CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
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Los Angeles Regional Water Quality Control Board
(http://www.waterboards.ca.gov/losangeles)

WATER QUALITY ORDER R4-2023-0035
NPDES NO. CA0057746, CI NUMBER 5354

WASTE DISCHARGE REQUIREMENTS FOR THE METROPOLITAN STEVEDORE COMPANY BULK MARINE TERMINAL

The following Discharger is subject to waste discharge requirements (WDRs) set forth in this Order:

Table 1. Discharger Information

Discharger:	Metropolitan Stevedore Company
Name of Facility:	Bulk Marine Terminal
Facility Address:	1045 Pier G Avenue, Berth 212, Long Beach, CA 90802 Los Angeles County

Table 2. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
001	Treated Stormwater and Wastewater	33.7445º	-118.2041º	Long Beach Inner Harbor

Table 3. Administrative Information

This Order was adopted on:	**February 23, 2023**
This Order shall become effective on:	**April 1, 2023**
This Order shall expire on:	**March 31, 2028**
The Discharger shall file a Report of Waste Discharge (ROWD) as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a NPDES permit no later than:	**180 days prior to the Order expiration date**
The United States Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board have classified this discharge as follows:	**Minor**

I, Renee Purdy, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on **the date indicated above**.

Jenny Newman

Digitally signed by Jenny Newman
Date: 2023.03.13 16:10:58 -07'00'

Water Board

for Renee Purdy, Executive Officer

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1. FACILITY INFORMATION

Information describing the Metropolitan Stevedore Company, Bulk Marine Terminal (Facility) is summarized in Table 1 and in sections 1 and 2 of the Fact Sheet (Attachment F). Section 1 of the Fact Sheet also includes information regarding the Facility's permit application.

2. FINDINGS

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

2.1 **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 a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge locations described in Table 2 subject to the WDRs in this Order.

2.2 **Background and Rationale for Requirements.** The Los Angeles Water Board developed the requirements in this Order based on information submitted as part of the application, 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 and G through H are also incorporated into this Order.

2.3 **Notification of Interested Parties.** The Los Angeles Water Board has notified the Discharger 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.

2.4 **Consideration of Public Comment.** The Los Angeles 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.

THEREFORE, IT IS HEREBY ORDERED that this Order supersedes Order No. R4-2015-0052 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 is authorized to discharge from the identified facility and outfall into waters of the United States and shall comply with the requirements in this Order. This action in no way prevents the Los Angeles Water Board from taking enforcement action for past violations of the previous Order.

3. DISCHARGE PROHIBITIONS

3.1. Wastes discharged shall be limited to 0.9 million gallons per day (MGD) of treated stormwater and wastewater as described in the Fact Sheet, Attachment F. The discharge of wastes from accidental spills or other sources is prohibited.

3.2. The discharge of wastes at a location other than specifically described in this Order is prohibited.

3.3. Discharges of water, materials, thermal wastes, elevated temperature wastes, toxic wastes, deleterious substances, or wastes other than those authorized by this Order, to a storm drain system, Long Beach Inner Harbor, or other waters of the United States, are prohibited.

3.4. The treatment or the discharge of pollutants from the Facility shall not cause pollution, contamination, or a nuisance as defined by section 13050 of the Water Code.

3.5. The discharge of any substances in concentrations toxic to human, animal, plant, or aquatic life is prohibited.

3.6. The discharge of oil or any residuary product of petroleum of waters of the United States, except in accordance with waste discharge requirements or other provisions of division 7 of the Water Code, is prohibited.

3.7. The discharge of any radiological, chemical, or biological warfare agent into waters of the United States is prohibited under Water Code 13375.

3.8. The discharge of trash to waters of the United States or the deposition of trash where it may be discharged into waters of the United States is prohibited.

4. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

4.1. Effluent Limitations – Discharge Point 001

4.1.1. The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001 as described in the Monitoring and Reporting Program, Attachment E:

Table 4. Effluent Limitations

Parameters	Units	Maximum Daily Effluent Limitation	Average Monthly Effluent Limitation	Notes
Biochemical Oxygen Demand (BOD) 5-day @ 20 ºC	milligram per liter (mg/L)	30	20	
BOD 5-day @ 20 ºC	pounds per day (lbs/day)	230	150	a
Oil and Grease	mg/L	15	10	
Oil and Grease	lbs/day	110	75	a
pH	standard units	6.5 to 8.5	6.5 to 8.5	b

Parameters	Units	Maximum Daily Effluent Limitation	Average Monthly Effluent Limitation	Notes
Total Suspended Solids (TSS)	mg/L	75	50	
TSS	lbs/day	560	380	a
Settleable Solids	mL/L	0.3	--	
Temperature	Degrees Fahrenheit (ºF)	86	--	c
Total Petroleum Hydrocarbon (TPH)	µg/L	100	--	d
TPH	lbs/day	0.75	--	a
Turbidity	Nephelometric Turbidity Units (NTU)	75	50	
Chronic Toxicity	Pass or Fail, % Effect	Pass or % Effect <50	Pass	e
Copper, Total Recoverable (TR)	Micrograms/liter (µg/L)	6.1	3.1	f
Copper, TR	lbs/day	0.046	0.023	a
Lead, TR	µg/L	14	7	f
Lead, TR	lbs/day	0.11	0.053	a
Nickel, TR	µg/L	14	6.8	
Nickel, TR	lbs/day	0.11	0.051	a
Zinc, TR	µg/L	140	70	f
Zinc, TR	lbs/day	1.1	0.53	a
TCDD Equivalents	µg/L	2.8×10^{-8}	1.4×10^{-8}	g
TCDD Equivalents	lbs/day	2.1×10^{-10}	1.1×10^{-10}	a
4,4'-DDT	µg/L	0.0012	0.00059	f
4,4'-DDT	lbs/day	9.0×10^{-6}	4.4×10^{-6}	a
PCBs, Total	µg/L	0.00034	0.00017	f and h
PCBs, Total	lbs/day	2.6×10^{-6}	1.3×10^{-6}	a
Benzo(a)pyrene	µg/L	0.098	0.049	
Benzo(a)pyrene	lbs/day	0.00074	0.00037	a
Benzo(k)fluoranthene	µg/L	0.098	0.049	
Benzo(k)fluoranthene	lbs/day	0.00074	0.00037	a

Parameters	Units	Maximum Daily Effluent Limitation	Average Monthly Effluent Limitation	Notes
Chrysene	µg/L	0.098	0.049	
Chrysene	lbs/day	0.00074	0.00037	a

Footnotes to Table 4

a. The mass limitations are based on a maximum flow of 0.9 MGD and is calculated as follows: Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day.

b. The effluent limitations for pH are 6.5 as an instantaneous minimum and 8.5 as an instantaneous maximum.

c. The effluent limitation for temperature is an instantaneous maximum.

d. TPH equals the sum of TPH gasoline (C_4-C_{12}) and TPH diesel (C_{13}-C_{22}), and TPH waste oil (C_{23+}).

e. The average monthly is a Median Monthly Effluent Limitation (MMEL), and the MMEL shall be reported as “Pass” or “Fail.” The maximum daily effluent limitation (MDEL) for chronic toxicity shall be reported as “Pass” or “Fail” and “% Effect. The MMEL for chronic toxicity only applies when there is a discharge on more than one day in a calendar month period. During such calendar months, if the chronic aquatic toxicity routine monitoring test results in a “Fail”, then the Discharger shall complete a maximum of two MMEL compliance tests. The MMEL compliance tests shall be initiated within the same calendar month that the first routine monitoring test was initiated that resulted in the “Fail” at the IWC. If the first chronic MMEL compliance test results in a “Fail” at the IWC, then the second MMEL compliance test is not necessary because the “Fail” results from the first two tests would constitute a violation of the chronic toxicity MMEL.

f. The effluent limitations are based on the Harbor Toxics TMDL WLAs and calculated using the CTR-SIP procedures.

g. TCDD equivalents shall be calculated using the following formula, where the Minimum Levels (MLs), toxicity equivalency factors (TEFs), are as listed in the Table below. The Discharger shall report all measured values of individual congeners, including data qualifiers. When calculating TCDD equivalents, the Discharger shall set congener concentrations below the MLs to zero. U.S. EPA method 1613 may be used to analyze dioxin and furan congeners. The TCDD equivalents are calculated as follows: Dioxin-TEQ (TCDD equivalents) = Sum of concentration of dioxin or furan congener$_x$ (C_x) X Toxicity Equivalency Factors (TEFs) for congener$_x$. The TEFs are listed in the Table below.

Toxicity Equivalency Factors

Congener	Minimum Level (pg/L)	Toxicity Equivalency Factor (TEF)
2,3,7,8-TCDD	10	1.0
1,2,3,7,8-PeCDD	50	1.0
1,2,3,4,7,8-HxCDD	50	0.1
1,2,3,6,7,8-HxCDD	50	0.1
1,2,3,7,8,9-HxCDD	50	0.1
1,2,3,4,6,7,8-HpCDD	50	0.01
OCDD	100	0.0001

Congener	Minimum Level (pg/L)	Toxicity Equivalency Factor (TEF)
2,3,7,8-TCDF	10	0.1
1,2,3,7,8-PeCDF	50	0.05
2,3,4,7,8-PeCDF	50	0.5
1,2,3,4,7,8-HxCDF	50	0.1
1,2,3,6,7,8-HxCDF	50	0.1
1,2,3,7,8,9-HxCDF	50	0.1
2,3,4,6,7,8-HxCDF	50	0.1
1,2,3,4,6,7,8-HpCDF	50	0.01
1,2,3,4,7,8,9-HpCDF	50	0.01
OCDF	100	0.0001

h. Total PCBs (polychlorinated biphenyls) means the sum of chlorinated biphenyls whose analytical characteristics resembles those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260.

End of Footnotes to Table 4

4.2. Land Discharge Specifications – Not Applicable

4.3. Recycling Specifications – Not Applicable

5. RECEIVING WATER LIMITATIONS

5.1. Surface Water Limitations

The discharge shall not cause the following in Long Beach Inner Harbor:

5.1.1. The pH shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharges. Ambient pH levels shall not be changed more than 0.2 units from natural conditions as a results of waste discharge.

5.1.2. At no time shall the temperature be raised above 86 ºF.

5.1.3. Waters shall not contain bacteria and coliform levels that exceed the following water quality objectives:

a. Water Contact Recreation (REC-1):

i. Geometric Mean (six-week rolling) Limits: *Enterococci* shall not exceed 30 colony forming units (CFU) per 100 milliliters (mL) or most probable number (MPN) per 100 mL (MPN/100 mL), calculated weekly.

ii. Statistical Threshold Value (STV): *Enterococci* STV of 110 CFU/100 mL or MPN/100 mL shall not be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

b. Shellfish Harvesting (SHELL): In all areas where shellfish can be harvested for human consumption, the median total coliform concentration throughout the water column for any 30-day period shall not exceed 70

CFU/100 mL or MPN/100 mL, and no more than 10 percent of the sample collected during any 30-day period shall exceed 230 MPN/100mL for a five-tube decimal dilution test or 330 CFU/100mL or MPN/100 mL for a three-tube decimal dilution.

5.1.4. The mean annual dissolved oxygen concentration shall be greater than 7 mg/L, and no single determination shall be less than 5.0 mg/L, except when natural conditions cause lesser concentrations.

5.1.5. Waters shall not contain total ammonia (as N) concentrations that exceed the four-day average concentration of unionized ammonia of 0.035 mg/L and the one-hour average concentration of 0.233 mg/L.

5.1.6. Waters shall not contain visible floating materials, including solids, liquids, foams and scum, in concentrations that cause nuisance or adversely affect beneficial uses.

5.1.7. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases in natural turbidity shall not exceed the following limits:

a. Where natural turbidity is between 0 to 50 Nephelometric Turbidity unit (NTU), increases in turbidity shall not exceed 20%.

b. Where natural turbidity is greater than 50 NTU, increases in turbidity shall not exceed 10%.

5.1.8. Waters shall not contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the receiving water or on objects in the water that cause nuisance, or that otherwise adversely affect beneficial uses.

5.1.9. Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses.

5.1.10 No individual pesticide or combination of pesticides shall be present in concentrations that adversely affect beneficial uses. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life.

5.1.11. Waters shall be maintained free of toxic or other deleterious substances in concentrations or quantities which cause deleterious effects on aquatic biota, wildlife, or waterfowl or render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentration.

5.1.12. Waters shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses.

5.1.13. Waters shall be free of substances that result in increases of Biochemical Oxygen Demand (BOD) that adversely affect beneficial uses.

5.1.14. Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors, of fish, shellfish, or other edible aquatic resources; cause nuisance; or adversely affect beneficial uses.

5.1.15. Waters shall not cause the degradation of surface water communities and populations including vertebrate, invertebrate, and plant species in the receiving water.

5.1.16. Waters shall not cause problems associated with breeding of mosquitoes, gnats, black flies, midges, or other pests in the receiving water.

5.1.17. Waters shall be free of nuisance conditions, or other conditions that adversely affect beneficial uses of the receiving water.

5.2. Groundwater Limitations – Not Applicable

6. PROVISIONS

6.1. Standard Provisions

6.1.1. The Discharger shall comply with all Standard Provisions included in Attachment D.

6.1.2. 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 must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of stormwater to storm drain systems or other water courses under their jurisdiction; including applicable requirements in municipal stormwater management programs developed to comply with NPDES permits issued by the Los Angeles Water Board to local agencies.

b. The Discharger shall comply with all applicable effluent limitations, national standards of performance, toxic effluent standards, and all federal regulations established pursuant to sections 301, 302, 303(d), 304, 306, 307, 316, 318, 405, and 423 of the federal CWA and amendments thereto.

c. These requirements do not exempt the Discharger from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize this Facility, and they leave unaffected any further restraints on the disposal of wastes at this Facility which may be contained in other statutes or required by other agencies.

d. Oil or oily material, chemicals, refuse or other wastes that constitute a condition of pollution or nuisance shall not be stored or deposited in areas where they may be picked up by rainfall and carried off of the property and/or discharged to surface waters. Any such spill of such materials shall be contained and removed immediately.

e. A copy of these waste discharge requirements shall be maintained at the discharge facility so as to be available at all times to operating personnel.

f. If there is any storage of hazardous or toxic materials or hydrocarbons at this Facility and if the Facility is not staffed at all times, a 24-hour emergency response telephone number shall be prominently posted where it can easily be read from the outside.

g. The Discharger shall file with the Los Angeles Water Board report of waste discharge at least 120 days before making any material change or proposed change in the character, location or volume of the discharge.

h. The Discharger must notify the Los Angeles Water Board as soon as they know or have reason to believe that they have begun or expect to begin to use or manufacture an intermediate or final product or byproduct of any toxic pollutant that was not reported on their application.

i. In the event of any change in name, ownership, or control of this Facility, the Discharger shall notify the Los Angeles Water Board of such change and shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Los Angeles Water Board, 30 days prior to taking effect.

j. 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.

k. Violation of any of the provisions of the NPDES program or of any of the provisions of this Order may subject the violator to any of the penalties described herein, or any combination thereof, at the discretion of the prosecuting authority; except that only one kind of penalty may be applied for each kind of violation.

l. The Discharger shall notify the Executive Officer in writing no later than 6 months prior to the planned discharge of any chemical, other than the products previously reported to the Executive Officer, which may be toxic to aquatic life. Such notification shall include:

   i. Name and general composition of the chemical,
   ii. Frequency of use,
   iii. Quantities to be used,
   iv. Proposed discharge concentrations, and
   v. U.S. EPA registration number, if applicable.

m. In the event the Discharger does not comply or will be unable to comply for any reason with any prohibition, effluent limitations, or receiving water limitations of this Order, the Discharger shall notify the manager of the Watershed Regulatory Section at the Los Angeles Water Board by telephone at (213) 576-6616 or by fax at (213) 576-6660 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in

writing within five days, unless the Los Angeles Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and, prevent recurrence including, where applicable, a schedule of implementation. The written notification shall also be submitted via email with reference to NPDES No. CA0057746, CI-5354 to losangeles@waterboards.ca.gov. Other noncompliance requires written notification as above at the time of the normal monitoring report.

n. The Discharger shall make diligent, protective efforts to reduce Facility infrastructure vulnerability to current and future impacts resulting from climate change, including but not limited to extreme wet weather events, flooding, storm surges, wildfires, and projected sea level rise when the facility is located near the ocean or discharges to the ocean.

o. Nothing in this Order shall be construed to preclude the institution of any legal action or relieve the Discharger from any responsibilities, liabilities or penalties to which the Discharger is or may be subject to under section 311 of the CWA.

p. The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.

6.2. Monitoring and Reporting Program (MRP) Requirements

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

6.3. Special Provisions

6.3.1. Reopener Provisions

a. This Order may be modified, revoked and reissued, or terminated for cause, including, but not limited to:

   i. Violation of any term or condition contained in this Order;

   ii. Obtaining this Order by misrepresentation, or by failure to disclose fully all relevant facts; or

   iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

   The filing of a request by the Discharger for an Order modification, revocation, and issuance or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

b. If more stringent applicable water quality standards are promulgated or approved pursuant to section 303 of the federal CWA, and amendments thereto, the Los Angeles Water Board may revise and modify this Order in accordance with such more stringent standards.

c. This Order may be reopened to include effluent limitations for toxic constituents determined to be present in significant amounts in the discharge

through a more comprehensive monitoring program included as part of this Order and based on the results of the reasonable potential analysis (RPA).

d. This Order may be reopened and modified, in accordance with the provisions set forth in title 40 Code of Federal Regulations (40 CFR) parts 122 and 124, to include requirements for the implementation of the watershed protection management approach or to include new minimum levels (MLs).

e. This Order may be reopened for modification, or revocation and reissue this Order if present or future investigations demonstrate that the discharges(s) governed by this Order will cause, have reasonable potential to cause, or contribute to adverse impacts on beneficial uses or degradation of water quality of the receiving waters.

f. This Order may also be reopened and modified, revoked, and reissued or terminated in accordance with the provisions of 40 CFR. sections 122.44, 122.62 to 122.64, 125.62, and 125.64. Causes for taking such actions include, but are not limited to, failure to comply with any condition of this Order, and endangerment to human health or the environment resulting from the permitted activity; or acquisition of newly obtained information which would have justified the application of different conditions if known at the time of Order adoption.

g. 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.

h. This Order may be reopened upon submission by the Discharger of adequate information, as determined by the Los Angeles Water Board, to provide for dilution credits or a mixing zone, as may be appropriate. The filing of a request by the Discharger for an Order modification, revocation and issuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

i. This Order may be reopened and modified to revise effluent limitations as a result of future additions or amendments to a statewide water quality control plan or the Los Angeles Region’s Basin Plan or the adoption or revision of a TMDL for the Long Beach Inner Harbor.

j. This Order will be reopened and modified to the extent necessary, to be consistent with new or revised policies, new or revised state-wide plans, new laws, or new regulations.

6.3.2. Special Studies, Technical Reports and Additional Monitoring Requirements

a. **Updated Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan**

Discharger shall submit to the Los Angeles Water Board an updated Initial Investigation TRE workplan **within 90 days** of the effective date of this permit. This plan shall describe the steps the Discharger intends to follow in the event that toxicity is detected. See section 5.6 of the Monitoring and Reporting Program (Attachment E) for an overview of TRE requirements.

b. **Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDL (Harbor Toxics TMDL) for Water Column, Sediment, and Fish Tissue Monitoring for the Long Beach Inner Harbor**

As defined in the Harbor Toxics TMDL, the Discharger is an "irregular discharger" because it only discharges during significant rainfall. As such, either individually or with a collaborating group, the Discharger shall develop a monitoring and reporting plan (Monitoring Plan) and quality assurance project plan (QAPP) for the water column, sediment, and fish tissue in the Long Beach Inner Harbor. These plans shall follow the "TMDL Element – Monitoring Plan" provisions in the Water Quality Control Plan, Los Angeles Region (Basin Plan) Chapter 7, Section 7-40.

The compliance monitoring program shall continue to include water column, sediment, and fish tissue monitoring. The Discharger shall continue to submit the annual monitoring report to the Los Angeles Water Board by the specified date in the Monitoring Plan. The Discharger may comply through continued participation in collaborative efforts such as monitoring conducted by the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (GWMA). In addition to the annual monitoring report, the Discharger shall submit an annual statement that indicates compliance and non-compliance with effluent limitations in Table 4 that implement applicable waste load and/or load allocations. At a minimum, monitoring shall continue to be conducted at the locations and for the constituents listed in the sections below for the water column, total suspended solids, and bed sediments. The exact locations of monitoring sites shall be specified in the Monitoring Plan to be approved by the Executive Officer.

The Compliance Monitoring Program includes the following components:

i. **Water Column Monitoring**

At the Station ID in Table 5, parameters in the water column shall be monitored three times per year, during two wet weather events and one dry weather event. During wet weather events, water column samples shall be collected at several depths. Wet weather monitoring must include the first large storm event of the wet season.

ii. **Sediment Monitoring**

Benthic sediment quality objective (SQO) evaluation as detailed in Water Quality Control Plan for Enclosed Bays and Estuaries – Sediment Quality Provisions (Sediment Provisions) shall continue to be performed every five years, preferably in coordination with the Biological Baseline and Bight regional monitoring program. Sampling and analysis for the full chemical

suite, two sediment toxicity tests, and four benthic indices as specified in The Sediment Provisions shall be conducted and evaluated. If moderate toxicity as defined in the Sediment Provisions is observed, results shall be highlighted in annual reports and further analysis and evaluation to determine causes and remedies shall be required in accordance with the Executive Officer approved monitoring plan. The sampling design shall be in compliance with the Sediment Provisions Sediment Monitoring section (VII.E.). On October 13, 2022, the LA Water Board held a hearing to consider amendment of the 2012 Dominguez Channel and Greater Harbor Waters TMDL. The Board adopted the revisions and is pending further state and federal approvals. At such point of final approval, the provisions for sediment monitoring (Sediment Provisions) will become effective immediately here within.

Table 5. Harbor Toxics TMDL Compliance Monitoring Program Sampling Locations for the Long Beach Inner Harbor and Media Sample Parameters

Station ID	Station Location	Water Column Sample Parameters	Sediment Sample Parameters
12	Cerritos Channel between the Heim Bridge and Turning Basin	Flow, Temperature, DO, pH, Salinity, TSS, Metals (Note a), PCBs, DDT	Metals (Note a), Toxicity, Benthic Community Effect
13	Back Channel between Turning Basin and West Basin	Flow, Temperature, DO, pH, Salinity, TSS, Metals (Note a), PCBs, DDT	Metals (Note a), Toxicity, Benthic Community Effect
14	Center of West Basin	Flow, Temperature, DO, pH, Salinity, TSS, Metals (Note a), PCBs, DDT	Metals (Note a), Toxicity, Benthic Community Effect
15	Center of Southeast Basin	Flow, Temperature, DO, pH, Salinity, TSS, Metals (Note a), PCBs, DDT	Metals (Note a), Toxicity, Benthic Community Effect

Footnote to Table 6

a. Metals: copper, lead, and zinc.

End of Footnote to Table 6

iii. **Fish Tissue Monitoring**

Fish tissue shall be collected once every two years in Long Beach Inner Harbor and analyzed for chlordane, dieldrin, toxaphene, DDT, and PCBs. The target species in the Long Beach Harbor shall be selected based on residency, local abundance and fish size at the time of field collection. Tissues analyzed shall be based on the most common preparation for the selected fish species.

iv. **Sampling and Analysis Plan**

The Sampling and Analysis Plan must be proposed based on methods or metrics described in the *State Water Board Water Quality Control Plan for*

Enclosed Bays and Estuaries – Part 1 Sediment Quality (Resolution 2008-0070 – SQO Part 1), and the *U.S. EPA or American Society for Testing and Materials (ASTM)*. The plan shall include a list of chemical analytes for the water column and sediment.

v. **Quality Assurance Project Plan**

The Quality Assurance Project Plan (QAPP) shall describe the project objectives and organization, functional activities, and quality assurance/quality control protocols for the water and sediment monitoring. The QAPP shall include protocols for sample collection, standard analytical procedures, and laboratory certification. All samples shall be collected in accordance with Surface Water Ambient Monitoring Program (SWAMP) protocols.

6.3.3. **Best Management Practices and Pollution Prevention**

The Discharger shall submit to the Los Angeles Water Board, **within 90 days** of the effective date of this Order, updated versions of the following:

a. **Stormwater Pollution Prevention Plan (SWPPP)** that describes site-specific management practices for minimizing contamination of stormwater runoff and for preventing contaminated stormwater runoff from being discharged directly to Long Beach Inner Harbor. The SWPPP shall cover all areas of the Facility and shall include an updated drainage map for the Facility. The Discharger shall identify on a map of appropriate scale the areas that contribute runoff to the permitted discharge point; describe the activities in each area and the potential for contamination of stormwater runoff and the discharge of trash or hazardous waste/material; and address the feasibility of containment and/or treatment of stormwater. In addition, the SWPPP shall address and include best management practices procedures that the Discharger will implement to prohibit the discharge of trash from the Facility. The SWPPP shall be developed in accordance with the requirements in Attachment G of this Order.

b. **Best Management Practice Plan (BMPP)** that will be implemented to reduce the discharge of pollutants to the receiving water. The BMPP shall include site-specific plans and procedures implemented and/or to be implemented to prevent hazardous waste/material from being discharged to waters of the State. Further, the Discharger shall ensure that the stormwater discharges from the Facility would neither cause, nor contribute to the exceedance of water quality standards and objectives, nor create conditions of nuisance in the receiving water, and that unauthorized discharges (i.e., spills) to the receiving water have been effectively prohibited. In particular, a risk assessment of each area identified by the Discharger shall be performed to determine the potential for hazardous or toxic waste/material discharge to surface waters. The BMPP can be included and submitted with the SWPPP.

c. **Spill Control Plan (SCP)** that includes a technical report on the preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events at the Facility. The

Discharger's Spill Prevention Control and Countermeasure (SPCC) Plan submitted under Order Number R4-2015-0052 may be used to satisfy this requirement so long as it is up to date.

Each plan shall cover all areas of the Facility and shall include an updated drainage map for the Facility. The Discharger shall identify on a map of appropriate scale the areas that contribute runoff to the permitted discharge points; describe the activities in each area and the potential for contamination of stormwater runoff and the discharge of hazardous waste/material; and address the feasibility of containment and/or treatment of stormwater.

The Discharger shall implement the SWPPP, BMPP, and SCP within 10 days of the approval by the Executive Officer or no later than 90 days after submission to the Los Angeles Water Board, whichever comes first. The plans shall be reviewed annually and at the same time. Updated information shall be submitted to the Los Angeles Water Board within 30 days of revisions.

6.3.4. **Construction, Operation and Maintenance Specifications**

The Discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.

a. **Climate Change Effects Vulnerability Assessment and Mitigation Plan**.

The Discharger shall develop a Climate Change Effects Vulnerability Assessment and Mitigation Plan (Climate Change Plan) to assess and manage climate change- related effects associated with Facility operation, water supplies, collection system, water quality and beneficial uses. The Discharger shall consider the impacts of climate change as it affects the operation of the Facility due to flooding, or wildfire, or other climate-related changes. The Climate Change Plan shall also include an assessment of the impacts from sea level rise and any projected changes to the influent water temperature and pollutant concentrations. The Climate Change Plan is due **12 months after the effective date** of this Order.

6.3.5. **Other Special Provisions – Not Applicable**

6.3.6. **Compliance Schedules – Not applicable**

7. COMPLIANCE DETERMINATION

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

7.1. **Single Constituent Effluent Limitation**.

If the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (see Reporting Requirement I.G. of the MRP), then the Discharger is out of compliance.

7.2. **Effluent Limitations Expressed as a Sum of Several Constituents.**

If the sum of the individual pollutant concentrations is greater than the effluent limitation, then the Discharger is out of compliance. In calculating the sum of the

concentrations of a group of pollutants, consider constituents reported as ND or DNQ to have concentrations equal to zero, provided that the applicable ML is used.

7.3. **Effluent Limitations Expressed as a Median.**

In determining compliance with a median limitation, the analytical results in a set of data will be arranged in order of magnitude (either increasing or decreasing order); and

7.3.1. If the number of measurements (n) is odd, then the median will be calculated as = $X_{(n+1)/2}$, or

7.3.2. If the number of measurements (n) is even, then the median will be calculated as = $[X_{n/2} + X_{(n/2)+1}]/2$, i.e. the midpoint between the n/2 and n/2+1 data points.

7.4. **Multiple Sample Data.**

When determining compliance with an AMEL or MDEL 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:

7.4.1. 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.

7.4.2. 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.

7.5. **Average Monthly Effluent Limitation (AMEL).**

If the average (or when applicable, the median determined by subsection 7.3 above for multiple sample data) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month) in cases where discretionary administrative civil liabilities are appropriate. If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger will be considered out of compliance for that calendar month. If multiple samples are taken, the Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, does not exceed the AMEL for a given parameter, the Discharger will have demonstrated compliance with the AMEL for each day of that month for that parameter.

If the analytical result of any single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the AMEL for any parameter, the Discharger may collect up to four additional samples within the same calendar month. All five analytical results shall be reported in the monitoring report for that month. The concentration of pollutant (an arithmetic mean or a median) in these samples estimated from the "Multiple Sample Data Reduction" section above, will be used for compliance determination.

In the event of noncompliance with an AMEL, the sampling frequency for that parameter shall be increased to weekly and shall continue at this level until compliance with the AMEL has been demonstrated.

7.6. **Maximum Daily Effluent Limitations (MDEL).**

If a daily discharge exceeds the MDEL for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

7.7. **Instantaneous Minimum Effluent Limitation.**

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, a violation will be flagged and the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

7.8. **Instantaneous Maximum Effluent Limitation.**

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, a violation will be flagged and the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

7.9. **Median Monthly Effluent Limitation (MMEL)**

If the median of daily discharges over a calendar month exceeds the MMEL for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of noncompliance in a 31-day month). However, an alleged violation of the MMEL will be considered one violation for the purpose of assessing State mandatory minimum penalties. If no sample (daily discharge) is taken over a

calendar month, no compliance determination can be made for that month with respect to effluent violation determination, but compliance determination can be made for that month with respect to reporting violation determination.

7.10. **Chronic Toxicity**

This discharge is subject to determination of “Pass” or “Fail” and “Percent Effect” f chronic toxicity test using the Test of Significant Toxicity (TST) approach described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010), Appendix A, Figure A-1, and Table A-1. The null hypothesis (Ho) for the TST approach is:

Mean discharge IWC response ≤0.75 × Mean control response.

A test result that rejects this null hypothesis is reported as “Pass”. A test result that does not reject this null hypothesis is reported as “Fail”. The relative “Percent Effect” at the discharge IWC is defined and reported as:

((Mean control response – Mean discharge IWC response) ÷ Mean control response) × 100.

This is a t-test (formally Student’s t-Test), a statistical analysis comparing two sets of replicate observations – in the case of Whole Effluent Toxicity (WET), only two test concentrations (i.e., a control and IWC). The purpose of this statistical test is to determine if the means of the two sets of observations are different (i.e., if the IWC or receiving water concentration differs from the control (the test result is “Pass” or “Fail”)). The Welch’s t-test employed by the TST statistical approach is an adaptation of Student’s t-test and is used with two samples having unequal variances.

The MDEL for chronic toxicity is exceeded and a violation will be flagged when a chronic toxicity test, analyzed using the TST approach, results in “Fail” and the “Percent (%) Effect” is ≥50.

The MMEL for chronic toxicity is exceeded and a violation will be flagged when the median of no more than three independent chronic toxicity tests conducted within the same calendar month—analyzed using the TST approach—results in “Fail”. During a calendar month, exactly three independent toxicity tests are required when one toxicity test results in “Fail”.

The chronic toxicity MDEL and MMEL are set at the IWC for the discharge (100% effluent) and expressed in units of the TST statistical approach (“Pass” or “Fail”, “Percent Effect”). All NPDES effluent compliance monitoring for the chronic toxicity MDEL and MMEL shall be reported using only the 100% effluent concentration and negative control, expressed in units of the TST. The TST hypothesis (Ho) (see above) is statistically analyzed using the IWC and a negative control. Effluent toxicity tests shall be run using a multi-concentration test design when required by *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (U.S. EPA 2002, EPA-821-R-02-013). The Los Angeles Water Board’s review of reported toxicity test results will include review of concentration-response patterns as appropriate (see Fact Sheet discussion at 4.3.6.f). As described in the bioassay laboratory audit correspondence from the State Water Resources Control Board dated August 7, 2014, and from the U.S. EPA

dated December 24, 2013, the Percent Minimum Significant Difference (PMSD) criteria only apply to compliance reporting for the No Observable Effect Concentration (NOEC) and the sublethal statistical endpoints of the NOEC, and therefore are not used to interpret TST results. Standard Operating Procedures used by the toxicity testing laboratory to identify and report valid, invalid, anomalous, or inconclusive effluent (and receiving water) toxicity test measurement results from the TST statistical approach, including those that incorporate a consideration of concentration-response patterns, must be submitted to the Los Angeles Water Board (40 CFR section 122.41(h)). The Los Angeles Water Board will make a final determination as to whether a toxicity test result is valid, and may consult with the Permittee, the U.S. EPA, the State Water Board's Quality Assurance Officer, or the State Water Board's Environmental Laboratory Accreditation Program (ELAP) as needed. The Board may consider the results of any TIE/TRE studies in an enforcement action.

7.11. Mass and Concentration Limitations

Compliance with mass effluent limitations and concentration effluent limitations for the same parameter shall be determined with their respective limitations. When the concentration of a constituent in a effluent sample is determined to be ND or DNQ, the corresponding mass emission rate determined from that sample concentration shall also be reported as ND or DNQ.

7.12. Bacterial Standards and Analyses

The geometric mean used for determining compliance with bacterial standards is calculated using the following equation:

$$\textbf{Geometric Mean} = (C_1 \times C_2 \times \ldots \times C_n)^{1/n}$$

Where n is the number of days samples were collected during the period and C is the concentration of bacteria (MPN/100 mL or CFU/100 mL) found on each day of sampling. For bacterial analyses, sample dilutions should be performed so the expected range of values is bracketed (for example, with multiple tube fermentation method or membrane filtration method, 2 to 16,000 per 100 mL for total coliform, at a minimum, and 1 to 1000 per 100 mL for *Enterococcus*). The detection methods used for each analysis shall be reported with the results of the analyses.

Detection methods used for coliforms (total) and *Enterococci* shall be those presented in Table 1A of 40 CFR. Section 136 (revised August 28, 2017), unless alternate methods have been approved by U.S. EPA pursuant to 40 CFR. Section 136, or improved methods have been determined by the Executive Officer and/or U.S. EPA.

ATTACHMENT A – DEFINITIONS

Arithmetic Mean (μ)
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:

> Arithmetic mean (μ) = the sum of the measured ambient water concentrations divided by 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.

Average Weekly Effluent Limitation (AWEL)
The highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best Management Practices (BMPs)
BMPs are methods, measures, or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharges including stormwater. BMPs include structural and non-structural controls, and operation maintenance procedures, which can be applied before, during, and/or after pollution-producing activities.

Bioaccumulative
Those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

Carcinogenic
Pollutants are substances that are known to cause cancer in living organisms.

Coefficient of Variation (CV)
CV is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

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.

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.

Dry Weather Event
Dry weather event is a storm event of less than 0.1 inch of precipitation.

Effluent Concentration Allowance (ECA)
ECA is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as waste load allocation (WLA) as used in U.S. EPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

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.

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).

Maximum Daily Effluent Limitation (MDEL)
The highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

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 the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in in 40 CFR part 136, Attachment B, revised as of July 3, 1999.

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.

Not Detected (ND)
Sample results which are less than the laboratory's MDL.

PAHs Polynuclear aromatic hydrocarbons (PAHs)
The sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene, 1,12-benzoperylene, benzo[a]pyrene, chrysene, dibenzo[ah]anthracene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene and pyrene.

Polychlorinated Biphenyls (PCBs) as Aroclors
The sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260.

Persistent Pollutants
Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

Pollutant Minimization Program (PMP)
PMP means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Los Angeles Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

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 Los Angeles Water Board.

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 Los Angeles 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.

Significant Stormwater Discharge
A significant stormwater discharge is a continuous discharge of stormwater for a minimum of one hour, or the intermittent discharge of stormwater for a minimum of three hours in a 12-hour period.

Source of Drinking Water
Any water designated as municipal or domestic supply (MUN) in a Los Angeles Water Board Basin Plan.

Standard Deviation (σ)
Standard Deviation is a measure of variability that is calculated as follows:

Standard Deviation (σ) = $(\sum[(x-\mu)^2]/(n-1))^{0.5}$; where: x is the observed value; μ is the arithmetic mean of the observed values; and n is the number of samples.

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.)

Trash
All improperly discarded solid material from any production, manufacturing, or processing operation including, but not limited to, products, product packaging, or containers constructed of plastic, steel, aluminum, glass, paper, or other synthetic or natural materials.

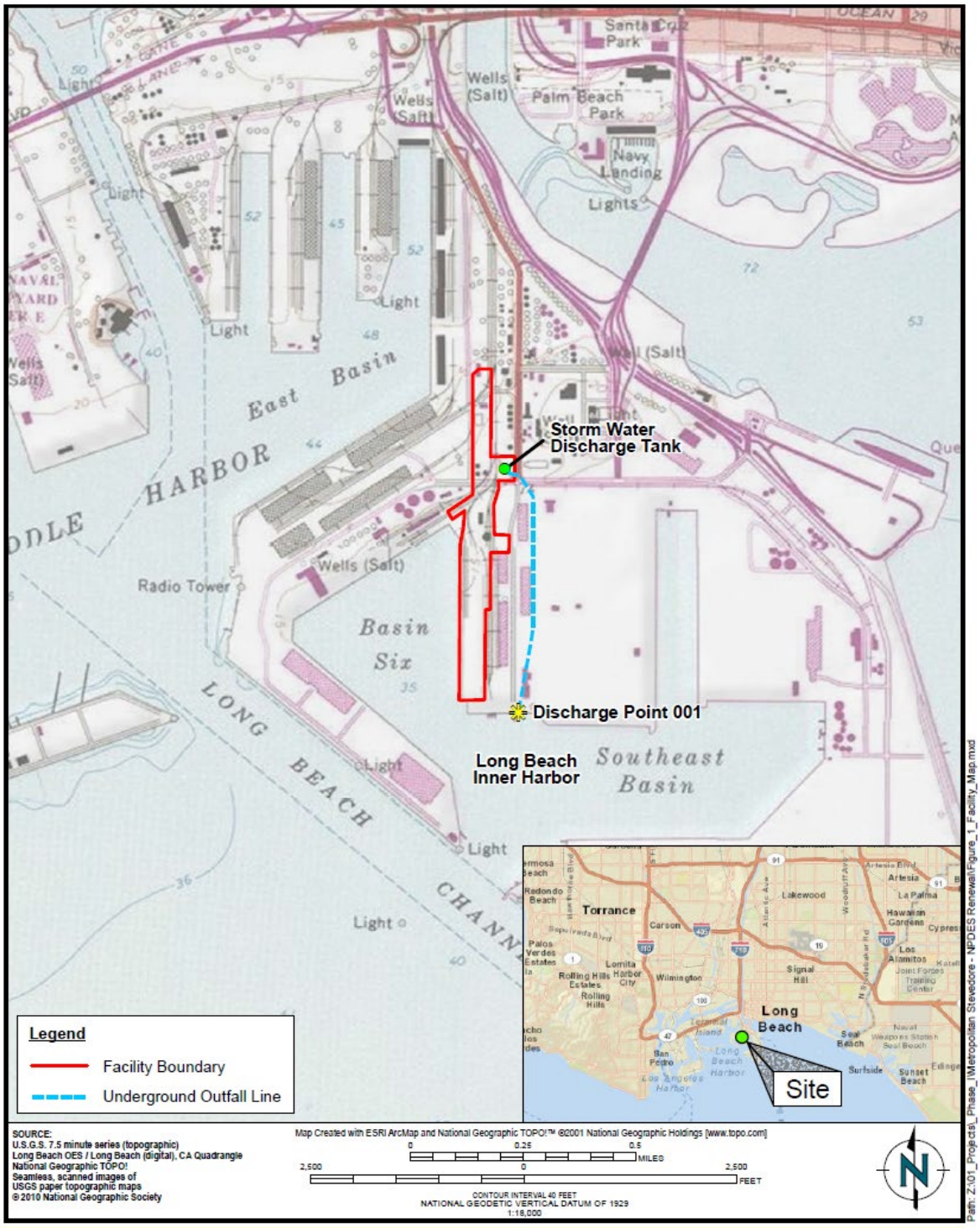
Wet Weather Event
Wet weather occurs during a storm event of greater than or equal to 0.1 inch of precipitation.

ACRONYMS AND ABBREVIATIONS

AMEL	Average Monthly Effluent Limitation
B	Background Concentration
BAT	Best Available Technology Economically Achievable
Basin Plan	*Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties*
BCT	Best Conventional Pollutant Control Technology
BMP	Best Management Practices
BMPP	Best Management Practices Plan
BPJ	Best Professional Judgment
BOD	Biochemical Oxygen Demand 5-day @ 20 °C
BPT	Best Practicable Treatment Control Technology
C	Water Quality Objective
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CTR	California Toxics Rule
CV	Coefficient of Variation
CWA	Clean Water Act
CWC	California Water Code
Discharger	Metropolitan Stevedore Company
DMR	Discharge Monitoring Report
DNQ	Detected but Not Quantified
ELAP	Environmental Laboratory Accreditation Program
ELG	Effluent Limitations, Guidelines and Standards
Facility	Metropolitan Stevedore Company, Bulk Marine Terminal
GPD	gallons per day
IWC	In-stream Waste Concentration
LA	Load Allocations
LOEC	Lowest Observed Effect Concentration
Los Angeles Water Board	California Regional Water Quality Control Board, Los Angeles Region
µg/L	micrograms per Liter
mg/L	milligrams per Liter
MDEL	Maximum Daily Effluent Limitation
MEC	Maximum Effluent Concentration
MGD	Million Gallons per Day
ML	Minimum Level
ml	milliliters
MPN	Most Probable Number
MRP	Monitoring and Reporting Program
ND	Not Detected
NOEC	No Observable Effect Concentration
NPDES	National Pollutant Discharge Elimination System
NTR	National Toxics Rule
NTU	Nephelometric Turbidity Unit

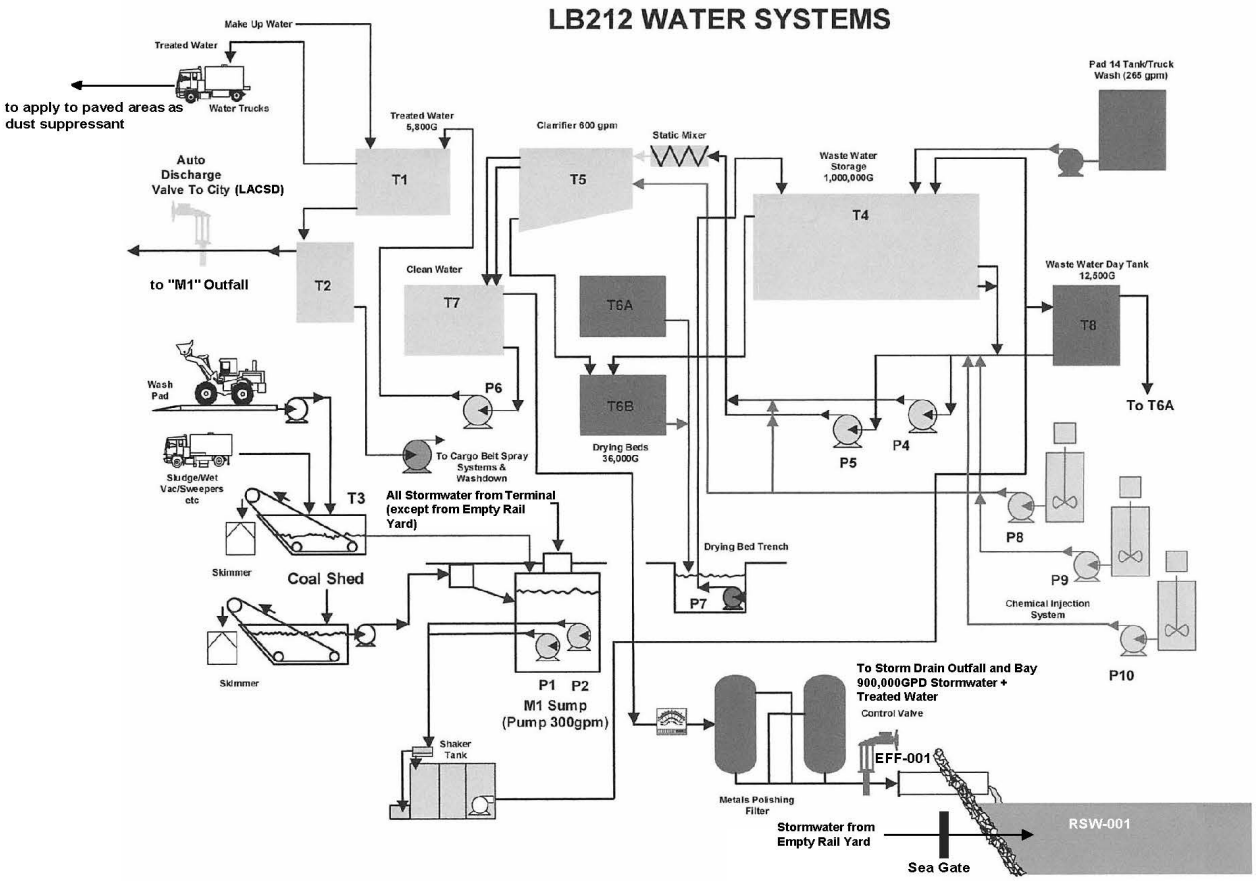
OAL	Office of Administrative Law
PAHs	Polynuclear Aromatic Hydrocarbons
PMP	Pollutant Minimization Plan
POTW	Publicly Owned Treatment Works
ppm	parts per million
ppb	parts per billion
QA	Quality Assurance
QAPP	Quality Assurance Project Plan
QA/QC	Quality Assurance/Quality Control
Ocean Plan	*Water Quality Control Plan for Ocean Waters of California*
RPA	Reasonable Potential Analysis
SCP	Spill Contingency Plan
SIP	State Implementation Policy *(Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*)
SMR	Self-Monitoring Reports
SPCC	Spill Prevention Control and Countermeasures Plan
State Water Board	California State Water Resources Control Board
STV	Statistical Threshold Value
SWPPP	Stormwater Pollution Prevention Plan
Thermal Plan	*Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California*
TIE	Toxicity Identification Evaluation
TMDL	Total Maximum Daily Load
TRE	Toxicity Reduction Evaluation
TSD	Technical Support Document
TSS	Total Suspended Solid
TST	Test of Significant Toxicity
TU_c	Chronic Toxicity Unit
U.S. EPA	United States Environmental Protection Agency
WDR	Waste Discharge Requirements
WET	Whole Effluent Toxicity
WLA	Waste Load Allocations
WQBELs	Water Quality-Based Effluent Limitations
WQS	Water Quality Standards
%	Percent

ATTACHMENT B – MAP OF METROPOLITAN STEVEDORE FACILITY & SURROUNDING AREA

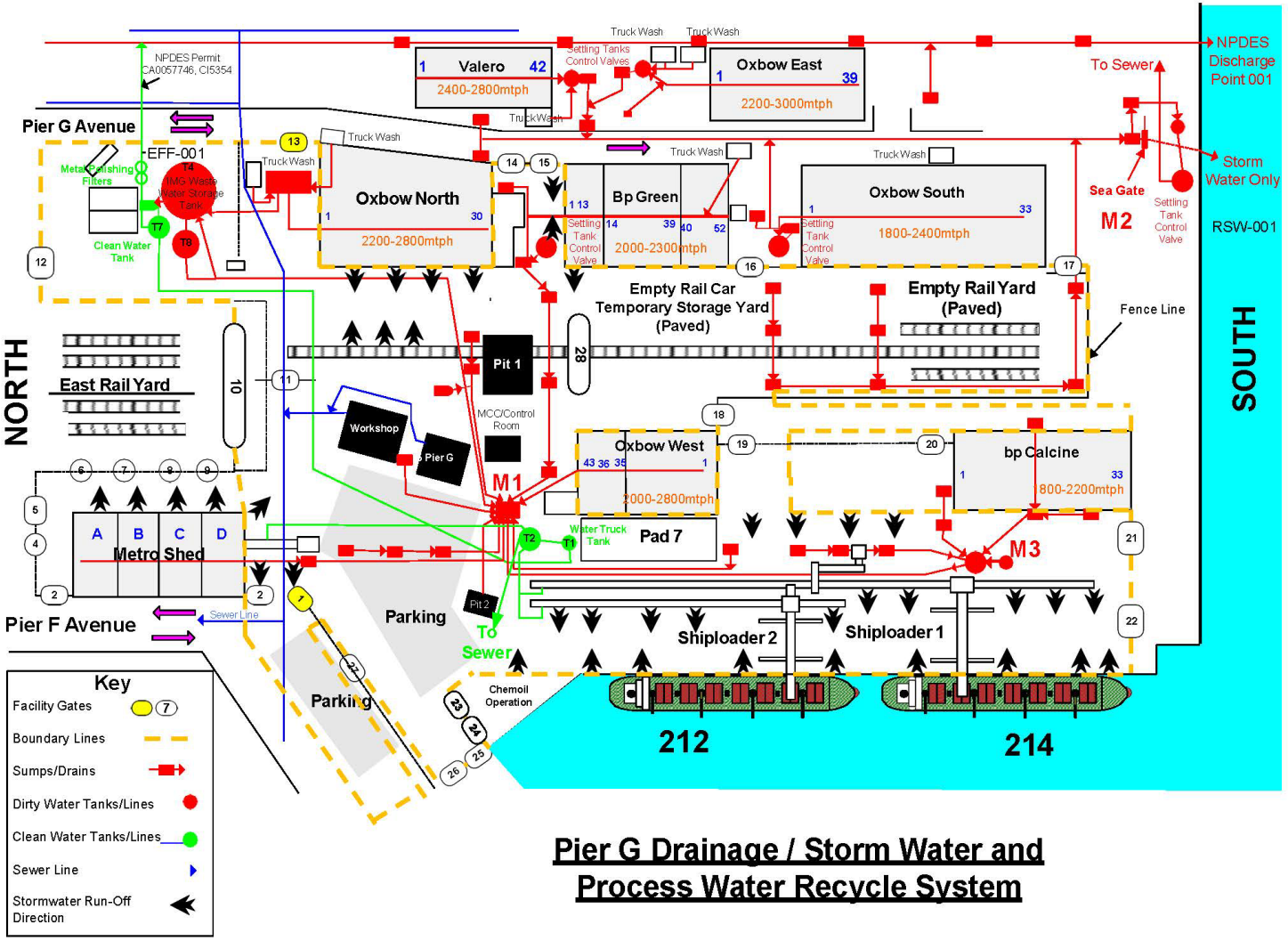


ENVIRON	Facility Map	Figure 1
DRAFTED BY: SShin — Date: 2/7/2014	Metropolitan Stevedore Company 1045 Pier G Avenue, Long Beach, California NPDES Permit No. CA0057746	PROJECT: 05-BPJWH14

ATTACHMENT C-1 – FLOW SCHEMATIC OF WASTEWATER



ATTACHMENT C-2 – PIER G DRAINAGE MAP



Pier G Drainage / Storm Water and Process Water Recycle System

ATTACHMENT D – STANDARD PROVISIONS

1. STANDARD PROVISIONS – PERMIT COMPLIANCE

1.1. Duty to Comply

1.1.1. 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.)

1.1.2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA 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).)

1.2. 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 § 122.41I.)

1.3. Duty to Mitigate

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

1.4. 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 § 122.41I.)

1.5. Property Rights

1.5.1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 CFR § 122.41(g).)

1.5.2. 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 § 122.5I.)

1.6. Inspection and Entry

The Discharger shall allow the Los Angeles 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)(B); 40 CFR § 122.41(i); Wat. Code, §§ 13267, 13383):

1.6.1. 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)(B)(i); 40 CFR § 122.41(i)(1); Wat. Code, §§ 13267, 13383);

1.6.2. 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)(B)(ii); 40 CFR § 122.41(i)(2); Wat. Code, §§ 13267, 13383);

1.6.3. 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)(B)(ii); 40 CFR § 122.41(i)(3); Wat. Code, §§ 13267, 13383); and

1.6.4. 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)(B); 40 CFR § 122.41(i)(4); Wat. Code, §§ 13267, 13383.)

1.7. Bypass

1.7.1. 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).)

1.7.2. 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).)

1.7.3. Prohibition of bypass. Bypass is prohibited, and the Los Angeles 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 Los Angeles Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 CFR § 122.41(m)(4)(i)I.)

1.7.4. The Los Angeles Water Board may approve an anticipated bypass, after considering its adverse effects, if the Los Angeles 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).)

1.7.5. Notice

a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a 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 notice of an unanticipated bypass as required in Standard Provisions – Reporting V.E below (24-hour notice). (40 CFR § 122.41(m)(3)(ii).)

1.8. **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).)

1.8.1. 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).)

1.8.2. 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).)

1.8.3. 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).)

2. STANDARD PROVISIONS – PERMIT ACTION

2.1. 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).)

2.2. 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).)

2.3. Transfers

This Order is not transferable to any person except after notice to the Los Angeles Water Board. The Los Angeles 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.)

3. STANDARD PROVISIONS – MONITORING

3.1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 CFR § 122.41(j)(1).)

3.2. 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:

3.2.1. 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

3.2.2. 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 §§ 122.21l(3), 122.41(j)(4), 122.44(i)(1)(iv).)

4. STANDARD PROVISIONS – RECORDS

4.1. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR part 503), 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 Los Angeles Water Board Executive Officer at any time. (40 CFR § 122.41(j)(2).)

4.2. **Records of monitoring information shall include:**

a. The date, exact place, and time of sampling or measurements (40 CFR § 122.41(j)(3)(i));

b. The individual(s) who performed the sampling or measurements (40 CFR § 122.41(j)(3)(ii));

c. The date(s) analyses were performed (40 CFR § 122.41(j)(3)(iii));

d. The individual(s) who performed the analyses (40 CFR § 122.41(j)(3)(iv));

e. The analytical techniques or methods used (40 CFR § 122.41(j)(3)(v)); and

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

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

a. The name and address of any permit applicant or Discharger (40 CFR § 122.7(b)(1)); and

b. Permit applications and attachments, permits and effluent data (40 CFR § 122.7(b)(2)).

5. STANDARD PROVISIONS – REPORTING

5.1. **Duty to Provide Information**

The Discharger shall furnish to the Los Angeles Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Los Angeles Water

Board, State Water Board, or U.S. EPA 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 Los Angeles Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 CFR § 122.41(h); Wat. Code, §§ 13267, 13383.)

5.2. **Signatory and Certification Requirements**

5.2.1. All applications, reports, or information submitted to the Los Angeles Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting 5.2.2, 5.2.3, 5.2.4, 5.2.5, and 5.2.6. below (40 CFR § 122.41(k)).

5.2.2. All permit applications shall be signed by either a principal executive officer or ranking elected official. For the purpose 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., Los Angeles Administrators of U.S. EPA). (40 CFR § 122.22(a)(3).).

5.2.3. All reports required by this Order and other information requested by the Los Angeles Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting 5.2.2. 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 5.2.2. 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 Los Angeles Water Board and State Water Board (40 CFR § 122.22(b)(3)).

5.2.4. If an authorization under Standard Provisions – Reporting 5.2.3 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 5.2.3 above must be submitted to the Los Angeles 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 § 122.22l.)

5.2.5. Any person signing a document under Standard Provisions – Reporting 5.2.2 or 5.2.3 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).).

5.2.6. Any person providing the electronic signature for documents described in Standard Provisions – 5.2.1, 5.2.2, or 5.2.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting 5.2, 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 CFR § 122.22I.)

5.3. Monitoring Reports

5.3.1. 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).)

5.3.2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Los Angeles Water Board or State Water Board for reporting results of monitoring of sludge use or disposal practices. (40 CFR § 122.41(l)(4)(i).)

5.3.3. 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 subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Los Angeles Water Board. (40 CFR § 122.41(l)(4)(ii).)

5.3.4. 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).)

5.4. 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).)

5.5. Twenty-Four Hour Reporting

5.5.1. The Discharger shall report any noncompliance that 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 written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission 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.

For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (i.e., combined sewer overflow, sanitary sewer overflow, or bypass event), type of overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volume untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the event, and whether the noncompliance was related to wet weather.

As of December 21, 2023, all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted to the Los Angeles Water Board and must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting V.J. The reports shall comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. The Los Angeles 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)(6)(i).)

5.5.2. The following shall be included as information that must be reported within 24 hours under this paragraph (40 CFR § 122.41(l)(6)(ii)):

a. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(A).)

b. Any upset that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(B).)

5.5.3. The Los Angeles Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours. (40 CFR § 122.41(l)(6)(iii).)

5.6. **Planned Changes**

The Discharger shall give notice to the Los Angeles 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)):

5.6.1. 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

5.6.2. 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).)

5.7. **Anticipated Noncompliance**

The Discharger shall give advance notice to the Los Angeles Water Board or State 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).)

5.8. **Other Noncompliance**

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting 5.3, 5.4, and 5.5 above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting 5.5 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 5.5 and the applicable required data in appendix A to 40 CFR part 127. The Los Angeles 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).)

5.9. **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 Los Angeles Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 CFR § 122.41(l)(8).)

5.10. **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).)

6. STANDARD PROVISIONS – ENFORCEMENT

6.1. The Los Angeles 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.

6.2. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal

penalties of not more than $50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be 10ubjectt to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions (40 CFR § 122.41(a)(2); CWC section 13385 and 13387).

6.3. Any person may be assessed an administrative penalty by the Los Angeles Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000 (40 CFR § 122.41(a)(3)).

6.4. The CWA provides that 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, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both (40 CFR § 122.41(j)(5)).

6.5. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six months per violation, or by both (40 CFR § 122.41(k)(2)).

7. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

7.1. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Los Angeles Water Board as soon as they know or have reason to believe (40 CFR § 122.42(a)):

7.1.1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 CFR § 122.42(a)(1)):

a. 100 micrograms per liter (µg/L) (40 CFR § 122.42(a)(1)(i));

b. 200 µg/L for acrolein and acrylonitrile; 500 µg/L for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony (40 CFR § 122.42(a)(1)(ii));

c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 CFR § 122.42(a)(1)(iii)); or

d. The level established by the Los Angeles Water Board in accordance with section 122.44(f). (40 CFR § 122.42(a)(1)(iv).)

7.1.2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 CFR § 122.42(a)(2)):

a. 500 micrograms per liter (µg/L) (40 CFR § 122.42(a)(2)(i));

b. 1 milligram per liter (mg/L) for antimony (40 CFR § 122.42(a)(2)(ii));

c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 CFR § 122.42(a)(2)(iii)); or

d. The level established by the Los Angeles Water Board in accordance with section 122.44(f). (40 CFR § 122.42(a)(2)(iv).)

ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP NO. 5354)

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP) NO. 5354

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 section 13383 also authorize the Los Angeles Water Board to establish monitoring, reporting, and recordkeeping requirements. This MRP establishes monitoring, reporting, and recordkeeping requirements that implement the federal and California laws and/or regulations.

1. GENERAL MONITORING PROVISIONS

1.1. An effluent sampling station shall be established for the point of discharge (Discharge Point 001 [Latitude 33.7445°, Longitude -118.2041°]) and shall be located where representative samples of waste streams contributing to that effluent can be obtained.

1.2. **Laboratory Certification.** Laboratories analyzing monitoring samples shall be certified by the State Water Resources Control Board, Drinking Water Division, Environmental Laboratory Accreditation Program (ELAP) in accordance with the provision of Water Code section 13176, and must include quality assurance/quality control data with their reports. A copy of the laboratory certification shall be provided each time a new certification and/or renewal of the certification is obtained from ELAP.

1.3. Effluent samples shall be taken downstream of any additions to treatment works and prior to mixing with the receiving waters.

1.4. The Los Angeles Water Board shall be notified in writing of any change in the sampling stations once established or in the methods for determining the quantities of pollutants in the individual waste streams.

1.5. Pollutants shall be analyzed using the analytical methods described in 40 CFR sections 136.3, 136.4, and 136.5 (revised May 18, 2012); or, where no methods are specified for a given pollutant, by methods approved by this Los Angeles Water Board or the California State Water Resources Control Board (State Water Board).

1.6. For any analyses performed for which no procedure is specified in the U.S.EPA guidelines or in the MRP, the constituent or parameter analyzed and the method or procedure used must be specified in the monitoring report.

1.7. Each monitoring report must affirm in writing that “all analyses were conducted at a laboratory certified for such analyses by the State Water Board or approved by the Executive Officer and in accordance with current U.S.EPA guideline procedures or as specified in this MRP.”

1.8. The monitoring reports shall specify the analytical method used, the Method Detection Limit (MDL), and the Minimum Level (ML) for each pollutant. For the purpose of reporting compliance with numerical limitations, performance goals, and receiving water limitations, analytical data shall be reported by one of the following methods, as appropriate:

1.8.1. An actual numerical value for sample results greater than or equal to the ML; or

1.8.2. "Detected, but Not Quantified (DNQ)" if results are greater than or equal to the laboratory's MDL but less than the ML; or,

1.8.3. "Not-Detected (ND)" for sample results less than the laboratory's MDL with the MDL indicated for the analytical method used.

Analytical data reported as "less than" for the purpose of reporting compliance with permit limitations shall be the same or lower than the permit limit(s) established for the given parameter.

Current MLs (Appendix 4 of the SIP) are those published by the State Water Board in the *Policy for the Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, February 24, 2005, Appendix 4.

1.9. The MLs employed for effluent analyses to determine compliance with effluent limitations shall be lower than the effluent limitations established in this Order for a given parameter as per the 40 CFR parts 122 and 136; *Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting*. If the ML value is not below the effluent limitations, then the lowest ML value and its associated analytical method shall be selected for compliance purposes. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test and associated laboratory quality assurance/quality control (QA/QC) procedures.

1.10. The MLs employed for effluent analyses not associated with determining compliance with effluent limitations in this Order shall be lower than the lowest applicable water quality objective, for a given parameter as per the 40 CFR parts 122 and 136; *Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting*. Water quality objectives for parameters may be found in Chapter 3 of the Basin Plan and the CTR (40 CFR § 131.38). If the ML value is not below the water quality objective, then the lowest ML value and its associated analytical method shall be selected for compliance purposes. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test, the associated laboratory QA/QC procedures, reporting levels (RLs), and method detection limits (MDLs).

The Los Angeles Water Board, in consultation with the State Water Board Quality Assurance Program, shall establish a ML that is not contained in Appendix 4 of the SIP to be included in the Discharger's permit in any of the following situations:

1.10.1. When the pollutant under consideration is not included in Appendix 4 of the SIP;

1.10.2. When the Discharger and Los Angeles Water Board agree to include in the permit a test method that is more sensitive than that specified in Part 136 (revised August 28, 2017);

1.10.3. When the Discharger agrees to use an ML that is lower than that listed in Appendix 4 of the SIP;

1.10.4. When the Discharger demonstrates that the calibration standard matrix is sufficiently different from that used to establish the ML in Appendix 4 of the SIP, and proposes an appropriate ML for their matrix; or,

1.10.5. When the Discharger uses a method whose quantification practices are not consistent with the definition of an ML. Examples of such methods are the U.S. EPA-approved method 1613 for dioxins and furans, method 1624 for volatile organic substances, and method 1625 for semi-volatile organic substances. In such cases, the Discharger, the Los Angeles Water Board, and the State Water Board shall agree on a lowest quantifiable limit and that limit will substitute for the ML for reporting and compliance determination purposes.

1.11. Field analyses with short sample holding times, such as pH, total chlorine residual, and temperature, may be performed using properly calibrated and maintained portable instruments by trained personnel acting on the Discharger's behalf, using methods in accordance with 40 CFR part 136. All field instruments must be calibrated per manufacturer's instructions. A manual containing the standard operating procedures for all field analyses, including records of personnel proficiency, training, instruments calibration and maintenance, and quality control procedures shall be maintained onsite, and shall be available for inspection by Los Angeles Water Board staff. Information including instrument calibration, time of sample collection, time of analysis, name of analyst, QA/QC data, and measurement values shall be clearly documented during each field analysis and submitted to the Los Angeles Water Board as part of the corresponding regular monitoring report.

1.12. All analyses shall be accompanied by the chain of custody, including but not limited to date and time of sampling, sample identification, and name of person who performed the sampling, date of analysis, name of person who performed analysis, QA/QC data, method detection limits, analytical methods, copy of laboratory certification, and a perjury statement executed by the person responsible for the laboratory.

1.13. The Discharger shall have, and implement, an acceptable written quality QA plan for laboratory analyses. Unless otherwise specified in the analytical method, duplicate samples must be analyzed at a frequency of 5% (1 in 20 samples) with at least one if there is fewer than 20 samples in a batch. A batch is defined as a single analytical run encompassing no more than 24 hours from start to finish. A similar frequency shall be maintained for analyzing spiked samples.

1.14. For parameters that both average monthly and daily maximum limits are specified, and the monitoring frequency is less than four times a month, the following shall apply. If an analytical result is greater than the average monthly limit, the Discharger shall collect four additional samples at approximately equal intervals during the month, until compliance with the average monthly limit has been demonstrated. All five analytical results shall be reported in the monitoring report for that month, or 45 days after results for the additional samples were received, whichever is later. In the event of noncompliance with an average monthly effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this

level until compliance with the average monthly effluent limitation has been demonstrated. The Discharger shall provide for the approval of the Executive Officer a program to ensure future compliance with the average monthly limit.

1.15. 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 and 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

1.16. In the event stormwater or spills in the areas permitted by this Order are transported to a different disposal site during the report period, the following shall be reported in the monitoring report:

1.16.1. Types of wastes and quantity of each type;

1.16.2. Name and address for each hauler of wastes (or method of transport if other than by hauling); and

1.16.3. Location of the final point(s) of disposal for each type of waste.

If no wastes are transported off-site during the reporting period, a statement to that effect shall be submitted.

1.17. Each monitoring report shall state whether or not there was any change in the discharge as described in the Order during the reporting period.

2. 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 (latitude and longitude information in Table E-1 is approximate for administrative purposes):

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	The effluent sampling station shall be located at Discharge Point 001: Latitude 33.7445º Longitude -118.2041º
---	RSW-001	50 feet upstream of Discharge Point 001, Long Beach Inner Harbor, outside the influence of the effluent discharge: Latitude 33.7445º Longitude -118.2048º

3. INFLUENT MONITORING REQUIREMENTS – NOT APPLICABLE

4. EFFLUENT MONITORING REQUIREMENTS

4.1. Monitoring Location EFF-001

The Discharger shall monitor the discharge at EFF-001 as follows. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level:

Table E-2. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency	Notes
Flow	GPD	Meter	1/Discharge Event	a
Ammonia, Total (as N)	mg/L	Grab	1/Discharge Event	b and c
Biochemical Oxygen Demand (BOD) 5-day @20°C	mg/L	Grab	1/Discharge Event	b and c
Chronic Toxicity	Pass or Fail and % Effect	Grab	1/Year	d
Dissolved Oxygen	mg/L	Grab	1/Discharge Event	b and c
Electrical Conductivity	µmho/cm	Grab	1/Discharge Event	b and c
Total Coliform	CFU/100ml or MPN/100ml	Grab	1/Year	c and e
Enterococcus	CFU/100ml or MPN/100ml	Grab	1/Year	c and e
Methyl tertiary butyl ether (MTBE)	µg/L	Grab	1/Discharge Event	b and c
Oil and Grease	mg/L	Grab	1/Discharge Event	b and c
pH	standard unit	Grab	1/Discharge Event	band c
Phenols	mg/L	Grab	1/Discharge Event	b and c
Settleable Solids	mL/L	Grab	1/Discharge Event	b and c
Sulfides	mg/L	Grab	1/Discharge Event	b and c
Temperature	°F	Grab	1/Discharge Event	b and c
Tertiary Butyl Alcohol (TBA)	µg/L	Grab	1/Discharge Event	b and c
Total Organic Carbon	mg/L	Grab	1/Discharge Event	b and c
Total Petroleum Hydrocarbons (TPH) as Diesel (C_{13}-C_{22})	µg/L	Grab	1/Discharge Event	b and f
TPH as Gasoline (C_4-C_{12})	µg/L	Grab	1/Discharge Event	b and f
TPH as Waste Oil (C23+)	µg/L	Grab	1/Discharge Event	b and f

Total Suspended Solids (TSS)	mg/L	Grab	1/Discharge Event	b and c
Turbidity	NTU	Grab	1/Discharge Event	b and c
Copper, Total Recoverable (TR)	µg/L	Grab	1/Discharge Event	band c
Lead, TR	µg/L	Grab	1/Discharge Event	b and c
Mercury, TR	µg/L	Grab	1/Discharge Event	b, c and g
Nickel, TR	µg/L	Grab	1/Discharge Event	b and c
Zinc, TR	µg/L	Grab	1/Discharge Event	b and c
4,4'-DDT	µg/L	Grab	1/Discharge Event	b, c, h
Polychlorinated Biphenyls (PCBs), Total	µg/L	Grab	1/Discharge Event	b, c, h and i
TCDD Equivalents	µg/L	Grab	1/Discharge Event	b, c and j
Benzo(a)anthracene	µg/L	Grab	1/Discharge Event	b, c and h
Benzo(a)pyrene	µg/L	Grab	1/Discharge Event	b, c and h
Benzo(b)fluoranthene	µg/L	Grab	1/Discharge Event	b, c and h
Benzo(k)fluoranthene	µg/L	Grab	1/Discharge Event	b, c and h
Chrysene	µg/L	Grab	1/Discharge Event	b, c and h
Fluoranthene	µg/L	Grab	1/Discharge Event	b, c and h
Phenanthrene	µg/L	Grab	1/Discharge Event	b, c and h
Pyrene	µg/L	Grab	1/Discharge Event	b, c and h
Remaining Priority Pollutants	µg/L	Grab	1/Year	c, k and l

Footnotes to Table E-2

a. Flow shall be recorded daily during each period of discharge.

b. During wet weather flow, a discharge event is greater than 0.1 inch of rain in a 24-hour period. No more than one sample per week (or 7-day period) need to be obtained during extended periods of rainfall and a storm event must be preceded by at least 72 hours of dry weather. Sampling shall be conducted during the first hour of discharge. If, for safety reasons, a sample cannot be obtained during the first hour of discharge, a sample shall be obtained at the first safe opportunity, and the reason for the delay shall be included in the report. If there is no discharge to surface waters, then no monitoring is required. In the corresponding monitoring report, the Discharger will indicate under penalty of perjury that no effluent was discharged to surface water.

c. Pollutants shall be analyzed using the analytical methods described in 40 CFR part 136; for priority pollutants, the methods must meet the lowest MLs specified in Attachment 4 of the SIP. Where no methods are specified for a given pollutant, by methods approved by this Los Angeles Water Board or the State Water Board. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding ML necessary to demonstrate compliance with applicable effluent limitations.

d. Refer to section 5 below, Whole Effluent Toxicity Testing Requirements. Pass" or "Fail" for Median Monthly Effluent Limitation (MMEL). "Pass" or "Fail" and "% Effect" for Maximum Daily Effluent Limitation (MDEL). The MMEL for chronic toxicity only applies when there is a discharge on more than one day in a calendar month period. During such calendar months, if the chronic aquatic toxicity routine monitoring test results in a "Fail", then the Discharger shall complete a maximum of two MMEL compliance tests. The MMEL compliance tests shall be initiated within the same calendar month that the first routine monitoring test was initiated that resulted in the "Fail" at the IWC. If the first chronic MMEL compliance test results in a "Fail" at the IWC, then the second MMEL compliance test is not necessary because the "Fail" results from the first two tests would constitute a violation of the chronic toxicity MMEL.

e. Detection methods used for *Enterococcus* shall be those presented in Table 1A of 40 CFR part 136 unless alternate methods have been approved by U.S. EPA pursuant to Part 136 or improved methods have been determined by the Executive Officer and/or U.S. EPA.

f. For TPH as Gasoline (C_4-C_{12}) use U.S. EPA Method 503.1 or 8015B. For TPH as Diesel (C_{13}-C_{22}) and TPH as Kerosene (C_{23+}) use U.S. EPA Method 503.1 or 8015B, or 8270.

g. U. S. EPA Method 1631E, per 40 CFR part 136, with a quantification level lower than 0.5 ng/L, shall be used to analyze total mercury. If an alternative method with an equivalent or more sensitive method detection limit is approved in 40 CFR part 136, the Discharger may use that method in lieu of U.S. EPA Method 1631E.

h. Samples analyzed must be unfiltered samples.

i. PCBs, Total as aroclors shall be analyzed using U.S. EPA method 608.3.

j. TCDD equivalents shall be calculated using the following formula, where the Minimum Levels (MLs), toxicity equivalency factors (TEFs), are as listed in the Table below. The Discharger shall report all measured values of individual congeners, including data qualifiers. When calculating TCDD equivalents, the Discharger shall set congener concentrations below the MLs to zero. U.S. EPA method 1613 may be used to analyze dioxin and furan congeners. The TCDD equivalents are calculated as follows: Dioxin-TEQ (TCDD equivalents) = Sum of concentration of dioxin or furan congener$_x$ (C_x) X Toxicity Equivalency Factors (TEFs) for congener$_x$. The TEFs are listed in the Table below.

Toxicity Equivalency Factors

Congener	Minimum Level (pg/L)	Toxicity Equivalency Factor (TEF)
2,3,7,8-TCDD	10	1.0
1,2,3,7,8-PeCDD	50	1.0
1,2,3,4,7,8-HxCDD	50	0.1
1,2,3,6,7,8-HxCDD	50	0.1
1,2,3,7,8,9-HxCDD	50	0.1
1,2,3,4,6,7,8-HpCDD	50	0.01
OCDD	100	0.0001
2,3,7,8-TCDF	10	0.1
1,2,3,7,8-PeCDF	50	0.05
2,3,4,7,8-PeCDF	50	0.5
1,2,3,4,7,8-HxCDF	50	0.1

Congener	Minimum Level (pg/L)	Toxicity Equivalency Factor (TEF)
1,2,3,6,7,8-HxCDF	50	0.1
1,2,3,7,8,9-HxCDF	50	0.1
2,3,4,6,7,8-HxCDF	50	0.1
1,2,3,4,6,7,8-HpCDF	50	0.01
1,2,3,4,7,8,9-HpCDF	50	0.01
OCDF	100	0.0001

k. Monitoring is only required during years in which discharge occurs. Annual samples shall be collected during the first discharge of the year. If there is no discharge to surface waters, the Discharger will indicate in the corresponding monitoring report, under statement of perjury, that no effluent was discharged to surface water during the reporting period.

l. Priority Pollutants as defined in 40 CFR Part 131.

End of Footnotes for Table E-2

5. CHRONIC WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

5.1. Discharge In-stream Waste Concentration (IWC) for Chronic Toxicity

The chronic toxicity IWC for this discharge is 100 percent effluent.

5.2. Sample Volume and Holding Time

The total sample volume shall be determined by the specific toxicity test method used. Sufficient sample volume shall be collected to perform both the required toxicity tests and Toxicity Identification Evaluation (TIE) studies. All toxicity tests shall be conducted as soon as possible following sample collection. No more than 36 hours shall elapse before the conclusion of sample collection and test initiation.

5.3. Chronic Marine and Estuarine Species and Test Methods

If effluent samples are collected from outfalls discharging to receiving waters with salinity ≥1 ppt, the Discharger shall conduct the following chronic toxicity tests on effluent samples—at the in-stream waste concentration for the discharge—in accordance with species and test methods in *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms* (EPA/600/R-95/136, 1995). Artificial sea salts shall be used to increase sample salinity. In no case shall these species be substituted with another test species unless written authorization from the Executive Officer is received.

- A static renewal toxicity test with the topsmelt, *Atherinops affinis* (Larval Survival and Growth Test Method 1006.01).
- A static non-renewal toxicity test with the purple sea urchin, *Strongylocentrotus purpuratus*, and the sand dollar, *Dendraster excentricus* (Fertilization Test Method 1008.0), or a static non-renewal toxicity test with the red abalone, *Haliotis rufescens* (Larval Shell Development Test Method).

- A static non-renewal toxicity test with the giant kelp, *Macrocystis pyrifera* (Germination and Growth Test Method 1009.0).

5.4 Species Sensitivity Screening

Species sensitivity screening shall be conducted during this permit's first required sample collection or when the Facility discharges. The Discharger shall collect a single effluent sample and concurrently conduct three toxicity tests, using the fish, an invertebrate, and the alga species as referenced in this section. The sample shall also be analyzed for the parameters required for the discharge. The species that exhibits the highest "Percent Effect" at the discharge IWC during species sensitivity screening shall be used for routine monitoring during the permit cycle.

Rescreening is required at least once per five (5) years. The Discharger shall rescreen with the three species listed above and continue to monitor with the most sensitive species. If the first suite of rescreening tests demonstrates that the same species is the most sensitive, then the rescreening does not need to include more than one suit of tests. If a different species is the most sensitive, or if there is ambiguity, then the Discharger shall proceed with suites of screening tests using enough collected effluent for a minimum of three, but not to exceed five suites.

5.5. Quality Assurance and Additional Requirements

Quality assurance measures, instructions, and other recommendations and requirements are found in the test methods manuals previous referenced. Additional requirements are specified below.

5.5.1. The discharge is subject to a determination of "Pass" or "Fail" and "Percent Effect" from a single-effluent concentration chronic toxicity test at the discharge IWC using the Test of Significant Toxicity (TST) approach described in *National Pollutant Discharge Elimination System Test of Significant Toxicity/Implementation Document* (U.S. EPA 833-R-10-003, 2010), Appendix A, Figure A-1, and Table A-1. The null hypothesis (H_o) for the TST approach is: Mean discharge IWC response ≤ (0.75 x Mean control response). A test result that does not reject this null hypothesis is reported as "Fail". The relative "Percent Effect" at the discharge IWC is defined and reported as: ((Mean control response-Mean discharge IWC response) ÷ Mean control response)) x 100.

5.5.2. The Median Monthly Effluent Limitation (MMEL) for chronic toxicity only applies when there is a discharge on more than one day in a calendar month period. During such calendar months, if the chronic aquatic toxicity routine monitoring test results in a "Fail", then the Discharger shall complete a maximum of two MMEL compliance tests. The MMEL compliance tests shall be initiated within the same calendar month that the first routine monitoring test was initiated that resulted in the "Fail" at the IWC. If the first chronic MMEL compliance test results in a "Fail" at the IWC, then the second MMEL compliance test is not necessary because the "Fail" results from the first two tests would constitute a violation of the chronic toxicity MMEL.5.5.3. Dilution water and control water, including brine controls, shall be laboratory water

prepared and used as specified in the test methods manual. If dilution water and control water is different from test organism culture water, then a second control using culture water shall also be used.

5.5.4. Reference toxicant tests and effluent toxicity tests shall be conducted using the same test conditions (e.g., same test duration, etc.). Monthly reference toxicant testing is sufficient.

5.5.5. All reference toxicant test results should be reviewed and reported according to EPA guidance on the evaluation of concentration-response relationships found in *Method Guidance and Recommendations for Whole Effluent Toxicity (WET) Testing* (40 CFR part 136) (U.S. EPA 821-B-00-004, 2000).

5.5.6. The Discharger shall perform toxicity tests on final effluent samples. Chlorine and ammonia shall not be removed from the effluent sample prior to toxicity testing, unless explicitly authorized under this section of the Monitoring and Reporting Program and the rationale is explained in the Fact Sheet (Attachment F).

5.6. Preparation of Initial Investigation Toxicity Reduction Evaluation (TRE) Work Plan

The Discharger shall prepare and submit a copy of the Discharger's initial investigation TRE work plan to the Executive Officer of the Los Angeles Water Board for approval within 90 days of the permit effective date of this permit. If the Executive Officer does not disapprove the work plan within 60 days, the work plan shall become effective. The Discharger shall use U.S. EPA manual EPA/833B-99/002 (municipal) as guidance, or most current version, or U.S. EPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations (EPA/600/2-88/070, April 1989*). This work plan shall describe the steps that the Discharger intends to follow if toxicity is detected. At a minimum, the work plan shall include:

- A description of the investigation and evaluation techniques that would be used to identify potential causes and source of toxicity, effluent variability, and treatment system efficiency.
- A description of the Facility's methods for maximizing in-house treatment efficiency, good housekeeping practices, and a list of all chemicals used in operations at the Facility.
- If a Toxicity Identification Evaluation (TIE) is necessary, an indication of the person that would conduct the TIEs (i.e., an in-house expert or outside contractor).

5.7. TRE Process

5.7.1. **Preparation and Implementation of Detailed TRE Work Plan.** The Discharger shall immediately initiate a TRE using, according to the type of treatment facility, U.S. EPA manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA/833/B-99/002, 1999) or U.S. EPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPA/600/2-88/070, April 1989) and, within 30 days,

submit to the Executive Officer a Detailed TRE Work Plan, which shall follow the TRE Work Plan revised as appropriate for this toxicity event. It shall include the following information, and comply with additional conditions set by the Executive Officer:

- Further actions by the Discharger to investigate, identify, and correct the causes of toxicity.
- Actions the Discharger will take to mitigate the effects of the discharge and prevent the recurrence of toxicity.
- A schedule for these actions, progress reports, and the final report.

5.7.2. **Toxicity Identification Evaluation (TIE) Implementation.** A toxicity test sample is immediately subject to TIE procedures to identify the toxic chemical(s), if a chronic toxicity test shows "Fail and % Effect value ≥50". The Discharger shall initiate a TIE using, as guidance, EPA manuals: *Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures* (EPA/600/6-91/003, 1991); *Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/080, 1993); *Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/081, 1993); and *Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document* (EPA/600/R-96-054, 1996). The TIE should be conducted on the species demonstrating the most sensitive toxicity response.

5.7.3. Many recommended TRE elements parallel required or recommended efforts for source control, pollution prevention, and stormwater control programs. TRE efforts should be coordinated with such efforts. As toxic substances are identified or characterized, the Discharger shall continue the TRE by determining the sources and evaluating alternative strategies for reducing or eliminating the substances from the discharge. All reasonable steps shall be taken to reduce toxicity to levels consistent with toxicity evaluation parameters.

5.7.4. The Discharger shall continue to conduct routine effluent monitoring for the duration of the TIE and/or TRE process is taking place.

5.7.5. The Los Angeles Water Board recognizes that toxicity may be episodic and identification of causes and reduction of sources of toxicity may not be successful in all cases. The TRE may be ended at any stage if monitoring finds there is no longer toxicity.

5.7.6. The Board may consider the results of any TIE/TRE studies in an enforcement action.

5.8. Reporting

The Self-Monitoring Report (SMR) shall include a full laboratory report for each toxicity test. This report shall be prepared using the format and content of the test methods manual chapter titled *Report Preparation*, including:

- The valid toxicity test results for the TST statistical approach, reported as "Pass" or "Fail" and "Percent Effect" at the chronic toxicity IWC for the discharge. All toxicity test results (whether identified as valid or otherwise) conducted during the calendar month shall be reported on the SMR due date specified in Table E-9.
- A summary of water quality measurements for each toxicity test (e.g., pH, dissolved oxygen, temperature, conductivity, hardness, salinity, chlorine, ammonia).
- The statistical analysis used in National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document (EPA 833-R-10-003, 2010) Appendix A, Figure A-1, Table A-1, and Appendix B, Table B-1
- TRE/TIE results. The Executive Officer shall be notified no later than 30 days from completion of each aspect of TRE/TIE analyses. Prior to the completion of the final TIE/TRE report, the Discharger shall provide status updates in the monthly monitoring reports, indicating which TIE/TRE steps are underway and which steps have been completed.
- Statistical program (e.g., TST calculator, CETIS, etc.) output results, including graphical plots, for each toxicity test.
- Tabular data and graphical plots clearly showing the laboratory's performance for the reference toxicant, for each solution, for the previous 20 tests and the laboratory's performance for the control mean, control standard deviation, and control coefficient of variation, for each solution, for the previous 12-month period.
- Any additional QA/QC documentation or any additional chronic toxicity related information, upon request by Los Angeles Water Board the Executive Officer.

6. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE

7. RECYCLING MONITORING REQUIREMENTS – NOT APPLICABLE

8. RECEIVING WATER MONITORING REQUIREMENTS

8.1. Monitoring Location RSW-001

Receiving water monitoring is only required during years of discharge. The Discharger shall monitor Long Beach Inner Harbor at RSW-001, a location that is outside the influence of the effluent discharge at least 50 feet from the point of discharge and is in a direction that is opposite the direction of tidal flow at the discharge point at the time of collection, as follows:

Table E-3. Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Ammonia, Total as N	mg/L	Grab	1/Year	a, b, and c
Total Suspended Solids	mg/L	Grab	1/Year	a and b
Turbidity	NTU	Grab	1/Year	a and b
Dissolved Oxygen	mg/L	Grab	1/Year	a and b
Chemical Oxygen Demand	mg/L	Grab	1/Year	a and b
Electrical Conductivity	µmho/cm	Grab	1/Year	a and b
pH	standard units	Grab	1/Year	a, b, and c
Salinity	ppt	Grab	1/Year	a, b, and c
Temperature	ºF	Grab	1/Year	a, b, and c
Total Coliform	CFU or MPN/100 mL	Grab	1/Year	a and b
Enterococci	CFU or MPN/100 mL	Grab	1/Year	a and b
Priority Pollutants	µg/L	Grab	1/Year	a, b, c, and d
TCDD Equivalents	µg/L	Grab	1/Year	a and e

Footnotes to Table E-3

a. Annual samples shall be collected during the first discharge of the year and shall be monitored concurrently with effluent Priority Pollutant monitoring specified in section 4.2 of this MRP (Attachment E). If, for safety reasons, a sample cannot be obtained during the first hour of discharge, a sample shall be obtained at the first safe opportunity, and the reason for the delay shall be included in the report. Monitoring is not required during years in which no discharge occurs.

b. Pollutants shall be analyzed using the analytical methods described in 40 CFR part 136; for Priority Pollutants the methods must meet the lowest MLs specified in Appendix 4 of the SIP. Where no methods are specified for a given pollutant, the methods must be approved by this Los Angeles Water Board or the State Water Board.

c. Receiving water ammonia, pH, temperature, and salinity must be analyzed at the same time the samples are collected for Priority Pollutants analysis.

d. Priority Pollutants are those constituents referred to in 40 CFR part 131 or the California Toxics Rule.

e. TCDD equivalents shall be calculated using the following formula, where the Minimum Levels (MLs), toxicity equivalency factors (TEFs), are as listed in the Table below. The Discharger shall report all measured values of individual congeners, including data qualifiers. When

calculating TCDD equivalents, the Discharger shall set congener concentrations below the MLs to zero. U.S. EPA method 1613 may be used to analyze dioxin and furan congeners. The TCDD equivalents are calculated as follows:

Dioxin-TEQ (TCDD equivalents) = Sum of concentration of dioxin or furan congener$_x$ (C_x) X Toxicity Equivalency Factors (TEFs) for congener$_x$. The TEFs are listed in the Table below.

Toxicity Equivalency Factors

Congener	Minimum Level (pg/L)	Toxicity Equivalency Factor (TEF)
2,3,7,8-TCDD	10	1.0
1,2,3,7,8-PeCDD	50	1.0
1,2,3,4,7,8-HxCDD	50	0.1
1,2,3,6,7,8-HxCDD	50	0.1
1,2,3,7,8,9-HxCDD	50	0.1
1,2,3,4,6,7,8-HpCDD	50	0.01
OCDD	100	0.0001
2,3,7,8-TCDF	10	0.1
1,2,3,7,8-PeCDF	50	0.05
2,3,4,7,8-PeCDF	50	0.5
1,2,3,4,7,8-HxCDF	50	0.1
1,2,3,6,7,8-HxCDF	50	0.1
1,2,3,7,8,9-HxCDF	50	0.1
2,3,4,6,7,8-HxCDF	50	0.1
1,2,3,4,6,7,8-HpCDF	50	0.01
1,2,3,4,7,8,9-HpCDF	50	0.01
OCDF	100	0.0001

End of Footnotes to Table E-3

8.2. Groundwater Monitoring – Not Applicable

8.3. Harbor Toxics TMDL Water Column, Sediment and Fish Tissue Monitoring for Greater Los Angeles and Long Beach Harbor Waters

This provision implements the Compliance Monitoring Program as required in the Harbor Toxics TMDL. The Compliance Monitoring Program includes water column monitoring, sediment monitoring and fish tissue monitoring at monitoring stations in the Long Beach Inner Harbor. The Discharger shall continue to implement the site-specific plan in order to comply with this requirement. Details on these requirements are provided in section 6.3.2. of this Order.

9. OTHER MONITORING REQUIREMENTS

9.1 Rainfall Monitoring

The Discharger shall measure and record the rainfall on each day of the month or submit the data obtained from the nearest city/county operated rain gauge monitoring station. The Discharger may use the available rainfall data collected from a nearby rain gauge located at West Long Beach Pump Plant. This information shall be included in the monitoring report for that month.

9.2. Stormwater Visual Observation

The Discharger shall make visual observations of all stormwater discharge locations on at least one storm event per month that produces a significant stormwater discharge. Observations shall note the presence of floating and suspended materials, oil and grease, discoloration, turbidity, and odor at the discharge location.

The Discharger is also required to make visual observations on receiving water quality during bulk material loading and unloading operations to document the management measures that were implemented, and to estimate the quantity of materials) spilled on the dock or shore. Spills or discharges in the Long Beach Inner Harbor are prohibited. If spills occur, they are to be documented with a quantity estimate and reported.

10. REPORTING REQUIREMENTS

10.1. General Monitoring and Reporting Requirements

10.1.1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.

10.1.2. If there is no discharge during any reporting period, the Discharger shall indicate under penalty of perjury in the corresponding monitoring report that no effluent was discharged to surface water during the reporting period.

10.1.3. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.

10.1.4. The Discharger shall inform the Los Angeles Water Board well in advance of any proposed construction activity that could potentially affect compliance with applicable requirements.

10.2. Self-Monitoring Reports (SMRs)

10.2.1. The Discharger shall electronically submit SMRs using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site: http://www.waterboards.ca.gov/ciwqs/index.html.

The CIWQS website will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.

10.2.2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections 3 through 9. The Discharger shall submit quarterly 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 (other than for process/operational control, startup, research, or equipment testing) any influent, effluent, or receiving water constituent 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.

10.2.3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-4. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On…	Monitoring Period	SMR Due Date
1/Day	Permit Effective Date	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with corresponding quarterly SMR
1/ Discharge Event	Permit Effective Date	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 1 August 1 November 1 February 1
1/Year	Permit Effective Date	January 1 through December 31	Submit with corresponding quarterly SMR for February 1

10.2.4. **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 (± 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.

10.2.5 **Compliance Determination.** Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined above and Attachment A. For purposes of reporting and administrative enforcement by Los Angeles 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 RL.

10.2.6. **Multiple Sample Data.** When determining compliance with an AMEL or MDEL 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.

10.2.7. **SMRs**. 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 WDRs; 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.

10.3. 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

10.4. Other Reports

10.4.1. Within 90 days of the effective date of this Order, the Discharger is required to submit the following to the Los Angeles Water Board:

a. Updated Initial Investigation TRE workplan
b. Updated SWPPP
c. Updated BMPP
d. Spill Contingency Plan (SCP)

The SWPPP, BMPP, and SCP status shall be reviewed at a minimum once per year and updated as needed to ensure all actual or potential sources of pollutants in wastewater and stormwater discharged from the facility are addressed. All changes or revisions to the SWPPP, BMPP, and SCP shall be submitted to the Los Angeles Water Board within 30 days of any revisions.

10.4.2. According to the Harbor Toxics TMDL, the Discharger shall submit an annual monitoring/implementation report to the Los Angeles Water Board. The report shall describe the measures implemented and the progress achieved toward meeting the assigned WLAs. The annual report shall be received by the Los Angeles Water Board by the specified date in the Monitoring Plan.

10.4.3. Within 12 months from the effective date of this Order, the Discharger is required to submit a Climate Change Effects Vulnerability Assessment and Mitigation Plan (Climate Change Plan) to assess and manage climate change related-effects associated with the facility operation, water supplies, collection system, water quality and beneficial uses.

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

As described in section 2.2 of this Order, the Los Angeles Water Quality Control Board (Los Angeles Water Board) incorporates this Fact Sheet as findings of the Los Angeles 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.

1. PERMIT INFORMATION

The following table summarizes administrative information related to the Facility.

Table F-1. Facility Information

WDID	4B192078001
Discharger	Metropolitan Stevedore Company
Name of Facility	Bulk Marine Terminal
Facility Address	1045 Pier G Avenue, Berth 212, Long Beach, CA 90802 Los Angeles County
Facility Contact, Title and Phone	Quentin Rhodes, Director of Terminal Operations, (310) 816-6672
Authorized Person to Sign and Submit Reports	Quentin Rhodes, Director of Terminal Operations, (310) 816-6672
Mailing Address	3806 Worsham Ave. Long Beach, CA 90808
Billing Address	3806 Worsham Ave. Long Beach, CA 90808
Type of Facility	Industrial, Marine Cargo Handling (SIC Code 4491)
Major or Minor Facility	Minor
Threat to Water Quality	2
Complexity	C
Pretreatment Program	Not Applicable
Recycling Requirements	Not Applicable
Facility Permitted Flow	0.9 million gallons per day (MGD)
Facility Design Flow	0.9 million gallons per day (MGD)
Watershed	Dominguez Channel and Los Angeles/Long Beach Harbors
Receiving Water	Long Beach Inner Harbor
Receiving Water Type	Enclosed Bay

1.1. Metropolitan Stevedore Company (hereinafter Discharger) is the operator of the Metropolitan Stevedore Company, Bulk Marine Terminal (hereinafter Facility), a marine bulk cargo handling and storage facility. The Port of Long Beach owns the property, and Metropolitan Stevedore Company leases the property from the Port of

Long Beach. For the purposes of this Order, references to the "Discharger" or "Permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

1.2. The Facility discharges treated stormwater and process wastewater to the Long Beach Inner Harbor, a water of the United States, within the Dominguez Channel and Los Angeles/Long Beach Harbors Watershed. The Discharger was previously regulated by Order No. R4-2015-0052, adopted on March 12, 2015 and expired on April 30, 2020.

Regulations at 40 CFR section 122.46 limit the duration of National Pollutant Discharge Elimination System (NPDES) permits to a fixed term not to exceed five years. However, pursuant to 40 CFR 122.6(d) and California Code of Regulations, title 23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Discharger complies with all federal NPDES requirements for continuation of expired permits. The Discharger filed a report of waste discharge (ROWD) and applied for reissuance of its Waste Discharge Requirements (WDRs) and NPDES permit on November 1, 2019. Supplemental information was requested on November 21, 2019 and received on December 9, 2019. The application was deemed complete on July 27, 2020. A site visit was conducted on August 31, 2022, to observe operations and collect additional data to develop permit limitations and conditions. Therefore, the terms and conditions of the previous Order have been continued and remain in effect until new WDRs and NPDES permit are adopted pursuant to this Order.

2. FACILITY DESCRIPTION

The Discharger operates a marine cargo handling and special bulk cargo storage facility located at 1045 Pier G Avenue, Berth 212 through 215, Long Beach, California. The cargo consists of bulk dry materials such as coal, petroleum coke, sulfur, calcium carbonate, and sulfate that is off loaded from trucks and rail cars and is stored temporarily onsite in several storage barns before being loaded onto ocean-bound vessels for shipment overseas. All storage barns are covered. Attachment B provides a map of the area around the Facility. Attachments C-1 and C-2 provide a flow schematic and a drainage map of the Facility.

2.1. Description of Wastewater Treatment and Controls

The Facility discharges up to 900,000 gallons per day (gpd) of treated stormwater and wastewater from Discharge Point 001 to Long Beach Inner Harbor, a water of the United States. Wastewater at the Facility primarily consists of facility wash down and truck wash water (approximately 30,000 gpd); drainage of residual water from petroleum coke storage piles (approximately 50,000 gpd); and leaks from air pollution control mist and water spray systems (approximately 10,000 gpd). There are no storm drains at the dock area where the transfer of materials occurs. A sweeper truck is utilized throughout the dock area, using the Facility's reclaimed water, to wash the dock area and collect all wash water, stormwater, or spills that have accumulated during material transfers.

Stormwater and process wastewater are routed via Facility drains or collected by sweeper trucks to a sump, that contains a solids retention system to remove

suspended solids from the combined stormwater and process wastewater before the water is pumped into the Facility's water reclamation system. The water reclamation system consists of a one-million-gallon storage and equalization tank, a 12,500-gallon auxiliary storage tank for dirty water, a clarifier, metal polishing filters, and a 25,000 gallon reuse "clean" water storage tank. Flocculants, caustic soda, aluminum sulfate, and sulfuric acid are added to the reclamation system after the water goes through the storage and equalization tank as primary stage chemical treatment but before the clarifier secondary stage separation treatment. Underflow from the clarifier is transferred to two sludge drying beds. The solids from the sludge drying beds are air dried and transported to a landfill facility for proper disposal while the liquid from the sludge drying beds is rerouted back to the storage and equalization tank for treatment. The supernatant from the clarifier is routed to the reuse water storage tanks for Facility wash downs and dust control. The remaining portion of the treated water is discharged to the sanitary sewer under the terms of three industrial wastewater discharge permits from the Los Angeles County Sanitation Districts (LACSD) (Permits Nos. 003671, 010001, and 014683). Discharge of treated stormwater and wastewater to Discharge Point 001 is intermittent and infrequent, as the discharge only occurs during or shortly after significant rainfall events when the storage tanks are approaching full capacity and the amount of treated water that can be reused within the Facility is exceeded by inflow. When a discharge is required, discharge takes place by opening a discharge valve, which routes the effluent from the reuse water storage tanks to the metal polishing filters for further processing before flowing through the storm drain to Discharge Point 001.

As shown in the Facility's drainage map (reference Attachment C-2), there are eight storm drains located in the "Empty Rail Yard" that lead outwards of the Facility's boundaries. The stormwater runoff from this area of the Facility is not covered under this Order, and, upon exiting the Facility boundary, enters a storm drain that flow towards a controlled point indicated as a "Sea Gate". Water in the storm drain consists of stormwater runoff from the Facility as well as industrial wastewater from offsite storage buildings outside of the Facility's boundaries. The sea gate is operated by the Discharger and normally in the closed position directing flow from the storm drain to discharge towards the sewer line under the LACSD Permit No. 010001. During a storm event, rain gauges that are set to 1/10 inch will open the sea gate valve, while closing the industrial wastewater lines from the off-site storage buildings, to enable only stormwater to discharge to the receiving water. At a minimum of two hours after the storm event, the Discharger resets and manually closes the sea gate valve, closing off flow to the receiving water. When the sea gate is in the open position, this discharge of stormwater runoff from the Empty Rail Yard is covered under the Municipal Separate Storm Sewer (MS4) permit for the Port of Long Beach. Furthermore, the Discharger coordinates with the operators of the off-site storage buildings to re-open the industrial wastewater lines so they and any flow from the Empty Rail Yard generated by less than 1/10 inch of rain can continue discharge via the LACSD permit.

Under Order No. R4-2015-0052, the Facility's wastewater treatment and controls were insufficient to ensure compliance with new or more stringent effluent limitations

for benzo(a)anthracene, benzo(a)pyrene, and benzo(b)fluoranthene. In compliance with Time Schedule Order (TSO) No. R4-2015-0053, which expired on April 30, 2018, the Discharger implemented the following additional measures to achieve compliance with these effluent limitations: the installation of new clarifier panels, clean out of the storage tank for built-up solids, and enhanced maintenance procedures to check for solids in the shaker tank. Since these additional measures have been in place, the Facility has only had one discharge in 2019, and no effluent limitation exceedance, except for toxicity, was reported. The Discharger will continue to implement enhanced operational and maintenance procedures for the wastewater treatment system.

2.2. Discharge Points and Receiving Waters

The Facility is permitted to discharge up to 0.9 million gallons per day (MGD) of treated stormwater and wastewater through Discharge Point 001 to the Long Beach Inner Harbor, through Discharge Point 001, at Latitude - 33.7445°, Longitude - 118.2041°).

2.3. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Effluent limitations contained in Order No. R4-2015-0052 for Discharge Point 001 are listed Table F-2. Discharge was infrequent with only two occurrences in January 2017 and February 2019. Monitoring data from 2015 through 2022 that were collected under the term of the previous Order R4-2015-0052 for constituents that had a detected value are also presented in Table F-2 as follows:

Table F-2. Historic Effluent Limitations and Monitoring Data

Parameter	Units	Average Monthly Effluent Limitation	Maximum Daily Effluent Limitation	Highest Measurement
Flow	gpd	--	900,000	254,600
BOD_5 @ 20 ºC	mg/L	20	30	2.12
Oil and Grease	mg/L	10	15	Not Detected
pH	standard units	--	6.5 to 8.5	8.1 to 10.1
Total Suspended Solids (TSS)	mg/L	50	75	93
Chronic Toxicity	Pass or Fail, and % Effect for TST approach	Pass	Pass or % Effect is < 50	Fail; 100% Effect
Settleable Solids	ml/L	--	0.3	0.4
Temperature	°F	--	86	64.76
Total Organic Carbon	mg/L	--	--	7.6
Total Petroleum Hydrocarbons	µg/L	--	100	390
Turbidity	NTU	50	75	400

Parameter	Units	Average Monthly Effluent Limitation	Maximum Daily Effluent Limitation	Highest Measurement
Copper, Total Recoverable (TR)	µg/L	3.1	6.1	5
Lead, TR	µg/L	7	14	1.5
Nickel, TR	µg/L	6.8	14	4.7
Zinc, TR	µg/L	70	140	34
TCDD equivalents	µg/L	1.4E-08	2.8E-08	1.25E-08
Benzo(a) anthracene	µg/L	0.049	0.098	Not Detected
Benzo(a)pyrene	µg/L	0.049	0.098	1.9
Benzo(b) fluoranthene	µg/L	0.049	0.098	Not Detected
Benzo(k) fluoranthene	µg/L	0.049	0.098	0.25 (DNQ)
Chrysene	µg/L	0.049	0.098	1.7
Fluoranthene	µg/L	--	--	0.33 (DNQ)
Phenanthrene	µg/L	--	--	0.64
4,4-DDT	µg/L	0.00059	0.0012	Not Detected
PCBs, Total	µg/L	0.00017	0.00034	0.00208

2.4. Compliance Summary

Data submitted to the Los Angeles Water Board during the effective term of Order R4-2015-0052 (April 2015 through June 2022) indicate that the Discharger has exceeded numeric effluent limitations for discharges at EFF-001 as outlined in the table below:

Table F-3. Effluent Limitation Violations

Date	Pollutant	Type of Limitation	Reported Value	Effluent Limitation	Units
1/25/2017	Turbidity	Daily Maximum	400	75	NTU
1/25/2017	Turbidity	Monthly Average	400	50	NTU
1/25/2017	Chrysene	Daily Maximum	1.7	0.098	µg/L
1/25/2017	Chrysene	Daily Maximum	0.003	0.00074	lb/day
1/25/2017	Chrysene	Monthly Average	1.7	0.049	µg/L
1/25/2017	Chrysene	Monthly Average	0.003	0.00037	lb/day
1/25/2017	TSS	Daily Maximum	93	75	mg/L
1/25/2017	TSS	Monthly Average	93	50	mg/L
1/25/2017	Chronic Toxicity	Daily Maximum	Fail Species 2	100% Effect	--

Date	Pollutant	Type of Limitation	Reported Value	Effluent Limitation	Units
1/25/2017	Chronic Toxicity	Daily Maximum	Fail Species 3	100% Effect	--
1/25/2017	pH	Instantaneous Maximum	10.1	8.5	standard units
1/25/2017	Settleable Solids	Daily Maximum	0.4	0.3	ml/L
1/25/2017	TPH	Daily Maximum	390	100	µg/L
2/1/2019	Chronic Toxicity	30 day Average	Fail / Red Abalone	100% Effect	--
2/1/2019	Chronic Toxicity	Daily Maximum	Fail / Red Abalone	100% Effect	--

To address the violations from 2017, the Los Angeles Water Board issued Settlement Offer No. R4-2017-0153 on October 18, 2017, for expedited payment of mandatory minimum penalties. The Discharger paid $24,000 in stipulated penalties. To address the reported exceedances, the Discharger also conducted studies that indicated solids removal efficiency was less than optimal and needed improvement. This resulted in the Discharger implementing daily checks on: pH; performance of coagulation and flocculant chemicals; presence of solids in shaker tanks. Additional actions included replacing missing or damaged clarifier panels and cleaning out the one-million-gallon equalization tank of sediment that had accumulated.

There were also exceedances of chronic toxicity in both giant kelp and red abalone in January 2017 and in red abalone in February 2019. Since only one sample was obtained during each respective month, these are considered an exceedance of both AMEL and MDEL limits. The Discharger initiated accelerated monitoring for the failed chronic toxicity test for the 2017 and 2019 test results in accordance with their TRE workplan, which indicated that toxicity was likely caused by a large non-polar organic molecule. The Discharger took the following steps to address the toxicity: additional cleaning and recoating of tanks, replacing filter media and upgrading components of the water treatment system to support its operation.

There also were two incidents of deficient monitoring in 2017 and 2019. On January 23, 2017, the Discharger misjudged the available capacity of the wastewater tank and took a sample prior to the actual discharge. The Discharger conferred with LA Water Board staff and collected samples on January 25, 2017. During collection on the 25th, a field pH exceedance was recorded but not reported within the required 24hr timeframe. Other exceedances from this sample collection event were reported on time. On February 1, 2019, the Discharger collected samples during the first hour of discharge, as required. However, because the discharge began in the evening and laboratories had closed, the Discharger did not collect the parameters with short hold times (i.e., enterococcus, fecal coliform, and total coliform) until the following day on February 2nd when laboratories were open again.

Finally, in September 2020, the Discharger reported the release of petroleum coke powder to the Harbor. The release product was contained and skimmed off the surface of the

Harbor water by boat. The Discharger notified the Governor's Office of Emergency Services.

2.5. Planned Changes

The Discharger does not anticipate any changes to their treatment processes or operations during the term of this Order.

3. APPLICABLE PLANS, POLICIES, AND REGULATIONS

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

3.1. Legal Authorities

This Order also 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 a NPDES permit authorizing the Discharger to discharge into waters of the United States at the discharge locations described in Table 2 subject to the WDRs in this Order

3.2. California Environmental Quality Act (CEQA)

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

3.3. State and Federal Laws, Regulations, Policies, and Plans

3.3.1. **The Water Quality Control Plan**. The Water Quality Control Plan for the Los Angeles Region (Basin Plan) designates beneficial uses, establishes water quality objectives (WQOs), and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Requirements in this Order implement the Basin Plan. Beneficial uses applicable to the Long Beach Inner Harbor are as follows:

Table F-4. Basin Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Long Beach Inner Harbor	Existing: Industrial service supply (IND); Navigation (NAV); Non-contact water recreation (REC-2); Commercial and sport fishing (COMM); Marine habitat (MAR); and Preservation of rare, threatened, or endangered species (RARE). Potential: Water contact recreation (REC-1) and Shellfish harvesting (SHELL).

3.3.2. **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 (Resolution No. 75-89). This plan contains temperature objectives for coastal and interstate waters and enclosed bays and estuaries of California. For existing discharges in enclosed bays, the Thermal Plan states "elevated temperature waste discharges shall comply with limitations necessary to assure protection of beneficial uses".

The Los Angeles Water Board staff prepared a study entitled *Temperature and Dissolved Oxygen Impacts on Biota in Tidal Estuaries and Enclosed Bays in the Los Angeles Region* that evaluated the optimum temperatures for steelhead, topsmelt, ghost shrimp, brown rock crab, jackknife clam, and blue mussel, a number of aquatic species prevalent in the region. Based on this study, the Los Angeles Water Board determined that a maximum effluent temperature limitation of 86°F assured protection of beneficial uses.

This Order includes the effluent limitation of 86°F for temperature consistent with the Thermal Plan.

3.3.3. **Sediment Quality.** The State Water Board adopted the *Water Quality Control Plan for Enclosed Bays and Estuaries –Sediment Quality Provisions* on September 16, 2008, and it became effective on August 25, 2009 (Sediment Quality Provisions). Sediment Quality Provisions established sediment quality objectives (SQOs) for benthic community protection and human health and related implementation provisions for specifically defined sediments and discharges in most bays and estuaries. The State Water Board amended the Sediment Quality Provisions through Resolution No. 2018-0028; these amendments became effective upon approval by U.S. EPA on March 11, 2019. The 2018 amendments to the Sediment Quality Provisions updated the implementation provisions for assessing the human health SQOs. The human health implementation provisions do not apply to receiving waters with a previously adopted TMDL that addresses bioaccumulation of organochlorine pesticides or polychlorinated biphenyls from sediment into sportfish tissue. The Los Angeles Water Board's Harbor Toxics TMDL adopted in 2012 addresses bioaccumulation of toxic substances. Therefore, this Order implements the benthic community SQO only. The benthic community SQO is implemented by integrating three lines of evidence (sediment toxicity, benthic community condition, and sediment chemistry) consistent with the Sediment Quality Provisions.

3.3.4. **Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries in California – Part 3 Bacteria Provisions (Bacteria Provisions).** On August 7, 2018, the State Water Board adopted Resolution Number 2018-0038, "*Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Bacteria Provisions and a Water Quality Standards Variance Policy and an Amendment to the Water Quality Control Plan for Ocean Waters of California"* (Bacteria Provisions). The Bacteria Provisions: (1) establish a beneficial use definition of limited water contact recreation (LREC-1); (2)

establish new statewide numeric water quality objectives for bacteria to protect primary contact recreation (REC-1) beneficial use; (3) include implementation elements; and (4) create a water quality standards variance framework under provisions established by the U.S. EPA. The Office of Administrative Law (OAL) approved the regulatory action on February 4, 2019. On March 22, 2019, U.S. EPA approved the Bacteria Provisions and they became effective. The Long Beach Inner Harbor has potential REC-1 and SHELL beneficial uses. This Order establishes receiving water bacteria limits to protect those beneficial uses consistent with the Bacteria Provisions and the Basin Plan.

3.3.5. **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 previoussly 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. Requirements of this Order implement these criteria.

3.3.6. **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 Los Angeles 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.

3.3.7. **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 68-16, Statement of Policy with Respect to Maintaining High Quality of Waters in California" (Resolution 68-16). Resolution 68-16 is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Los Angeles 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 68-16 as discussed in section 4.4.2. of this Fact Sheet.

3.3.8. **Anti-Backsliding Requirements.** Sections 402(o)(2) 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. This Order complies with the anti-backsliding provisions as described in section 4.4.1 of this Fact Sheet.

3.3.9. **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, including protecting rare and endangered species. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

3.3.10. **Trash Amendments.** The State Water Board adopted the *"Amendment to the Ocean Plan and Part I Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California"* (Trash Amendments) through Resolution Number 2015-0019, which was approved by the OAL on December 2, 2015 and became effective upon U.S. EPA approval on January 12, 2016. The Trash Amendments established a narrative water quality objective and a prohibition on the discharge of trash, to be implemented through permits issued pursuant to CWA section 402(p), waste discharge requirements, or waivers of waste discharge requirements.

The Trash Amendments apply to all surface waters of the State, with the exception of those waters within the jurisdiction of the Los Angeles Water Board where trash or debris Total Maximum Daily Loads (TMDLs) are in effect prior to the effective date of the Trash Provisions. There are currently no Trash TMDLs for the Long Beach Inner Harbor, and therefore the discharges described in this Order are subject to the Trash Amendments. This Order incorporates the requirements of the Trash Amendments through the prohibition of trash discharges to Discharge Point 001. This Order also requires the Discharger to develop and implement a Stormwater Pollution Prevention Plan (SWPPP), which shall include specific best management practices (BMPs) used as stormwater control measures that the Discharger will undertake to prevent the discharge of trash from the Facility to the Long Beach Inner Harbor.

3.3.11. **Mercury Provisions.** The State Water Board adopted *"Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California- Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions"* (Mercury Provisions) through Resolution 2017-0027, which was approved by OAL on June 28, 2017 and became effective upon

U.S. EPA approval on July 14, 2017. The Mercury Provisions established one narrative and four numeric water quality objectives for mercury and three new beneficial use definitions. These provisions are implemented through NPDES permits issued pursuant to CWA section 402, waste discharge requirements, or waivers of waste discharge requirements. The Mercury Provisions include specific implementation provisions for municipal wastewater and industrial discharges; stormwater discharges; mine site remediation discharges; dredging activities; wetland projects and nonpoint source discharges.

Table 1 of the Mercury Provisions establishes water quality objective of 12 ng/L (0.012 µg/L) for flowing water bodies with MAR and/or WILD beneficial use designations such as the Long Beach Inner Harbor. The Mercury Provisions outline modified Reasonable Potential Analysis procedures that consist of comparing the highest observed annual average mercury concentration with the Table 1 criteria. Los Angeles Water Board staff reviewed monitoring data from the two discharges in January 2017 and February 2019, and the monitoring data indicated non-detect with a method detection limit of 0.1 µg/L. According to the staff report for the Mercury Provisions, “non-detect” data with the detection limit higher than 4 ng/l are not suitable for the analysis. Since the collected data did not meet the minimum detection limit stated by the Mercury Provisions, those data did not qualify for evaluation and there were no data available upon which to base an RPA. Therefore, there is no cause to institute effluent limitations for Mercury for this Discharger. However, a monitoring requirement for mercury in effluent is included in Attachment E with a new detection limit of 0.5 ng/l.

3.3.12. **Enclosed Bays and Estuaries Policy.** The Water Quality Control Policy for the Enclosed Bays and Estuaries of California (Enclosed Bays and Estuaries Policy), adopted by the State Water Resources Control Board (State Water Board) as Resolution No. 95-84 on November 16, 1995, states that: *"It is the policy of the State Water Board that the discharge of municipal wastewaters and industrial process waters (exclusive of cooling water discharges) to enclosed bays and estuaries, other than the San Francisco Bay-Delta system, shall be phased out at the earliest practicable date. Exceptions to this provision may be granted by a Regional Water Board only when the Regional Water Board finds that the wastewater in question would consistently be treated and discharged in such a manner that it would enhance the quality of receiving waters above that which would occur in the absence of the discharge."*

The Facility discharges into Long Beach Inner Harbor, within the enclosed bay. Discharge from the Facility includes process water, it is mixed with a large proportion of stormwater and discharges are rare and occur only during large storm events when capacities of the storage and equalization tanks are exceeded. The Discharger has eliminated their discharge to the receiving water to the greatest extent practicable at this point. This Order

contains provisions that are necessary to protect all beneficial uses of the receiving water.

3.3.13. **Toxicity Provisions**. Beginning in May 2013, the Los Angeles Water Board began incorporating into the NPDES permits for POTWs and industrial facilities numeric water quality objectives for both acute and chronic toxicity, using the Test of Significant Toxicity (TST), and a program of implementation to control toxicity. As explained later in the Fact Sheet, this approach is a preferred statistical method because it provides a higher confidence in results classifying in-waste stream concentrations as toxic or non-toxic and it is supported by USEPA. This methodology is used in the Order R4-2015-0053 and is carried over into this Order. On December 1, 2020, the State Water Board adopted statewide numeric water quality objectives for both acute and chronic toxicity, using the TST, and a program of implementation to control toxicity, which are collectively known as the Toxicity Provisions. The Toxicity Provisions were approved by OAL on April 25, 2022 and will take effect upon approval by the U.S. EPA for purposes of federal law. The toxicity requirements in this Order are consistent with the current iteration of the Toxicity Provisions, so the Los Angeles Water Board does not anticipate a need for any changes to the Order once the Toxicity Provisions are in effect.

3.4. Impaired Water Bodies on CWA Section 303(d) List

The State Water Board adopted the 2020-2022 California Integrated Report based on a compilation of the Los Angeles Water Boards' Integrated Reports. These Integrated Reports contain both the Clean Water Act (CWA) section 305(b) water quality assessment and section 303(d) list of impaired waters. In developing the Integrated Reports, the Water Boards solicit data, information, and comments from the public and other interested persons. On January 19, 2022 the State Water Board approved the CWA Section 303(d) List portion of the State's 2020-2022 Integrated Report (State Water Board Resolution Number 2022-0006). On May 11, 2022, U.S. EPA approved California's 2020-2022 Integrated Report. The CWA section 303(d) List can be found at the following link:

https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html

Certain receiving waters in the Los Angeles/Long Beach Inner Harbor do not fully support beneficial uses and therefore have been classified as impaired on the 2020-2022 303(d) list and have been scheduled for TMDL development.

The Facility discharges into Long Beach Inner Harbor. The 2020-22 State Water Board's California 303(d) List includes the classification of the Los Angeles/Long Beach Inner Harbor. The pollutants/stressors of concern include benthic community effects, benzo(a)pyrene, chrysene, copper, DDT, PCBs, toxicity and zinc. Following are summaries of TMDLs for the Long Beach Inner Harbor:

3.4.1. **Harbor Toxics TMDL.** The *Dominguez Channel and Greater Los Angeles and Long Beach Harbors Waters Toxic Pollutants TMDL* (Harbor Toxics TMDL) is included in Chapter 7-40 of the Basin Plan. The Harbor Toxics

TMDL contains requirements applicable to this discharge. Therefore, this Order contains effluent limitations and monitoring requirements based on the Harbor Toxics TMDL.

For the Long Beach Inner Harbor, the Harbor Toxics TMDL includes:

a. Interim sediment concentration-based allocations (in mg/kg sediment) for copper, lead, zinc, DDT, PAHs, and PCBs (Basin Plan, Chapter 7, Section 7-40, p. 7-499). The interim allocations applied on the effective date of the TMDL, March 23, 2012.

b. Final water column concentration-based WLAs (µg/L) for copper, lead, zinc, 4,4'-DDT, and total PCBs (Basin Plan, Chapter 7, Section 7-40, pp. 7-501 - 7-502). The final WLAs allocations apply on March 23, 2032.

c. Provisions for monitoring discharges and/or receiving waters during the TMDL's 20-year implementation schedule are included to determine attainment with WLAs.

Implementation of the Harbor Toxics TMDL

The provisions included here are consistent with the assumptions and requirements of the WLAs established in the Harbor Toxics TMDL.

a. Interim WLAs. The Harbor Toxics TMDL includes interim sediment allocations (in mg/kg dry sediment) for copper (142.3), lead (50.4), zinc (240.6), DDT (0.07), PAHs (4.58) and PCBs (0.06) in the Long Beach Inner Harbor. Order No. R4-2015-0052 established sediment monitoring thresholds based on the Harbor Toxics TMDL's interim sediment allocations for copper, lead, zinc, DDT, PAHs, and PCBs. These interim sediment allocations were not carried over to Order as discussed below.

b. Final WLAs. This Order requires final WQBELs that are based on saltwater column final concentration-based WLAs that are set equal to the saltwater criteria in the CTR: (in µg/L, total metal) for copper (3.73), lead (8.52), zinc (85.6), 4,4'-DDT (0.00059), and total PCBs (0.00017) (referred to in this Order as CTR TMDL-based WLAs). The final water column based WLAs were translated, consistent with the assumptions and requirements of TMDL WLAs, into effluent limitations in this Order. The TMDL includes provisions for a 20-year implementation schedule when warranted. The Discharger has implemented measures to limit discharges from the facility. Therefore, an implementation schedule is not warranted.

   The Facility has discharged only twice under the previous permit term in January 2017 and February 2019 during heavy rain events that exceeded available storage capacity. As such, the Facility is considered an "irregular discharger" as specified in the Harbor Toxics TMDL and is assigned final concentration-based water column WLAs and interim sediment concentration-based WLAs. For these dischargers, the direct application of interim sediment WLAs to the effluent is problematic because the volume of effluent necessary to collect a sufficient amount of TSS for sediment analysis is very large and would require a level of planning that would be infeasible to implement for an irregular discharge. The

alternative of analyzing bed sediments in the receiving water to demonstrate compliance with the interim sediment WLAs is also problematic because it is not possible to link bed sediment contaminant levels with the quality of the discharge due to the infrequent nature of the Facility's discharge in combination with contributions of pollutants from other ongoing discharges. Therefore, this Order includes WQBELs for copper, lead, zinc, 4,4'-DDT, and total PCBs based on the final water column WLAs, which apply upon the effective date of this Order.

The Los Angeles Board has determined that the WQBELs established in this Order (i.e., copper, lead, zinc, 4,4'-DDT, and total PCBs) are consistent with, and constitute equivalency with, the Harbor Toxics TMDL's final water column based WLAs for irregular discharges. The concentration of the pollutants in the effluent provides a measure of the pollutants discharged from the Facility to the Long Beach Inner Harbor.

3.4.2. **Harbor Toxics TMDL Water Column, Sediment, and Fish Tissue Monitoring for the Dominguez Channel Estuary Compliance Monitoring Program.**

In accordance with the Harbor Toxics TMDL, the Discharger is a "responsible party" because it is an "Individual Industrial Permittee". As such, either individually or with a collaborating group, the Discharger is required to develop a monitoring and reporting plan (Monitoring Plan) and quality assurance project plan (QAPP) for the water column, sediment, and fish tissue in Greater Los Angeles and Long Beach Harbor Compliance Monitoring Program. These plans must follow the "TMDL Element – Monitoring Plan" provisions in the Basin Plan, Chapter 7, Section 7-40. The TMDL required that the Monitoring Plan and QAPP shall be submitted 20 months after the effective date of the TMDL (March 23, 2012) for public review and subsequent Executive Officer approval. If the Discharger decides to change the site-specific Monitoring Plan with a QAPP, the Discharger is required to notify the Los Angeles Water Board within 90 days of the effective date of the Order and submit them to the Los Angeles Water Board within 12 months of the effective date of the Order for public comment, and subsequently, Executive Officer approval.

Since December 2015**,** the Discharger has joined the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (GWMA) in sharing costs in the Harbor Toxics TMDL Coordinated Compliance Monitoring and Reporting to address and monitor pollutants as specified in the Harbor Toxics TMDL. This satisfies the requirement in Order R4-2015-0052 for the Discharger to either develop a site-specific plan or to join a group in the Harbor Toxics TMDL monitoring. The GWMA's Coordinated Compliance Monitoring and Reporting Plan (CCMRP) outlines the monitoring activities being conducted by the cooperating parties for the Greater Harbor Waters. The sample collection methods prescribed within the CCMRP are consistent with the California State Surface Water Ambient Monitoring Program (SWAMP). Compliance monitoring and reporting activities are being conducted in accordance with the Programmatic Quality Assurance Project Plan (PQAPP).

GWMA has timely delivered Annual Reports for Greater Los Angeles and Long Beach Harbor Waters under the Harbor Toxics TMDL Coordinated Compliance

Monitoring and Reporting. The Discharger is encouraged to continue formal participation in GWMA's Harbor Toxics TMDL Coordinated Compliance Monitoring and Reporting.

3.5. Other Plans, Polices and Regulations

3.5.1. **Climate Change Adaptation and Mitigation.** On March 7, 2017, the State Water Board adopted a resolution responding to the challenges posed by climate change and requiring a proactive approach to climate change in all State Water Board actions, including drinking water regulation, water quality protection, and financial assistance (Resolution No. 2017-0012). The Los Angeles Water Board also adopted "*A Resolution to Prioritize Actions to Adapt to and Mitigate the Impacts of Climate Change on the Los Angeles Region's Water Resources and Associated Beneficial Uses*" (Resolution No. R18-004) on May 10, 2018. The Resolution summarizes the steps taken so far to address the impacts of climate change within the Los Angeles Water Board's programs and lists a series of additional steps including the identification of potential regulatory adaptation and mitigation measures that could be implemented on a short-term and long-term basis by each of the Los Angeles Water Board's programs to mitigate the effects of climate change on water resources and associated beneficial uses where possible. This Order contains provisions to require planning and actions to address climate change impacts in accordance with both the State and Los Angeles Water Boards' resolutions.

The Discharger shall develop a Climate Change Effects Vulnerability Assessment and Management Plan (Climate Change Plan) and submit the Climate Change Plan to the Los Angeles Water Board for the Executive Officer's approval no later than 12 months after adoption of this Order. The Climate Change Plan shall include an assessment of short and long-term vulnerabilities of the facility and operations as well as plans to address vulnerabilities of the cooling water intake system, facility infrastructure, treatment systems, and outfalls for predicted impacts in order to ensure that facility operations are not disrupted, compliance with permit conditions is achieved, and receiving waters are not adversely impacted by discharges. Control measures shall include, but are not limited to, emergency procedures, contingency plans, alarm/notification systems, training, backup power and equipment, and the need for planned mitigations to ameliorate climate-induced impacts including, but not limited to, changing influent and receiving water quality and conditions, as well as the impact of rising sea level (where applicable), wildfires, storm surges and back-to-back severe storms that are expected to become more frequent.

3.5.2. Environmental Justice and Advancing Racial Equity. When issuing or reissuing individual waste discharge requirements or waivers of waste discharge requirements that regulate activity or a facility that may impact a disadvantaged or tribal community, and that includes a time schedule in accordance with subdivision (c) of Section 13263 for achieving an applicable water quality objective, an alternative compliance path that allows time to come into compliance with water quality objectives, or a water quality variance, the regional board shall make a finding on potential environmental justice, tribal impact, and

racial equity considerations. (Water Code § 13149.2, effective Jan. 1, 2023) This Order does not include a time schedule. Nevertheless, in accordance with the Water Boards' efforts to advance racial equity, the Order requires all Permittees to meet water quality standards to protect public health and the environment, thereby benefitting all persons and communities within the Region. The Los Angeles Water Board is committed to developing and implementing policies and programs to advance racial equity and environmental justice so that race can no longer be used to predict life outcomes, and outcomes for all groups are improved.

4. 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.

Order No. R4-2015-0052 contained pH, temperature, total suspended solids, turbidity, BOD, oil and grease, settleable solids, phenols, sulfides, nickel, zinc, TCDD, and chrysene because these pollutants were believed to be present in the discharge of stormwater and wastewater from a bulk fuel handling and storage facility. Due to the nature of products that are handled at the Facility (including coal, petroleum, coke, sulfur, soda ash, and sulfate), these constituents can be indicators of spills within the Facility or malfunction of the Facility's water reclamation system, effluent limitations for these pollutants are carried over into this Order. In addition, total petroleum hydrocarbons, copper, lead, nickel, zinc, TCDD equivalents, benzo(a)anthracene, benzo(a)pyrene, and benzo(b)fluoranthene are pollutants of concern as these constituents were identified based on a review of pollutants commonly found in discharges from similar facilities and/or were historically detected in the effluent. As described below, the effluent limitations for total petroleum hydrocarbons, copper, lead, nickel, zinc, TCDD equivalents, benzo(a)pyrene, are retained. Pollutants of concern were also identified based on the Facility's past monitoring history at Discharge Points 001, impairments of the receiving water as identified by the State's 2000-2022 303(d) list, and waste load allocations as established in applicable TMDLs for the receiving water. Based on the available most recent data, collected from second quarter 2015 to third quarter 2022, benzo(k)fluoranthene showed reasonable potential, so the new effluent limitation for benzo(k)fluoranthene is established in this Order.

4.1. Discharge Prohibitions

Effluent and receiving water limitations in this Order are based on the CWA, Basin Plan, State Water Board's plans and policies, U.S. EPA guidance and regulations, and best practicable waste treatment technology. This order authorizes the discharge of treated stormwater and wastewater from Discharge Point 001. It does not authorize any other type of discharges.

4.2. Technology-Based Effluent Limitations

4.2.1. **Scope and Authority.** Section 301(b) of the CWA and implementing U.S. EPA 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. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Best Professional Judgment (BPJ) in accordance with 40 CFR section 125.3(c)(d).

The CWA requires that technology-based effluent limitations be established based on several levels of controls:

a. 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.

b. 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-conventional pollutants.

c. 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.

d. 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.

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 Los Angeles Water Board must consider specific factors outlined in 40 CFR section 125.3.

4.2.2. **Applicable Technology-Based Effluent Limitations**

This Order includes technology-based effluent limitations based on BPJ in accordance with 40 C.F.R. section 125.3. Federal ELGs have not been

developed for treated wastewater and stormwater runoff from marine cargo handling operations. As such, BPJ is used to develop technology-based limitations for the control of some pollutants. Based upon existing effluent data, it was determined that relevant constituents of concern are total suspended solids (TSS), 5-day biochemical oxygen demand (BOD5), oil and grease, TPH, turbidity, and settleable solids. Effluent limitations for TSS, BOD5, oil and grease, turbidity, and settleable solids have been prescribed accordingly. In setting these limitations, the Los Angeles Water Board considered the factors listed in 40 CFR section 125.3(d).

The effluent limitations in Table F-5 are consistent with technology-based effluent limitations (TBELs) included in the previous Order and other orders within the State for similar types of discharges.

Table F-5. Summary of Technology-based Effluent Limitations – EFF-001

Parameter	Units	Average Monthly Effluent Limitation	Maximum Daily Effluent Limitation	Notes
BOD 5-day @ 20 ºC	mg/L	20	30	--
BOD 5-day @ 20 ºC	lbs/day	150	230	a
Oil and Grease	mg/L	10	15	--
Oil and Grease	lbs/day	75	110	a
Settleable Solids	ml/L	--	0.3	--
TPH	µg/L	--	100	b
TPH	lbs/day	--	0.75	a and b
TSS	mg/L	50	75	--
TSS	lbs/day	380	560	a
Turbidity	NTU	50	75	--

Footnotes to Table F-5

ba. The mass limitations are based on a maximum flow of 0.9 MGD.

bb. TPH equals the sum of TPH gasoline (C4-C12) and TPH diesel (C13-C22), and TPH waste oil (C23+).

End of Footnotes to Table F-5

Biochemical Oxygen Demand (BOD5). The 5-day BOD test indirectly measures the amount of readily degradable organic material in water by measuring the residual dissolved oxygen after a period of incubation (usually 5 days at 20° C). This Order addresses BOD through technology-based effluent limitations and carries over the effluent limitation from the previous order, R4-2015-0052, based on BPJ in accordance with 40 CFR section 125.3.

Oil and Grease. Oil and grease are not readily soluble in water and form a film on the water surface. Oily films can coat birds and aquatic organisms, impacting respiration and thermal regulation, and causing death. Oil and grease can also cause nuisance conditions (odors and taste), are aesthetically unpleasant, and can restrict a wide variety of beneficial

uses. This Order includes the maximum daily limitation for oil and grease (15 mg/L) as a TBEL, which is carried over from Order No. R4-2015-0052 and based on BPJ in accordance with 40 CFR. section 125.3.

Solid, Suspended or Settleable Materials. Order R4-2015-0052 had a TSS TBEL for stormwater. The Basin Plan requires that, "Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses." This Order establishes a maximum daily effluent limitation of 0.3 mL/L for settleable solids for the stormwater runoff from this Facility to the Long Beach Inner Harbor. This limitation is expected to be protective of receiving water quality, consistent with what is typically established for similar discharges in the Los Angeles Region.

Total Suspended Solids. The Los Angeles Water Board has implemented an MDEL of 75 mg/L for total suspended solids. This limitation is consistent with the limitations in Order No. R4-2015-0200 and is retained as the technology-based effluent limitations for stormwater discharge at Discharge Points 001, 002, and 003. This Order includes the maximum daily limitation for total suspended solids (75 mg/L) as a TBEL, which is carried over from Order No. R4-2015-0052 and based on BPJ in accordance with 40 CFR. section 125.3.

Total Petroleum Hydrocarbons. Order No. R4-2015-0052 established effluent limitations for a number of pollutants believed to be present in the discharge of stormwater from a bulk fuel storage facility. This Order retains effluent limitations included in Order No. R4-2015-0052, for BOD, oil and grease, settleable solids, TSS, and turbidity. In addition, Order No. R4-2015-0052 established effluent limitations for copper, lead, zinc, PAHs [benzo(a)anthracene, benzo(a)pyrene, and chrysene], 4,4'-DDT, and total PCBs because of the established WLAs for these constituents in the Harbor Toxics TMDL. An effluent limitation for TPH as a Technology Based Effluent Limit (TBEL) was also established in Order No. R4-2015-0052 because it was considered to be an indicator parameter for numerous compounds that comprise petroleum products.

Turbidity. This Order applies the Basin Plan water quality objective for turbidity as a receiving water limitation.

4.3. Water Quality-Based Effluent Limitations (WQBELs)

4.3.1. **Scope and Authority.** CWA Section 301(b) and 40 CFR section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

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). WQBELs must also be consistent with the assumptions and requirements of TMDL WLAs approved by U.S. EPA.

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.

The specific procedures for determining reasonable potential for discharges from the Facility, and if necessary for calculating WQBELs, are contained in the U.S. EPA Technical Support Document for Water Quality-Based Toxics Control (TSD) for stormwater discharges and in the SIP for non-stormwater discharges. The TSD in section 3.3.8 in the first paragraph on page 64 states: "*The statistical approach shown in Box 3-2 or an analogous approach developed by a regulatory authority can be used to determine the reasonable potential.*" The Los Angeles Water Board has determined the procedures for determining reasonable potential and calculating WQBELs contained in the SIP for non-stormwater discharges may be used to evaluate reasonable potential and calculate WQBELs for stormwater discharges as well. As described in the statement from the TSD, an analogous approach may also be used to evaluate reasonable potential and calculate WQBELs for stormwater discharges as well. Hence, in this Order, the Los Angeles Water Board has used the SIP methodology to evaluate reasonable potential for discharges through Discharge Point 001.

4.3.2. **Applicable Beneficial Uses and Water Quality Criteria and Objectives**

The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for water bodies in the Los Angeles region. The beneficial uses applicable to Long Beach Harbor are summarized in section 3.3.1 of this Fact Sheet. The Basin Plan includes both narrative and numeric water quality objectives applicable to the receiving water as described below:

a. **pH.** The pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharge. Ambient pH levels shall not be changed more than 0.5 units from natural conditions as a result of the waste discharge. This Order includes effluent and receiving water limitations for pH to ensure compliance with Basin Plan Objectives for pH.

b. **Bacteria.** This Order contains receiving water limitations for Enterococci and total coliform bacteria in order to protect potential contact water recreation (REC-1) and shellfish harvesting (SHELL) beneficial uses of the receiving water.

c. **Temperature.** The Basin Plan states that temperature objectives for enclosed bays and estuaries are specified in the Thermal Plan. The Thermal Plan states "elevated temperature waste discharges shall comply

with limitations necessary to assure protection of beneficial uses." A Los Angeles Water Board Study, *Temperature and Dissolved Oxygen Impacts on Biota in Tidal Estuaries and Enclosed Bay in the Los Angeles Region*,determined that the maximum temperature of discharges that is protective of beneficial uses (aquatic life) is 86°F. A maximum effluent temperature limitation of 86°F, consistent with the Thermal Plan is included in this Order.

Priority pollutant water quality criteria in the CTR are applicable to the Long Beach Inner Harbor. The CTR contains both saltwater and freshwater criteria based on salinity. The receiving water salinity data, collected in February 2019, was 39 ppt. In accordance with 40 CFR section 131.38(c)(3)(iii), for waters in which the salinity is equal to or greater than 10 parts per thousand 95% or more of the time, the applicable criteria are the saltwater criteria, or human health consumption of organism, whichever is more stringent.

Table F-6 summarizes the applicable water quality objective for priority pollutants reported in detectable concentrations in the discharge effluent at EFF-001 or receiving water at RSW-001. These criteria were used in conducting the RPAs for this Order.

Table F-6. Applicable Water Quality Objective

CTR No.	Constituent	Selected Criteria (µg/L)	Saltwater Acute (µg/L)	Saltwater Chronic (µg/L)	Human Health Consumption of Organisms (µg/L)	Notes
6	Copper, TR	3.73	5.78	3.73	--	
7	Lead, TR	8.52	220.82	8.52	Narrative	
9	Nickel, TR	8.28	74.75	8.28	4,600	
13	Zinc, TR	85.62	95.14	85.62	--	
16	TCDD Equivalents	1.4E-08	--	--	1.4E-08	
60	Benzo(a)anthracene	0.049	--	--	0.049	a
61	Benzo(a)pyrene	0.049	--	--	0.049	a
62	Benzo(b)fluoranthene	0.049	--	--	0.049	a
64	Benzo(k)fluoranthene	0.049	--	--	0.049	a
73	Chrysene	0.049	--	--	0.049	a
108	4,4'-DDT	0.0059	0.13	0.001	0.0059	
119-125	PCBs, Total	0.00017	--	0.03	0.00017	b

Footnotes to Table F-6

a. CTR human health criteria were not established for total PAHs. Therefore, the CTR criterion for individual PAHs of 0.049 µg/L is applied individually to benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, and chrysene.
b. CTR human health criteria for PCBs applies to total PCBs, e.g., the sum of all aroclors.

End of Footnotes to Table F-6

Table F-6 above also summarizes the applicable water column TMDL-based WLAs for copper, lead, zinc, 4,4'-DDT and total PCBs contained in the Harbor

Toxics TMDL applicable to the Long Beach Inner Harbor. These WLAs are applicable to Discharge Point 001 discharging to the Long Beach Inner Harbor. This Order implements the applicable WLAs as required in the Harbor Toxics TMDL. The WLAs are converted into effluent limitations by applying the CTR-SIP procedures to calculate the averaging period in accordance with the Harbor Toxics TMDL.

4.3.3. **Determining the Need for WQBELs**

a. **Reasonable Potential Analysis (RPA) Methodology**

In accordance with Section 1.3 of the SIP, the Los Angeles Water Board conducts a reasonable potential analysis (RPA) for each priority pollutant with an applicable criterion or objective to determine if a WQBEL is required in the permit. If there is an applicable TMDL-based WLA, then WQBELs are developed using the WLA pursuant to 40 CFR section 122.44(d)(1)(vii)(B). Otherwise, the Los Angeles Water Board analyzes effluent and receiving water data and identifies the maximum observed effluent concentration (MEC) and maximum background concentration (B) in the receiving water for each constituent. To determine reasonable potential, the MEC and the B are then compared with the applicable water quality objectives (C) outlined in the CTR, NTR, as well as the Basin Plan. For all pollutants that have a reasonable potential to cause or contribute to an excursion above a state water quality standard, numeric WQBELs are required.

Section 1.3 of the SIP provides the procedures for determining reasonable potential to exceed applicable water quality criteria and objectives. The SIP specifies three triggers to complete an RPA:

Trigger 1 – If the MEC ≥ C, a limit is needed.

Trigger 2 – If the background concentration (B) > C and the pollutant is detected in the effluent, a limit is needed.

Trigger 3 – If other related information such as CWA section 303(d) listing for a pollutant, discharge type, compliance history, etc. indicates that a WQBEL is required.

Sufficient effluent and receiving water data are needed to conduct a complete RPA. If data are not sufficient, the Discharger will be required to gather the appropriate data for the Los Angeles Water Board to conduct the RPA. Upon review of the data, and if the Los Angeles Water Board determines that WQBELs are needed to protect the beneficial uses, the permit will be reopened for appropriate modification.

The Los Angeles Water Board developed WQBELs for copper, lead, zinc, 4,4'-DDT and total PCBs based on the wasteload allocations included in the Harbor Toxics TMDL effective on March 23, 2012. The Los Angeles Water Board developed water quality-based effluent limitations for these pollutants pursuant to 40 CFR section 122.44(d)(1)(vii), which does not require or contemplate a separate reasonable potential analysis. Similarly, the SIP at

Section 1.3 recognizes that reasonable potential analysis is not appropriate if a TMDL has been developed.

The RPA was conducted using effluent monitoring data collected during two discharge events that occurred in January 2017 and February 2019 and receiving water monitoring data collected over the previous Order timeframe. Refer to Attachment H for a summary of the RPA and associated effluent limitation calculations. Table F-7 summarizes the results of the RPA.

Table F-7. Summary of Reasonable Potential Analysis

CTR No.	Constituent	Applicable Water Quality Criteria (C)[1]	Max Effluent Conc. (MEC)[1]	Maximum Detected Receiving Water Conc.(B)[1]	Harbor Toxics TMDL WLAs	RPA Result Need Limit?	Reason
6	Copper, TR	3.73	5	8.9 (DNQ)	Yes	Yes	TMDL
7	Lead, TR	8.52	1.5	0.5	Yes	Yes	TMDL
9	Nickel, TR	8.28	4.7	23	No	Yes	B>C & pollutant detected in effluent
13	Zinc, TR	85.62	34	14 (DNQ)	Yes	Yes	TMDL
16	TCDD Equivalent	1.4×10^{-8}	9.9E-07 (DNQ)	7.0E-07	No	Yes	MEC>C, B>C
61	Benzo(a) pyrene	0.049	1.9 (DNQ)	0.21	No	Yes	MEC>C
63	Benzo(k) fluoranthene	0.049	0.25 (DNQ)	0.11	No	Yes	MEC>C
73	Chrysene	0.049	1.7	0.11	No	Yes	MEC>C
108	4,4'-DDT	0.00059	0.0039	.0039	Yes	Yes	TMDL
119-125	PCBs, Total	0.00017	0.00208 (DNQ)	0.24	Yes	Yes	TMDL

Note 1: All numerical values expressed in (µg/L).

b. **Priority Pollutants with a Total Maximum Daily Load (TMDL)**

The Los Angeles Water Board developed WQBELs for copper, lead, zinc, 4,4'- DDT, and total PCBs that have available WLAs under the Harbor Toxics TMDL. The Los Angeles Water Board developed water quality-based effluent limitations for these pollutants pursuant to 40 CFR section 122.44(d)(1)(vii), which does not require or contemplate a separate reasonable potential analysis during the permitting stage when there is an available WLA for the discharge in a TMDL. Similarly, the SIP at Section 1.3 recognizes that reasonable potential analysis at the permit development stage is not conducted if a TMDL has been developed.

c. **Reasonable Potential Analysis Results for Mercury – Mercury Provisions**

Table 1 of the Mercury Provisions establishes water quality objective of 12 ng/L (0.012 µg/L) for flowing water bodies with MAR and/or WILD beneficial

use designations such as the Long Beach Inner Harbor. The Mercury Provisions outline modified Reasonable Potential Analysis procedures that consist of comparing the highest observed annual average mercury concentration with the Table 1 criteria. Los Angeles Water Board staff reviewed monitoring data from the two discharges in January 2017 and February 2019, and the monitoring data indicated non-detect with a method detection limit of 0.1 µg/L. According to the Mercury Provisions, "non-detect" data with the detection limit higher than 4 ng/l are not suitable for the analysis. Since the collected data did not meet the minimum detection limit stated by the Mercury Provisions, those data did not qualify for evaluation and there were no data available upon which to base an RPA. Therefore, there is no cause to institute effluent limitations for Mercury for this Discharger. However, a monitoring requirement for mercury in effluent is included in Attachment E with a new detection limit of 0.5 ng/l.

4.3.4. WQBEL Calculations

a. If reasonable potential exists to exceed applicable water quality criteria or objectives, then a WQBEL must be established in accordance with one or more of the three procedures contained in section 1.4 of the SIP. These procedures include:

   i. If applicable and available, use the WLA established as part of a TMDL.
   ii. Use of a steady-state model to derive maximum daily effluent limitations (MDELs).
   iii. Where sufficient effluent and receiving water data exist, use of a dynamic model, which has been approved by the Los Angeles Water Board.

b. WQBELs for copper, lead, nickel, zinc, TCDD equivalent, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, chrysene, 4,4'-DDT, and total PCBs have been developed for discharges through Discharge Point 001. These WQBELs are based on monitoring results, WLAs included in the Harbor Toxics TMDL, and following the procedure based on the steady-state model, available in section 1.4 of the SIP.

c. **WQBELs Calculation Example**

   Using total recoverable nickel as an example, the following demonstrates how WQBELs were established for this Order. The development and calculation of all WQBELs for this Order use the process described below.

Concentration-Based Effluent Limitations

A set of AMEL and MDEL values are calculated separately, one set for the protection of aquatic life and the other for the protection of human health. The AMEL and MDEL limitations for aquatic life and human health are compared, and the most restrictive AMEL and the most restrictive MDEL are selected as the WQBEL.

Calculation of aquatic life AMEL and MDEL:

Step 1: For each constituent requiring an effluent limit, identify the applicable water quality criteria or objective. For each criterion determine the effluent concentration allowance (ECA) using the following steady state equation:

ECA = C + D(C-B) when C > B, and
ECA = C when C ≤ B,

Where C = The priority pollutant criterion/objective, adjusted if necessary for hardness, pH and translators. Discharge from the Facility uses criteria for saltwater, which are independent of hardness and pH

D = The dilution credit, and

B = The ambient background concentration

This Order does not allow dilution; therefore:

ECA = C

For nickel the applicable water quality criteria are (reference Table F-6):

ECA_{acute} = 74.75 µg/L

$ECA_{chronic}$ = 8.28 µg/L

Step 2: For each ECA based on aquatic life criterion/objective, determine the long-term average discharge condition (LTA) by multiplying the ECA by a factor (multiplier). The multiplier is a statistically based factor that adjusts the ECA to account for effluent variability. The value of the multiplier varies depending on the coefficient of variation (CV) of the data set and whether it is an acute or chronic criterion/objective. Table 1 of the SIP provides pre-calculated values for the multipliers based on the value of the CV. Equations to develop the multipliers in place of using values in the tables are provided in Section 1.4, Step 3 of the SIP and will not be repeated here.

$LTA_{acute} = ECA_{acute} \times Multiplier_{acute\ 99}$

$LTA_{chronic} = ECA_{chronic} \times Multiplier_{chronic\ 99}$

The CV for the data set must be determined before the multipliers can be selected and will vary depending on the number of samples and the standard deviation of a data set. If the data set is less than 10 samples, or at least 80% of the samples in the data set are reported as non-detect, the CV shall be set equal to 0.6.

The number of available data set for nickel is less than 10 samples, so the CV is set equal to 0.6. The following values were used to develop the acute and chronic LTA using equations provided in Section 1.4, Step 3 of the SIP (Table 1 of the SIP also provides these values up to three decimals):

No. of Samples	CV	ECA Multiplier$_{acute\ 99}$	ECA Multiplier$_{chronic\ 99}$
6	0.6	0.321	0.527

Therefore, for total recoverable nickel, the LTAs are:

LTA_{acute} = 74.75 µg/L x 0.321 = 23.99 µg/L

$LTA_{chronic}$ = 8.28 µg/L x 0.527 = 4.36 µg/L

Step 3: Select the most limiting (lowest) of the LTA.

LTA = most limiting of LTA_{acute} or $LTA_{chronic}$

For total recoverable nickel, the most limiting LTA was the $LTA_{chronic}$

LTA = 4.36 µg/L

Step 4: Calculate the WQBELs by multiplying the LTA by a factor (multiplier). WQBELs are expressed as Average Monthly Effluent Limitations (AMEL) and Maximum Daily Effluent Limitation (MDEL). The multiplier is a statistically based factor that adjusts the LTA for the averaging periods and exceedance frequencies of the criteria/objectives and the effluent limitations. The value of the multiplier varies depending on the probability basis, the coefficient of variation (CV) of the data set, the number of samples (for AMEL) and whether it is a monthly or daily limit. Table 2 of the SIP provides pre-calculated values for the multipliers based on the value of the CV and the number of samples. Equations to develop the multipliers in place of using values in the tables are provided in Section 1.4, Step 5 of the SIP and will not be repeated here.

$AMEL_{aquatic\ life}$ = LTA x $AMEL_{multiplier\ 95}$

$MDEL_{aquatic\ life}$ = LTA x $MDEL_{multiplier\ 99}$

AMEL multipliers are based on a 95th percentile occurrence probability, and the MDEL multipliers are based on the 99th percentile occurrence probability. If the number of samples is less than four (4), the default number of samples to be used is four (4).

For total recoverable nickel, the following values were used to develop the AMEL and MDEL for aquatic life using equations provided in Section 1.4, Step 5 of the SIP (Table 2 of the SIP also provides this data up to two decimals):

No. of Samples Per Month	CV	Multiplier$_{MDEL\ 99}$	Multiplier$_{AMEL\ 95}$
4	0.6	3.115	1.552

For total recoverable nickel:

$AMEL_{aquatic\ life}$ = 4.36 x 1.552 = 6.77 µg/L

$MDEL_{aquatic\ life}$ = 4.36 x 3.115 = 13.6 µg/L

Calculation of human health AMEL and MDEL:

Step 5: For the ECA based on human health, set the AMEL equal to the $ECA_{human\ health}$

$$AMEL_{human\ health} = ECA_{human\ health}$$

For nickel:

$$AMEL_{human\ health} = 4{,}600\ \mu g/L$$

Step 6: Calculate the MDEL for human health by multiplying the AMEL by the ratio of the $Multiplier_{MDEL}$ to the $Multiplier_{AMEL}$. Table 2 of the SIP provides pre-calculated ratios to be used in this calculation based on the CV and the number of samples.

$$MDEL_{human\ health} = AMEL_{human\ health} \times (Multiplier_{MDEL} / Multiplier_{AMEL})$$

For total recoverable nickel, following data were used to develop the $MDEL_{human\ health}$:

No. of Samples Per Month	CV	$Multiplier_{MDEL\ 99}$	$Multiplier_{AMEL\ 95}$	Ratio
4	0.6	3.115	1.552	2.01

$$MDEL_{human\ health} = 4{,}600\ \mu g/L \times 2.01 = 9{,}246\ \mu g/L$$

Step 7: Select the lower of the AMEL and MDEL based on aquatic life and human health as the water-quality based effluent limit for the Order.

For total recoverable nickel, the AMEL and MDEL based on aquatic life criteria are lower and are selected as WQBELs.

Final WQBELs for Nickel:

$AMEL_{nickel} = 6.77\ \mu g/L$

$MDEL_{nickel} = 13.6\ \mu g/L$

For copper, lead, and zinc, there are no human health (Consumption of Organism Only) criteria, and WLAs have been established based on the Harbor Toxics TMDL; therefore, the established effluent limitations are based on aquatic life criteria used for the Harbor Toxics TMDL WLAs. For 4-4'DDT and total PCBs, WLAs have been established based on the Harbor Toxics TMDL; therefore, the established effluent limitations are based on human health criteria used for the Harbor Toxics TMDL WLAs.

The priority pollutants that were not addressed by the Harbor Toxics TMDL were evaluated as follows. Human health criteria was used for TCDD equivalents, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, and chrysene. Aquatic life criteria was used for nickel. These limitations are expected to be protective of the beneficial uses. Final WQBELs for each are summarized in Table F-8 of this Fact Sheet.

4.3.5. **Mass-Based Limits:** Generally, mass-based effluent limitations ensure that proper treatment, and not dilution, is employed to comply with the final effluent concentration limitations. Section 122.45(f)(1) requires that all permit limitations, standards or prohibitions be expressed in terms of mass units except under the following conditions: (1) for pH, temperature, radiation or other pollutants that cannot appropriately be expressed by mass limitations; (2) when applicable standards or limitations are expressed in terms of other units of measure; or (3) if in establishing technology-based permit limitations on a case-by-case basis limitations based on mass are infeasible because the mass or pollutant cannot be related to a measure of production. The limitations, however, must ensure that dilution will not be used as a substitute for treatment. This Order includes mass-based effluent limitations, where appropriate, to comply with Section 122.45(f)(1).

4.3.6. **Whole Effluent Toxicity (WET)**

WET protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. WET tests measure the degree of response of exposed aquatic test organisms to an effluent. The WET approach allows for protection of the narrative “no toxics in toxic amounts” criterion while implementing numeric criteria for toxicity. There are two types of WET tests: acute and chronic. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth.

The Basin Plan specifies a narrative objective for toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are lethal to or produce other detrimental responses by aquatic organisms. Detrimental response includes, but is not limited to, decreased growth rate, decreased reproductive success of resident or indicator species, and/or significant alterations in population, community ecology, or receiving water biota.

Order No. R4-2015-0052 included chronic toxicity monitoring requirements at Discharge Point 001. The chronic toxicity in-stream waste concentration (IWC) for this discharge is 100 percent effluent. The discharge is subject to determination of “Pass” or “Fail” and “Percent Effect” from a single-effluent concentration chronic toxicity test at the discharge IWC using the Test of Significant Toxicity (TST) statistical approach described in National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document (EPA 833-R-10-003, 2010), Appendix A, Figure A-1, and Table A-1. The null hypothesis (Ho) for the TST approach is:

H_o: Mean response (IWC in % effluent) ≤ 0.75 mean response (Control).

A test result that does not reject this null hypothesis is reported as “Fail”.

Because discharge from the Facility includes a multitude of chemicals, which individually may not be present in toxic concentrations while exhibiting aggregated toxic effects as a whole. A chronic toxicity effluent limitation is

included in this Order to ensure that the receiving water meets the Basin Plan narrative water quality objective for toxicity.

4.4. Final Effluent Limitation Considerations

4.4.1. 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. The effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order, except for the removal of effluent limitations for benzo(a)anthracene and benzo(b) fluoranthene. Section 303(d)(4)(B) of the CWA allows relaxation of effluent limitations where the quality of the receiving water equals or exceeds the levels necessary to protect the designated uses of the water or otherwise required by applicable water quality standards, if the revision is subject to and consistent with the State's Antidegradation Policy. According to the 2020-2022 303(d) list, the Long Beach Inner Harbor is not impaired for benzo(a)anthracene and benzo(b) fluoranthene where the Metropolitan Stevedore, Bulk Marine Terminal discharges. As described below, relaxation or removal of effluent limitations for this pollutant is consistent with the state and federal antidegradation policies. Therefore, the exception to the prohibition on relaxation of effluent limitations found in section 303(d)(4)(B) allows the removal of this effluent limitation.

4.4.2. Antidegradation Policies

Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings.

The renewal of this Order is consistent with Resolution 68-16 because it is not expected to allow degradation of receiving water quality. No reduction in the existing level of wastewater treatment is anticipated. In addition, the renewal of the Order will not lower the surface water quality because the conditions in this Order are at least as stringent as the previous Order except for limits described in section 4.4.1 of the Fact Sheet. Relaxation of the effluent limitations as described in section 4.4.1 will continue to assure the attainment of water quality standards where the quality of the receiving water is impaired for that pollutant and will not degrade waters already in attainment. The Long Beach Inner Harbor receiving discharges from the Metropolitan Stevedore Company, Bulk Marine Terminal are not impaired for benzo(a)anthracene and benzo(b) fluoranthene. The removal of the final effluent limitations for benzo(a)anthracene and benzo(b)fluoranthene is consistent with the antidegradation policy because the discharge did not exhibit reasonable potential to exceed the water quality objective. Effluent and receiving water monitoring for this pollutant continues to be required under this Order to ensure effluent and receiving water concentrations do not exceed the objectives. In addition, this Order includes a reopener provision that permits

the Los Angeles Water Board to reopen the permit if the effluent exhibits reasonable potential to exceed the objectives during the permit cycle. The Los Angeles Water Board may modify the terms of this Order to prevent degradation of high-quality waters based on any change in the concentration of these constituents in the effluent or receiving water that indicates that a degradation of receiving water quality may occur. The treatment required by this Order is the best practicable treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained.

4.4.3. **Stringency of Requirements for Individual Pollutants**

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The TBELs consist of restrictions on BOD, TSS, oil and grease, turbidity, settleable solids, and total petroleum hydrocarbons. Restrictions on these pollutants are discussed in section 4.2.2 of the Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements.

WQBELs 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. Most 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). The remaining water quality objectives and beneficial uses implemented by this Order were approved by U.S. EPA and are applicable water quality standards pursuant to section 131.21(c)(2). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

Table F-8. Summary of Final Effluent Limitations

Constituent	Units	Daily Maximum Effluent Limitation	Average Monthly Effluent Limitation	Reason for Change[1] (Basis for Limit)	Notes
Biochemical Oxygen Demand (BOD) 5-day @ 20 ºC	mg/L	30	20	E	
BOD 5-day @ 20 ºC	lbs/day	230	150	E	a

Constituent	Units	Daily Maximum Effluent Limitation	Average Monthly Effluent Limitation	Reason for Change[1] (Basis for Limit)	Notes
Oil and Grease	mg/L	15	10	E	
Oil and Grease	lbs/day	110	75	E	a
pH	standard units	6.5 to 8.5	6.5 to 8.5	E, BP	b
Total Suspended Solids (TSS)	mg/L	75	50	E	
TSS	lbs/day	560	380	E	a
Settleable Solids	mL/L	0.3	--	E	
Temperature	ºF	86	86	E, BP	c
Total Petroleum Hydrocarbon (TPH)	µg/L	100	--	E	d
TPH	lbs/day	0.75	--	E	a
Turbidity	NTU	75	50	E	
Chronic Toxicity	Pass or Fail and % Effect	Pass or Fail and % Effect	Pass or Fail	E, BP	e
Copper, TR	µg/L	6.1	3.1	E	f
Copper, TR	lbs/day	0.046	0.023	E	a
Lead, TR	µg/L	14	7	E	f
Lead, TR	lbs/day	0.11	0.053	E	a
Nickel, TR	µg/L	14	6.8	E	
Nickel, TR	lbs/day	0.11	0.051	E	a
Zinc, TR	µg/L	140	70	E	f
Zinc, TR	lbs/day	1.1	0.53	E	a
TCDD Equivalents	µg/L	2.8×10^{-8}	1.4×10^{-8}	E	g
TCDD Equivalents	lbs/day	2.1×10^{-10}	1.1×10^{-10}	E	a
4,4'-DDT	µg/L	0.0012	0.00059	E	f and h
4,4'-DDT	lbs/day	9.0×10^{-6}	4.4×10^{-6}	E	a
PCBs, Total	µg/L	0.00034	0.00017	E	f and h
PCBs, Total	lbs/day	2.6×10^{-6}	1.3×10^{-6}	E	a
Benzo(a)pyrene	µg/L	0.098	0.049	E	h and I
Benzo(a)pyrene	lbs/day	0.00074	0.00037	E	a
Benzo(k) fluoranthene	µg/L	0.098	0.049	RP, CTR, SIP	h

Constituent	Units	Daily Maximum Effluent Limitation	Average Monthly Effluent Limitation	Reason for Change[1] (Basis for Limit)	Notes
Benzo(k) fluoranthene	lbs/day	0.00074	0.00037	RP, CTR, SIP	a
Chrysene	µg/L	0.098	0.049	E	h and I
Chrysene	lbs/day	0.00074	0.00037	E	a

Footnotes for Table F-8

[1] BP = Basin Plan; BPJ = Best Professional Judgment; CTR = California Toxic Rule; E = Existing Requirement; SIP = State Implementation Policy; TMDL= Total Maximum Daily Load; TP = Thermal Plan;

a. The effluent limitations for pH are 6.5 as an Instantaneous Minimum and 8.5 as an Instantaneous Maximum.

b. The mass (lbs/day) limitations are based on a maximum flow of 0.9 MGD from Discharge Point 001 is calculated as follows: Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day.

c. Final effluent limitations are based on the final Receiving (salt) Water Column Concentration-Based Waste Load Allocations established in the Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDL and using section 1.4 of the SIP.

d. The effluent limitation for temperature is 86ºF as an Instantaneous Maximum.

e. The MDEL for chronic toxicity shall be reported as “Pass” or “Fail” and “% Effect”. MMEL shall be reported as “Pass” or “Fail.” f. The effluent limitations are based on the Harbor Toxics TMDL WLAs and calculated using the CTR-SIP procedures.

g. TCDD equivalents shall be calculated using the following formula, where the Minimum Levels (MLs), toxicity equivalency factors (TEFs), are as listed in the Table below. The Discharger shall report all measured values of individual congeners, including data qualifiers. When calculating TCDD equivalents, the Discharger shall set congener concentrations below the MLs to zero. U.S. EPA method 1613 may be used to analyze dioxin and furan congeners. The TCDD equivalents are calculated as follows: Dioxin-TEQ (TCDD equivalents) = Sum of concentration of dioxin or furan congener$_x$ (C_x) X Toxicity Equivalency Factors (TEFs) for congener$_x$. The TEFs are listed in the Table below.

Toxicity Equivalency Factors

Congener	Minimum Level (pg/L)	Toxicity Equivalency Factor (TEF)
2,3,7,8-TCDD	10	1.0
1,2,3,7,8-PeCDD	50	1.0
1,2,3,4,7,8-HxCDD	50	0.1
1,2,3,6,7,8-HxCDD	50	0.1
1,2,3,7,8,9-HxCDD	50	0.1
1,2,3,4,6,7,8-HpCDD	50	0.01
OCDD	100	0.0001
2,3,7,8-TCDF	10	0.1

Congener	Minimum Level (pg/L)	Toxicity Equivalency Factor (TEF)
1,2,3,7,8-PeCDF	50	0.05
2,3,4,7,8-PeCDF	50	0.5
1,2,3,4,7,8-HxCDF	50	0.1
1,2,3,6,7,8-HxCDF	50	0.1
1,2,3,7,8,9-HxCDF	50	0.1
2,3,4,6,7,8-HxCDF	50	0.1
1,2,3,4,6,7,8-HpCDF	50	0.01
1,2,3,4,7,8,9-HpCDF	50	0.01
OCDF	100	0.0001

h. Samples analyzed must be unfiltered samples.

i. CTR human health criteria were not established for total PAHs. State's 2018 CWA section 303(d) List classifies the Los Angeles/Long Beach Inner Harbor as impaired for benzo(a)pyrene and chrysene.

End of Footnotes for Table F-8

4.5. Interim Effluent Limitations – Not Applicable

4.6. Land Discharge Specifications – Not Applicable

4.7. Recycling Specifications – Not Applicable

5. RATIONALE FOR RECEIVING WATER LIMITATIONS

The receiving water limitations in this Order are based upon the water quality objectives contained in the Basin Plan. As such, they are a required part of the Order.

5.1. Surface Water

Receiving water limitations are based on WQOs contained in the Basin Plan and applicable statewide water quality control plans and are a required part of this Order.

5.2. Groundwater – Not Applicable

6. RATIONALE FOR PROVISIONS

6.1. 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).

6.2. Special Provisions

6.2.1. Reopener Provisions

These provisions are based on 40 CFR section 123. The Los Angeles Water Board may reopen the permit to modify permit conditions and requirements. Causes for modifications include the promulgation of new federal regulations, modification in toxicity requirements, or adoption of new regulations by the State Water Board or Los Angeles Water Board, including revisions to the Basin Plan or revisions to the Harbor Toxics TMDL. Additional specific bases upon which to reopen the permit are set forth in section 6.3.1 of the Waste Discharge Requirements of this Order.

6.2.2. Special Studies and Additional Monitoring Requirements

a. **Initial Investigation Toxicity Reduction Evaluation Workplan.** This provision is based on section 4 of the SIP, Toxicity Control Provisions which establishes minimum toxicity control requirements for implementing the narrative toxicity objective for aquatic life protection established in the basin plans of the State of California.

b. **Harbor Toxics TMDL Water Column, Sediment and Fish Tissue Monitoring for Greater Los Angeles and Long Beach Harbor Waters.** This provision implements the Compliance Monitoring Program as required in the Harbor Toxics TMDL. The Compliance Monitoring Program includes water column monitoring, sediment monitoring and fish tissue monitoring at monitoring stations in the Long Beach Inner Harbor. The Discharger may join a collaborating group or develop a site-specific plan to comply with this requirement. Details on these requirements are provided in Section 6.3.2.b. of this Order.

6.2.3. Best Management Practices and Pollution Prevention

Stormwater Pollution Prevention Plan (SWPPP). Order R4-2015-0052 required the Discharger to submit and implement a SWPPP. This Order will require the Discharger to update and continue to implement, consistent with the prior Order requirements, a SWPPP. The SWPPP will outline site-specific management processes for minimizing stormwater runoff contamination and for preventing contaminated stormwater runoff from being discharged directly into the storm drain or receiving water. At a minimum, the management practices should ensure that raw materials and chemicals do not come into

contact with stormwater and unauthorized non-stormwater discharges to surface water. In addition, due to the lack of national ELGs for stormwater runoff from petroleum tank farms and the absence of data to apply BPJ to develop numeric effluent limitations, and pursuant to section 122.44(k).

Best Management Practices Plan (BMPP). This Order requires the Discharger to update the BMPP. A BMPP shall be consistent with the requirements of 40 CFR Part 125, Subpart K, and the general guidance contained in the NPDES Best Management Guidance Document, U.S. EPA Report No. 600/9-79-045, December 1979 (revised June 1981). The purpose of the BMPP will be to establish site specific procedures that will ensure proper operation and maintenance of equipment and storage areas, to ensure that unauthorized non-stormwater discharges (i.e., spills) do not occur at the Facility.

Spill Contingency Plan (SCP). This Order also requires the Discharger to update and continue to implement a SCP to control the discharge of pollutants. The SCP shall include a technical report on the preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events at the site. This provision is included in this Order to minimize and control the amount of pollutants discharged in case of a spill. The SCP shall be site specific and shall cover all areas of the Facility.

The combination of the SWPPP, BMPP, SCP, and effluent limitations reflecting BPJ will serve as the equivalent of technology-based effluent limitations, in the absence of established ELGs, in order to carry out the purposes and intent of the CWA.

6.2.4. **Construction, Operation, and Maintenance Specifications**

This provision included in Section 6.3.4 of the Waste Discharge Requirements of this Order is based on the requirements of section 122.41(e) and the previous Order.

6.2.5. **Climate Change Effects Vulnerability Assessment and Mitigation Plan**

The Permittee is required to address potential climate change impacts through the development and implementation of a Climate Change Effects Vulnerability Assessment and Mitigation Plan (Climate Change Plan), which is due 12 months after the effective date of this Order. This requirement is based on the need to adapt to and mitigate the effects of climate change on permitted facilities as described in State Water Board's Resolution No. 2017-0012 and the Los Angeles Water Board's Resolution No. R18-004.

6.2.6. **Other Special Provisions – Not Applicable**

6.2.7. **Special Provisions for Municipal Facilities (POTWs Only) – Not Applicable**

6.2.8. **Compliance Schedules – Not Applicable**

7. 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 13383 also authorize the Los Angeles Water Board to establish monitoring, 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.

7.1. Influent Monitoring – Not Applicable

7.2. Effluent Monitoring

Monitoring for pollutants expected to be present in the discharge will be required as established in the MRP (Attachment E). To demonstrate compliance with established effluent limitations, the Order retains and updates the monitoring requirements from Order No. R4-2015-0052 to determine compliance with the effluent limitations in section 4.1.1. and 4.1.2. of the Order.

The SIP states that the Los Angeles Water Board will require periodic monitoring for pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires the Discharger to conduct annual monitoring for the remaining CTR priority pollutants. The Los Angeles Water Board will use the additional data to conduct an RPA and determine if additional WQBELs are required. The Los Angeles Water Board may reopen the permit to incorporate additional effluent limitations and requirements, if necessary.

7.3. Whole Effluent Toxicity (WET) Testing Requirements

WET protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth. A chemical at a low concentration can have chronic effects but no acute effects. For this permit, chronic toxicity monitoring in the discharge is required. The chronic toxicity testing requirements are based on U.S. EPA's 2010 TST hypothesis testing approach.

7.4. Receiving Water Monitoring

7.4.1. Surface Water

This Order includes receiving water limitations and therefore, monitoring requirements are included in the MRP to determine compliance with the receiving water limitations established in Limitations and Discharge Requirements. Based on site operations of loading and unloading of petroleum based products and the reported spill incident in 2020, the Facility continues to be required to perform general observations during bulk material loading and unloading events to document the management measures that were implemented, and to estimate the quantity of material(s) spilled on the dock or shore. Spills or discharges in the Long Beach Inner Harbor are prohibited. However, if spills occur, they are to be documented with a quantity estimate and reported. In addition, observations are required of the receiving water when discharges occur and the Discharger must report the observations in the monitoring report. Attention shall be given to

the presence or absence of floating or suspended matter, discoloration, aquatic life, visible film, sheen or coating, and fungi, slime, or objectionable growths.

According to the SIP, the Discharger is required to monitor the upstream receiving water for the CTR priority pollutants, to determine reasonable potential. Accordingly, the Los Angeles Water Board is requiring that the Discharger conduct upstream receiving water monitoring of the CTR priority pollutants at Monitoring Location RSW-001. The Discharger must analyze temperature, pH, ammonia, and salinity of the upstream receiving water at the same time the samples are collected for priority pollutant analysis.

7.4.2. **Groundwater – Not Applicable**

7.5. **Other Monitoring Requirements**

7.5.1. **Stormwater Monitoring Requirements.** In order to evaluate the effectiveness of the SWPPP, rainfall monitoring and visual stormwater monitoring are required during discharge events.

7.5.2. **Regional Monitoring.** Monitoring is required to determine compliance with the assigned wasteload and load allocations specified in the Harbor Toxics TMDL. The Discharger may join a group of stakeholders in the development of Regional Monitoring program(s) to address pollutants as specified in the Harbor Toxics TMDL

8. PUBLIC PARTICIPATION

The Los Angeles Water Board has considered the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for Metropolitan Stevedore Company, Bulk Marine Terminal. As a step in the WDR adoption process, the Los Angeles Water Board staff developed tentative WDRs. The Los Angeles Water Board encourages public participation in the WDR adoption process.

8.1. Notification of Interested Parties

The Los Angeles Water Board notified the Discharger 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 to all interested parties on the Los Angeles Water Board's interested parties list by e-mail and public notice.

The public had access to the agenda and any changes in dates and locations through the Los Angeles Water Board's website at:

http://www.waterboards.ca.gov/losangeles

8.2. Written Comments

Interested persons were invited to submit written comments concerning the tentative WDRs as provided through the notification process. Comments were required to be submitted either in person or by mail to the Executive Office at the Los Angeles

Water Board at 320 West 4th Street, Suite 200, Los Angeles, CA 90013, or by email to losangeles@waterboards.ca.gov with a copy to duong.trinh@waterboards.ca.gov.

To be fully responded to by staff, written comments were due at the Los Angeles Water Board office by **5:00 p.m. on January 23, 2023**.

8.3. Public Hearing

The Los Angeles Water Board held a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: **February 23, 2023**
Time: **9:00 a.m.**
Location: **Junipero Serra Building, Carmel Room**
320 W. 4th St. Los Angeles, CA 90013

A virtual platform was available for those who wanted to join online by following the directions provided in the agenda to register or to view the Board meeting.

Additional information about the location of the hearing and options for participating were made available 10 days before the hearing. Any person desiring to receive future notices about any proposed Board action regarding this Discharger, may contact Duong Trinh at duong.trinh@waterboards.ca.gov, to be included on the e-mail list.

Interested persons were invited to attend. At the public hearing, the Los Angeles Water Board heard testimony, pertinent to the discharge, WDRs, and permit. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

8.4. Reconsideration of Waste Discharge Requirements

Any person aggrieved by this action of the Los Angeles 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., 30 days after the date of this Order, 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. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

The State Water Board's mailing address is the following:

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

For instructions on how to file a water quality petition for review, see:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml

8.5. Information and Copying

The Report of Waste Discharge (ROWD), other supporting documents, comments received are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Los Angeles Water Board by calling (213) 576 – 6600.

The tentative WDRs, comments received and response to comments are also available on the Los Angeles Water Board's website at:

http://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/index.shtml

8.6. Register of Interested Persons

Any person interested in being placed on the notification list for information regarding the WDRs and NPDES permit should contact the Los Angeles Water Board, reference this Facility, and provide a name, mailing address, email address, and phone number.

8.7. Additional Information

Requests for additional information or questions regarding this order should be directed to Duong Trinh at (213) 576-6665 or at duong.trinh@waterboards.ca.gov.

ATTACHMENT G – STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS

1. IMPLEMENTATION SCHEDULE

A stormwater pollution prevention plan (SWPPP) shall be developed and submitted to the Los Angeles Water Board within 90 days following the adoption of this Order. The SWPPP shall be implemented for each facility covered by this Permit within 10 days of approval from the Los Angeles Water Board, or 6-months from the date of the submittal of the SWPPP to the Los Angeles Water Board (whichever comes first).

2. OBJECTIVES

The SWPPP is a written document that shall contain a compliance activity schedule, a description of industrial activities and pollutant sources, descriptions of BMPs, drawings, maps, and relevant copies or references of parts of other plans. The SWPPP has two major objectives: (a) to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of stormwater discharges and authorized non-stormwater discharges from the facility; and (b) to identify and implement site-specific best management practices (BMPs) to reduce or prevent pollutants associated with industrial activities in stormwater discharges and authorized non-stormwater discharges. BMPs may include a variety of pollution prevention measures or other low-cost and pollution control measures. They are generally categorized as non-structural BMPs (activity schedules, prohibitions of practices, maintenance procedures, and other low-cost measures) and as structural BMPs (treatment measures, run-off controls, over-head coverage.) To achieve these objectives, facility operators should consider the five phase process for SWPPP development and implementation as shown in Table A.

The SWPPP requirements are designed to be sufficiently flexible to meet the needs of various facilities. SWPPP requirements that are not applicable to a facility should not be included in the SWPPP.

A facility's SWPPP is a written document that shall contain a compliance activity schedule, a description of industrial activities and pollutant sources, descriptions of BMPs, drawings, maps, and relevant copies or references of parts of other plans. The SWPPP shall be revised whenever appropriate and shall be readily available for review by facility employees or Los Angeles Water Board inspectors.

3. PLANNING AND ORGANIZATION

3.1. Pollution Prevention Team

The SWPPP shall identify a specific individual or individuals and their positions within the facility organization as members of a stormwater pollution prevention team responsible for developing the SWPPP, assisting the facility manager in SWPPP implementation and revision, and conducting all monitoring program activities. The SWPPP shall clearly identify the Permit related responsibilities, duties, and activities of each team member. For small facilities, stormwater pollution prevention teams may consist of one individual where appropriate.

3.2. Review Other Requirements and Existing Facility Plans

The SWPPP may incorporate or reference the appropriate elements of other regulatory requirements. Facility operators should review all local, state, and federal requirements that impact, complement, or are consistent with the requirements of this permit. Facility operators should identify any existing facility plans that contain stormwater pollutant control measures or relate to the requirements of this Permit. As examples, facility operators whose facilities are subject to federal Spill Prevention Control and Countermeasures' requirements should already have instituted a plan to control spills of certain hazardous materials. Similarly, facility operators whose facilities are subject to air quality related permits and regulations may already have evaluated industrial activities that generate dust or particulates.

TABLE A
FIVE PHASES FOR DEVELOPING AND IMPLEMENTING INDUSTRIAL STORMWATER POLLUTION PREVENTION PLANS

Phase	Tasks
Planning and Organization	Form Pollution Prevention Team Review other plans
Assessment Phase	Develop a site map Identify potential pollutant sources Inventory of materials and chemicals List significant spills and leaks Identify non-stormwater discharges Assess pollutant risks
Best management Practices Identification Phase	Non-structural BMPs Structural BMPs Select activity and site-specific BMPs
Implementation Phase	Train employees Implement BMPs Conduct recordkeeping and reporting
Evaluation/Monitoring	Conduct annual site evaluation Review monitoring information Evaluate BMPs Review and revise SWPPP

4. SITE MAP

The SWPPP shall include a site map. The site map shall be provided on an 8-½ x 11 inch or larger sheet and include notes, legends, and other data as appropriate to ensure that the site map is clear and understandable. If necessary, facility operators may provide the required information on multiple site maps.

The following information shall be included on the site map:

4.1. The facility boundaries; the outline of all stormwater drainage areas within the facility boundaries; portions of the drainage area impacted by run-on from surrounding areas; and direction of flow of each drainage area, on-site surface water bodies, and areas of soil erosion. The map shall also identify nearby water bodies (such as rivers, lakes, and ponds) and municipal storm drain inlets where the facility's stormwater discharges and authorized non-stormwater discharges may be received.

4.2. The location of the stormwater collection and conveyance system, associated points of discharge, and direction of flow. Include any structural control measures that affect stormwater discharges, authorized non-stormwater discharges, and run-on. Examples of structural control measures are catch basins, berms, detention ponds, secondary containment, oil/water separators, diversion barriers, etc.

4.3. An outline of all impervious areas of the facility, including paved areas, buildings, covered storage areas, or other roofed structures.

4.4. Locations where materials are directly exposed to precipitation and the locations where significant spills or leaks identified in section 5. below have occurred.

4.5. Areas of industrial activity. This shall include the locations of all storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, cleaning and rinsing areas, and other areas of industrial activity which are potential pollutant sources.

5. LIST OF SIGNIFICANT MATERIALS

The SWPPP shall include a list of significant materials[1] handled and stored at the site. For each material on the list, describe the locations where the material is being stored, received, shipped, and handled, as well as the typical quantities and frequency. Materials shall include raw materials, intermediate products, final or finished products, recycled materials, and waste or disposed materials.

[1] "Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to section 313 of Title III of Superfund Amendments and Reauthorization Act (SARA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges.

6. DESCRIPTION OF POTENTIAL POLLUTANT SOURCES

The SWPPP shall include a narrative description of the facility's industrial activities, as identified in section 4.5 above, associated potential pollutant sources, and potential pollutants that could be discharged in stormwater discharges or authorized non-stormwater discharges. At a minimum, the following items related to a facility's industrial activities shall be considered:

6.1. **Industrial Processes.** Describe each industrial process, the type, characteristics, and quantity of significant materials used in or resulting from the process, and a description of the manufacturing, cleaning, rinsing, recycling, disposal, or other activities related to the process. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

6.2. **Material Handling and Storage Areas.** Describe each handling and storage area, type, characteristics, and quantity of significant materials handled or stored, description of the shipping, receiving, and loading procedures, and the spill or leak prevention and response procedures. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

6.3. **Dust and Particulate Generating Activities.** Describe all industrial activities that generate dust or particulates that may be deposited within the facility's boundaries and identify their discharge locations; the characteristics of dust and particulate pollutants; the approximate quantity of dust and particulate pollutants that may be deposited within the facility boundaries; and a description of the primary areas of the facility where dust and particulate pollutants would settle.

6.4. **Significant Spills and Leaks.** Describe materials that have spilled or leaked in significant quantities in stormwater discharges or non-stormwater discharges since April 17, 1994. Include toxic chemicals (listed in 40 Code of Federal Regulations (CFR), Part 302) that have been discharged to stormwater as reported on U.S. Environmental Protection Agency (U.S. EPA) Form R, and oil and hazardous substances in excess of reportable quantities (see 40 CFR, Parts 110, 117, and 302).

The description shall include the type, characteristics, and approximate quantity of the material spilled or leaked, the cleanup or remedial actions that have occurred or are planned, the approximate remaining quantity of materials that may be exposed to stormwater or non-stormwater discharges, and the preventative measures taken to ensure spill or leaks do not reoccur. The list shall be updated as appropriate during the term of this Order.

6.5. **Non-Stormwater Discharges.** Facility operators shall investigate the facility to identify all non-stormwater discharges and their sources. As part of this investigation, all drains (inlets and outlets) shall be evaluated to identify whether they connect to the storm drain system.

All non-stormwater discharges shall be described except for those discharges regulated by this order. This shall include the source, quantity, frequency, and characteristics of the non-stormwater discharges and associated drainage area.

Non-stormwater discharges not authorized by this Order, other waste discharge requirements, or other NPDES permits are prohibited. The SWPPP must include BMPs to prevent or reduce contact of authorized non-stormwater discharges with significant materials (as defined in Footnote 1 of section 5 above) or equipment.

6.6. **Soil Erosion.** Describe the facility locations where soil erosion may occur as a result of industrial activity, stormwater discharges associated with industrial activity, or authorized non-stormwater discharges.

6.7. **Trash.** Describe the facility locations where trash may be generated as a result of facility operations and on-site activities.

The SWPPP shall include a summary of all areas of industrial activities, potential pollutant sources, and potential pollutants. This information should be summarized similar to Table B. The last column of Table B, "Control Practices", should be completed in accordance with section 8 below.

7. ASSESSMENT OF POTENTIAL POLLUTANT SOURCES

The SWPPP shall include a narrative assessment of all industrial activities and potential pollutant sources as described in section 6 above to determine:

7.1. Which areas of the facility are likely sources of pollutants in stormwater discharges and authorized non-stormwater discharges, and

7.2. Which pollutants are likely to be present in stormwater discharges and authorized non-stormwater discharges. Facility operators shall consider and evaluate various factors when performing this assessment such as current stormwater BMPs; quantities of significant materials handled, produced, stored, or disposed of; likelihood of exposure to stormwater or authorized non-stormwater discharges; history of spill or leaks; and run-on from outside sources.

Facility operators shall summarize the areas of the facility that are likely sources of pollutants and the corresponding pollutants that are likely to be present in stormwater discharges and authorized non-stormwater discharges.

Facility operators are required to develop and implement additional BMPs as appropriate and necessary to prevent or reduce pollutants associated with each pollutant source.

8. STORMWATER BEST MANAGEMENT PRACTICES

8.1. The SWPPP shall include a narrative description of the stormwater BMPs to be implemented at the facility for each potential pollutant and its source identified in the site assessment phase (sections VI and VII above). The BMPs shall be developed and implemented to reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. Each pollutant and its source may require one or more BMPs. Some BMPs may be implemented for multiple pollutants and their sources, while other BMPs will be implemented for a very specific pollutant and its source.

TABLE B

EXAMPLE

ASSESSMENT OF POTENTIAL POLLUTION SOURCES AND CORRESPONDING BEST MANAGEMENT PRACTICES SUMMARY

Area	Activity	Pollutant Source	Pollutant	Best Management Practices
Vehicle & Equipment Fueling	Fueling	Spills and leaks during delivery. Spills caused by topping off fuel tanks. Hosing or washing down fuel oil fuel area. Leaking storage tanks. Rainfall running onto and off fueling area.	Fuel oil	Use spill and overflow protection. Minimize run-on of stormwater into the fueling area. Cover fueling area. Use dry cleanup methods rather than hosing down area. Implement proper spill prevention control program. Implement adequate preventative maintenance program to preventive tank and line leaks. Inspect fueling areas regularly to detect problems before they occur. Train employees on proper fueling, cleanup, and spill response techniques.

The description of the BMPs shall identify the BMPs as (1) existing BMPs, (2) existing BMPs to be revised and implemented, or (3) new BMPs to be implemented. The description shall also include a discussion on the effectiveness of each BMP to reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. The SWPPP shall provide a summary of all BMPs implemented for each pollutant source. This information should be summarized similar to Table B.

8.2. Facility operators shall consider the following BMPs for implementation at the facility:

8.2.1. **Non-Structural BMPs**

Non-structural BMPs generally consist of processes, prohibitions, procedures, schedule of activities, etc., that prevent pollutants associated with industrial activity from contacting with stormwater discharges and authorized non-stormwater discharges. They are considered low technology, cost-effective

measures. Facility operators should consider all possible non-structural BMPs options before considering additional structural BMPs (see section A.8.b. below). Below is a list of non-structural BMPs that should be considered:

- **Good Housekeeping.** Good housekeeping generally consists of practical procedures to maintain a clean and orderly facility.
- **Preventive Maintenance.** Preventive maintenance includes the regular inspection and maintenance of structural stormwater controls (catch basins, oil/water separators, etc.) as well as other facility equipment and systems.
- **Spill Response.** This includes spill clean-up procedures and necessary clean-up equipment based upon the quantities and locations of significant materials that may spill or leak.
- **Material Handling and Storage.** This includes all procedures to minimize the potential for spills and leaks and to minimize exposure of significant materials to stormwater and authorized non-stormwater discharges.
- **Employee Training.** This includes training of personnel who are responsible for (1) implementing activities identified in the SWPPP, (2) conducting inspections, sampling, and visual observations, and (3) managing stormwater. Training should address topics such as spill response, good housekeeping, and material handling procedures, and actions necessary to implement all BMPs identified in the SWPPP. The SWPPP shall identify periodic dates for such training. Records shall be maintained of all training sessions held.
- **Waste Handling/Recycling.** This includes the procedures or processes to handle, store, or dispose of waste materials or recyclable materials.
- **Recordkeeping and Internal Reporting.** This includes the procedures to ensure that all records of inspections, spills, maintenance activities, corrective actions, visual observations, etc., are developed, retained, and provided, as necessary, to the appropriate facility personnel.
- **Erosion Control and Site Stabilization.** This includes a description of all sediment and erosion control activities. This may include the planting and maintenance of vegetation, diversion of run-on and runoff, placement of sandbags, silt screens, or other sediment control devices, etc.
- **Inspections.** This includes, in addition to the preventative maintenance inspections identified above, an inspection schedule of all potential pollutant sources. Tracking and follow-up procedures shall be described to ensure adequate corrective actions are taken and SWPPPs are made.
- **Quality Assurance.** This includes the procedures to ensure that all elements of the SWPPP and Monitoring Program are adequately conducted.

8.2.2. **Structural BMPs**

Where non-structural BMPs as identified in section VII.A.8 above are not effective, structural BMPs shall be considered. Structural BMPs generally consist of structural devices that reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. Below is a list of structural BMPs that should be considered:

- **Overhead Coverage.** This includes structures that provide horizontal coverage of materials, chemicals, and pollutant sources from contact with stormwater and authorized non-stormwater discharges.
- **Retention Ponds.** This includes basins, ponds, surface impoundments, bermed areas, etc. that do not allow stormwater to discharge from the facility.
- **Control Devices.** This includes berms or other devices that channel or route run-on and runoff away from pollutant sources.
- **Secondary Containment Structures.** This generally includes containment structures around storage tanks and other areas for the purpose of collecting any leaks or spills.
- **Treatment.** This includes inlet controls, infiltration devices, oil/water separators, detention ponds, vegetative swales, etc. that reduce the pollutants in stormwater discharges and authorized non-stormwater discharges.

9. ANNUAL COMPREHENSIVE SITE COMPLIANCE EVALUATION

The facility operator shall conduct one comprehensive site compliance evaluation (evaluation) in each reporting period (July 1-June 30). Evaluations shall be conducted within 8-16 months of each other. The SWPPP shall be revised, as appropriate, and the revisions implemented within 90 days of the evaluation. Evaluations shall include the following:

9.1. A review of all visual observation records, inspection records, and sampling and analysis results.

9.2. A visual inspection of all potential pollutant sources for evidence of, or the potential for, pollutants entering the drainage system.

9.3. A review and evaluation of all BMPs (both structural and non-structural) to determine whether the BMPs are adequate, properly implemented and maintained, or whether additional BMPs are needed. A visual inspection of equipment needed to implement the SWPPP, such as spill response equipment, shall be included.

9.4. An evaluation report that includes, (i) identification of personnel performing the evaluation, (ii) the date(s) of the evaluation, (iii) necessary SWPPP revisions, (iv) schedule, as required in section 10.3. below for implementing SWPPP revisions, (v) any incidents of non-compliance and the corrective actions taken, and (vi) a certification that the facility operator is in compliance with this Permit. If the above certification cannot be provided, explain in the evaluation report why the facility

operator is not in compliance with this General Permit. The evaluation report shall be submitted as part of the annual report, retained for at least five years, and signed and certified in accordance with Standard Provisions 5.2.5. of Attachment D.

10. SWPPP GENERAL REQUIREMENTS

10.1. The SWPPP shall be retained on site and made available upon request of a representative of the Los Angeles Water Board and/or local stormwater management agency (local agency) which receives the stormwater discharges.

10.2. The Los Angeles Water Board and/or local agency may notify the facility operator when the SWPPP does not meet one or more of the minimum requirements of this section. As requested by the Los Angeles Water Board and/or local agency, the facility operator shall submit an SWPPP revision and implementation schedule that meets the minimum requirements of this section to the Los Angeles Water Board and/or local agency that requested the SWPPP revisions. Within 14 days after implementing the required SWPPP revisions, the facility operator shall provide written certification to the Los Angeles Water Board and/or local agency that the revisions have been implemented.

10.3. The SWPPP shall be revised, as appropriate, and implemented prior to changes in industrial activities which (i) may significantly increase the quantities of pollutants in stormwater discharge, (ii) cause a new area of industrial activity at the facility to be exposed to stormwater, or (iii) begin an industrial activity which would introduce a new pollutant source at the facility.

10.4. The SWPPP shall be revised and implemented in a timely manner, but in no case more than 90 days after a facility operator determines that the SWPPP is in violation of any requirement(s) of this Permit.

10.5. When any part of the SWPPP is infeasible to implement due to proposed significant structural changes, the facility operator shall submit a report to the Los Angeles Water Board prior to the applicable deadline that (i) describes the portion of the SWPPP that is infeasible to implement by the deadline, (ii) provides justification for a time extension, (iii) provides a schedule for completing and implementing that portion of the SWPPP, and (iv) describes the BMPs that will be implemented in the interim period to reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. Such reports are subject to Los Angeles Water Board approval and/or modifications. Facility operators shall provide written notification to the Los Angeles Water Board within 14 days after the SWPPP revisions are implemented.

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

ATTACHMENT H – REASONABLE POTENTIAL ANALYSIS