

California Regional Water Quality Control Board
North Coast Region

ORDER NO. R1-2000-94
ID NO. 1B00080RHUM

WASTE DISCHARGE REQUIREMENTS

FOR

STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION
REDWOOD CREEK BRIDGE MAINTENANCE
STATE ROUTE 299, PM R22.33

Humboldt County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board) finds that:

1. The California Department of Transportation (hereinafter discharger) submitted a Report of Waste Discharge on July 3, 2000 for the maintenance, washing and repainting of State Route 299, Redwood Creek Bridge at postmile R22.33 near Willow Creek. The location of the bridge is shown on "Attachment A", incorporated herein and made a part of this Order.
2. The report indicates that 4200 square feet of bridge paint/steel-structure surface will be cleaned, cold-water pressure washed, wire brushed, and buffed as needed. The operation includes power washing with cold water (no soaps or chemicals) to prevent removal of preexisting lead-based paint in the superstructure. Tarping containment will be placed under the working platform and sidewalk to capture any excess paint and/or paint chips, dirt, and lead-contaminated debris. Filtered washwater will be contained and hauled off-site or discharged into a percolation pond adjacent to Redwood Creek. Paint materials to be applied include red water-borne primer/water-base enamel; light green finish/acrylic modified and dark green water-borne finish/water-base enamel.
3. Lead is a toxic heavy metal pollutant and bioaccumulates in animal tissues. The U.S. Environmental Protection Agency's Primary Maximum Contaminant Level (MCL) for lead in drinking water is 15 parts per billion (ppb), with the MCL goal of 0 ppb. A U.S. Environmental Protection Agency Health Advisory lists lead as a probable human carcinogen. The Water Quality Control Plan for the North Coast Region states "All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in humans, plant, animal, or aquatic life."
4. The Report of Waste Discharge indicates that the power-wash/cleaning containment system will contain all generated cleaning debris and will prevent escape of materials containing lead. All joints between the containment structure and the bridge will be sealed. All power-wash cleaning debris will be properly disposed of by the contractor at an appropriate disposal facility.

5. This project is not subject to federal storm water regulations because the area disturbed by the project activities will be less than five acres. The provisions of this Order require implementation of Best Management Practices (BMPs) during the project to control and abate the discharge of nonstorm water pollutants in storm water to achieve compliance with water quality standards.
6. The Water Quality Control Plan for the North Coast Region includes water quality objectives and receiving water limitations.
7. The beneficial uses of Redwood Creek and its tributaries include:
 - a. municipal and domestic supply
 - b. agricultural supply
 - c. industrial service supply
 - d. water contact recreation
 - e. noncontact water recreation
 - f. commercial and sport fishing
 - g. cold freshwater habitat
 - h. wildlife habitat
 - i. preservation of rare, threatened, or endangered species
 - j. migration of aquatic organisms
 - k. spawning, reproduction, and/or early development of fish
 - l. aquaculture
8. This project is exempt from provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) as maintenance of an existing facility (Title 14, California Code of Regulations, Section 15301). The permitted discharge is consistent with the provisions of State Water Resources Control Board Resolution No. 68-16 "Statement of Policy with Respect to Maintaining High Quality of Waters in California" in that impacts on existing water quality will be insignificant.
9. The Regional Water Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations.
10. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

THEREFORE, IT IS HEREBY ORDERED that the State of California, Department of Transportation, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. DISCHARGE PROHIBITIONS

1. The discharge of any waste not specifically regulated by this Order is prohibited.

2. Creation of a pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code (CWC), is prohibited.
3. The discharge of waste to land that is not under the control of the discharger is prohibited except as authorized under Section B below.
4. The discharge of waste, including, but not limited to, sandblasting wastes, paint, paint debris and/or chips, wash waters, concrete treatment chemicals, and concrete washwater wastes, into Redwood Creek or its tributaries, or to locations where these materials could pass into Redwood Creek or its tributaries, is prohibited.

B. SOLIDS DISPOSAL

1. Solid waste, as defined in Public Resources Code Section 40191, and hazardous waste, as defined in Title 27, California Code of Regulations, Section 2521, removed from the job site shall be disposed of at a legal point of disposal and in accordance with the provisions of Title 27, Division 2 of the California Code of Regulations. If a disposal site is to be used that has not been approved previously by the Regional Water Board, the discharger shall obtain approval of the new disposal site at least 30 days prior to initiation of the proposed project.

C. GENERAL PROVISIONS

1. The storage and use of any fuels, oils, or toxic substances at the project location or offsite staging areas shall be managed to prevent discharges of waste. All spills and leaks shall be reported to the Regional Water Board Executive Officer and cleaned up immediately, and all contaminated materials shall be disposed of at an approved disposal site.
2. The discharger shall submit the contractor's Water Pollution Control Plan at least thirty days prior to commencement of the project. The contractor's plan shall describe the chronology of proposed activities for this project and the estimated time of the year that each activity is to take place.
3. A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel.
4. The discharger shall have a resident engineer and/or Certified Industrial Hygienist on the job site during sandblasting who is responsible for assuring compliance with this Order. The discharger shall establish a liaison contact with Regional Water Board staff for the purpose of seeing that compliance with this Order is maintained. A list of designated liaison personnel, addresses, telephone numbers, and specific area of responsibility shall be submitted 30 days prior to commencement of the project.
5. Severability

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.

6. Operation and Maintenance

The discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed by the discharger to achieve compliance with the waste discharge requirements.

7. Vested Rights

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from his liability under federal, state, or local laws, nor create a vested right for the discharger to continue the waste discharge.

8. Monitoring

The discharger shall comply with the Contingency Planning and Notification Requirements Order No. 74-151 and the Monitoring and Reporting Program No. R1-2000-94 and any modifications to these documents as specified by the Executive Officer. Such documents are attached to this Order and incorporated herein. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services.

9. Inspections

The discharger shall permit authorized staff of the Regional Water Board:

- a. Entry upon premises in which an effluent source is located or in which any required records are kept;
- b. Access to copy any records required to be kept under terms and conditions of this Order;
- c. Inspection of monitoring equipment or records; and
- d. Sampling of any discharge.

10. Noncompliance

In the event the discharger is unable to comply with any of the conditions of this Order due to:

- a. Breakdown of waste treatment equipment;
- b. Accidents caused by human error or negligence; or
- c. Other causes such as acts of nature;

the discharger shall notify the Executive Officer by telephone as soon as it or its agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the noncompliance and shall indicate the steps taken to correct the problem, the dates thereof, and the steps being taken to prevent the problem from recurring.

11. Revision of Requirements

The Regional Water Board will review this Order periodically and may revise requirements when necessary.

Certification

I, Lee Michlin, 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, North Coast Region, on November 29, 2000.

Lee A. Michlin
Executive Officer