

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

SUPPLEMENTAL SHEET FOR REGULAR MEETING OF DECEMBER 7-8, 2017

Prepared on November 17, 2017

ITEM NUMBER: 8

SUBJECT: Revision of Waste Discharge Requirements, Reissuance of National Pollutant Discharge Elimination System General Permit No. CAG993001 for Low Threat Discharges, Order No. R3-2017-0042

KEY INFORMATION: Monterey Bay National Marine Sanctuary comments dated November 14, 2017, and other non-substantive permit changes.

DISCUSSION

On November 14, 2017, the Monterey Bay National Marine Sanctuary (MBNMS) submitted three comments via electronic mail on the draft permit. MBNMS comments and Water Board staff responses are as follows:

1. *Page D-5 V.A -The first sentence states, "The Discharger shall furnish to the Central Coast Water Board, State Water Board, or U.S. EPA and MBNMS within a reasonable time..." Our question is why it says "or" U.S. EPA and MBNMS? We'd like it to say "Central Coast Water Board, State Water Board, U.S. EPA and MBNMS". This same language occurs again in the last sentence of that paragraph regarding record keeping.*

Staff Response: The Central Coast Water Board's 2013 Standard Provisions includes these conjunctions because a discharge covered by the standard provisions could be located anywhere in the Central Coast Region and not exclusively within MBNMS boundaries (not all discharges will need federal consultation or approval). However, if a discharge is into MBNMS jurisdiction, we expect dischargers to respond to all regulatory agency requests. For these reasons, Water Board staff does not recommend changing the conjunction usage in this paragraph.

2. *Page D-7 V.E.1 - it describes that the discharger shall provide any information within 24 hours from the time the Discharger becomes aware of the circumstances. It doesn't describe who should be called. We would like our 24-hour number included here. Suggested language to insert: "For discharge or threat of discharge into MBNMS contact the 24 hour emergency number at [1-831-236-6797](tel:1-831-236-6797)."*

Staff Response: Staff recommends including MBNMS emergency number in the final permit. Staff added the proposed text (underlined, italicized, in bold) so Page D-7, V.E.1 now reads: The Discharger shall report any noncompliance which may endanger health or the environment to the Central Coast Water Board, U.S. EPA, and MBNMS, as

appropriate. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. **For a discharge or threat of discharge into MBNMS contact the 24 hour emergency number at 1-831-236-6797.** A report shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances to the appropriate regulatory agency. 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.

3. *Pages 9 and 10 – we had provided a comment requesting that the methodology should be updated for [polychlorinated biphenols] PCB from aroclors to congeners based analyses. This was resolved in the Santa Cruz WWTP permit because [Central Coast Long-term Environmental Assessment Network] CCLEAN monitoring does use analytical methods that report as congeners. We would like to continue this discussion and understand what it would take to change this in NPDES permits. Our goal is to have dischargers providing data that is comparable to other monitoring and research occurring in the marine environment, ie. dredge disposal, marine mammal research, etc.*

Staff Response: Staff agrees that we should continue the dialogue with MBNMS, and, as part of NPDES permit development, use EPA's Data Quality Objective¹ process to evaluate which analysis is the most appropriate to measure the environmental effects of the discharge.

Other Suggested Edits:

Staff proposes to add "non-community or" agricultural well to column one, Table F-3 on page F-6 to clarify the types of well testing and development discharges. Table F-3 would now read:

Type of Intermittent or One-Time Discharge	Max Daily Flow (MGD)	Duration
<u>Non-community or</u> agricultural well installation, development, test pumping, and purging	0.25	1 Month

RECOMMENDATION

Adopt Order No. R3-2017-0042, including this clarifying text, as proposed.

¹ See U.S. EPA's Guidance on Systematic Planning Using the Data Quality Objectives Process as <https://www.epa.gov/sites/production/files/2015-06/documents/g4-final.pdf>