

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
Los Angeles Region
320 W. 4th Street, Suite 200,
Los Angeles, California

FACT SHEET
WASTE DISCHARGE REQUIREMENTS
for
TIDELANDS OIL PRODUCTION COMPANY
(Wilmington Facility)

NPDES Permit No.: CA0001813
Public Notice No.: R4-03-012

FACILITY ADDRESS
421 Henry Ford Avenue
Wilmington, CA 90744

FACILITY MAILING ADDRESS
301 East Ocean Blvd., Suite 300
Long Beach, CA 90801
Contact: Mark Shemaria
Telephone: (562) 495-9392

I. Public Participation

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for the above-referenced facility. As an initial step in the WDR process, the Regional Board staff has developed tentative WDRs. The Regional Board encourages public participation in the WDR adoption process.

A. Written Comments

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments should be submitted either in person or by mail to:

Executive Officer
California Regional Water Quality Control Board
Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

To be fully responded to by staff and considered by the Regional Board, written comments should be received at the Regional Board offices by 5:00 p.m. on April 11, 2003.

B. Public Hearing

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

Date: June 5, 2003
Time: 9:00 a.m.
Location: The City of Simi Valley Council Chambers
2929 Tapo Canyon Road
Simi Valley, California

Interested persons are invited to attend. At the public hearing, the Regional Board will hear testimony, if any, pertinent to the discharge, WDRs, and permit. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our web address is www.swrcb.ca.gov/rwqcb4 where you can access the current agenda for changes in dates and locations.

C. Waste Discharge Requirements Appeals

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Board regarding the final WDRs. The petition must be submitted within 30 days of the Regional Board's action to the following address:

State Water Resources Control Board, Office of Chief Counsel
ATTN: Elizabeth Miller Jennings, Senior Staff Counsel
1001 I Street, 22nd Floor
Sacramento, CA 95814

D. Information and Copying

The Report of Waste Discharge (ROWD), related documents, tentative effluent limitations and special conditions, comments received, and other information are on file and may be inspected at 320 West 4th Street, Suite 200, Los Angeles, California 90013, 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 Regional Board by calling (213) 576-6600.

E. Register of Interested Persons

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

II. Introduction

Tidelands Oil Production Company (hereinafter Tidelands or Discharger) discharges wastewater to the Cerritos Channel, Long Beach Inner Harbor, a water of the United States. Wastes discharged from Tidelands are regulated by WDRs and NPDES permit contained in Board Order No. 94-063 (NPDES Permit No. CA0001813). Order No. 94-063 expired on June 10, 1999.

Tidelands has filed a report of waste discharge and has applied for renewal of its WDRs and NPDES permit on February 18, 1999. The tentative Order is the reissuance of the WDRs and NPDES permit for discharges from Tidelands. A site visit was conducted on January 14, 2003, to observe operations and collect additional data to develop permit limits and conditions.

III. Background

Tidelands operates crude oil producing wells and related facilities, including oil field brine injection wells, at Terminal Island and adjacent areas located at 421 Henry Ford Avenue, Wilmington, California. The production operations include drilling, producing and handling of crude oil, and gas extraction. The production operations cover approximately 120 acres of mainland, and approximately 26 acres near Pier S, east of Henry Ford Avenue, on Terminal Island.

Union Pacific Resources Company (UPRC) formerly operated the Facility. On March 22, 1994, UPRC sold the Facility to Port of Long Beach. The Port of Long Beach has selected Tidelands to be the contract operator of the Facility.

In the past, UPRC treated and injected oil field brine waste from the crude oil production facilities into the Gaspar Zone aquifer; an aquifer located approximately 180 to 200 feet below ground surface. This brine injection is regulated under separate waste discharge requirements issued by this Regional Board. The UPRC last discharged to the Gaspar Zone in November 1977.

In a letter dated December 20, 1999, Tidelands informed the Regional Board that it has not ever injected oil field brine into the Gaspar Zone aquifer. All oil field brine produced by Tidelands is re-injected into Class II Wells (located approximately 3,500 to 5,000 feet below ground surface), which are permitted by the California Division of Oil, Gas and Geothermal Resources.

IV. Description of Wastes Discharged and Outfalls

Tidelands discharges storm water runoff to the Long Beach Inner Harbor, through the Entrance Channel and Consolidated Channel, Discharge Serial Nos. 002 (Latitude 33° 45' 59" North; Longitude 118° 13' 21" West), and 003 (Latitude 33° 46' 32" North; Longitude 118° 14' 31" West), respectively. However, since Tidelands facility is located below sea-level, seawater

infiltrates a ditch system, commingles with storm water and is then discharged through the outfalls.

Discharge Serial No. 002:

Discharge Serial No. 002 is located at East of Henry Ford Avenue. The drainage area contributing storm water flow to Discharge Serial No. 002 is approximately 26 acres. The wastewater discharged through this outfall is up to 20 million gallons per day (mgd). Storm water runoff is collected through onsite drain boxes and underground piping, flows to a concrete lined (retention) basin, then is pumped to Discharge Serial 002. The retention basin is equipped with overflow/underflow baffles and three pumps which settles out solids, and oil and grease.

Discharge Serial No. 003:

Discharge Serial N. 003 is located at West of Henry Ford Avenue. The drainage area contributing storm water flow to Discharge Serial No. 003 is approximately 120 acres. The wastewater discharged through this outfall is up to 15 mgd. Storm water runoff is collected in open surface ditches with culverts. All storm water converges at a basin equipped with two pumps. Each pump has a designated discharge line to a discharge structure located on the bank of the Consolidated Channel. The discharge structure is a wooden frame arrangement that holds bales of excelsior (wood shaving) that act as a final filter. The two pump discharge lines direct storm water to the excelsior unit and into the Channel, then to the Long Beach Inner Harbor.

In a letter dated December 20, 1999, Tidelands informed the Regional Board that Discharge Serial No. 001 was no longer used for Tidelands operations. The Port of Long Beach has taken over all the surface area on Pier A, which used to be serviced by this outfall.

Storm water runoff may pick up pollutants from "equipment wash off activities". This refers to the incidental runoff from rainfall contacting equipment. Equipment that may be exposed to storm water includes oil pumping units ("rocking horses"), aboveground pipelines, and cars and trucks that are either parked in the lots, or working in the "NC Leased" area of the property. All storm water runoff and/or seawater commingled with storm water passes through sedimentation and multimedia filtration to treat for solids and oil removal prior to discharge to the Long Beach Inner Harbor.

The daily pumping log submitted with the 2001 Annual Report showed a maximum daily discharge during a rainfall event to Discharge Serial No. 002, T1 Pumping Station of 9.36 million gallons per day (mgd), and the highest daily total discharge for Discharge Serial No. 003 was 7.01 mgd.

The Regional Board and the United States Environmental Protection Agency (USEPA) have classified the Tidelands discharge as a minor discharge.

Effluent data reported on the permit renewal application (representing discharges that occurred in 1998) are summarized in the following table:

Constituent (units)	Monitoring Data	
	Maximum Value Reported	Average Value Reported
Oil and grease (mg/L)	1	0.8
Total suspended solids (mg/L)	208	66
Phenol (mg/L)	0.13	0.08
pH (s.u.)	8.21	--
Total Organic Carbon (mg/L)	67	41
Temperature (deg. F)	66	57
Antimony (mg/L)	0.012	0.011
Arsenic (mg/L)	0.007	0.006
Barium (mg/L)	0.18	0.17
Beryllium (mg/L)	ND	ND
Cadmium (mg/L)	ND	ND
Chromium (mg/L)	ND	ND
Cobalt (mg/L)	ND	ND
Copper (mg/L)	0.02	0.014
Lead (mg/L)	ND	ND
Mercury (mg/L)	ND	ND
Molybdenum (mg/L)	0.031	0.02
Nickel (mg/L)	ND	ND
Selenium (mg/L)	ND	ND
Silver (mg/L)	0.003	0.003
Thallium (mg/L)	ND	ND
Vanadium (mg/L)	0.005	0.005
Zinc (mg/L)	0.042	0.032
Acute Toxicity (% Survival)	100	100

IV. Applicable Plans, Policies, and Regulations

The requirements contained in the proposed Order are based on the requirements and authorities contained in the following:

1. The federal Clean Water Act (CWA). The CWA requires that any point source discharges of pollutants to a water of the United States must be done in conformance with an NPDES permit. NPDES permits establish effluent limitations that incorporate various requirements of the CWA designed to protect water quality.
2. Title 40, Code of Regulations (40 CFR) – Protection of Environment, Chapter I, Environmental Protection Agency, Subchapter D, Water Programs, Parts 122-125 and Subchapter N, Effluent Guidelines. These CWA regulations provide effluent limits for certain dischargers and establish procedures for NPDES permitting, including how to establish effluent limits for certain pollutants discharged.

3. On June 13, 1994, the Regional Board adopted a revised *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan). The Basin Plan contains water quality objectives and beneficial uses for inland surface waters and for the Pacific Ocean. The Basin Plan contains beneficial uses and water quality objectives for Long Beach Inner Harbor.

Existing: industrial service supply, navigation, non-contact water recreation, commercial and sport fishing, marine habitat, and preservation of rare and endangered species.

Potential: water contact recreation, shellfish harvesting.

4. The State Water Resources Control Board (State Board) adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for inland surface waters.
5. On May 18, 2000, the U.S. Environmental Protection Agency (USEPA) promulgated numeric criteria for priority pollutants for the State of California [known as the *California Toxics Rule* (CTR) and codified as 40 CFR § 131.38]. In the CTR, USEPA promulgated criteria that protect the general population at an incremental cancer risk level of one in a million (10^{-6}), for all priority toxic pollutants regulated as carcinogens. The CTR also provides a schedule of compliance not to exceed 5 years from the date of permit renewal for an existing discharger if the Discharger demonstrates that it is infeasible to promptly comply with the CTR criteria.
6. 40 CFR section 122.44(d)(vi)(A) requires the establishment of numeric effluent limitations to attain and maintain applicable narrative water quality criteria to protect the designated beneficial uses. Where numeric water quality objectives have not been established in the Basin Plan, 40 CFR section 122.44(d) specifies that water quality-based effluent limits (WQBELs) may be set based on USEPA criteria and supplemented, where necessary, by other relevant information to attain and maintain narrative water quality criteria to fully protect designated beneficial uses.
7. State and Federal antibacksliding and antidegradation policies require Regional Board actions to protect the water quality of a water body and to ensure that the waterbody will not be further degraded. The antibacksliding provisions are specified in section 402(o) of the CWA and in the Title 40 of the Code of Federal Regulations (40 CFR), section 122.44(l). Those provisions require a reissued permit to be as stringent as the previous permit with some exceptions where effluent limitations may be relaxed.
8. Effluent limitations are established in accordance with sections 301, 304, 306, and 307 of the federal CWA, and amendments thereto. These requirements, as they are met, will maintain and protect the beneficial uses of Long Beach Inner Harbor.

9. Existing waste discharge requirements contained in Board Order No. 94-063, adopted by the Regional Board on July 18, 1994. In some cases, permit conditions (effluent limits and other special conditions) established in the existing waste discharge requirements have been carried over to this permit.

V. Regulatory Basis for Effluent Limitations

The CWA requires point source discharges to control the amount of conventional, nonconventional, and toxic pollutants that are discharged into the waters of the United States. The control of the discharge of pollutants is established through NPDES permits that contain effluent limitations and standards. The CWA establishes two principal bases for effluent limitations. First, dischargers are required to meet technology-based effluent limitations that reflect the best controls available considering costs and economic impact. Second, they are required to meet water quality-based effluent limitations (WQBELs) that are developed to protect applicable designated uses of the receiving water.

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

- Best practicable treatment control technology (BPT) is based on the average of the best performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional, and nonconventional pollutants.
- 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 nonconventional pollutants.
- Best conventional pollutant control technology (BCT) is a standard for 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 the “cost reasonableness” of the relationship between the cost of attaining a reduction in effluent discharge and the benefits that would result, and also the cost effectiveness of additional industrial treatment beyond BPT.
- New source performance standards (NSPS) that 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 EPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BCT, BAT, and NSPS. Section 402(a)(1) of the CWA and 40 CFR 125.3 of the NPDES regulations 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.

If a reasonable potential exists for pollutants in a discharge to exceed water quality standards, WQBELs are also required under 40 CFR 122.44(d)(1)(i). WQBELs are established after determining that technology-based limitations are not stringent enough to ensure that state water quality standards are met for the receiving water. WQBELs are based on the designated use of the receiving water, water quality criteria necessary to support the designated uses, and the state's antidegradation policy. For discharges that composed entirely of storm water, such as the potential discharges to inland surface waters, enclosed bays, and estuaries, the USEPA's *Technical Support Document for Water Quality-Based Toxics Control (TSD) of 1991* (USEPA/505/2-90-001) establishes procedures for determining reasonable potential and establishing WQBELs for priority pollutant criteria promulgated by USEPA through the CTR and NTR, as well as the Basin Plan. With respect to a reasonable potential analysis, the TSD identifies an appropriate step-wise approach that can be used to determine whether a discharge has a reasonable potential. The approach used in the TSD is equally valid for determining the reasonable potential for discharges not comprised entirely of storm water discharges.

There are several other specific factors affecting the development of limitations and requirements in the proposed Order. These are discussed as follows:

1. **Pollutants of Concern**

The CWA requires that any pollutant that may be discharged by a point source in quantities of concern must be regulated through an NPDES permit. Further, the NPDES regulations require regulation of any pollutant that (1) causes; (2) has the reasonable potential to cause; or (3) contributes to the exceedance of a receiving water quality criteria or objective.

Effluent limitations in the current permit were established for oil and grease, total suspended solids, phenolic compounds, and total organic carbon because they have the potential to be present in storm water runoff from facilities that produce, store and handle crude oil. Storm water runoff may affect the pH and temperature of the discharge; therefore, effluent limitations for pH and temperature are established in this permit. BOD, turbidity, sulfide, dissolved oxygen, and conductivity are parameters used to characterize wastewater, and thus these parameters are considered pollutants of concern. Total petroleum hydrocarbons, benzene, toluene, xylene, and ethylbenzene are typical components of fuel oil and may be present in the discharge of storm water, and there is the potential for these constituents to be present in the discharge. Due to the nature of the discharge, these constituents are considered pollutants of concern. In addition, several metals (i.e., arsenic, cadmium, copper, lead, mercury, nickel, selenium, silver, and zinc) are considered pollutants of concern due to the nature of the discharge.

2. **Technology-Based Effluent Limits**

This permit will require the Discharger to update and continue to implement their *Storm Water Pollution Prevention Plan* (SWPPP). The SWPPP will outline site-specific management processes for minimizing storm water runoff contamination and for preventing

contaminated storm water runoff from being discharged directly into surface waters. The SWPPP will address areas contributing to storm water runoff contamination (i.e., outdoor equipment storage areas, areas under construction, and potential spill areas) and requires the Discharger develop processes to prevent pollutants from entering storm water runoff. These processes may include providing shelter for equipment currently stored outdoors, maintaining proper structures to ensure that materials (e.g., sediment) from construction activities do not enter storm water flow, and by operating equipment and storing materials properly as to minimize spills. Due to the fact that storm water discharges do occur at the Tidelands facility, this permit will require that Tidelands update and continue to implement a SWPPP.

The Regional Board will also require the Discharger to develop and implement a *Best Management Practices Plan* (BMPP). The purpose of the BMPP will be to establish site-specific procedures that will ensure proper operation and maintenance of equipment and treatment systems, including the pump basin areas and related structures. Discussion of proper operation and maintenance may address the frequency at which the excelsior packs are changed, the frequency at which pump basins are cleaned of sediment and other materials, and the frequency at which pump stations and outfalls are observed for proper functioning. The combination of the SWPPP and BMPP and existing permit limitations based on past performance and 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.

3. **Water Quality-Based Effluent Limits**

As specified in 40 CFR § 122.44(d)(1)(i), permits are required to include WQBELs for toxic pollutants (including toxicity) that are or may be discharged at levels which cause, have reasonable potential to cause, or contribute to an excursion above any state water quality standard. The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses for 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 USEPA water quality criteria contained in the CTR and NTR). The procedures for determining reasonable potential, and if necessary for calculating WQBELs, are contained in the TSD for storm water discharges. Further, in the best professional judgment of the Regional Board staff the TSD identifies an appropriate, rational step-wise approach that can be used to determine whether storm water discharges have a reasonable potential.

(a) Reasonable Potential Analysis (RPA)

Sufficient effluent and ambient 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 Regional Board to conduct the RPA. Upon review of the data, and if the Regional Board determines that WQBELs are needed to protect the beneficial uses, the permit will be reopened for appropriate modification.

There is insufficient monitoring data available to perform the RPA for the priority pollutants. This Order requires the Discharger to submit sufficient data to conduct the RPA and determine if a WQBEL is required. This permit includes an interim monitoring requirement to obtain the necessary data.

(b) Calculating WQBELs

If a reasonable potential exists to exceed applicable water quality criteria or objectives, then a WQBEL must be established in accordance with one of three procedures contained in Section 5.4 of the TSD. These procedures include:

- 1) If applicable and available, use of the wasteload allocation (WLA) established as part of a total maximum daily load (TMDL).
- 2) Use of a steady-state model to derive maximum daily effluent limitations (MDELs) and average monthly effluent limitations (AMELs).
- 3) Where sufficient effluent and receiving water data exist, use of a dynamic model which has been approved by the Regional Board.

(c) Impaired Water Bodies in 303 (d) List

Section 303(d) of the CWA requires states to identify specific water bodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources. For all 303(d)-listed water bodies and pollutants, the Regional Board plans to develop and adopt TMDLs that will specify WLAs for point sources and load allocations (LAs) for non-point sources, as appropriate.

The USEPA has approved the State's 303(d) list of impaired water bodies. Certain receiving waters in the Los Angeles and Ventura County watersheds do not fully support beneficial uses and therefore have been classified as impaired on the 1998 303(d) list and have been scheduled for TMDL development.

Long Beach Inner Harbor is located in the southern portion of the Los Angeles Basin. The 1998 State Board's California 303(d) List classifies the Long Beach Inner Harbor Harbor, including the West Basin as impaired. The pollutants of concern detected in the water column, in the sediment, and in the fish tissue, include elevated levels of PAHs, DDT, PCBs, chlordane, Chem A [refers to the sum of aldrin, dieldrin, chlordane, endrin, heptachlor, heptachlor epoxide, HCH (including lindane), endosulfan, and toxaphene], sediment toxicity, and benthic community effects.

(d) Whole Effluent Toxicity

Whole Effluent Toxicity (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 measures 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 response on 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. The existing permit contains acute toxicity limitations and monitoring requirements.

In accordance with the Basin Plan, acute toxicity limitations dictate that the average survival in undiluted effluent for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, with no single test having less than 70% survival. Consistent with Basin Plan and existing permit requirements, this Order includes acute toxicity limitations. The existing permit states acute toxicity test species shall be the fathead minnow. Acute toxicity testing for a sample collected on November 9, 2002 indicated 0% survival of the fathead minnow. Acute toxicity testing for a sample collected on December 16, 2002 indicated 90% survival of the silverside minnow. The Discharger stated that a saltwater discharge, caused by groundwater infiltration, may have contributed to the 0% survival of the fathead minnow. In a letter dated February 13, 2003 the Discharger requested the Board use a species suitable for saltwater discharges. The proposed Monitoring and Reporting Program (CI 6080) states for freshwater discharges the fathead minnow shall be used, and for saltwater discharges the topsmelt shall be used as the test species. This Order requires acute toxicity testing using the topsmelt, as prescribed in the Monitoring and Reporting Program, in accordance with USEPA’s *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition*, October 2002. Further, additional species may be suitable for toxicity tests; a list of alternative acute toxicity test species is provided in Appendix B of USEPA’s *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition*, October 2002.

The discharges at the Tidelands facility occur only after a significant storm event; they are not continuous. The discharge at the Tidelands facility is not expected to contribute to long-term toxic effects. Intermittent discharges are likely to have short-term toxic effects; therefore at this facility, Tidelands will be required to continue to conduct acute toxicity testing in accordance with the existing permit requirements.

4. Specific Rationale for Each Numerical Effluent Limitation

Section 402(o) of the Clean Water Act and 40 CFR 122.44(l) require that effluent limitations standards or conditions in re-issued permits are at least as stringent as in the existing permit. The Regional Board has determined that reasonable potential exists for all pollutants that are regulated under the current permit; therefore effluent limitations have been established for these pollutants. Furthermore, the requirements in the proposed Order for oil and grease, total organic carbon, and phenolic compounds shown in the table below, are based on limits specified in Tidelands' existing permit. The effluent limitations for total suspended solids have been revised based on BPJ and are consistent with individual permits recently adopted by the Regional Board to industrial facilities of a similar nature. The effluent limitations for pH and temperature are based on the Basin Plan.

In compliance with 122.45(d), permit limitations shall be expressed, unless impracticable, as both average monthly limitations and maximum daily limitations. Therefore, average monthly effluent limitations are established in the Order for certain pollutants. These average monthly effluent limitations are based on BPJ and are consistent with individual permits recently adopted by the Regional Board to industrial facilities of a similar nature.

The following table presents the effluent limitations and the specific rationales for pollutants that are expected to be present in the discharge from Serial Nos. 002 and 003:

Constituents	Units	Discharge Limitations		Rationale
		Monthly Average	Daily Maximum	
Total Suspended Solids	Mg/L	50	75	BPJ
Turbidity	NTU	50	75	BPJ
BOD ₅ 20°C	Mg/L	20	30	BPJ
Oil and Grease	Mg/L	10	15	E
Sulfides	Mg/L	---	1.0	BPJ
Total organic carbon	Mg/L	---	110	E
Phenolic compounds	Mg/L	---	1.0	E

BPJ = Best professional judgement is the method used by permit writers to develop technology-based NPDES permit conditions on a case-by-case basis using all reasonably available and relevant data. BPJ limits are established in cases where effluent limitation guidelines are not available for a particular pollutant of concern. Authorization for BPJ limits is found under section 401(a)(1) of the Clean Water Act and under 40 CFR 125.3.

E = Existing permit limit

4. **Monitoring Requirements**

For regulated parameters, the previous permit for Tidelands required monitoring once per discharge event for flow, pH, temperature, oil and grease, phenolic compounds, suspended solids, and total organic carbon. Annual monitoring for metals (arsenic, cadmium, copper, lead, mercury, nickel, selenium, silver, and zinc) and toxicity was required under the previous permit. The previous permit also required monitoring for priority pollutants once during the life of the permit. Consistent with recommendations in Section 3.2 of the TSD, if data are unavailable or insufficient to conduct the RPA, the Regional Board should establish interim requirements that require additional monitoring for the pollutants in place of a WQBEL. Upon completion of the required monitoring, the Regional Board will use the gathered data to conduct the RPA and determine if a WQBEL is required. As prescribed in the Monitoring and Reporting Program, the Regional Board shall require periodic monitoring for pollutants for which criteria or objectives apply and for which no effluent limitations have been established.

(a) Effluent Monitoring

To assess the impact of the discharge to the beneficial uses of the receiving waters, the Discharger is required to monitor the conventional and priority pollutants. Monitoring of these pollutants will characterize the wastes discharged.

(b) Effluent Monitoring for Reasonable Potential Determination

Consistent with the TSD, the Discharger is required to submit data sufficient for: (1) determining if WQBELs for priority pollutants are required, and (2) to calculate effluent limitations, if required. Therefore, the Discharger will be required to conduct an interim monitoring program for all CTR priority pollutants until April 2005. As described in the Monitoring and Reporting Program, monitoring reports must be submitted quarterly.

(c) Receiving Water Monitoring

The Discharger is required to perform general observations of the receiving water when discharges occur and report the observations in the quarterly monitoring report. The Regional Board in assessing potential impacts of future discharges will use data from these observations. If no discharge occurred during the observation period, this shall be reported. Observations shall be descriptive where applicable, such that colors, approximate amounts, or types of materials are apparent. The following observations are required:

- Tidal stage, time, and date of monitoring;
- Weather conditions;
- Color of water;
- Appearance of oil films or grease, or floatable materials;

- Extent of visible turbidity or color patches;
- Direction of tidal flow;
- Description of odor, if any, of the receiving water; and
- Presence and activity of California Least Tern and California Brown Pelican.

(d) Storm Water Monitoring and Reporting

The Discharger is required to measure and record the rainfall each day of the month. The Discharger is also required to conduct visual observations of all storm water discharges of all storm water discharge locations to observe the presence of floating and suspended materials, oil and grease, discoloration, turbidity and odor. Furthermore, the Discharger shall implement the applicable Storm Water Pollution Prevention Plan Requirements (SWPPP) as is enumerated in Attachment M of the WDR Order No. R4-2003-0072.