

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

ORDER NO. R4-2005-0027
NPDES PERMIT NO. CA0059633

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
WASTE DISCHARGE REQUIREMENTS
FOR
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
(Rio Hondo Power Plant)

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

Background

1. Metropolitan Water District of Southern California, Rio Hondo Power Plant (hereinafter RHPP Power or Discharger) discharges wastewater under waste discharge requirements (WDRs) contained in Order No. 97-051 (NPDES No. CA0059633), adopted by the Regional Board on May 12, 1997. Order No. 97-051 expired on April 10, 2002.
2. RHPP filed a Report of Waste Discharge (ROWD) on October 2, 2001, and applied for renewal of its WDRs and National Pollutant Discharge Elimination System (NPDES) permit for discharge of wastes to surface waters. The tentative Order is the reissuance of the WDRs and a NPDES permit for discharges from RHPP.

Purpose of Order

3. The purpose of this Order is to renew the WDRs for RHPP. This NPDES permit regulates the discharge of wastewaters from RHPP through Discharge Serial No. 001 to the Rio Hondo, a water of the United States. Discharge Serial No. 001 is located at Latitude 33° 56' 26" N, Longitude 118° 10' 05" W.

Facility Description

4. Metropolitan Water District of Southern California (MWD), a wholesaler of imported water for Southern California, owns and operates RHPP located at 9840 Miller Way, South Gate, Los Angeles County, California. RHPP is comprised of a finished potable water distribution facility and a hydroelectric unit. Approximately, 65 million gallons per day (mgd) of finished potable water is obtained from the MWD middle feeder and returned to the distribution network. The MWD middle feeder is one of the main supply

circuits in the MWD water distribution system that is fed with water from a number of MWD filtration plants. Up to 1.9 megawatts of electricity is generated at the RHPP station as a byproduct of the operations. Finished water is distributed to water districts and municipalities in southern California. A location map is provided as Figure 1.

Discharge Description

5. The Order permits discharge of wastewaters from RHPP to the Rio Hondo through Discharge Serial No. 001. The Rio Hondo is tributary to the Los Angeles River. The receiving waters are waters of the United States.
6. Discharged wastewater includes non-contact cooling water, water used to lubricate the turbine ring seal, inlet and outlet valves, pressure control valves, pilot valves, maintenance discharge, and water quality instrumentation water (e.g., turbidimeter).
7. The existing NPDES permit lists an expected maximum flow of 50,000 gallons per day (gpd) through Discharge Serial No. 001. On April 15, 2005, RHPP requested amendment of that flow to 75,000 gpd. Between July 1997 and December 2002, the discharge flow varied between 0 gpd and 46,080 gpd. Since January 2003, the discharge flow increased significantly and the flow for the period between January 2003 to June 2003 varied between 67,100 and 70,600 gpd.
8. Sanitary wastes from the facility are discharged to the community sanitary sewer system.

Storm Water Management

9. The objective of this Order is to protect the beneficial uses of receiving waters. To meet this objective, this Order requires RHPP to implement a Storm Water Pollution Prevention Plan (SWPPP) consistent with the SWPPP requirements in the NPDES General Permit for Storm Water Discharges Associated with Industrial Activity [State Water Resources Control Board (State Board) Order No. 97-03-DWQ, NPDES Permit No. CAS000001]. The SWPPP will outline site-specific management practices for Discharge Serial No. 001 for minimizing storm water runoff contamination and for preventing contaminated storm water runoff from being discharged into surface waters.

The SWPPP shall also specify Best Management Practices (BMPs) that will be implemented to reduce the discharge of pollutants in storm water. Further, the Discharger shall assure that the storm water 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 the discharge of non-storm water, to the receiving water has been effectively prohibited.

Applicable Plans, Policies, Laws, and Regulations

10. 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) as amended on January 27, 1997 by Regional Board Resolution No. 97-02. The Basin Plan (i) designates beneficial uses for surface and groundwaters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state antidegradation policy (*Statement of Policy with Respect to Maintaining High Quality Waters in California*, State Board Resolution No. 68-16, October 28, 1968), and (iii) describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates (by reference) applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. The Regional Board prepared the 1994 update of the Basin Plan to be consistent with all previously adopted State and Regional Board plans and policies. This Order implements the plans, policies and provisions of the Regional Board's Basin Plan.
11. Ammonia Basin Plan Amendment. The 1994 Basin Plan provided water quality objectives for ammonia to protect aquatic life, in Tables 3-1 through Tables 3-4. However, those ammonia objectives were revised on April 25, 2002, by the Regional Board with the adoption of Resolution No. 2002-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Update the Ammonia Objectives for Inland Surface Waters (Including Enclosed Bays, Estuaries and Wetlands) with Beneficial Use Designations for Protection of Aquatic Life*. The ammonia Basin Plan amendment was approved by the State Board, the Office of Administrative Law, and United States Environmental Protection Agency (U.S. EPA) on April 30, 2003, June 5, 2003, and June 19, 2003, respectively. Although the revised ammonia water quality objectives may be less stringent than those contained in the 1994 Basin Plan, they are still protective of aquatic life and are consistent with U.S. EPA's 1999 ammonia criteria update.
12. The Basin Plan contains water quality objectives and beneficial uses for inland surface waters and for the Pacific Ocean. Inland surface waters consist of rivers, streams, lakes, reservoirs, and inland wetlands. Beneficial uses for a surface water can be designated, whether or not they have been attained on a waterbody, in order to implement either federal or state mandates and goals (such as fishable and swimmable for regional waters).
13. The immediate receiving water bodies for the permitted discharge covered by this permit are Rio Hondo and Los Angeles River. Rio Hondo is tributary to Los Angeles River. The Basin Plan contains beneficial uses and water quality objectives for Rio Hondo and Los Angeles River. The beneficial uses are listed below.

Rio Hondo

Existing Uses: Non-contact water recreation.
Intermittent Uses: Groundwater recharge and wildlife habitat.
Potential Uses: Municipal and domestic supply; water contact recreation, and warm freshwater habitat.

Los Angeles River

Existing Uses: Groundwater recharge; water contact recreation; non-contact water

recreation; warm freshwater habitat; wildlife habitat; and wetland habitat.

Potential Uses: Municipal and domestic supply and industrial service supply.

14. The 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.
15. On May 18, 2000, the U.S. EPA promulgated numeric criteria for priority pollutants for the State of California [known as the *California Toxics Rule* (CTR) and codified as Title 40, Code of Federal Regulations section 131.38 (40 CFR 131.38)]. In the CTR, U.S. EPA 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 allows for a schedule of compliance not to exceed five years from the date of permit issuance for a point source discharge if the Discharger demonstrates that it is infeasible to promptly comply with effluent limitations derived from the CTR criteria. The compliance provisions in the CTR sunset on May 18, 2005. After which time, SIP compliance schedule provisions allow compliance schedules which may not extend beyond five years from issuance, or past May 1, 2011, whichever is sooner.
16. On March 2, 2000, the State 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 was effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the National Toxics Rule (NTR), and to the priority pollutant objectives established by the Regional Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that have been approved by the U.S. EPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP was effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA through the CTR. The SIP requires the dischargers' submittal of data sufficient to conduct the determination of priority pollutants requiring water quality-based effluent limits (WQBELs) and to calculate the effluent limitations. The CTR criteria for fresh water or human health for consumption of organisms, whichever is more stringent, are used to develop the effluent limitations in this Order to protect the beneficial uses of Rio Hondo and Los Angeles River.
17. Under 40 CFR 122.44(d), Water Quality Standards and State Requirements, "Limitations must control all pollutants or pollutant parameters (either conventional, non-conventional, or toxic pollutants), which the Director [permitting authority] determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." Where numeric effluent limitations for a pollutant or pollutant parameter have not been established in the applicable state water quality control plan, 40 CFR 122.44(d)(1)(vi) specifies that WQBELs may be set based on U.S. EPA criteria, and may be supplemented where necessary by other relevant information to attain and maintain narrative water quality criteria, and to fully protect designated beneficial uses.

18. Effluent limitation guidelines requiring the application of best practicable control technology currently available (BPT), best conventional pollutant control technology (BCT), and best available technology economically achievable (BAT), were promulgated by the U.S. EPA for some pollutants in this discharge. Effluent limitations for pollutants not subject to the U.S. EPA effluent limitation guidelines are based on one of the following: best professional judgment (BPJ) of BPT, BCT or BAT; current plant performance; or WQBELs. The WQBELs are based on the Basin Plan, other State plans and policies, or U.S. EPA water quality criteria which are taken from the CTR. These requirements, as they are met, will protect and maintain existing beneficial uses of the receiving water. The attached Fact Sheet for this Order includes specific bases for the effluent limitations.
19. 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) and 303(d)(4) of the Clean Water Act (CWA) and in 40 CFR 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.
20. Effluent limitations are established in accordance with sections 301, 304, 306, and 307 of the CWA, and amendments thereto. These requirements, as they are met, will maintain and protect the beneficial uses of Rio Hondo and Los Angeles River.

Watershed Management Approach and Total Maximum Daily Loads (TMDLs)

21. The Regional Board has implemented the Watershed Management Approach to address water quality issues in the region. Watershed management may include diverse issues as defined by stakeholders to identify comprehensive solutions to protect, maintain, enhance, and restore water quality and beneficial uses. To achieve this goal, the Watershed Management Approach integrates the Regional Board's many diverse programs, particularly Total Maximum Daily Loads (TMDLs), to better assess cumulative impacts of pollutants from all point and non-point sources. A TMDL is a tool for implementing water quality standards and is based on the relationship between pollution sources and in-stream water quality conditions. The TMDL establishes the allowable loadings or other quantifiable parameters for a waterbody and thereby provides the basis to establish water quality-based controls. These controls should provide the pollution reduction necessary for a waterbody to meet water quality standards. This process facilitates the development of watershed-specific solutions that balance the environmental and economic impacts within the watershed. The TMDLs will establish waste load allocation (WLAs) and load allocations (LAs) for point and non-point sources, and will result in achieving water quality standards for the waterbody.
22. U.S. EPA approved the State's 2002 303(d) list of impaired water bodies on July 25, 2003. According to the 2002 303(d) list, the Rio Hondo is impaired in Reach 1 (confluence of Los Angeles River to Santa Ana Freeway) for copper, lead, zinc, pH, high coliform count and trash. Rio Hondo is tributary to Los Angeles River and meets the Los Angeles River at Reach 2 of Los Angeles River (Carson street to Figueroa street). The combined water

flows for some distance in Reach 2 before flowing into Reach 1 (Estuary to Carson Street). Los Angeles River is impaired in Reach 2 for ammonia, lead, high coliform count, nutrients (algae), odors, oil, and scum/foam-unnatural; and in Reach 1 for ammonia, aluminum, dissolved cadmium, dissolved copper, lead, dissolved zinc, pH, high coliform count, nutrients (algae), and scum/foam-unnatural. According to the 2002 303(d) list, the Los Angeles River is impaired from Reach 1 through Reach 6 and the Estuary. Reach 3 through Reach 6 of the Los Angeles River are upstream of the convergence point of Rio Hondo while the Estuary is located at a significant distance downstream from the discharge point of RHPP; and may not be affected by the discharge from RHPP Plant. Therefore, the Regional Board believes that discharges from RHPP will affect Rio Hondo, and Reach 1 and Reach 2 of Los Angeles River.

Data Availability and Reasonable Potential Monitoring

23. 40 CFR 122.44(d)(1)(i) and (ii) require that each toxic pollutant be analyzed with respect to its reasonable potential to (1) cause; (2) have the reasonable potential to cause; or (3) contribute to the exceedance of a receiving water quality objective. This is done by performing a reasonable potential analysis (RPA) for each pollutant.
24. Section 1.3 of the SIP requires that limitations be imposed for a toxic pollutant if (1) the maximum effluent concentration (MEC) is greater than the most stringent CTR criteria, or (2) the background concentration is greater than the CTR criteria, or (3) other information is available. Sufficient effluent data are needed for this analysis.
25. An RPA was completed using the available effluent data for Discharge Serial No. 001 and the receiving water data for the period September 2001 and July 2002. Based on the RPA, there is reasonable potential to exceed water quality standards for copper, lead and heptachlor epoxide for the discharge through Discharge Serial No. 001. No effluent and receiving water data for chloromethane (a.k.a., methyl chloride) was available; and therefore, RPA could not be completed for this CTR pollutant.
26. Regional Board staff has determined that pollutants that have effluent limitations in the previous Order will be included in this permit. In addition, effluent limitations for copper, lead, and heptachlor epoxide are included in this Order. The effluent limitations have been established based on the revised water quality criteria contained in the CTR and the requirements contained in Section 1.4 of the SIP. The proposed Order also includes requirements for additional monitoring to provide the data needed to perform an RPA on all of the priority pollutants.

Compliance Schedules and Interim Limitations

27. RHPP may not be able to achieve immediate compliance with the WQBELs for heptachlor epoxide for Discharge Serial No. 001, in Section I.B.5 of this Order. Data submitted in self-monitoring reports indicate that these constituents have been detected at concentrations greater than the new limitations proposed in this Order. The Discharger may not be able to

achieve immediate compliance with an effluent limitation based on CTR criterion for these constituents.

28. 40 CFR 131.38(e) and the CTR provide conditions under which interim effluent limitations and compliance schedules may be issued. The CTR and SIP allow inclusion of an interim limitation with a specific compliance schedule included in a NPDES permit for priority pollutants if the limitation for the priority pollutant is based on CTR. Interim limitations have been included in this Order for heptachlor epoxide for Discharge Serial No. 001.
29. In addition, the SIP requires that the Regional Board establish other interim requirements, such as requiring the discharger to develop a pollutant minimization plan (PMP) and/or source control measures, and participate in the activities necessary to achieve final effluent limitations. These interim limitations shall be effective for two years from the date of adoption of this Order, after which, the Discharger shall demonstrate compliance with the final effluent limitations.

According to the SIP, pollution prevention measures may be particularly appropriate for priority pollutants where there is evidence that beneficial uses are being impacted. Heptachlor epoxide can cause adverse health impacts, and because the RPA determined that these pollutants could exceed the WQBELs, the permit requires that the Discharger develop and implement a PMP for these pollutants.

CEQA and Notifications

30. The Regional 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.
31. The Regional Board, in a public hearing, heard and considered all comments pertaining to the discharge and to the tentative requirements.
32. This Order shall serve as a NPDES permit pursuant to Section 402 of the Federal CWA or amendments thereto, and is effective 30 days (June 4, 2005) from the date of its adoption in accordance with federal law, provided the Regional Administrator, U.S. EPA, has no objections.
33. Pursuant to California Water Code section 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board. A petition must be sent to the State Water Resources Control Board, Office of Chief Counsel, ATTN: Elizabeth Miller Jennings, Senior Staff Counsel, 1001 I Street, 22nd Floor, Sacramento, California, 95814, within 30 days of adoption of this Order.
34. 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 (CEQA) in accordance with the California Water Code, section 13389.

IT IS HEREBY ORDERED that Metropolitan Water District of Southern California, Rio Hondo Power Plant, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, and the provisions of the Federal Clean Water Act and regulations and guidelines adopted there under, shall comply with the following:

I. DISCHARGE REQUIREMENTS

A. Discharge Prohibitions

1. Wastewater discharged through Discharge Serial No. 001 shall be limited to a daily maximum of 65 million gallons per day (mgd) of Rio Hondo water and 75,000 gallons per day (gpd) of single pass, non-contact, cooling water, pilot valves leakage water, filter backwash, lubricating water (from the turbine ring seals, inlet and outlet valves, and pressure control valves), domestic water pipeline flushing for maintenance purposes, and water quality instrumentation wastes (e.g., water passed through a turbidimeter).
2. 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, Rio Hondo, or waters of the State, are prohibited.

B. Effluent Limitations

The discharge of an effluent in excess of the following limitations is prohibited:

1. A pH value less than 6.5 or greater than 8.5.
2. A temperature greater than 86 °F
3. Dissolved oxygen shall not be less than 5.0 mg/L anytime, and the median dissolved oxygen concentration for any three consecutive months shall not be less than 80 percent of the dissolved oxygen content at saturation
4. Toxicity limitations:
 - (a) Acute Toxicity Limitation and Requirements
 - (1) The acute toxicity of the effluent shall be such that (i) the average survival in the undiluted effluent for any three (3) consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, and (ii) no single test producing less than 70% survival.
 - (2) If any acute toxicity bioassay test result is less than 90% survival, the

Discharger shall conduct six additional tests over a 6-week period. The Discharger shall ensure that they receive results of a failing acute toxicity test within 24 hours of the completion of the test, and the additional tests shall begin within 3 business days of the receipt of the result. If the additional tests indicate compliance with acute toxicity limitation, the Discharger may resume regular testing. However if the results of any two of the six accelerated tests are less than 90% survival, then the Discharger shall begin a Toxicity Identification Evaluation (TIE). The TIE shall include all reasonable steps to identify the source(s) of toxicity. Once the source(s) of toxicity is identified, the Discharger shall take all reasonable steps to reduce the toxicity to meet the objective.

- (3) If any two out of the initial test and the additional six acute toxicity bioassay tests result in less than 70% survival, including the initial test, the Discharger shall immediately begin a TIE.
- (4) The Discharger shall conduct acute toxicity monitoring as specified in Monitoring and Reporting Program (MRP) No. 6742.

(b) Chronic Toxicity Requirements

- (1) This Order includes a chronic testing toxicity trigger defined as an exceedance of 1.0 TU_c in a critical life stage test for 100% effluent.
- (2) This Order includes a chronic testing toxicity trigger defined as an exceedance of 1.0 TU_c in a critical life stage test for 100% effluent.
- (3) If the chronic toxicity of the effluent exceeds 1.0 TU_c , the Discharger shall immediately implement accelerated chronic toxicity testing according to MRP No. 6742, Item IV.B.1. If the results of two of the six accelerated tests exceed 1.0 TU_c , the Discharger shall initiate a TIE and implement the Initial investigation TRE Workplan.
- (4) The Discharger shall conduct chronic toxicity monitoring as specified in MRP No. 6742.
- (5) The chronic toxicity of the effluent shall be expressed and reported in toxic units, where:

$$TU_c = \frac{100}{NOEC}$$

The No Observable Effect Concentration (NOEC) is expressed as the maximum percent effluent concentration that causes no observable effect on test organisms, as determined by the results of a critical life stage toxicity test.

(6) Preparation of an Initial Investigation TRE Workplan

- i. The Discharger shall submit a copy of the Discharger’s initial investigation Toxicity Reduction Evaluation (TRE) workplan (1-2 pages) to the Executive Officer of the Regional Board for approval within 90 days of the effective date of this permit. If the Regional Board Executive Officer does not disapprove the workplan within 60 days, the workplan shall become effective. The Discharger shall use EPA manuals EPA/600/2-88/070 (industrial) or EPA/833B-99/002 (municipal), and Attachment C as guidance. This workplan shall describe the steps the Discharger intends to follow if toxicity is detected, and should include, at a minimum, the elements described in ii through iv below.
- ii. A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency;
- iii. A description of the facility’s methods of maximizing in-house treatment efficiency and good housekeeping practices, and a list of all chemicals used in operation of the facility; and
- iv. If a TIE is necessary, an indication of the person who would conduct the TIEs (i.e., an in-house expert or an outside contractor) (Section IV.E.3. of MRP No. 6742 provides references for the guidance manuals that should be used for performing TIEs.)

5. Final effluent limitations:

- (a) In addition to the Requirements I.B.1 through I.B.4, the discharge of an effluent through Discharge Serial No. 001 (Latitude 33° 56’ 26” N, Longitude 118° 10’ 05” W) in excess of the following limitations is prohibited:

Pollutant	Units	Discharge Limitations	
		Average Monthly	Maximum Daily
Settleable solids	ml/L	0.1	0.3
Turbidity	NTU	50	75
Total suspended solids (TSS)	mg/L	50	75
Oil and grease	mg/L	10	15
Biochemical oxygen demand (BOD) ¹	mg/L	---	10
Copper	µg/L	12.1	24.4
Lead	µg/L	5.5	11.0
Heptachlor epoxide ^{2,3}	µg/L	0.00011	0.00022

¹ 5-day Biochemical Oxygen Demand at 20 °C

² The limitation is lower than the approved analytical method minimum level (ML) of 0.01 µg/L. Any values reported below the ML will be considered in compliance.

³ Limitations are applicable after June 10, 2007. The interim limitations in Section I.B.6 below are applicable from the date of adoption of the Order through June 10, 2007.

6. Interim Effluent Limitations: From the effective date of this Order until June 10,

2007, the discharges through Discharge Serial No. 001 (Latitude 33° 56' 26" N, Longitude 118° 10' 05" W) in excess of the following is prohibited:

Pollutant (units)	Units	Maximum Daily Concentration Discharge Serial No. 001
Heptachlor Epoxide	µg/L	0.0016

Discharges after June 10, 2007 must comply with the limitations for heptachlor epoxide stipulated in the Table in section I.B.5.

C. Receiving Water Limitations

1. The discharge shall not cause the following conditions to exist in the receiving waters:
 - (a) Floating, suspended or deposited macroscopic particulate matter or foam;
 - (b) Alteration of temperature, turbidity, or apparent color beyond present natural background levels;
 - (c) Visible, floating, suspended or deposited oil or other products of petroleum origin;
 - (d) Bottom deposits or aquatic growths; or,
 - (e) Toxic or other deleterious substances to be present 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.
2. The discharge shall not cause nuisance, or adversely effect beneficial uses of the receiving water.
3. No discharge shall cause a surface water temperature rise greater than 5°F above the natural temperature of the receiving waters at any time or place. At no time the temperature be raised above 80° F as a result of waste discharged.
4. The discharge shall not cause the following limitations to be exceeded in the receiving waters at any place within the waterbody of the receiving waters:
 - (a) The pH shall not be depressed below 6.5 nor raised above 8.5, nor caused to vary from normal ambient pH levels by more than 0.5 units;
 - (b) Dissolved oxygen shall not be less than 6.0 mg/L anytime, and the median dissolved oxygen concentration for any three consecutive months shall not be less than 80 percent of the dissolved oxygen content at saturation.
 - (c) Dissolved sulfide shall not be greater than 0.1 mg/L;

- (d) The ammonia in the 1994 Basin Plan were revised by Regional Board Resolution No. 2002-011, adopted on April 28, 2002, to be consistent with the 1999 U.S. EPA update on ammonia criteria. Regional Board Resolution No. 2002-011 was approved by State Board, OAL and U.S. EPA on April 30, 2003, June 5, 2003, and June 19, 2003, respectively and is now in effect. Total ammonia (as N) shall not exceed concentrations specified in the Regional Board Resolution 2002-011.
5. The discharge shall not cause a violation of any applicable water quality standards for receiving waters adopted by the Regional Board or State Board. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the CWA, or amendments thereto, the Regional Board will revise or modify this Order in accordance with such standards.
 6. The discharge shall not cause the following to be present in receiving waters:
 - a. Biostimulatory substances at concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses;
 - b. Chemical substances in amounts that adversely affect any designated beneficial use;
 - c. 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;
 - d. Suspended or settleable materials in concentrations that cause nuisance or adversely affect beneficial uses;
 - e. Taste or odor-producing substances in concentrations that alter the natural taste, odor, and/or color of fish, shellfish, or other edible aquatic resources; cause nuisance; or adversely affect beneficial uses;
 - f. Substances that result in increases of BOD₅20°C that adversely affect beneficial uses;
 7. The discharge shall not alter the color, create a visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters.
 8. The discharge shall not degrade surface water communities and populations including vertebrate, invertebrate, and plant species.

9. The discharge shall not damage, discolor, nor cause formation of sludge deposits on flood control structures or facilities nor overload their design capacity.
10. The discharge shall not cause problems associated with breeding of mosquitoes, gnats, black flies, midges, or other pests.

II. REQUIREMENTS

A. Compliance Plan

1. The Discharger shall develop and implement a compliance plan that will identify the measures that will be taken to reduce the concentrations of heptachlor epoxide in their discharge. This plan must evaluate options to achieve compliance with the permit limitations specified in section I.B.5 of this Order.
2. The Discharger shall submit quarterly progress reports to describe the progress of studies and or actions undertaken to reduce heptachlor epoxide in the effluent, and to achieve compliance with the limitations in this Order by the deadline specified in provision I.B.4. The Regional Board shall receive the first annual progress report at the same time the annual summary report is due, as required in Section I.B of MRP No. 6742.
3. The Discharger shall develop a PMP to maintain effluent concentrations of heptachlor epoxide at or below the effluent limitations specified in provision I.B.5. The PMP shall include the following:
 - (a) Annual review and quarterly monitoring of the potential sources of heptachlor epoxide;
 - (b) Submittal of a control strategy designed to proceed toward the goal of maintaining effluent concentrations at or below the effluent limitation;
 - (c) Implementation of appropriate cost-effective control measures consistent with the control strategy;
 - (d) An annual status report that shall be sent to the Regional Board at the same time the annual summary report is submitted in accordance with Section I.B. of MRP No. 6742, and include:
 - All PMP monitoring results for the previous year
 - A list of potential sources of heptachlor epoxide
 - A summary of all actions undertaken pursuant to the control strategy
 - A description of actions to be taken in the following year.
4. The interim limitations stipulated in section I.B.6 shall be in effect for a period not to extend beyond April 10, 2007. Thereafter, the Discharger shall comply with the limitations specified in Section I.B.5 of this Order.

B. Monitoring For Reasonable Potential Determination

1. The Discharger shall monitor the intake water, effluent, and receiving water for the CTR priority pollutants annually for the life of the permit, as outlined in the MRP, No. 6742. These monitoring data shall be submitted in accordance with the reporting schedule provided in Section I.A. of the associated MRP, No. 6742, and shall be identified as “Monitoring Results for CTR Priority Pollutants Reasonable Potential Determination, NPDES Permit No. CA0059633, CI-6742”.

C. The Discharger shall develop and implement, within 90 days of the effective date of this Order:

A Storm Water Pollution Prevention Plan (SWPPP) that describes site-specific management practices for minimizing contamination of storm water runoff and for preventing contaminated storm water runoff from being discharged to waters of the State. The SWPPP shall be developed in accordance with the requirements in Attachment M.

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 points; describe the activities in each area and the potential for contamination of storm water runoff and the discharge of hazardous waste/material; and address the feasibility of containment and/or treatment of the storm water. The plan shall be reviewed annually. Updated information shall be submitted within 30 days of revision.

- D. Pursuant to the requirements of 40 CFR 122.42(a), the Discharger must notify the Board as soon as it knows, or has reason to believe (1) that it has begun or expected to begin, to use or manufacture a toxic pollutant not reported in the permit application, or (2) a discharge of toxic pollutant not limited by this Order has occurred, or will occur, in concentrations that exceed the specified limitations in 40 CFR 122.42(a).
- E. The Discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.
- F. The Discharger shall comply with the waste load allocations that will be developed from the TMDL process for the 303 (d)-listed pollutants.
- G. The discharge of any product registered under the Federal Insecticide, Fungicide, and Rodenticide Act to any waste stream which may ultimately be released to waters of the United States, is prohibited unless specifically authorized elsewhere in this permit or another NPDES permit. This requirement is not applicable to products used for lawn and agricultural purposes.

- H. The discharge of any waste resulting from the combustion of toxic or hazardous wastes to any waste stream which ultimately discharges to waters of the United States is prohibited, unless specifically authorized elsewhere in this permit.
- I. The Discharger shall notify the Executive Officer in writing no later than 6 months prior to planned discharge of any chemical, other than chlorine or other product previously reported to the Executive Officer, which may be toxic to aquatic life. Such notification shall include:
 - a. Name and general composition of the chemical,
 - b. Frequency of use,
 - c. Quantities to be used,
 - d. Proposed discharge concentrations, and
 - e. U.S. EPA registration number, if applicable.

No discharge of such chemical shall be made prior to the Executive Officer's approval.

- J. The Regional Board and U.S. EPA shall be notified immediately by telephone, of the presence of adverse conditions in the receiving waters or on beaches and shores as a result of wastes discharged; written confirmation shall follow as soon as possible but not later than five working days after occurrence.

III. PROVISIONS

- A. This Order includes the attached *Standard Provisions and General Monitoring and Reporting Requirements* (Standard Provisions, Attachment N). If there is any conflict between provisions stated herein and the attached Standard Provisions, those provisions stated herein shall prevail.
- B. This Order includes the attached *MRP* No. 6742. If there is any conflict between provisions stated in the *MRP* and the Standard Provisions, those provisions stated in the *MRP* shall prevail.
- C. The Discharger shall comply with the requirements of SWPPP updates associated with industrial activity (State Board Order No. 97-03-DWQ adopted on April 17, 1997) and SWPPP updates and monitoring and reporting requirements of State Board general permit for discharges of storm water. This Order R4-2005-XXXX shall take precedence where conflicts or differences arise between it and the aforementioned Orders. This Order includes the attached *Storm Water Pollution Prevention Plan Requirements* (Attachment M).
- D. This Order may be modified, revoked, reissued, or terminated in accordance with the provisions of 40 CFR sections 122.44, 122.62, 122.63, 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; 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.

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.

- E. The Discharger must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of storm water to storm drain systems or other water courses under their jurisdiction; including applicable requirements in municipal storm water management program developed to comply with NPDES permits issued by the Regional Board to local agencies.
- F. Discharge of wastes to any point other than specifically described in this Order and permit is prohibited and constitutes a violation thereof.
- G. 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, and 423 of the Federal CWA and amendments thereto.

H. Compliance Determination

- 1. Compliance with 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 ML (see Reporting Requirement II.C. of the *MRP* No. CI-6742, then the Discharger is out of compliance.
- 2. Compliance with monthly average limitations - In determining compliance with monthly average limitations, the following provisions shall apply to all constituents:
 - a. If the analytical result of a single sample, monitored monthly, quarterly, semi-annually, or annually, does not exceed the monthly average limit for that constituent, the Discharger has demonstrated compliance with the monthly average limit for that month.
 - b. If the analytical result of a single sample, monitored monthly, quarterly, semi-annually, or annually, exceeds the monthly average limit for any constituent, the Discharger shall collect up to four additional samples at approximately equal intervals during the month. All 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.

When all sample results are greater than or equal to the reported Minimum Level (see Reporting Requirement II.C of *MRP* No. 6742), the numerical average of the analytical results of these samples will be used for compliance determination.

When one or more sample results are reported as “Not-Detected (ND)” or “Detected, but Not Quantified (DNQ)” (see Reporting Requirement II.C. of *MRP* No. 6742), the median value of these samples shall be used for compliance

determination. If one or both of the middle values is ND or DNQ, the median shall be the lower of the two middle values.

- c. In the event of noncompliance with a monthly average effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the monthly average effluent limitation has been demonstrated.
 - d. If only one sample was obtained for the month or more than a monthly period and the result exceed the monthly average, then the Discharger is in violation of the monthly average limit.
3. Compliance with 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.
 4. Compliance with 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
 - a. If the number of measurements (n) is odd, then the median will be calculated as $X_{(n+1)/2}$, or
 - b. If the number of measurements (n) is even, then the median will be calculated as $[X_{n/2} + X_{(n/2)+1}]$, i.e. the midpoint between the n/2 and n/2+1 data points.
 - I. In calculating mass emission rates from the monthly average concentrations, use one half of the method detection limit for “Not Detected” (ND) and the estimated concentration for “Detected, but Not Quantified” (DNQ) for the calculation of the monthly average concentration. To be consistent with section III.H.3., if all pollutants belonging to the same group are reported as ND or DNQ, the sum of the individual pollutant concentrations should be considered as zero for the calculation of the monthly average concentration.

IV. REOPENERS

- A. This Order may be reopened and modified, in accordance with SIP Section 2.2.2.A, to incorporate new limitations based on future RPA to be conducted for CTR pollutants, upon completion of the collection of additional data by the Discharger.
- B. This Order may be reopened and modified, to incorporate in accordance with the provisions set forth in 40 CFR Parts 122 and 124, to include requirements for the implementation of the watershed management approach.
- C. This Order may be reopened and modified, in accordance with the provisions set forth in

40 CFR Parts 122 and 124, to include new MLs for each pollutant.

- D. This Order may be reopened and modified, to revise effluent limitations as a result of future Basin Plan Amendments.
- E. 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 permit, endangerment to human health or the environment resulting from the permitted activity.

V. EXPIRATION DATE

This Order expires on April 10, 2010.

The Discharger must file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of such date as application for issuance of new waste discharge requirements.

VI. RESCISSION

Order No. 97-051, adopted by this Regional Board on May 12, 1997, is hereby rescinded except for enforcement purposes.

I, Jonathan Bishop, 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 May 5, 2005.

Jonathan S. Bishop
Executive Officer