



California Regional Water Quality Control Board
Los Angeles Region

RHN



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Governor

Peter M. Rooney
Secretary for
Environmental
Protection

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November 5, 1998

Mr. Gerry Oviatt, Project Coordinator
Texaco Exploration and Production, Inc.
Post Office Box 811
Ventura, CA 93002

**WASTE DISCHARGE REQUIREMENTS FOR TEXACO EXPLORATION AND PRODUCTION,
INC. - 1941 RESERVOIR SITE (Order No. 98-085, CI 5817, File No. 72-104)**

Dear Mr. Oviatt:

Reference is made to our letter of October 13, 1998, which transmitted a copy of tentative waste discharge requirements for the subject site.

Pursuant to Division 7 of the California Water Code, this Regional Board at a public hearing held on November 2, 1998, reviewed the tentative requirements, considered all factors in the case, and adopted Order No. 98-085 (copy attached) relative to this discharge.

All monitoring reports should be sent to the Regional Board, ATTN: Technical Support Unit. Please reference all technical and monitoring reports to our Compliance File No. CI-5817. We would appreciate it if you would not combine other reports, such as progress or technical, with your monitoring reports but would submit each type of report as a separate document.

If you have any questions or need additional information, please contact Mr. Wen Yang at (323) 266-7659.

Sincerely,

Rodney H. Nelson

RODNEY H. NELSON, Chief
Groundwater Regulatory Unit

Enclosures

cc: see mailing list

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Mailing List:

John Youngerman, Division of Water Quality, State Water Resources Control Board

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Department of Water Resources, Southern District

Department of Fish and Game, Region 5

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Michael Kiado, Environmental Management Branch, State Department of Health Services

Jack Petralia, Department of Environmental Health, County of Los Angeles

Los Angeles County, Department of Regional Planning

Carl Sjoberg, Department of Public Works, Waste Management Division, County of Los Angeles

Charles W. Carry, County Sanitation Districts of Los Angeles County

Elizabeth Haven, State Water Resource Control Board, Division of Clean Water Programs

R. McLaughlin, California Integrated Waste Management Board

Terrence Gilday, County of Ventura, Environmental Health Division

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
LOS ANGELES REGION

ORDER NO. 98-085

WASTE DISCHARGE REQUIREMENTS
FOR
TEXACO EXPLORATION AND PRODUCTION, INC.
(1941 Reservoir Site)
(File 72-104)

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

1. Texaco Exploration and Production, Inc., (hereafter Texaco or Discharger) operates the Site B Land Treatment Unit (LTU), a solid waste disposal site, on behalf of the Four Star Oil and Gas Company (formerly Getty Oil Company) under this Regional Board's Order No. 73-63. The site is located in Ventura County almost two miles north of the City of San Buenaventura in Section 25, T3N, R23W, S.B.B.&M, in the Ventura Land and Water (VL&W) Lease of the Ventura Avenue Oilfield (Figure 1).
2. The Site B LTU is underlain by an unregulated former surface impoundment (the 1941 Reservoir) that was created by a dam that was constructed in 1941. The 1941 Reservoir is in turn underlain by a larger impoundment (the 1929 Reservoir) created by a dam constructed in 1929. Both the 1941 and 1929 reservoirs were used by antecedents of Texaco to dispose of used drilling mud. The 1941 Reservoir was used until approximately 1971, when Getty Oil Company (an antecedent of Texaco) drained the reservoir, filled it with soil, and created the base of the Site B LTU.
3. The Site B LTU was permitted by this Regional Board in 1973 under Order No. 73-63 to receive non-hazardous oil field wastes such as tank bottoms, drilling fluids, wastewater, petroleum-impacted soil, perlite, etc. The site was operated by Getty Oil Company and then Texaco from 1973 to present. Wastes consisting of used drilling mud and oily sand, silt, and sediments, were spread onto the surface of the ground and then disked into the topsoil in order to aerate and biodegrade the hydrocarbons in the wastes. Texaco records indicate that approximately 190,000 tons of waste was disposed at the Site B LTU between 1973 and 1989. The average thickness of wastes is estimated to be 2.9 feet over the top of the site. No waste was disposed in the LTU after 1989. The site continues to function as an LTU utilizing passive bioremediation (natural attenuation).
4. Two smaller sites in the nearby area, Site A and Site C, are also regulated by Order No. 73-63. Site A is a 3-acre LTU located in School Canyon and was used as an alternative site for Site B. Site C is a 0.8-acre fill-and-cover solid waste disposal site which operated from the late 1950's to 1989. Site C was designated as an inert landfill in 1996 when the Regional Board amended Order 73-63 with Order No. 96-032.

5. On November 19, 1997, Texaco submitted three separate closure and post-closure plans to the Regional Board and applied for the closure of Sites A, B, and C, respectively. The existing Site B LTU was combined with the underlying impoundments and collectively termed "1941 Reservoir Site" in the plans. Meanwhile, Texaco requested the Regional Board to rescind Order No. 73-76 upon the closure of the three sites.
6. In a letter dated March 3, 1998, Regional Board staff approved the submitted closure and post closure plans, and informed Texaco that the Board would revise the existing WDRs (Orders No. 73-63 and 96-032) to ensure that water quality in the area will not be impaired by the wastes disposed in the 1941 Reservoir Site.
7. The 1941 Reservoir Site is about 30 acres in size, ellipsoidal in shape, and slopes gently to the southwest. The East Fork of Hall Canyon, an intermittent stream, runs around the southeast border of the site in a concrete-lined channel. The dam constructed in 1941 forms the southwest (down canyon) limit of the site. On the northeast (up canyon), the limit is a diversion dam that was built in 1929 to divert the East Fork of Hall Canyon stream flow around the impoundment. The northwestern side of the site is bounded by the East Fork Hall Canyon Road which is paved and cut in to the bedrock. Within the confines of the site, artificial fill (wastes) is found from the surface to depths of ten to 65 feet.
8. The wastes disposed in the 1941 Reservoir Site are mostly drilling mud and petroleum contaminated soil, with high concentrations of total petroleum hydrocarbons (TPH) and barium (in the form of barite), with low concentrations of volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs). Most of the TPH detected are in the middle and upper carbon range (C₁₅-C₂₅).
9. Soils containing petroleum hydrocarbons, where identified and left unmitigated, constitute an ongoing discharge of waste(s) to land that could affect the quality of the waters of the State, pursuant to §13260 of the California Water Code.
10. Groundwater within the drainage area of Hall Canyon occurs under confined conditions within the fractures, joints, and along bedding planes in consolidated rocks of the Pico Formation, and under unconfined conditions within the alluvium that locally covers the various stream channels. The groundwater in the canyon is naturally degraded by high mineral concentrations. The 1941 Reservoir Site seems hydrologically isolated from the surrounding Hall Canyon Basin, largely because of the low permeability the Pico Formation canyon walls, the drilling mud at the bottom, and the two dams at upper and downstream sides that are both keyed into the Pico Formation bedrock. The top of the site consists of primary low permeability drilling mud.
11. Quarterly groundwater and surface water monitoring and reporting under the Solid Waste Assessment Testing (SWAT) Program began at the 1941 Reservoir Site in 1986 and continues at present. Two surface locations and four groundwater-monitoring wells located up and down canyon of the site have been sampled quarterly. In January 1998, a landslide near the northeastern limit of the site destroyed the two up canyon (background) monitoring wells. Water sampling at the

remaining stations was not interrupted. While the two destroyed monitoring wells will not be replaced, data obtained from the wells in the past eleven years will be used as a historic background to compare with down canyon monitoring data to identify any contamination of groundwater by the 1941 Reservoir Site.

12. Texaco conducted a limited air monitoring program at the 1941 Reservoir Site in 1997. The results of the monitoring, as summarized in the closure and post-closure plan, indicate that the surface of the site is not emitting significant concentrations of organic hydrocarbon vapors, even when disturbed.
13. Texaco maintains a permanent environmental easement on the site that restricts access and surface uses. In addition, a note to the deed for the property restricts land use at the site to oilfield-related activities. Texaco also has the option to purchase the land encompassing the 1941 Reservoir Site if it desires.
14. The Regional Board adopted a revised Water Quality Control Plan for the Los Angeles Region (Water Quality Control Plan) on June 13, 1994. This Water Quality Control Plan contains water quality standards for surface water and ground water within the Ventura River Watershed Hydrologic Area. The requirements contained in this Order, as they are met, will be in conformance with the beneficial uses and water quality objectives of the Water Quality Control Plan.
15. The 1941 Reservoir Site is drained by the East Fork of Hall Canyon which joins the West Fork of Hall Canyon at about 1600 feet downstream from the 1941 Reservoir Site, and flows approximately 3.5 miles to the Pacific Ocean at the San Buenaventura State Beach. The lower portion of Hall Canyon near the coast is underlain by the Lower Ventura River Basin Aquifer. The beneficial uses of groundwater in the Lower Ventura River Basin include agricultural, industrial process and service supply, and municipal and industrial use.
16. Pursuant to Section 402 (p) of the Clean Water Act and 40 CFR Parts 122, 123, and 124, the State Board adopted a general NPDES permit to regulate stormwater discharges associated with industrial activities (State Board Order 97-03-DWQ adopted in April 17, 1997). Storm water discharges from the 1941 Reservoir are currently covered under this general NPDES permit (WDID No. 4A56S013462). Pursuant to requirements of the Storm Water Permit, the Discharger has developed a Stormwater Pollution Prevention Plan (SWPPP).
17. The requirements contained in this Order are based on the Water Quality Control Plan, other Federal and State plans, policies, guidelines, and best engineering judgment and, as they are met, will be in conformance with the goals of the aforementioned water quality control plans and will protect and maintain existing beneficial uses of the receiving waters.
18. The issuance of waste discharge requirements for this discharge is exempt from the provisions of Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code (California Environmental Quality Act) in accordance with Water Code Section 13389.

The Board has notified the Discharger and interested agencies and persons of its intent to issue waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.

The Regional Board, in a public meeting, heard and considered all comments pertaining to these waste discharge requirements.

IT IS HEREBY ORDERED that Texaco Exploration and Production, Inc., (Discharger), shall comply with the following:

A. CLOSURE IMPLEMENTATION

1. The Discharger shall maintain the 1941 Reservoir Site as necessary to ensure that no contamination to the groundwater and surface water will result from wastes that have been disposed in the site.
2. The Discharger shall conduct an annual inspection of the 1941 Reservoir Site for low spots likely to pond storm water runoff; slopes for drainage, cracking, or erosion; or damage to storm drains, catch basins, and open channels. The inspection will be performed prior to September 1st. Any reported damage shall be repaired prior to October 1st (prior to the onset of the rainy season). These inspections shall be conducted for a period of at least ten years after the closure of the site.
3. Within 60 days of the adoption of this Order, the Discharger shall submit a technical report, for approval by the Executive Officer, describing the installation of additional monitoring wells upgradient and downgradient of the 1941 Reservoir Site.
4. The Discharger shall implement the attached Monitoring and Reporting Program until this Order is terminated by the Executive Officer.
5. No further monitoring is required for Sites A and C.

B. PROVISIONS

1. The Discharger shall use the statistical procedures contained in Title 27, CCR (Title 27), Subsection 20415(e)(7), to determine if there is a statistically significant increase for any background indicator parameter. Upon approval of the Executive Officer, alternative statistical procedures may be used.
2. In the event that a statistically significant increase is observed for any background indicator parameter, the Discharger shall establish an evaluation program in accordance with Title 27, Subsection 20425, unless such a program has already been submitted.
3. If evaluation monitoring determines that there is a statistically significant increase in the water quality protection standard (background indicator parameters), then the Discharger shall institute a corrective action monitoring program in accordance with Chapter 27, Subsection 20430.

4. The Discharger shall maintain a copy of this Order at the site so as to be available at all times to personnel operating the site.
5. In the event of any change in name of operator or in control or ownership of land or waste disposal facilities owned or controlled by the Discharger, the Discharger shall:
 - a. Notify this Regional Board in writing of such a change; and
 - b. Notify the succeeding owner or operator by letter, a copy of which shall be filed with this Regional Board, of the existence of this order.
6. This Regional Board considers the property owner to have continuing responsibility for correcting any problems which may arise in the future as a result of this waste discharge or water applied to this property during subsequent use of the land for other purposes.
7. These requirements do not exempt the operator of this waste disposal facility from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize this waste disposal facility, and they leave unaffected any further restraint on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.
8. In accordance with Section 13267 of the California Water Code, the Discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specific actions prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted.
9. In accordance with Section 13263 of the California Water Code, these requirements are subject to periodic review and revision by this Regional Board.

C. RESCISSIONS

Order No. 73-63 and Order No. 96-032, adopted by this Board on January 26, 1987, and May 6, 1996, respectively, are hereby rescinded.

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region on November 2, 1998.

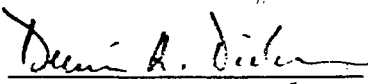
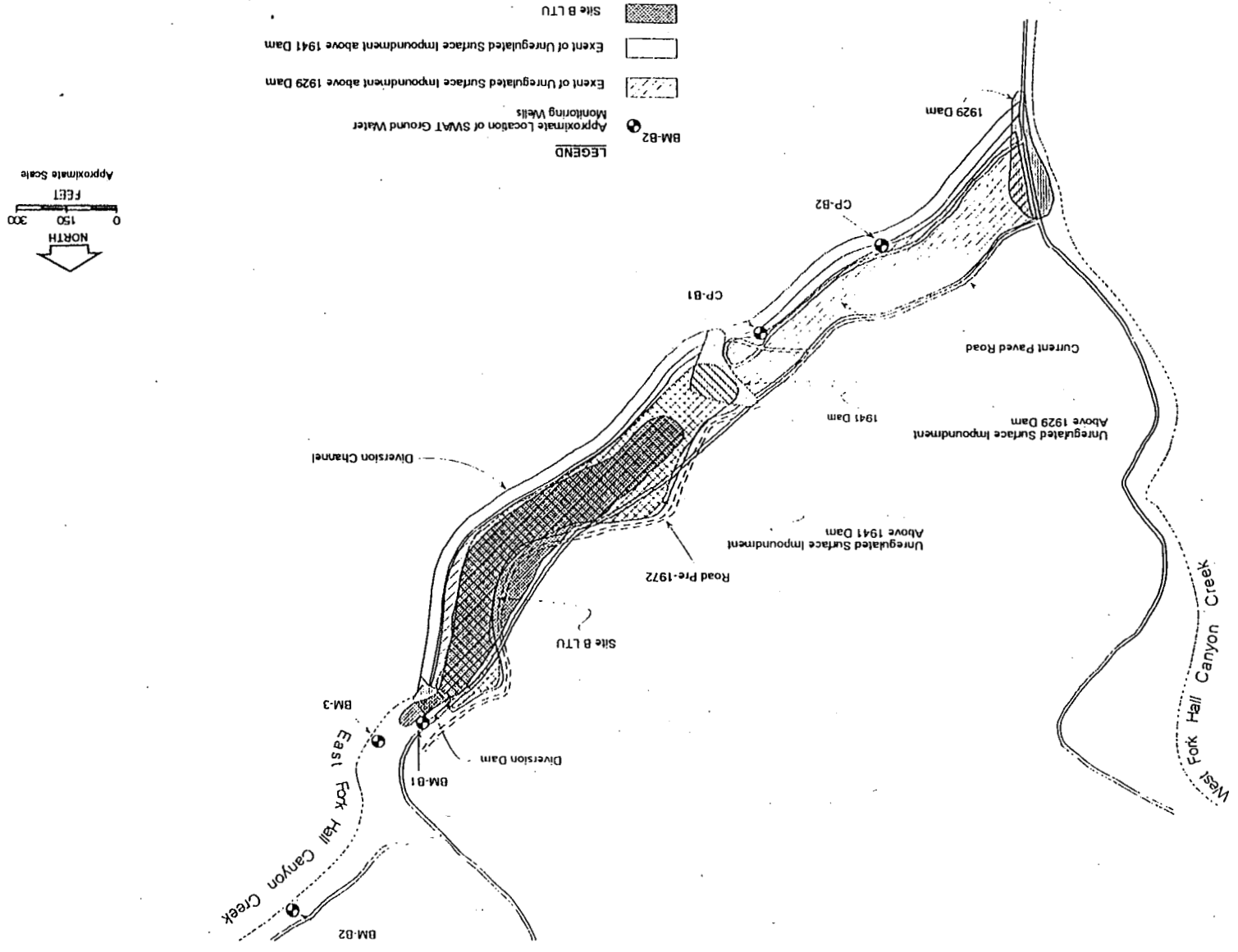

DENNIS A. DICKERSON
Executive Officer

Figure 1



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

MONITORING AND REPORTING PROGRAM NO. 5817
for
TEXACO EXPLORATION AND PRODUCTION, INC.
(1941 Reservoir Site)
(File 72-104)

Texaco Exploration and Production, Inc., (the Discharger) shall implement this monitoring and reporting program on the effective date of the this Order. The first monitoring report under this program is due by October 15, 1998.

A. Reporting Requirements

1. Monitoring reports shall be submitted by the dates in the following schedule:

<u>Reporting Period</u>	<u>Report Due</u>
January - March	April 15
April - June	July 15
July - September	October 15
October - December	January 15
Annual Report	January 15

2. In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and concentrations are readily discernible. The data shall be summarized to demonstrate compliance with waste discharge requirements.
3. For every item where the requirements are not met or in question, the Discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction.
4. The annual report shall summarize the quarterly analytical results and the annual inspections described in Section A.2. of this Order. The annual report must also include an evaluation of the results of the tests and inspections, signed by a California-registered geologist or engineer or California-certified engineering geologist.

B. Monitoring Requirements

1. All sampling stations are marked in Figure 1 and described as following:

CP-B1: a groundwater monitoring well located about 200 feet southwest of the site;

CP-B2: a groundwater monitoring well located about 1000 feet southwest of the site;

EFHC: a surface water sampling point located about 1400 feet northeast of the site;
and

POND: a surface water sampling point located about 1050 feet southwest of the site.

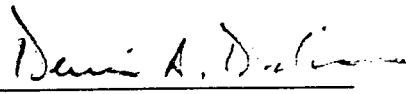
2. The following constituents shall be analyzed for all the water samples:

<u>Constituent</u>	<u>Units</u>	<u>Minimum Frequency of Analysis</u>
Static water elevation	feet	Quarterly*
pH	pH unit	Quarterly
Electrical conductivity	µmhos/cm	Quarterly
TDS	mg/L	Quarterly
BOD ₅ 20°C	mg/L	Quarterly
Oil and grease	mg/L	Quarterly
Nitrate	mg/L	Quarterly
Nitrite	mg/L	Quarterly
Arsenic	mg/L	Quarterly
Barium	mg/L	Quarterly
Chromium	mg/L	Quarterly
Cobalt	mg/L	Quarterly
Copper	mg/L	Quarterly
Lead	mg/L	Quarterly
Zinc	mg/L	Quarterly
Benzene	µg/L	Quarterly
Ethylbenzene	µg/L	Quarterly
Toluene	µg/L	Quarterly
Xylenes	µg/L	Quarterly
MTBE	µg/L	Quarterly

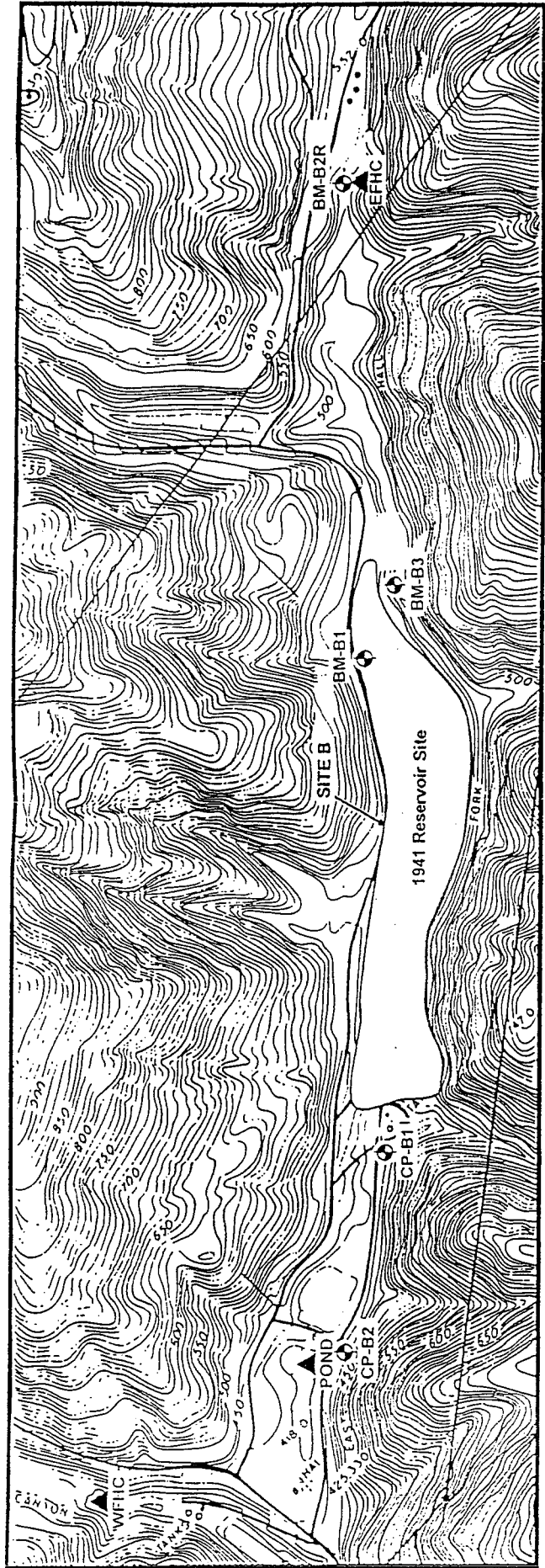
* For groundwater monitoring wells only

- All analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services Environmental Laboratory Accreditation Program, or approved by the Executive Officer. Laboratory analyses must follow methods approved by the United States Environmental Protection Agency (EPA), and the laboratory must meet EPA Quality Assurance/Quality Control criteria.
- The Discharger may submit additional data to the Regional Board not required by this Program in order to simplify reporting to other agencies.
- All analytical samples obtained for this Program shall be grab samples.

Ordered by:


DENNIS A. DICKERSON
Executive Officer

Date: November 2, 1998



LEGEND

- BM-B1
- Location of Monitoring Well
- Location of Surface Water Sampling Point
- EFHC

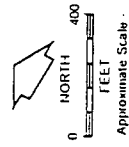


Figure 1

STANDARD PROVISIONS
APPLICABLE TO WASTE DISCHARGE REQUIREMENTS

1. DUTY TO COMPLY

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. [CWC Section 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350]

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code (CWC). [H&SC Section 5411, CWC Section 13263]

3. AVAILABILITY

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. [CWC Section 13263]

4. CHANGE IN OWNERSHIP

The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger. The notice must include a written agreement between the existing and new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on. [CWC Sections 13267 and 13263]

5. CHANGE IN DISCHARGE

In the event of a material change in the character, location, or volume of a discharge, the discharger shall file with this Regional Board a new Report of Waste Discharge. [CWC Section 13260(c)]. A material change includes, but is not limited to, the following:

- (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the Waste.

Standard Provisions Applicable to
Waste Discharge Requirements

- (b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- (d) Increase in flow beyond that specified in the waste discharge requirements.
- (e) Increase in area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. [CCR Title 23 Section 2210]

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board. [CCR Section 13263]

7. TERMINATION

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information. [CWC Sections 13260 and 13267]

8. VESTED RIGHTS

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from his liability under Federal, State or local laws, nor do they create a vested right for the discharger to continue the waste discharge. [CWC Section 13263(g)]

9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provision of these requirements are found invalid, the remainder of these requirements shall not be affected. [CWC Section 921]

Standard Provisions Applicable to
Waste Discharge Requirements

10. 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 conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. [CWC Section 13263(f)]

11. HAZARDOUS RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. [CWC Section 13271(a)]

12. PETROLEUM RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. [CWC Section 13272]

Standard Provisions Applicable to
Waste Discharge Requirements

13. ENTRY AND INSPECTION

The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the California Water Code, any substances or parameters at any location. [CWC Section 13267]

14. MONITORING PROGRAM AND DEVICES

The discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. [CWC Section 13267]

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Officer a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The Regional Board Executive Officer may allow use of an uncertified laboratory under exceptional circumstances, such as when the closest laboratory to the monitoring location is outside the State boundaries and therefore not subject to certification. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" [40 CFR Part 136] promulgated by the U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

Standard Provisions Applicable to
Waste Discharge Requirements

15. TREATMENT FAILURE

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. [CWC Section 13263(f)]

16. DISCHARGES TO NAVIGABLE WATERS

Any person discharging or proposing to discharge to navigable waters from a point source (except for discharge of dredged or fill material subject to Section 404 of the Clean Water Act and discharge subject to a general NPDES permit) must file an NPDES permit application with the Regional Board. [CCR Title 2 Section 22357]

17. ENDANGERMENT TO HEALTH AND ENVIRONMENT

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five 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 recurrence of the noncompliance. The Executive officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Officer within 24 hours:

- (a) Any bypass from any portion of the treatment facility.
- (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (c) Any treatment plant upset which causes the effluent limitation of this Order to be exceeded. [CWC Sections 13263 and 13267]

18. MAINTENANCE OF RECORDS

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used

Standard Provisions Applicable to
Waste Discharge Requirements

to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurements;
 - (b) The individual(s) who performed the sampling or measurements;
 - (c) The date(s) analyses were performed;
 - (d) The individual(s) who performed the analyses;
 - (e) The analytical techniques or method used; and
 - (f) The results of such analyses.
19. (a) All application reports or information to be submitted to the Executive Officer shall be signed and certified as follows:
- (1) For a corporation -- by a principal executive officer or at least the level of vice president.
 - (2) For a partnership or sole proprietorship -- by a general partner or the proprietor, respectively.
 - (3) For a municipality, state, federal, or other public agency -- by either a principal executive officer or ranking elected official.
- (b) A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision.
 - (2) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
 - (3) The written authorization is submitted to the Executive Officer.

Any person signing a document under this Section shall make the following certification:

Standard Provisions Applicable to
Waste Discharge Requirements

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. [CWC Sections 13263, 13267, and 13268]"

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the PUC, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations Section 3680. State Boards may accept experience in lieu of qualification training. In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Health Services where reclamation is involved.

Each plant shall be operated and maintained in accordance with the operation and maintenance manual prepared by the municipality through the Clean Water Grant Program. [CWC Title 23, Section 2233(d)]

ADDITIONAL PROVISIONS APPLICABLE TO
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a publicly owned wastewater treatment plant will reach capacity within four years the discharger shall notify the Regional Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Board showing flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Board, or within 120 days after receipt of notification from the Regional Board, of a finding that the treatment plant will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Board. An extension of 30 days may be granted by the Executive Officer, and longer extensions may be granted by the Regional Board itself. [CCR Title 23, Section 2232]