

**State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

**ORDER NO. 01-181
(AMENDING ORDER NO. 00-0165)**

NPDES NO. CA0000809

**AMENDMENT TO WASTE DISCHARGE REQUIREMENTS
FOR
EQUILON ENTERPRISES LLC
(Carson Terminal)**

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

1. Equilon Enterprises LLC (hereafter Equilon or Discharger) discharges waste from the Carson Terminal under Waste Discharge Requirements (WDRs) contained in Order No. 00-165 adopted by this Regional Board on November 9, 2000. Order No. 00-165 serves as National Pollutant Discharge Elimination System (NPDES) Permit No. CA0000809 for the Carson Terminal.
2. Equilon owns and operates a fuel pipeline transfer station (SIC 5171) at 20945 South Wilmington Avenue in Carson, California (Facility). The 450-acre facility was the site of the former Shell Refinery (Dominguez Section). With the exception of an alkylation process module, which was closed in February 1995, the refinery operation was shut down in November 1991. The refinery superstructures have been completely dismantled and removed from the site. Currently, all that remains at the site is a bulk petroleum storage and distribution facility for hydrocarbon fuel and oxygenated solvents.
3. At a Regional Board hearing on November 9, 2000, the Regional Board members expressed concern about the absence of a chemical oxygen demand (COD) limitation in the tentative Order. Therefore, the Regional Board directed the staff to conduct further evaluations in conjunction with Equilon and other interested parties, to develop and recommend an appropriate COD limit for possible incorporation, through a subsequent order, into the adopted WDRs.
 - a. On June 1, 2001, Equilon submitted a report titled *Technical Summary Report BOD/COD Testing Program*. The report contains the analytical data for COD and BOD for storm water from three retention basins that hold the majority of the impounded storm water at the Carson Terminal. During a six-week testing period, there were only minimal amounts of rainfall (0.34 inches or less). Based on the test results, the BOD and COD data from each of the retention basins were comparable in numeric values and trends in general. However, there was no established correlation between the BOD and the COD results. Therefore, it is not feasible to establish a COD limit that is based on the site-specific BOD and COD data.

December 13, 2001

- b. Regional Board staff has reviewed and evaluated the COD and BOD data from the industrial storm water databases in both Los Angeles County and Ventura County areas. The data showed a trend, which appeared opposite from Equilon's site-specific data. However, a good correlation could not be established between these BOD and COD data either. Therefore, it is not feasible to establish COD limit based on existing BOD data.
 - c. Regional Board staff has reviewed the monitoring and reporting data for COD since 1997 from Equilon's facility. Equilon reported COD data at a concentration of up to 38 mg/L.
 - d. Regional Board staff has also considered 'benchmarks' limits developed by United States Environmental Protection Agency (USEPA) under *Final National Pollutant Discharge Elimination System Storm Water Multisector General Permit for Industrial Activities*. The 'benchmarks' limits are not effluent limitations, but do provide guidance to evaluate implementation of storm water pollution prevention measurements. Equilon's data showed levels well below the 'benchmarks' limit (120 mg/L).
 - e. In summary, a COD limit cannot be established based on Equilon's site-specific data or based on Industrial Facilities Storm Water Database for Los Angeles County and Ventura County areas. In addition, Equilon's monitoring data indicate COD significantly below the 'benchmarks' limit of 120 mg/L (Equilon's maximum reported COD is 38 mg/L). Therefore, it is not appropriate or necessary based on available information to establish a COD limit for the discharge.
4. From the date of Regional Board adoption of Order No. 00-165 on November 9, 2000, the following events occurred:
 - a. On December 7, 2000, Equilon filed *Petition for Review Pursuant to Water Code Section 13320 and 23 CCR Section 2050* with the State Water Resources Control Board (State Board).
 - b. On December 11, 2000, Western States Petroleum Association (WSPA) filed *Petition for Review and Request for Stay of Order No. 00-165 (NPDES Permit No. CA0000809) issued to Equilon Enterprises LLC's Carson Terminal* with the State Board.
 - c. In both Equilon and WSPA's Petitions for Review to the State Board, the petitioners sought rescission of the permit provisions that limit storm water discharge to 4 million gallons per day (MGD), limit the emergency discharge limitation, and establish effluent limitations on polynuclear aromatic hydrocarbons (PAHs) and polychlorinated biphenyls (PCBs). In addition, both petitions argued that the Equilon facility should be regulated under the State Board's general permit for the discharge of storm water associated with industrial activities instead of an individual NPDES permit.

- d. On June 26, 2001, Equilon submitted a request to the State Board that the petition of Order No. 00-165 be held in abeyance pending discussion with the Regional Board regarding a possible resolution of the appeal.
 - e. On June 29, 2001, Western States Petroleum Association also submitted a request to the State Board that the petition of Order No. 00-165 be held in abeyance pending discussion with the Regional Board regarding a possible resolution of the appeal.
5. Equilon has storm water retention basins onsite with 43 million gallons capacity. Equilon has not been discharging storm water from the facility to the storm drain since 1998. Equilon discharges to the sanitary sewer or impounds storm water in the retention basins for evaporation and percolation. As necessary, intermittent discharges of storm water to the storm drain will occur only on a short-term basis. The short-term discharge may occur at the facility to prevent overfilling of the retention basins before or during storm events. In addition, short-term discharge may occur before or during storm events if Equilon's allowable capacity to discharge to the sanitary sewer is restricted or is about to be reached. Storm water discharges from the facility during significant storm events should be of improved quality. The volume cap on Equilon discharge is not necessary, and is therefore removed.
 6. Equilon has substantially changed the facility from a refinery to a petroleum products storage and distribution facility. Equilon has completed the installation of facilities that further ensure separation of its process wastewater collection and conveyance system from its storm water collection and conveyance system. Thus, process wastewater is directly to a completely separate system for storage, treatment, and discharge to a sewer. Only stormwater is collected in on-site impoundments, then discharged to the sewer, and under the sewer permit flow restrictions discharged to the channel. Hence, only storm water runoff from the storage facility is discharged (if necessary) to Outfall Serial No. 001; therefore, mass emission rate limitations are no longer necessary or appropriate for the storm water only discharge, and are eliminated.
 7. Monitoring and Reporting data indicate that PAHs and PCBs were not detected during the storm water discharges in 1995, 1996, 1997, and as indicated in the Finding above, Equilon is no longer operating in a fashion to generate PAHs and has not been discharging storm water from the facility to the storm drain since 1998. A reasonable potential has not been demonstrated for incorporating effluent limitations for PAHs and PCBs in the storm water discharge. However, Equilon is required to monitor PAHs and PCBs since the receiving water, Dominguez Channel, is classified as impaired and listed on the 1998 California 303(d) List and Total Maximum Daily Loads (TMDLs) for PAHs and PCBs have not been established. Therefore, effluent limitations for PAHs and PCBs are eliminated.
 8. Existing monitoring and reporting data do not support a finding of reasonable potential for the following constituents: Acenaphthene, Anthracene, Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene, Dibenzo(a,h)Anthracene, Fluoranthene, Fluorene, Indeno(1,2,3-cd) Pyrene, and Pyrene. As a result, the effluent limitations for these constituents are removed from the waste discharge requirements, but the Discharger will have to continue monitoring for these constituents.

9. The Regional Board's previous permitting approach for the Facility was to adopt an individual permit, in the form of Order No. 00-165 and its predecessor orders, for Equilon's discharges of storm water. The Regional Board finds no reason to alter its site-specific permit approach for the Facility and no revisions to Order No. 00-165 are made in this respect. The discharges from the Facility and similar facilities are into the impaired Dominguez Channel and the discharges contain significant pollutant concentrations warranting an individual permit more stringent than the statewide general industrial storm water permit. Some of these pollutant concentrations result from historical operations at the Facility that continue to contribute pollutants to the Facility's storm water discharges.
10. The requirements contained in this Order were derived using best professional judgement and are based on the Basin Plan, Federal and State plans, policies, guidelines, and as they are met, will be in conformance with the goals of the aforementioned water quality control plans, water quality criteria, and will protect and maintain existing and potential beneficial uses of the receiving water.
11. The effluent limitations contained in this order, except as noted above in the removal of mass limitations and specific constituents lacking a reasonable potential, are identical to the effluent limitations in Order 00-165. To that extent, the rationale for establishing the effluent limitations is contained within Order No. 00-165 and in the administrative record supporting the adoption of Order No. 00-165.
12. As required by the USEPA's regulations, the Regional Board staff prepared a Fact Sheet that was circulated in conjunction with the tentative order amending Order No. 00-165. The Fact Sheet is incorporated by reference into these findings.
13. Amendment of waste discharge requirements is exempt from provisions of Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code in accordance with Water Code Section 13389.
14. The Regional Board has notified the Discharger and interested agencies and persons of the Regional Board's intent to update waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.
15. The Regional Board, in a public hearing, heard and considered all comments pertaining to the discharge and to the amendment to the waste discharge requirements.
16. This Order shall serve as an amendment to the National Pollutant Discharge Elimination System permit pursuant to Section 402 of the Federal Clean Water Act, or amendments thereto, and shall take effect at the end of ten days from the date of its adoption, provided the Regional Administrator, USEPA, has no objections.

IT IS HEREBY ORDERED that Order No. 00-165, adopted by this Regional Board on November 9, 2000, be amended as follows:

- I. The discharge requirements of Order No. 00-165 are modified as follows, with the existing Effluent Limitations I.A.D. replaced with the following:
 - A. "Emergency short-term discharge of wastewater shall be limited to stormwater runoff only, as defined for this permit. Emergency discharges for the purpose of

this permit is only permitted under this Order when the storage capacity of the surface impoundment and the allowable capacity for discharge into sanitary sewer are about to be reached, or other unforeseen circumstances beyond the reasonable control of the Discharger.”

- B. The pH of wastes discharged shall at all times be within the range 6.5 to 8.5.
- C. The temperature of the wastes discharged shall not exceed 100°F.
- D. The discharge of an effluent from discharge point Outfall Serial No. 001, with constituents in excess of the following limits is prohibited:

Constituent	Units	Discharge Limitations
		Daily Maximum
BOD ₅ (20°C)	mg/L	30
Oil and Grease	mg/L	15
Phenolic compounds	mg/L	1.0
Suspended solids (total)	mg/L	30
Turbidity	NTU	75
Arsenic	µg/L	69 ^(1,2,3)
Benzene	µg/L	21
Cadmium	µg/L	19
Copper	µg/L	5.8 ^(1,2,3)
Ethylbenzene	µg/L	21
Lead	µg/L	221 ^(1,2,3)
Mercury	µg/L	2.4 ^(1,2,3)
Nickel	µg/L	75 ^(1,2,3)
Selenium	µg/L	20
Silver	µg/L	2.2 ^(1,2,3)
Toluene	µg/L	21
Xylenes	µg/L	21
Zinc	µg/L	95 ^(1,2,3)

- (1) Concentrations are expressed as total recoverable metal. For the purpose of calculating effluent limits under the effluent limitations section of this permit, dissolved 304(a) of the Clean Water Act Criteria are translated to total recoverable effluent limitations using the default translators listed in the California Toxics Rule, because site-specific translators are not available.
- (2) The permit may be reopened by the Regional Board and effluent limitations recalculated using approved site-specific translators developed according to USEPA guidance documents and/or state protocols, if applicable.
- (3) The permit may be reopened by the Regional Board and effluent limitations recalculated using approved site-specific water quality criteria. Site-specific water quality criteria must be developed according to recognized USEPA procedures.

- II. The Expiration Date and all other Findings, Limitations, Goals, Requirements, and Provisions of Order No. 00-165 and Monitoring and Reporting Program No. 6108 are unchanged and shall remain in full force and effect.

- III. The Regional Board's Executive Officer is authorized and directed to prepare a copy of Order No. 00-165 conformed to show the changes incorporated by this Order, and the conformed copy shall serve as the waste discharge requirements and NPDES permit for the Facility.

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 December 13, 2001.

Dennis A. Dickerson
Executive Officer

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