
Los Angeles Regional Water Quality Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT

DRAFT TMDL-SPECIFIC PERMIT REQUIREMENTS FOR THE STATE WATER RESOURCES CONTROL BOARD'S INDUSTRIAL GENERAL STORM WATER PERMIT (Santa Monica Bay Watershed)

NOTICE IS HEREBY GIVEN that the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) invites public comments on draft Total Maximum Daily Load (TMDL)-specific permit requirements for the statewide *General Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 2014-0057-DWQ, NPDES Permit No. CAS000001* (Industrial General Permit). The draft TMDL-specific permit requirements are for the following TMDLs in the Santa Monica Bay Watershed:

- Santa Monica Bay Nearshore and Offshore Debris TMDL
- Santa Monica Bay TMDL for DDTs and PCBs

As explained below, after receiving public comment, the Los Angeles Water Board will submit proposed TMDL-specific permit requirements to the State Water Resources Control Board (State Water Board) for the State Water Board to consider adoption and incorporation into the Industrial General Permit. The Los Angeles Water Board will take no formal action regarding the proposed TMDL-specific permit language.

BACKGROUND

On April 1, 2014, the State Water Board reissued the Industrial General Permit.¹ As required by findings 38 through 42 of the Industrial General Permit, the State Water Board and Los Angeles Water Board are jointly developing proposed TMDL-specific permit requirements for the TMDLs established by the Los Angeles Water Board or U.S. EPA Region IX in which wasteload allocations are assigned to industrial storm water dischargers, as listed in Attachment E of the Industrial General Permit. The Los Angeles Water Board is providing notice and a 30-day public comment period on the draft proposed TMDL-specific permit requirements before submitting the proposed TMDL-specific permit requirements to the State Water Board. The Los Angeles Water Board will take no formal action regarding the proposed TMDL-specific permit requirements. The Los Angeles Water Board will forward all timely received written comments along with the proposed TMDL-specific permit requirements to the State Water Board for consideration during the State Water Board's proceedings to consider amendment of the Industrial General Permit. The State Water Board will provide a separate public comment period later this year regarding the reopening of the Industrial General Permit to amend Attachment E, the fact sheet, and other permit provisions as necessary for incorporation of the TMDL-specific permit requirements into the Industrial General Permit.

¹ The Industrial General Permit is available electronically at:
http://www.swrcb.ca.gov/water_issues/programs/stormwater/industrial.shtml.

Interested persons are strongly encouraged to submit written comments to the Los Angeles Water Board during the comment period described below before the proposed TMDL-specific permit requirement language is submitted to the State Water Board. Until the State Water Board adopts an amendment to the Industrial General Permit incorporating the TMDL-specific permit requirements, dischargers enrolled in the Industrial General Permit are not required to take any additional actions beyond those already required in the Industrial General Permit.

DOCUMENT AVAILABILITY

The proposed TMDL-specific permit requirements and associated Fact Sheet language for each TMDL noted above is attached to this notice and is also available for review on the Los Angeles Water Board's website at:

http://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/sw_index.shtml

SUBMISSION OF WRITTEN COMMENTS

All written comments pertaining to the Los Angeles Water Board's draft TMDL-specific Industrial General Permit requirements and associated Fact Sheet language must be *received* by the Los Angeles Water Board by **5:00 p.m. on Wednesday, May 18, 2016**. Written comments must be sent to the Los Angeles Water Board by mail or by email at the following addresses:

By Mail:

Los Angeles Regional Water Quality Control Board
Attention: Pavlova Vitale
320 West 4th Street Suite 200
Los Angeles, CA 90013

By Email:

losangeles@waterboards.ca.gov

Please indicate in the subject line of all written comments "**Comments on Draft TMDL-Specific IGP Requirements – Santa Monica Bay Watershed.**" In the comments, please also specify which TMDL(s) the comments pertain to.

CONTACT FOR FURTHER INFORMATION

Please contact Pavlova Vitale, Sr. Environmental Scientist, at (213) 576-6751 or Pavlova.Vitale@waterboards.ca.gov with any questions regarding this notice or any of the proposed TMDL-specific permit requirements.

Proposed Addition to ATTACHMENT E, LIST OF TOTAL MAXIMUM DAILY LOADS (TMDLs) APPLICABLE TO INDUSTRIAL STORM WATER DISCHARGERS

Santa Monica Bay Nearshore and Offshore Debris TMDL

Resolution No.	R10-010
Effective Date	March 20, 2012
Impaired Water Body(ies)	Santa Monica Bay
Pollutant(s)	Plastic pellets ¹
Responsible Dischargers	<p>Industrial Storm Water General Permittees whose facilities fall within Standard Industrial Classification (SIC) codes associated with industrial activities involving plastic pellets (2392, 282X, 2891, 2899, 305X, 308X, 39XX, 25XX, 3261, 3357, 373X, 2893, and 5093), as well as industrial facilities with the term “plastic” in the facility or operator name, regardless of the SIC code, that have the potential to discharge plastic pellets, and that discharge non-storm water and/or storm water associated with industrial activities² to the impaired waterbody either directly or via a municipal separate storm sewer system (MS4) or upstream tributary.</p> <p>The State and/or Regional Water Board may identify other Responsible Dischargers in addition to those listed above based on site-specific inspections and/or investigations.</p>
Required Actions	<p>Comply with the conditions and requirements of this Industrial Storm Water General Permit (Order No. 2014-0057-DWQ).</p> <p>If plastic pellets are not already addressed in the facility’s current Storm Water Pollution Prevention Plan (SWPPP), including its Assessment of Potential Pollutant Sources per Section X.G.2.a.ix, then Responsible Dischargers, as defined above, shall assess all areas of industrial activity at the facility relative to their potential as a source of plastic pellets in authorized Non-Storm Water Discharges (NSWDs) and storm water discharges. The facility’s SWPPP, including but not limited to the Assessment of Potential Pollutant Sources (Section X.G.2) and, where necessary, Best Management Practices (Section X.H) and Monitoring Implementation Plan (Section X.I), shall be updated based on the results. The revised SWPPP shall be certified and submitted via SMARTS no later than 6 months after incorporation of these TMDL-specific requirements in this Order.</p> <p>Responsible Dischargers shall comply with the TMDL Action Level (TAL)³, expressed as a prohibition of discharges of plastic pellets, in the table below.</p>

¹ Plastic pellets, also known as plastic resin pellets, are small, round, pellets that are the raw form of plastic. These pellets are melted down to form plastic products.

² Including storm water not associated with industrial activities that is commingled with storm water associated with industrial activities.

³ A TMDL Action Level (TAL) is treated in the same manner as a Numeric Action Level (NAL) for the purposes of permit requirements, including the Monitoring Implementation Plan (Section X.I), Monitoring (Section XI), and Exceedance Response Actions (Section XII).

TAL for Industrial Storm Water General Permittees	
Parameter	Applicability
Plastic pellets	Authorized NSWDs/Storm Water Discharges
TAL	
Zero plastic pellets	

Zero plastic pellets is defined as no discharge of plastic pellets from the premises of industrial facilities that import, manufacture, process, transport, store, recycle or otherwise handle plastic pellets.

If visual observations indicate a TAL exceedance as set forth in Section XII.A, the Discharger shall commence the Exceedance Response Actions (ERAs) process set forth in Section XII.

The State and/or Regional Water Board may require Industrial Storm Water General Permittees to implement additional actions to eliminate plastic pellets in authorized NSWDs and/or storm water discharges based on, but not limited to, monitoring data and comparison to the applicable TAL, visual observations, discharger reports, or site-specific inspections and/or investigations.

Monitoring and Reporting Requirements

Responsible Dischargers shall comply with the requirements in Section XI.A. (Visual Observations), including monthly visual observations (Section XI.A.1), sampling event visual observations (Section XI.A.2), visual observation records (Section XI.A.3), and revision of BMPs as necessary (Section XI.A.4).

TMDL documents are available at:
http://63.199.216.6/bpa/bpa_details.php?id=72

Santa Monica Bay Nearshore and Offshore Debris TMDL

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Fact Sheet for Santa Monica Bay Nearshore and Offshore Debris TMDL

On November 4, 2010, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) established the Santa Monica Bay Nearshore and Offshore Debris TMDL. The TMDL became effective on March 20, 2012.

Discharges of debris⁴, including trash and plastic pellets⁵, into Santa Monica Bay violate water quality objectives, impair beneficial uses, and cause pollution and nuisance. Debris loading to the Santa Monica Bay causes impairments to beneficial uses associated with industrial service supply (IND), navigation (NAV), water contact recreation (REC-1), noncontact water recreation (REC-2), commercial and sport fishing (COMM), estuarine habitat (EST), marine habitat (MAR), preservation of biological habitats (BIOL), migration of aquatic organisms (MIGR), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), spawning, reproduction, and or early development (SPWN), shellfish harvesting (SHELL), and wetland habitat (WET).

Plastic pellets, a by-product of plastic manufacturing, are harmful to aquatic life. Birds, fish and mammals often mistake plastic for food. With plastic filling their stomachs, animals have a false feeling of being full, and can die of starvation or internal injuries. In addition to malnutrition, plastic pellets may contain chemicals that are toxic (e.g. persistent organic pollutants). These toxic substances may be additives that were intentionally mixed into the resin to achieve specific properties, or contaminants that were adsorbed by the pellets from the environment. Plastic pellets in waterways can also inhibit the growth of aquatic vegetation, decreasing spawning areas and habitats for fish and other living organisms.

The Los Angeles Water Board determined that the principal source of plastic pellets is point source discharges through storm drains from facilities that import, manufacture, process, transport, store, recycle or otherwise handle plastic pellets. Accidental spills during transfer and transportation also contribute to plastic pellets entering storm drains and, ultimately, the Santa Monica Bay. The discharge of plastic pellets from storm drains and open channels occur primarily during or shortly after a major rain event.

Numeric Targets

The TMDL is based on numeric targets derived from narrative water quality objectives in the Los Angeles Basin Plan for floating materials (“Waters shall not contain floating materials, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses”) and for solid, suspended, or settleable materials (“Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses”). The numeric targets are also based on the narrative water quality objective in the 2005 Water Quality Control Plan for Ocean Waters of California (California Ocean Plan) for floating particulates (“Floating particulates and grease and oil shall not be visible”).

⁴ Debris is defined as “any persistent solid material that is manufactured or processed and directly or indirectly, intentionally or unintentionally, disposed of or abandoned into the marine environment.”

⁵ Plastic pellets, also known as plastic resin pellets, are small, round pellets that are the raw form of plastic. These pellets are melted down to form plastic products.

Wasteload Allocation

Industrial Storm Water Dischargers were not identified as a source or responsible party for the trash loading in Santa Monica Bay; therefore, a waste load allocation (WLA) was not assigned to these Dischargers for trash.

Industrial Storm Water Dischargers were identified as a source of plastic pellet loading into Santa Monica Bay and were assigned a WLA of zero. Zero plastic pellets is defined as no discharge of plastic pellets from the premises of industrial facilities that import, manufacture, process, transport, store, recycle or otherwise handle plastic pellets.

Required Actions

The required actions apply to Industrial Storm Water General Permittees whose facilities fall within Standard Industrial Classification (SIC) codes associated with industrial activities involving plastic pellets (2392, 282X, 2891, 2899, 305X, 308X, 39XX, 25XX, 3261, 3357, 373X, 2893, and 5093)⁶, as well as industrial facilities with the term “plastic” in the facility or operator name, regardless of the SIC code, that have the potential to discharge plastic pellets, and that discharge non-storm water and/or storm water associated with industrial activities⁷ to Santa Monica Bay either directly or via a municipal separate storm sewer system (MS4) or upstream tributary. These are referred to as Responsible Dischargers. The State and/or Regional Water Board may identify other Responsible Dischargers in addition to those listed above based on site-specific inspections and/or investigations.

As described below, compliance with the conditions and requirements of the Industrial Storm Water General Permit is generally expected to achieve the WLA assigned to industrial storm water dischargers in this TMDL. This will be verified through monitoring of authorized NSWDS and storm water discharges and comparison of results to the TMDL Action Level (TAL), as described below.

Updating the Facility SWPPP: Assessment of Potential Pollutant Sources

If plastic pellets are not already addressed in the facility’s current Storm Water Pollution Prevention Plan (SWPPP), including its Assessment of Potential Pollutant Sources per Section X.G.2.a.ix, then Responsible Dischargers, as defined above, shall assess all areas of industrial activity at the facility relative to their potential as a source of plastic pellets in authorized Non-Storm Water Discharges (NSWDs) and storm water discharges. The facility’s SWPPP, including but not limited to the Assessment of Potential Pollutant Sources (Section X.G.2) and, where necessary, Best Management Practices (Section X.H) and Monitoring Implementation Plan (Section X.I), shall be updated based on the results. The revised SWPPP shall be certified and submitted via SMARTS no later than 6 months after incorporation of these TMDL-specific requirements in this Order.

⁶ The TMDL states that SIC codes associated with industrial activities involving plastic pellets may include, but are not limited to, 282X, 305X, 308X, 39XX, 25XX, 3261, 3357, 373X, and 2893. The TMDL allows for additional SIC codes to be added into the responsible party list. SIC codes 2392 (House Furnishing, Except Curtains and Draperies), 2891 (Adhesives and Sealants), 2899 (Chemical and Chemical Preparations, Not Elsewhere Classified), and 5093 (Scrap and Waste Materials) are also industries that have the potential to discharge plastic pellets. Therefore, these SIC codes are also applicable to this TMDL.

⁷ Including storm water not associated with industrial activities that is commingled with storm water associated with industrial activities.

Compliance with Wasteload Allocations

Responsible Dischargers shall comply with the TMDL Action Level (TAL)⁸, expressed as a prohibition of discharges of plastic pellets, in the table below.

TAL for Industrial Storm Water General Permittees

Parameter	Applicability	TAL
Plastic pellets	Authorized NSWDs/Storm Water Discharges	Zero plastic pellets

Zero plastic pellets is defined as no discharge of plastic pellets from the premises of industrial facilities that import, manufacture, process, transport, store, recycle or otherwise handle plastic pellets.

Compliance with the conditions and requirements of the Industrial Storm Water General Permit is generally expected to achieve the WLA assigned to industrial storm water dischargers in this TMDL. The Industrial Storm Water General Permit prohibits discharges that violate any discharge prohibitions contained in applicable Regional Water Board Water Quality Control Plans (Basin Plans), or statewide water quality control plans and policies. (Section III.D). The Permit also prohibits industrial storm water discharges and authorized NSWDs that contain pollutants that cause or threaten to cause pollution, contamination, or nuisance. (Section III.C). Further, Section VI.A stipulates that Dischargers shall ensure that industrial storm water and authorized NSWDs do not cause or contribute to an exceedance of any applicable water quality standards in any affected receiving water.

Regarding NSWDs specifically, the Industrial Storm Water General Permit identifies these as either unauthorized NSWDs or authorized NSWDs (Sections III and IV.A.). Unauthorized NSWDs are prohibited under Section III.B. Authorized NSWDs cannot be in violation of any Basin Plan, including TMDL wasteload allocations contained in a Basin Plan, or statewide water quality control plan or policy (Section IV.B). The required Storm Water Pollution Prevention Plan (SWPPP) must include implementation of appropriate BMPs to ensure that authorized NSWDs do not contain quantities of pollutants that cause or contribute to an exceedance of a water quality standard (Section IV.B.3.c).

Regarding storm water discharges, reducing the discharge of plastic pellets can be achieved by complying with the conditions and requirements in Section VI.A (Receiving Water Limitations) and Section X (Storm Water Pollution Prevention Plan), including subsection X.H (Best Management Practices).

Further, Section XVIII contains additional requirements applicable to facilities that handle plastic materials and defines these facilities as Plastics Facilities. "Plastic materials" in the Industrial Storm Water General Permit are defined as virgin and recycled plastic resin pellets, powders, flakes, powdered additives, regrind, dust, and other similar types of preproduction plastics with the potential to discharge or migrate off-site. Per the definition in the Industrial Storm Water General Permit, plastic pellets fall within the definition of "plastic materials."

⁸ A TMDL Action Level (TAL) is treated in the same manner as a Numeric Action Level (NAL) for the purposes of permit requirements, including the Monitoring Implementation Plan (Section X.I), Monitoring (Section XI), and Exceedance Response Actions (Section XII).

Therefore, compliance with the existing conditions and requirements in the Industrial Storm Water General Permit, including but not limited to, updating the SWPPP to address plastic pellets; implementing BMPs as set forth in Section X.H, including Advanced BMPs (Sections X.H.2 and X.H.6); complying with the requirements in Section XVIII pertaining to Plastics Facilities; along with BMP effectiveness monitoring (Section XI) and the Exceedance Response Actions process (Section XII), is generally expected to ensure compliance with the WLA assigned to industrial storm water discharges in the TMDL. Therefore, no additional requirements beyond complying with the Industrial Storm Water General Permit, including updating and implementing the SWPPP, and implementing ERAs for exceedances of a TAL is necessary to comply with the WLA assigned to industrial storm water discharges at this time.

However, if it is determined, based on, but not limited to, monitoring data and comparison of results to the TAL, visual observations of the site, discharger reports, and/or site-specific inspections and/or investigations, that a Discharger may be causing or contributing to an exceedance of a WLA, the State and/or Regional Water Board may require Dischargers to revise SWPPPs, BMPs, and/or monitoring programs, or direct a Discharger to obtain an individual National Pollutant Discharge Elimination System (NPDES) permit if deemed necessary.

Monitoring and Reporting Requirements

Responsible Dischargers will be required to demonstrate through monitoring that the facility's NSWDS and storm water discharges associated with industrial activities do not exceed the TAL. The TMDL does not require monitoring and reporting requirements beyond what is required by the Industrial Storm Water General Permit. Dischargers covered under the Industrial Storm Water General Permit are required to execute visual observations of their site (IGP, Section XI.A), including monthly visual observations (Section XI.A.1), sampling event visual observations (Section XI.A.2), visual observation records (Section XI.A.3), and revision of BMPs as necessary (Section XI.A.4). This includes required visual observation and recording of the presence or absence of floating and suspended materials and trash/debris, and source(s) of any discharged pollutants. (Section XI.A.2.c).

If visual observations indicate a TAL exceedance as set forth in Section XII.A, the Discharger shall commence the Exceedance Response Actions (ERAs) process set forth in Section XII.

Regulatory Mechanisms

The regulatory mechanisms available to the State and/or Regional Water Board to require Industrial Storm Water General Permittees to implement additional actions and additional monitoring to eliminate plastic pellets in authorized NSWDS and/or storm water discharges include: the Industrial Storm Water General Permit and the authority contained in sections 13263, 13267, and 13383 of the California Water Code. If it is determined, based on, but not limited to, monitoring data and comparison to the applicable TAL, visual observations of the site, discharger reports, and/or site-specific inspections and/or investigations, that a Discharger may be causing or contributing to an exceedance of a WLA, the State and/or Regional Water Board may require Dischargers to revise SWPPPs, BMPs, and/or monitoring programs, or direct a Discharger to obtain an individual National Pollutant Discharge Elimination System (NPDES) permit if deemed necessary.

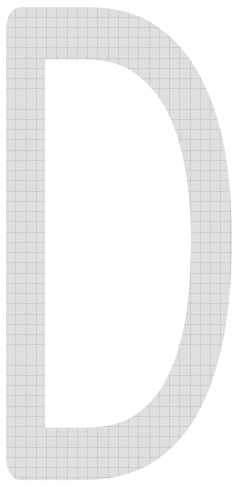
Proposed Addition to ATTACHMENT E, LIST OF TOTAL MAXIMUM DAILY LOADS (TMDLs) APPLICABLE TO INDUSTRIAL STORM WATER DISCHARGERS

Santa Monica Bay Total Maximum Daily Load (TMDL) for DDT and PCBs

Resolution No.	N/A (Established by U.S. Environmental Protection Agency Region IX)					
Effective Date	March 26, 2012					
Impaired Water Body(ies)	Santa Monica Bay Nearshore and Offshore Zone (from the Ventura County line to Outer Cabrillo Beach)					
Pollutant(s)	DDT and PCBs					
Responsible Discharger(s)	Industrial Storm Water General Permittees that discharge storm water associated with industrial activities ¹ and/or non-storm water to the impaired waterbody either directly or via a municipal separate storm sewer system (MS4) or an upstream tributary.					
Required Actions	<p>Comply with the conditions and requirements of the Industrial Storm Water General Permit (Order No. 2014-0057-DWQ).</p> <p>If DDT and PCBs are not already addressed in the facility's current Storm Water Pollution Prevention Plan (SWPPP), including its Assessment of Potential Pollutant Sources per Section X.G.2.a.ix, then Responsible Dischargers, as defined above, shall assess all areas of industrial activity at the facility relative to their potential as a source of DDT and PCBs in storm water discharges associated with industrial activities and in authorized Non-Storm Water Discharges (NSWDs). The facility's SWPPP, including but not limited to the Assessment of Potential Pollutant Sources (Section X.G.2) and, where necessary, Best Management Practices (Section X.H) and Monitoring Implementation Plan (Section X.I), shall be updated based on the results. The revised SWPPP shall be certified and submitted via SMARTS no later than 6 months after incorporation of these TMDL-specific requirements in this Order.</p> <p>Responsible Dischargers that have identified² their facility as a potential source of DDT and PCBs in storm water discharges associated with industrial activities and/or in authorized NSWDs shall comply with a TMDL Action Level (TAL) for Suspended Sediment Concentration (SSC) of 1 mg/L. The following analytical test method shall be used.</p> <table border="1" data-bbox="527 1648 1469 1722"> <thead> <tr> <th>Parameter</th> <th>Test Method</th> </tr> </thead> <tbody> <tr> <td>SSC</td> <td>ASTM D3977-97</td> </tr> </tbody> </table>		Parameter	Test Method	SSC	ASTM D3977-97
Parameter	Test Method					
SSC	ASTM D3977-97					

¹ Including storm water not associated with industrial activities that is commingled with storm water associated with industrial activities.

² Either in the facility's existing SWPPP, or through the update to the facility SWPPP and the Assessment of Potential Pollutant Sources, as described below.

	<p>If sampling results indicate a TAL exceedance as set forth in Section XII.A, the Discharger shall commence the Exceedance Response Actions (ERAs) process set forth in Section XII.</p> <p>The State and/or Regional Water Board may require Industrial Storm Water General Permittees to implement additional actions to reduce these DDT and PCBs in storm water discharges associated with industrial activities and in authorized NSWDS based on, but not limited to, monitoring data and comparison to the SSC TAL, visual observations, discharger reports, or site-specific inspections and/or investigations.</p> <p><i>Monitoring and Reporting Requirements</i></p> <p>Where the facility's Assessment of Potential Pollutant Sources (described above) identifies the facility as a potential source of DDT and PCBs in storm water discharges associated with industrial activities and/or in authorized NSWDS, Responsible Dischargers shall update the facility Monitoring Implementation Plan (Section X.I) per Section XI.B.6.e-f to include:</p> <ul style="list-style-type: none">• Sampling and analysis for SSC during Qualifying Storm Events (QSEs);• Sampling and analysis of the facility's authorized NSWDS for SSC twice within a reporting year; and• U.S. EPA approved analytical methods, with appropriate method detection and reporting limits relative to the SCC TAL. <p>The updated Monitoring Implementation Plan shall be included in the revised SWPPP and submitted via SMARTS no later than 6 months after incorporation of these TMDL-specific requirements in this Order.</p>
	<p>TMDL documents are available at: http://www.waterboards.ca.gov/losangeles/water_issues/programs/tmdl/tmdl_list.shtml</p>

Fact Sheet for Santa Monica Bay TMDL for DDT and PCBs

The Santa Monica Bay DDT and PCBs TMDL addresses impairment of beneficial uses of aquatic and wildlife use and consumption of fish due to DDT and PCBs in the nearshore and offshore zones of Santa Monica Bay, extending from the Ventura County line to Outer Cabrillo Beach.

Numeric Targets

The numeric targets are established for DDT and PCBs in water, sediment, and fish tissue of Santa Monica Bay that are protective of human health.

Wasteload Allocations

Organochlorine pesticides, such as DDT, and PCBs are chemical substances that persist in the environment, bioaccumulate through the food web, and pose a risk of causing adverse effects to human health and the environment. In particular, they include a number of chlorinated legacy pollutants known or suspected to be carcinogens and/or toxic to humans and wildlife.

The wasteload allocations (WLAs) in the Santa Monica Bay DDT and PCBs TMDL for storm water discharges are mass-based and established equal to existing load estimates of 28 g/yr for DDT and 145 g/yr for PCBs. The specific mass-based WLAs for Industrial Storm Water General Permittees are based on the aggregate area represented by the individual Permittees covered under the Industrial Storm Water General Permit. The aggregate area is estimated at 0.00025% of the total area, and the corresponding WLAs are 0.01 g/yr for DDT and 0.04 g/yr for PCBs. Although these are small loadings, studies performed in association with the San Francisco Bay PCBs TMDL have suggested that the runoff from industrial areas was much higher than other areas on a per acre basis.

Since DDT and PCBs are organic substances that have a preferential binding to sediments, and their manufacture, and application have been banned in the United States, the main sources of these organic substances in storm water discharges from Industrial Storm Water General Permittees is from the sediment resulting from erosion at these facilities.

Required Actions

The required actions apply to Industrial Storm Water General Permittees whose storm water discharges associated with industrial activities and authorized NSWDS have the potential to contribute DDT and PCBs to Santa Monica Bay either directly or via a MS4 or upstream tributary.

If DDT and PCBs are not already addressed in the facility's current Storm Water Pollution Prevention Plan (SWPPP), including its Assessment of Potential Pollutant Sources per Section X.G.2.a.ix, then Responsible Dischargers, as defined above, will be required to assess all areas of industrial activity at the facility relative to their potential as a source of these parameters in authorized Non-Storm Water Discharges (NSWDs) and storm water discharges. The facility's SWPPP, including but not limited to the Assessment of Potential Pollutant Sources (Section X.G.2) and, where necessary, Best Management Practices (Section X.H) and Monitoring Implementation Plan (Section X.I), must be updated based on the results, pursuant to Section X.B.1-2. The revised SWPPP must be certified and submitted via SMARTS no later than 6 months after the incorporation of these TMDL-specific requirements into this Order.

Compliance with Wasteload Allocations

Responsible Dischargers subject to the Santa Monica Bay DDT and PCBs TMDL will be required to implement BMPs identified in their updated SWPPP and conduct sampling and analysis of authorized NSWDs and storm water discharges to assess BMP effectiveness in order to ensure their authorized NSWDs and storm water discharges comply with the WLAs listed above.

Regarding NSWDs, the Industrial Storm Water General Permit identifies these as either unauthorized NSWDs or authorized NSWDs (Sections III and IV.A.). Unauthorized NSWDs are prohibited under Section III.B. Authorized NSWDs cannot be in violation of any Basin Plan, including TMDL WLAs contained in a Basin Plan, or statewide water quality control plan or policy (Section IV.B). The required Storm Water Pollution Prevention Plan (SWPPP) must include implementation of appropriate BMPs to ensure that authorized NSWDs do not contain quantities of pollutants that cause or contribute to an exceedance of a water quality standard (Section IV.B.3.c). Further, Section VI.A stipulates that Dischargers shall ensure that industrial storm water and authorized NSWDs do not cause or contribute to an exceedance of any applicable water quality standards in any affected receiving water.

Regarding storm water discharges, reducing the discharge of DDT and PCBs can be achieved by utilizing Best Management Practices (BMPs). The DDT and PCBs addressed by the TMDL preferentially bind to sediment; therefore, BMP that prevent erosion and sedimentation can be particularly effective. Additionally, BMPs that eliminate exposure of storm water discharges and NSWDs to pollutant sources, retain storm water onsite, and/or treat storm water prior to discharge from the industrial facility can be used.

Therefore, compliance with the existing conditions and requirements in the Industrial Storm Water General Permit, including but not limited to, updating the SWPPP to address TMDL pollutants and suspended sediment in the facility's discharges; implementing BMPs as set forth in Section X.H, including, in particular, Erosion and Sediment Controls (Section X.H.1.e) and Advanced BMPs (Sections X.H.2 and X.H.6); along with BMP effectiveness monitoring (Section XI) and the Exceedance Response Actions process (Section XII), is generally expected to ensure compliance with the WLAs assigned to industrial storm water dischargers in the Santa Monica Bay DDT and PCBs TMDL.

Responsible Dischargers that have identified³ their facility as a potential source of DDT and PCBs in storm water discharges associated with industrial activities and/or in authorized NSWDs shall comply with a TMDL Action Level (TAL)⁴ for Suspended Sediment Concentration (SSC) of 1 mg/L, expressed as an instantaneous maximum

³ Either in the facility's existing SWPPP, or through the update to the facility SWPPP and the Assessment of Potential Pollutant Sources, as described below.

⁴ A TMDL Action Level (TAL) is treated in the same manner as a Numeric Action Level (NAL) for the purposes of permit requirements, including the Monitoring Implementation Plan (Section X.I), Monitoring (Section XI), and Exceedance Response Actions (Section XII).

value. Responsible Dischargers will be required to demonstrate through sampling and analysis that the facility's authorized NSWDS and its storm water discharges associated with industrial activities do not exceed the SSC TAL. If sampling results indicate a TAL exceedance as set forth in Section XII.A, the Discharger shall commence the Exceedance Response Actions (ERAs) process set forth in Section XII.

In conclusion, considering the existing conditions and requirements in the Industrial Storm Water General Permit regarding unauthorized and authorized NSWDS and storm water discharges, if a Discharger complies with the Industrial Storm Water General Permit, including updating the SWPPP and implementing Erosion and Sediment Control BMPs and other Advanced BMPs where necessary, the Discharger is not likely to discharge DDT and PCBs above the applicable WLAs from its industrial areas. Therefore, no additional requirements beyond complying with the Industrial Storm Water General Permit, including updating and implementing the SWPPP, and implementing ERAs for exceedances of the SSC TAL are necessary to comply with the WLAs assigned to industrial storm water dischargers at this time.

However, if it is determined, based on, but not limited to, monitoring data and comparison of results to the SSC TAL, observations of the site, discharger reports, and/or site-specific inspections and/or investigations, that a Discharger may be causing or contributing to an exceedance of a WLA, the State and/or Regional Water Board retains the authority to require Dischargers to further revise SWPPPs, BMPs, and/or monitoring programs, or direct a Discharger to obtain an individual National Pollutant Discharge Elimination System (NPDES) permit, if deemed necessary.

Monitoring and Reporting Requirements

To ensure that storm water discharges comply with the Industrial Storm Water General Permit and, in particular, Section VI.A and the SSC TAL, as necessary to achieve the WLAs, the State Water Board finds that sampling and analysis of a facility's storm water discharges for SSC is necessary. Industrial Storm Water General Permittees identified as Responsible Dischargers, above, will be required, per Section XI.B.6.e-f, to update the facility Monitoring Implementation Plan (Section X.I) no later than 6 months after the incorporation of these TMDL-specific requirements into this Order to include sampling and analysis for SSC during Qualifying Storm Events.

To ensure that authorized NSWDS comply with the Industrial Storm Water General Permit and, in particular, Sections IV.B and VI.A and the SSC TAL, as necessary to achieve the WLAs, the State Water Board finds that sampling and analysis of a facility's authorized NSWDS for SSC is also necessary. Industrial Storm Water General Permittees will be required, per Section XI.B.6.e-f, to update the facility Monitoring Implementation Plan (Section X.I) no later than 6 months after the incorporation of these TMDL-specific requirements into this Order to include sampling and analysis of the facility's authorized NSWDS for SSC twice during each reporting year, unless the Discharger provides documentation in its SWPPP per Section X.G.1.e, and through its monthly visual observations and records per Section XI.A.1-3, that there are no authorized NSWDS or these authorized NSWDS are fully contained on site.

To support the additional sampling and analysis required, Industrial Storm Water General Permittees will also be required to update the facility's Monitoring Implementation Plan to include U.S. EPA approved analytical methods, with appropriate method detection and reporting limits per Section XI.B.6.e, to determine the effectiveness of the BMPs for authorized NSWDS and storm water discharges at achieving the applicable TAL for SSC.

The following analytical test method is appropriate.

Parameter	Test Method
SSC	ASTM D3977-97

Regulatory Mechanisms

The regulatory mechanisms available to the State and/or Regional Water Boards to require Industrial Storm Water General Permittees to implement additional actions and additional monitoring include: the Industrial Storm Water General Permit and the authority contained in sections 13263, 13267, and 13383 of the California Water Code. Under these regulatory mechanisms, the State and/or Regional Water Boards may require an Industrial Storm Water General Permittee to collect samples of its storm water and NSWDS and analyze them for SSC, DDT, and PCBs to determine compliance with the applicable WLAs in the TMDLs.