permitted Flow</b>	< 0.3 MGD
<b>Watershed</b>	Varies by Discharge
<b>Receiving Water</b>	Varies by Discharge
<b>Receiving Water Type</b>	Varies by Discharge

**II. FACILITY DESCRIPTION**

**A. Criteria for Enrollment Under this General Permit**

This region-wide General NPDES Permit For Discharges With Low Threat to Water Quality (General Permit) authorizes the discharge of wastes meeting the criteria specified in finding two of this general permit to waters of the United States by any person, partnership, firm, corporation, association, trust estate, or any other legal entity (hereafter Discharger). Low-threat discharges are discharges that contain minimal amounts of pollutants and pose little or no threat to water quality and the environment. To be covered by the General Permit, discharges must meet the following criteria:

1. Pollutant concentrations in the discharge do not (a) cause, (b) have a reasonable potential to cause, or (c) contribute to an excursion above any applicable water quality objectives, including prohibitions of discharge.
2. The discharge does not include water added for the purpose of diluting pollutant concentrations.
3. Pollutant concentrations in the discharge will not cause or contribute to degradation of water quality or impair beneficial uses of receiving waters.
4. Pollutant concentrations in the discharge shall not exceed the limits in Table 4 (permit page 7) of this order unless the executive officer determines that the applicable water

quality control plan (i.e. Ocean Plan and/or State Implementation Policy) does not require effluent limits.

5. The discharge shall not cause acute or chronic toxicity in receiving waters.
6. The Discharger shall demonstrate the ability to comply with the requirements of this General Permit.

**B. Types of Discharges Covered by this General Permit**

1. The U.S. Environmental Protection Agency (USEPA) and State Water Resources Control Board (State Water Board) classify these discharges as minor discharges. These discharges may be treated and discharged on either continuous or batch bases. For discharges from construction sites smaller than one acre that are part of a larger common plan of development or that may cause significant water quality impacts, dischargers must seek coverage under the Construction Storm Water Permit or an individual NPDES permit.
2. Below is a list of discharges potentially meeting the above-stated criteria. This is not a complete list of discharges eligible for consideration of coverage under the General Permit. Other proposed discharges may be submitted to the Central Coast Water Board for consideration of coverage. Also, local governmental agencies may require controls or management measures for discharges occurring within their jurisdiction in addition to or more stringent than the controls specified in this General Permit.

**a. Examples of Low Threat Discharges to Inland Surface Waters, Enclosed Bays, and Estuaries** - The following are examples of categories of low threat discharges to inland surface waters, enclosed bays, and estuaries of California that may be authorized by this General Permit, provided discharges meet the criteria specified in Section II. A. of this Fact Sheet. This is not a complete list of discharges eligible for consideration of coverage under this General Permit:

- i. Discharges associated with non-community water supply well installation, development, test pumping and purging;
- ii. Discharges resulting from the maintenance of uncontaminated non-community water supply wells, pipelines, tanks, etc.;
- iii. Discharges resulting from hydrostatic testing of non-community water supply vessels, pipelines, tanks, etc.;
- iv. Discharges resulting from the disinfection of non-community water supply pipelines, tanks, reservoirs, etc.;
- v. Discharges from non-community water supply systems resulting from system failures, pressure releases, etc.;
- vi. Discharges from non-community fire hydrant testing or flushing;
- vii. Commercial cooling tower water;
- viii. Evaporative condensate;
- ix. Swimming pool and landscape drainage;
- x. Discharges associated with agriculture well testing;
- xi. Discharges associated with reverse osmosis reject water or membrane filtrate reject water associated with advanced water treatment system operations; and
- xii. Other low-threat discharges not covered by the following general permits:

- [NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities](#) (Construction Storm Water Permit)<sup>1</sup>
- [NPDES General Permit for Storm Water Discharges Associated with Industrial Activities](#) (Industrial Storm Water Permit)
- [NPDES Statewide Storm Water Permit WDRs for State of California Department of Transportation](#) (Caltrans Statewide Permit)
- Aquatic Pesticides Statewide General Permits
  - [Statewide General NPDES Permit for Residual Pesticide Discharges to Waters of the United States from Aquatic Animal Invasive Species Control Applications](#) (Aquatic Animal Invasive Species Control Permit)
  - [Statewide General NPDES Permit for Biological and Residual Pesticide Discharges to Waters of the United States from Spray Applications](#) (Spray Applications Permit)
  - [Statewide General NPDES Permit for Biological and Residual Pesticide Discharges to Waters of the United States from Vector Control Applications](#) (Vector Control Permit)
  - [Statewide General NPDES Permit for Biological and Residual Pesticide Discharges to Waters of the United States from Algae and Aquatic Weed Control Applications](#) (Weed Control Permit)
- [General NPDES Permit for Discharges from Utility Vaults and Underground Structures to Waters of the United States](#) (Utility Vaults Permit)
- [Statewide NPDES Permit for Drinking Water System Discharges to Waters of the United States](#) (Drinking Water System Permit)<sup>2</sup>; and
- [Vessel General NPDES Permit](#).

All discharges subject to these statewide permits are ineligible for coverage under this General Permit.

- xiii. Other similar types of wastes that pose a low threat to water quality yet require a NPDES permit.

**b. Examples of Low Threat Discharges to Ocean Waters** - In addition to those listed in Section II.B.1.a. above, the following examples of categories of low threat discharges to ocean waters of California that may be authorized by this General Permit, provided discharges meet the criteria specified in Section II. A. of this Fact Sheet. This is not a complete list of discharges eligible for consideration of coverage under this General Permit:

- i. Brine from small desalination facilities<sup>3,4,5</sup>;

<sup>1</sup> Covers all sites that disturb at least one acre of soil or whose projects are part of a larger common plan of development that in total disturbs one or more acres.

<sup>2</sup> Includes discharges associated with non-community water supply wells, pipelines, tanks, systems, vessels, etc.

<sup>3</sup> Brine is defined as byproduct of desalinated water (i.e. seawater) having a salinity concentration greater than a desalination facility's intake source water [2015 Ocean Plan].

<sup>4</sup> Brine discharges from desalination facilities into MBNMS are not permitted under this Low Threat General Permit unless they are authorized by MBNMS.

- ii. Discharge of seafood processing wash water; and
- iii. Discharge of reverse osmosis and membrane filtrate reject water.

**c. Types of Discharges *Not* Covered by this General Permit**

Discharges that may be a significant threat to water quality and which are therefore excluded from coverage under this General Permit include

- i. Discharges from domestic wastewater treatment facilities; and
  - ii. Discharges from secondary containment structures (i.e. brine ponds).
3. Discharges with low threat to water quality generally have low flows. For continuous discharges, the following guidelines generally define low flows:

**Table F- 2. Low Threat Continuous Discharge Flow Rate Guidelines**

Type of Continuous Discharge	Maximum Daily Flow (MGD)
Cooling Water	0.1
Evaporative Condensate	0.1
Desalination Brine	0.05
Reverse Osmosis or Microfiltration Reject Water <sup>6</sup>	0.1
Other Low Threat Discharges	0.05

4. For intermittent or one-time discharges, the following guidelines generally define low-threat discharges with low flow volumes:

**Table F- 3. Flow Rates for Intermittent or One-Time Discharges**

Type of Intermittent or One-Time Discharge	Max Daily Flow (MGD)	Duration
Agricultural well installation, development, test pumping and purging	0.25	1 Month
Landscape and Swimming Pool Water <sup>7</sup>	0.025	1 Month
Construction Dewatering for sites less than 1-acre and are not part of a larger common construction plan	0.1	1 Year
Other Low Threat Discharges	0.05	6 Months

<sup>5</sup> Any brine discharge must meet the applicability provision for a small, portable, temporary government run facility detailed in Section 3.M.1.a of the 2015 Desalination Amendment to the California Ocean Plan; see Finding I in Section II of this Fact Sheet.

<sup>6</sup> Reverse Osmosis Reject Water is defined as the wastewater stream exiting from reverse osmosis or microfiltration advanced water treatment systems. Sources of municipal water supply include surface water or groundwater and this wastewater is further treated and disinfected via advanced water treatment systems.

<sup>7</sup> It is not the Water Board’s intent to require enrollment of swimming pool or hot tub discharges at private residences. Discharges from large municipal pools or resorts must apply for enrollment under this Low Threat General Permit. Landscape and swimming pool water discharges may also be covered under [municipal storm water NPDES permits](#).

5. Discharges that qualify for the State Implementation Plan's Categorical Exceptions are considered low threat to water quality. These discharges include:
  - a. Discharges associated with resource or pest management (i.e., vector or weed control, pest eradication, or fishery management) conducted by public entities or mutual water companies to fulfill statutory requirements, including, but not limited to, those in the California Fish and Game, Food and Agriculture, Health and Safety, and Harbors and Navigation codes; or
  - b. Associated with drinking water conducted to fulfill statutory requirements under the federal Safe Drinking Water Act or the California Health and Safety code.
6. This General Permit meets the requirements of 40 CFR 122.28(a)(2)(ii). The categories of waste discharges permitted under this order:
  - a. Involve similar threats to water quality;
  - b. Discharge similar type of wastes;
  - c. Require similar effluent limitations;
  - d. Require similar monitoring; and
  - e. Are more appropriately controlled under a general permit than by individual permits.
7. Use of this General Permit to regulate the specified discharges is in the public interest.
8. The Central Coast Water Board may determine that a waste discharge eligible for authorization by this General Permit is more appropriately regulated under an individual NPDES permit, another general NPDES permit, or waste discharge requirements. If an individual NPDES permit, another general NPDES permit, or waste discharge requirements is issued for a discharge, applicability of this General Permit for the discharge is immediately terminated on the effective date of the alternative permit.
9. Changes to this General Permit, including the required State Implementation Policy monitoring, are applicable to Dischargers previously enrolled under previous version of this General Permit.
10. Special circumstances allow enrollees the benefit of submitting a single application for multiple qualifying low-threat discharges within a specific groundwater basin or receiving water body. Enrollees may add subsequent new discharges to the existing low-threat permit enrollment at a future date by submitting a notice of intent (NOI) that indicates an "Additional Discharge to Existing Low Threat to Water Quality General Permit" and provide the required information as stated in Section A of the General Permit.

### III. APPLICATION REQUIREMENTS

- A. Dischargers satisfying the following criteria and criteria stated in Section II. A. of this Fact Sheet are eligible for authorization to discharge by this General Permit, provided:
  1. The Discharger submits a complete NOI (Attachment B) and appropriate first annual fee for each discharge.
  2. The Discharger submits the following:
    - a. A list of all chemicals (including Material Safety Data Sheets) added to the water and the concentrations of such additives in the discharged effluent.
    - b. Unless the discharge meets all requirements for a conditional exception (State Implementation Policy Section 5.3), or is solely an ocean surface water discharge as defined in the State Implementation Policy, the Discharger must provide certified analytical results of the effluent for Inland Surface Waters, Enclosed Bays, and

Estuaries priority toxic pollutants listed in Attachment D as Chemical Constituents. These analyses are required to fulfill the requirements set forth in the California Toxics Rule to evaluate the potential for water quality degradation and to establish effluent limits.

- c. If the discharge is solely an ocean surface water discharge as defined in the State Implementation Policy, the Discharger must provide certified analytical results of the effluent for Ocean Discharge priority toxic pollutants listed in Table 4 (permit page 7) as Chemical Constituents. These analyses are required to fulfill the requirements set forth in the Ocean Plan to evaluate the potential for ocean water quality degradation.
- d. In addition to the requirements of (a) and (b) above, discharges to inland surface waters, enclosed bays, and estuaries must submit certified analytical results of a representative sample of the effluent for the following: **total chlorine, pH, nitrate, turbidity, total dissolved solids, and chronic toxicity tests.**
- e. In addition to the requirements of (a) and (c) above, discharges solely to ocean waters must submit certified analytical results of a representative sample of the effluent for the following: **oil and grease, suspended solids, settleable solids, turbidity, pH, chronic and acute toxicity tests.**
- f. In addition to the requirements of (a), (b), (c), and (e) above, flow-through seawater systems with potential to contain fecal pollution must submit certified analytical results of a representative sample of the effluent for **total coliform.**
- g. Certified analytical results of a representative sample of the receiving surface water at points 50-feet upstream and 50-feet downstream from the point of discharge into the receiving water, or if access is limited, at the first point upstream and downstream that is accessible for the following constituents: **pH, temperature, color, turbidity, and dissolved oxygen.**
- h. For proposed low-threat discharges from a yet to be constructed facility, analytical results for similar existing systems, or anticipated results based on specific facility design, will be adequate for submittal with the NOI. As part of facility startup, the Discharger shall submit all analytical results required in Section III. of this Fact Sheet.
- i. If the effluent concentration of any constituent sampled under (b) or (c) above exceeds the applicable criterion listed in Table 4 (permit page 7), the Discharger may submit the reasonable potential analysis in Section 1.3 of the State Implementation Policy or Appendix VI of the Ocean Plan, as applicable. If the Discharger elects not to submit the reasonable potential analysis, or if the Executive Officer determines that one or more constituents would require effluent limits, then the discharge is not eligible for coverage under this General Permit and the Discharger is required to obtain coverage under an individual permit or coverage by a different general NPDES permit. This provision only applies to effluent limits for priority toxic pollutants (State Implementation Policy) or Table 1 Water Quality Objectives (Ocean Plan). For Dischargers already enrolled in this permit, General Permit coverage shall continue until the Discharger receives an individual permit or enrolls under another applicable general permit. Authorization for coverage under this General Permit may be revoked in the event of violations of Receiving Water Limits, which includes not causing or contributing to water quality objective/criteria excursions.
- j. Provide a note/letter from local recycled water producers that you have contacted them to see if they will take the treated wastewater prior to discharge to surface water body.



- B. If the Discharger is seeking an exception under Section 5.3 of the State Implementation Policy, the Discharger shall submit the following information and receive subsequent Executive Officer approval:
1. A detailed description of the proposed action, including the proposed method of completing the action.
  2. A time schedule;
  3. A discharge and receiving water quality monitoring plan (before project initiation, during the project, and after project completion, with the appropriate quality assurance and quality control procedures);
  4. Completed CEQA documentation, if applicable;
  5. Contingency plans;
  6. Identification of alternate water supply (if needed);
  7. Residual waste disposal plans;
  8. Evidence that the Discharger has notified potentially affected public and governmental agencies of the project.
  9. Upon completion of the project, the discharger shall provide certification by a qualified biologist that the receiving water beneficial uses have been restored.
- C. The Discharger, upon request, submits any additional information the Central Coast Water Board determines is necessary to ascertain whether the discharge meets criteria for authorization under this permit.
- D. If the Discharger discharges wastewater to or from property not owned by the Discharger and/or is leased or rented by the Discharger, then a letter, signed by the property owner, authorizing the discharge of wastewater to or from his/her property shall be kept with the General Permit, where it will be available to operating personnel. If the discharge is to a storm water conveyance system, then notification must be sent to the owner of the storm water conveyance system.
- E. After submittal of an NOI and first annual fee, the Discharger will receive one of the following:
1. Written authorization and effective date of permit coverage;
  2. Request to submit an application and consideration for coverage under another general or individual permit; or
  3. Written notification of exclusion (NOE) of enrollment under this General Permit.
- F. In no case may the discharge occur until the applicant receives written confirmation of enrollment.
- G. Authorization to discharge under this General Permit shall terminate upon receipt of a Notice of Termination (NOT), adoption of an individual permit, or coverage by a different general NPDES permit.
- H. As of the effective date of this Order, Dischargers covered under Order No. R3-2011-0223 are enrolled under Order No. R3-2017-0042. Such Dischargers must comply with all requirements of Order No. R3-2017-0042 beginning with the effective date. Dischargers who are reenrolled shall comply with all provisions of the reissued General Permit. The analytical results required by Section III of this Fact Sheet shall be submitted with the Discharger's next annual report or on the date specified in the MRP.

#### IV. APPLICABLE PLANS, POLICIES, AND REGULATIONS

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

##### A. Legal Authorities

This Order serves as WDRs pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as an NPDES permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDRs in this Order.

##### B. California Environmental Quality Act (CEQA)

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of the Public Resources Code.

##### C. State and Federal Laws, Regulations, Policies, and Plans

1. **Water Quality Control Plan.** The Central Coast Water Board has adopted the *Water Quality Control Plan for the Central Coastal Basin* (hereinafter Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for receiving waters within the Region. To address ocean waters, the Basin Plan incorporates by reference the *Water Quality Plan for Ocean Waters of California* (the Ocean Plan).

In addition, the Basin Plan implements State Water Board Resolution No. 88-63, which establishes State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply.

In accordance with Chapter 2 of the Basin Plan, surface water bodies may not have beneficial uses specifically identified by the Basin Plan, such as an unnamed ephemeral receiving stream. Assigned beneficial uses for all surface waters include: municipal and domestic supply; and protection of both recreation and aquatic life.

In accordance with Chapter 2 of the Basin Plan, specific surface water bodies may have beneficial uses identified by the Basin Plan. Assigned beneficial uses may or may not include the uses outlined in Table F-4.

**Table F- 4. Basin Plan Beneficial Uses**

Discharge Point	Receiving Water Name	Potential Beneficial Use(s)
REC-I-1 (Inland)	<b>Inland surface water body or groundwater</b>	<ul style="list-style-type: none"> <li>• Municipal and domestic water supply (MUN)</li> <li>• Agricultural supply (AGR)</li> <li>• Industrial supply (IND and PROC)</li> <li>• Ground water recharge (GWR)</li> <li>• Freshwater replenishment (FRSH)</li> <li>• Navigation (NAV)</li> <li>• Hydropower generation (POW)</li> <li>• Contact water recreation (REC-1)</li> <li>• Non-contact water recreation (REC-2)</li> <li>• Commercial and sport fishing (COMM)</li> <li>• Aquaculture (AQUA)</li> <li>• Warm freshwater habitat (WARM)</li> <li>• Cold freshwater habitat (COLD)</li> <li>• Inland saline water habitat (SAL)</li> <li>• Estuarine habitat (EST)</li> <li>• Marine habitat (MAR)</li> <li>• Wildlife habitat (WILD)</li> <li>• Preservation of biological habitats of special significance (BIOL)</li> <li>• Rare, threatened or endangered species (RARE)</li> <li>• Migration of aquatic organisms (MIGR)</li> <li>• Spawning, reproduction, and/or early development (SPWN)</li> <li>• Shellfish harvesting (SHELL)</li> <li>• Areas of special biological significance (ASBS)</li> </ul>
REC-O-1 (Ocean)	<b>Pacific Ocean</b>	<ul style="list-style-type: none"> <li>• Water Contact Recreation(REC-1)</li> <li>• Non-Contact Recreation (REC-2)</li> <li>• Industrial Supply (IND and PROC)</li> <li>• Navigation (NAV)</li> <li>• Marine Habitat (MAR)</li> <li>• Shellfish Harvesting (SHELL)</li> <li>• Commercial and Sport Fishing (COMM)</li> <li>• Rare, Threatened, or Endangered Species (RARE)</li> <li>• Areas of special biological significance (ASBS)</li> <li>• Wildlife Habitat (WILD)</li> </ul>

2. **Thermal Plan.** The State Water Board adopted the Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan) on January 7, 1971, and amended this plan on September 18, 1975. This plan contains temperature objectives for surface waters. Requirements of this Order implement the Thermal Plan.
3. **Sediment Quality.** The State Water Board adopted the Water Quality Control Plan for Enclosed Bays and Estuaries – Part 1, Sediment Quality on September 16, 2008, and it became effective on August 25, 2009. This plan supersedes other narrative sediment quality objectives, and establishes new sediment quality objectives and related implementation provisions for specifically defined sediments in most bays and estuaries. Requirements of this Order implement sediment quality objectives of this Plan.
4. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9,

1999. About forty criteria in the NTR applied in California. On May 18, 2000, U.S. EPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain federal water quality criteria for priority pollutants. These toxic rule regulations are codified in 40 CFR section 131.36 and section 131.38 respectively, and establish numeric criteria for priority toxic pollutants for California's inland surface waters, enclosed bays, and estuaries.

5. **State Implementation Policy.** On March 2, 2000, the State Water Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP). The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the NTR and to the priority pollutant objectives established by the Central Coast Water Board in the Basin Plan. The SIP became effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005, that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.
6. The State Implementation Policy requires dischargers to submit sufficient data to determine the need for water quality-based effluent limits and establishes procedures for determining that need, and for calculating these effluent limits, when necessary.
7. In accordance with the methodology of the State Implementation Policy, the lowest (most stringent) applicable water quality-based objective or criterion contained in the Basin Plan, the National Toxics Rule, and the California Toxics Rule were compared to determine the General Permit water quality criteria for toxic pollutants. See Table 4 in the permit (page 7) for Low Threat Water Quality Criteria.
8. To satisfy the categorical exception requirements of Section 5.3 of the State Implementation Policy, dischargers seeking enrollment under this General Permit will be required to submit project-specific information to the Executive Officer on the discharge and its water quality effects. The information required by the State Implementation Policy is presented in Section III of this Fact Sheet (Application Requirements).
9. **Domestic Water Quality.** In compliance with Water Code section 106.3, it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels implemented by the Basin Plan that are designed to protect human health and ensure that water is safe for domestic use.
10. **Antidegradation Policy.** Federal regulation 40 CFR section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California"). Resolution No. 68-16 is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Central Coast Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 CFR section 131.12 and State Water Board Resolution No. 68-16.

11. **Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 CFR section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed. All changes to the effluent limitations in this General Permit were made in accordance with anti-backsliding provisions.
12. **Endangered Species Act Requirements.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code, §§ 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. §§ 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
13. **Total Maximum Daily Load (TMDL).** The Central Coast Water Board is currently developing and implementing TMDLs for many impaired water bodies in the Central Coast Region. Enrollees under this General Permit that discharge to these impaired water bodies may be required to collect discharge monitoring data applicable to developing appropriate future waste load allocations for the discharge.
14. **Mandatory Minimum Penalties.** The Porter-Cologne Water Quality Control Act establishes mandatory minimum penalties for certain types of violations of NPDES permit. California Water Code sections 13385 and 13385.1 require Water Boards to impose mandatory minimum penalties of \$3,000 for each “serious violation” and for certain violations occurring four or more times in any period of six consecutive months. Violations of numeric or numerically expressed effluent limits, certain toxicity limitations, and certain reporting violations are subject to mandatory minimum penalties.
15. Effluent limitations and toxic effluent standards established pursuant to Sections 301, 302, 304, and 307 of the Clean Water Act (CWA) and amendments thereto are applicable to these discharges.
16. Federal regulations require effluent limitations for all pollutants that are or may be discharged at a concentration causing or having reasonable potential to cause, or contribute to in-stream excursions above narrative or numerical water quality standards.

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

CWA Section 303(d) requires states to identify specific water bodies where water quality standards are not expected to be met after implementation of technology-based effluent limits on point sources. For all Section 303(d) listed water bodies and pollutants, the Central Coast Water Board must develop and implement Total Maximum Daily Loads (TMDLs) that will specify Waste Load Allocations for point sources and Load Allocations for non-point sources.

**V. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: 40 CFR section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 CFR section 122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

**A. Discharge Prohibitions**

Discharge prohibitions are included in this General Permit and implement State Water Board Resolution No. 68-16 (Antidegradation Policy), the Basin Plan, and the Ocean Plan by prohibiting the creation of conditions of pollution or nuisance as well as sediment or aquatic toxicity. In addition, discharges shall not cause scouring or erosion at the point where it discharges into the receiving waters.

**B. Technology-Based Effluent Limitations**

**1. Scope and Authority**

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

- a. The CWA requires that technology-based effluent limitations be based on several levels of controls:
- b. Best practicable treatment control technology (BPT) represents the average of the best existing performance by well-operated facilities within an industrial category or subcategory. BPT standards apply to toxic, conventional, and non-conventional pollutants.
- c. Best available technology economically achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable within an industrial point source category. BAT standards apply to toxic and non-conventionla pollutants.
- d. Best conventional pollutant control technology (BCT) represents the control from existing industrial point sources of conventional pollutants including BOD, TSS, fecal coliform, pH, and oil and grease. The BCT standard is established after considering a two-part reasonableness test. The first test compares the relationship between the costs of attaining a reduction in effluent discharge and the resulting benefits. The second test examines the cost and level of reduction of pollutants from the discharge from publicly owned treatment works to the cost and level of reduction of such pollutants from a class or category of industrial sources. Effluent limitations must be reasonable under both tests.
- e. New source performance standards (NSPS) represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.
- f. The CWA requires U.S. EPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BAT, BCT, and NSPS. Section 402(a)(1) of the CWA and 40 CFR section 125.3 authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis where ELGs are not available for certain industrial categories and/or pollutants of concern. Where BPJ is used, the Central Coast Water Board must consider specific factors outlined in 40 CFR section 125.3.

**C. Water Quality-Based Effluent Limitations (WQBELs)**

**1. Scope and Authority**

Section 301(b) of the CWA and 40 CFR section 122.44(d) require that permits include limits more stringent than applicable federal technology-based requirements where necessary to meet applicable water quality standards.

- a. Section 122.44(d)(1)(i) of 40 CFR requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) U.S. EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in section 122.44(d)(1)(vi).
- b. The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

## 2. Determining the Need for WQBELs

The Central Coast Water Board developed WQBELs for numerous pollutants that have available wasteload allocations under a Total Maximum Daily Loads (TMDL) referenced in the Basin Plan. The effluent limitations for these pollutants were established regardless of whether or not there is reasonable potential for the pollutants to be present in the discharge at levels that would cause or contribute to a violation of water quality standards. The Central Coast Water Board developed WQBELs for these pollutants pursuant to 40 CFR section 122.44(d)(1)(vii), which does not require or contemplate a reasonable potential analysis.

If appropriate, the Central Coast Water Board may re-open this permit to determine WQBELs for a discharge.

## D. Final Effluent Limitation Considerations

### 1. Anti-Backsliding Requirements

Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 CFR section 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. **All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order.**

## E. Stringency of Requirements for Individual Pollutants

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. In addition, this Order contains effluent limitations more stringent than the minimum, federal technology-based requirements that are necessary to meet water quality standards.

Water quality-based effluent limitations have been derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR section 131.38. The procedures for calculating the individual water quality-based

effluent limitations for priority pollutants are based on the CTR implemented by the SIP, which was approved by U.S. EPA on May 18, 2000. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by U.S. EPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to U.S. EPA prior to May 30, 2000, but not approved by U.S. EPA before that date, are nonetheless “applicable water quality standards for purposes of the CWA” pursuant to 40 CFR section 131.21(c)(1).

**F. Land Discharge Specifications – Not Applicable**

**G. Recycling Specifications – Not Applicable**

**VI. RATIONALE FOR RECEIVING WATER LIMITATIONS**

**A. Surface Water**

The General Permit includes narrative and numeric water quality objectives for all surface waters, including wetlands, in the Central Coast Region. (Receiving water quality is a result of many factors, some unrelated to the discharge. This permit considers these factors, and is designed to minimize the influence of the discharge in the receiving water.)

The General Permit includes limitations for pH, temperature, color, turbidity, dissolved oxygen, biostimulatory substances, taste and odor, oil and grease, settable and floating materials, toxicity, and radionuclides.

**B. Groundwater**

The General Permit includes narrative and numeric water quality objectives for all groundwater in the Central Coast Region.

**VII. RATIONALE FOR PROVISIONS**

**A. Standard Provisions**

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

Sections 122.41(a)(1) and (b) through (n) of 40 CFR establish conditions that apply to all state-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Section 123.25(a)(12) of 40 CFR allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 CFR section 123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR sections 122.41(j)(5) and (k)(2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

**B. Special Provisions**

**1. Reopener Provisions**

The Order may be modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include appropriate conditions or limits based on newly available information, or to implement any, new State water quality objectives that are approved by the USEPA. As effluent is further characterized through additional monitoring, and if a need for additional effluent limitations becomes apparent after additional effluent characterization, the Order will be reopened to incorporate such limitations.



**VIII. SPECIAL STUDIES AND ADDITIONAL MONITORING REQUIREMENTS – not applicable**

**IX. BEST MANAGEMENT PRACTICES AND POLLUTION PREVENTION – not applicable**

**X. CONSTRUCTION, OPERATION, AND MAINTENANCE SPECIFICATIONS – not applicable**

**XI. SPECIAL PROVISIONS FOR PUBLICLY-OWNED TREATMENT WORKS (POTWS) – not applicable**

**XII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS**

CWA section 308 and 40 CFR sections 122.41(h), (j)-(l), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Central Coast Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The Monitoring and Reporting Program (MRP), Attachment E of this Order establishes monitoring, reporting, and recordkeeping requirements that implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility.

Monitoring and reporting requirements are used to characterize waste streams and receiving waters, evaluate wastewater treatment efficiency, and determine compliance with permit conditions. NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify requirements for recording and reporting monitoring results. CWC §13267 and CWC §13383 also authorize the Central Coast Water Board to require technical and monitoring reports. Rationale for the monitoring and reporting requirements contained in the MRP, which is presented as an attachment to this Order.

MRP No. R3-2017-0042 is part of the General Permit. This general MRP No. R3-2017-0042 requires Dischargers to conduct routine treatment system influent, mid-point, and effluent monitoring in addition to receiving water monitoring to verify compliance with the General Permit and protection of water quality. The Executive Officer can modify MRP No. R3-2017-0042 to include a change in monitoring frequency or a change in constituents requiring monitoring.

**XIII. PUBLIC PARTICIPATION**

The Central Coast Water Board is considering the issuance of WDRs that will serve as an NPDES permit for discharges with low threat to water quality. As a step in the WDR adoption process, Central Coast Water Board staff has developed tentative WDRs and is encouraging public participation in the WDR adoption process.

**A. Notification of Interested Parties**

On September 28, 2017, the Central Coast Water Board notified the Dischargers currently enrolled in **Order No. R3-2011-0223** and interested agencies and persons of its intent to prescribe WDRs for the discharge and provided an opportunity to submit written comments and recommendations. Notification was provided by posting on the Central Coast Water Board's website. The Central Coast Water Board also provided notification by publishing the public notice in the following newspapers: Monterey Herald (September 29, 2017), Santa Barbara News Press (on October 3, 2017), Morgan Hill Times (on October 3, 2017), San Luis Obispo Tribune (on October 5, 2017), and Santa Cruz Sentinel (on October 11, 2017),

The public has access to the agenda and any changes in dates and locations through the Central Coast Water Board's website at <http://www.waterboards.ca.gov/centralcoast/>

**B. Written Comments**

Interested persons were invited to submit written comments concerning tentative WDRs as provided through the notification process. Comments were due either in person or by mail to the Executive Officer at the Central Coast Water Board at

Central Coast Water Board  
[centralcoast@waterboards.ca.gov](mailto:centralcoast@waterboards.ca.gov)  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

To be fully responded to by staff and considered by the Central Coast Water Board, the written comments were due at the Central Coast Water Board office by 5:00 p.m. on October 28, 2017. No public comments were received during the public comment period.

**C. Public Hearing**

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

Date: December 7-8, 2017  
Time: 8:30 a.m.  
Location: Central Coast Water Board  
895 Aerovista Place, Ste. 101  
San Luis Obispo, CA 93401

Interested persons are invited to attend. At the public hearing, the Central Coast Water Board will hear testimony pertinent to the discharge, WDRs, and permit. For accuracy of the record, important testimony was requested in writing.

**D. Reconsideration of Waste Discharge Requirements**

Any person aggrieved by this action of the Central Coast Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., within 30 calendar days of the date of adoption of this Order at the following address, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day:

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

Or by email at [waterqualitypetitions@waterboards.ca.gov](mailto:waterqualitypetitions@waterboards.ca.gov)

For instructions on how to file a petition for review, see:  
[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/wqpetition\\_instr.shtml](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml)

**E. Information and Copying**

The Report of Waste Discharge, other supporting documents, and comments received are on file and may be inspected at the address above at any time between 8:00 a.m. and 5:00 p.m., Monday through Friday. Copying of documents may be arranged through the Central Coast Water Board by calling (805) 549-3147.

**F. Register of Interested Persons**

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

**G. Additional Information**

Requests for additional information or questions regarding this order should be directed to **Jessica Duffey** at (805) 542-4787 ([Jessica.Duffey@waterboards.ca.gov](mailto:Jessica.Duffey@waterboards.ca.gov)) or Sheila Soderberg at (805) 549-3592, ([Sheila.Soderberg@waterboards.ca.gov](mailto:Sheila.Soderberg@waterboards.ca.gov)).