

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. R6T-2004-0036
ORIGINAL BOARD ORDER NO. 6-00-82
NPDES PERMIT NO. CAG616001
WDID NO. 6A099110003

AMENDMENT TO WASTE DISCHARGE REQUIRMENTS

FOR

**THE CITY OF SOUTH LAKE TAHOE, EL DORADO COUNTY, AND PLACER
COUNTY
STORM WATER/URBAN RUNOFF DISCHARGE**

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

1. Permit History

On October 12, 2000 the Regional Board adopted Waste Discharge Requirements for the City of South Lake Tahoe, El Dorado County, and Placer County Storm Water/Urban Runoff Discharge (Board Order No. 6-00-82, NPDES No. CAG616001) to regulate storm water runoff from municipal jurisdictions within the Lake Tahoe Basin.

2. Reason for Action

Board Order 6-00-82 and Monitoring and Reporting Program 6-00-82 require co-permittees to annually analyze runoff from two monitoring sites for California Toxics Rule (CTR) priority pollutants to assess the presence of CTR priority pollutants in storm water runoff within the Lake Tahoe Basin.

Monitoring data collected pursuant to Board Order 6-00-82 and Monitoring and Reporting Program 6-00-82 indicate that, when present, concentrations of CTR priority pollutants in urban runoff collected in the Lake Tahoe Basin do not exceed receiving water concentration limits.

The Policy for Implementation of Toxic Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (Policy) that was adopted by the State Water Resources Control Board on March 2, 2000 (effective May 22, 2000) established implementation provisions for priority pollutant criteria promulgated by the United States Environmental Protection Agency (U.S. EPA) through the National Toxics Rule and through the CTR.

The Policy does not apply to regulation of storm water discharges. There is no regulatory mandate requiring CTR priority pollutant monitoring for urban storm water and the data

indicate CTR analyses are not needed. Municipalities discharging stormwater must still meet the Water Quality Standards set by CTR.

4. CEQA Compliance

This action is being taken by this regulatory agency to amend an existing permit issued pursuant to the California Water Code and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), in accordance with Title 14 California Code of Regulations, Section 15263.

5. Notification of Interested Parties

The Regional Board has notified the co-permittees and other interested parties of its intent to amend Board Order 6-00-82 Monitoring and Reporting Program 6-00-82.

6. Consideration of Public Comments

The Regional Board, in a public meeting, heard and considered all comments pertaining to this Board Order.

IT IS HEREBY ORDERED that the following changes be incorporated into Board Order 6-00-82

1. Change page 7, paragraph e. to read (deletions in strike out, additions underlined):

The California Toxics Rule (CTR) was promulgated on May 18, 2000 (Federal Register Vol. 65, No. 97). This permit incorporates specific water quality standards required by the CTR (Attachment "F" and Attachment "G").

The CTR establishes ambient water quality criteria for priority toxic pollutants in the State of California. These numeric criteria allow the State and EPA to evaluate the adequacy of existing and potential control measures to protect aquatic ecosystems and human health to determine what actions are appropriate to ensure storm water discharges are brought into compliance with numeric CTR criteria.

~~The CTR allows the Regional Boards discretion to require monitoring for priority pollutants. For the purposes of this permit, monitoring shall be conducted at two locations for each Permittee including the Permittee's individual maintenance yards, and an additional site. The additional site should be divided among the Permittees to include an industrial site, a commercial site, and a residential site. Selection of these sites shall be based on the Permittees' best judgment, and monitoring shall be conducted during the worst case scenario (first flush event) in order to capture the full range of pollutants in the sampling procedure. This monitoring shall be conducted annually at each site for five years. CTR priority pollutants shall be monitored to serve as an initial indicator for the presence of any CTR priority pollutants. A reduced number of priority pollutants will be~~

~~required to be monitored based on the results of a two-year study found in the United States Geological Survey report "Concentrations and Distribution of Manmade Organic Compounds in the Lake Tahoe Basin, Nevada and California, 1997-99." Priority pollutants detected in this study shall be monitored by the Permittees at each of the two chosen sample sites. Priority pollutants not detected in the USGS study are not required to be monitored. The monitoring results will assist the Regional board and the Permittees to 1) evaluate source reduction of toxic pollutants for industrial and all other inputs, 2) develop management plans where necessary, and 3) implement source control and best management practices to reduce the discharge of these pollutants to the maximum extent practicable.~~

~~Receiving water limitations for CTR constituents (Attachment "F" and Attachment "G") are based on zero dilution capacity of the receiving water. The receiving water limitations for the CTR constituents may be revised if it is determined that alternative limitations are more appropriate. The Regional Board is requiring analyses of storm water runoff (effluent) to determine if any CTR constituents are present or in concentrations that could result in violations in the receiving waters. The Regional Board Executive Officer may require sampling of the receiving water following review of storm water runoff monitoring results.~~

The Regional Board required each Permittee to annually monitor two locations for CTR priority pollutants. Three years of CTR monitoring data did not measure CTR pollutants in concentrations that resulted in receiving water violations. Based on this information, the Regional Board has eliminated the CTR priority pollutant monitoring requirement. The Regional Board Executive Officer may re-establish and/or revise CTR monitoring requirements if CTR pollutants threaten to violate receiving water standards.

2. Monitoring and Reporting Program 6-00-82, page 3, eliminate the following language:

D. California Toxics Rule

1. ~~The California Toxics Rule (CTR) promulgates criteria for priority toxic pollutants in the State of California for inland surface waters an enclosed bays and estuaries (See Attachments "F" and "G" to the permit for a list of constituents and minimum detection limits). The Permittees must submit a Monitoring Plan to measure CTR constituents in storm water runoff by **December 1, 2000.**~~
2. For the purposes of this Monitoring Plan, monitoring shall be conducted at two locations for each Permittee including the Permittee's individual maintenance yards, and an additional site. The additional site should be divided among the Permittees to include an industrial site, a commercial site, and a residential site. Selection of these sites shall be based on the Permittee's best judgement,

~~and monitoring shall be conducted during the worst case scenario (first flush event) in order to capture the full range of pollutants in the sampling procedure. This monitoring shall be conducted annually at each site for five years. CTR priority pollutants shall be monitored to serve as an initial indicator for the presence of any CTR priority pollutants. A reduced number of priority pollutants will be required to be monitored based on the recent United States Geological Survey report "Concentrations and Distribution of Manmade Organic Compounds in the Lake Tahoe Basin, Nevada and California, 1997-99." Priority pollutants detected in this study shall be monitored by the Permittees at each of the two chosen sample sites. Priority pollutants not detected in the USGS study are not required to be monitored. The monitoring results will assist the Regional Board and the Permittees to 1) evaluate source reduction of toxic pollutants for industrial and all other inputs, 2) develop management plans where necessary, and 3) implement source control and best management practices to reduce the discharge of these pollutants to the maximum extent practicable.~~

- ~~3. The Plan shall contain sampling locations, a description of land uses and relative areas of disturbance above the sample locations (impervious vs. undisturbed land uses, etc.), a sample strategy to ensure capture of the first flush event, and the laboratory to be used for processing samples.~~

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on September 9, 2004.

HAROLD J. SINGER
EXECUTIVE OFFICER