

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
320 West 4th Street, Los Angeles

FACT SHEET
WASTE DISCHARGE REQUIREMENTS
for
SOUTHERN CALIFORNIA MARINE INSTITUTE

NPDES Permit No.: CA0058556
Public Notice No.: 01-042

FACILITY ADDRESS

Southern California Marine Institute
820 South Seaside Avenue
Terminal Island, California

Contact: Ms. Crystal Brent
Telephone No.: 310 -519-3176

FACILITY MAILING ADDRESS

Southern California Marine Institute
820 South Seaside Avenue
Terminal Island, California

Contact: Mr. Richard E. Pieper

I. PUBLIC PARTICIPATION

A. Public Comment Period

By September 10, 2001, the local newspaper will have published the public notice of the intent of the California Regional Water Quality Control Board, Los Angeles Region, (Regional Board) to consider, during its October 25, 2001 meeting, the reissuance of the waste discharge requirements (WDRs) and National Pollutant Elimination System (NPDES) permit to Southern California Marine Institute (SCMI). The WDRs and NPDES permit regulate discharges from SCMI. The staff determinations are tentative. Interested persons are invited to submit written comments upon these tentative WDRs. Comments should be submitted either in person or by mail to:

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

To be fully responded to by staff and considered by the Regional Board, written comments should be received by 5:00 p.m. on September 24, 2001.

B. Public Hearing

The Regional Board will hold a public hearing on the tentative WDRs and NPDES permit during its regular meeting on the following date, time and place:

Date: October 25, 2001
Time: 9:00 a.m.
Location: Richard H. Chambers U.S. Court of Appeals Bldg., Courtroom 3
125 South Grand Avenue
Pasadena, CA 91105

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

C. Waste Discharge Requirement Appeals

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

State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812

D. Information and Copying

Copies of the tentative WDRs and NPDES permit, report of waste discharge (ROWD), fact sheet, comments received, and other documents relative to the tentative WDRs are available at the Regional Board office. Inspection and/or copying of these documents are by appointment scheduled between 8:00 am and 4:50 p.m., Monday through Friday, excluding holidays. For appointment please call the Los Angeles Regional Board at (213) 576-6600.

E. Register of Interested Persons

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

II. BACKGROUND

Southern California Marine Institute (hereinafter SCMI or Discharger), discharges wastes from its Fish Harbor Laboratory, to the Los Angeles Inner Harbor, a water of the United States, under waste discharge requirements contained in Order No. 95-010, adopted by this Regional Board on January 23, 1995. Order No. 95-010 serves as the National

Pollutant Discharge Elimination System (NPDES) permit (NPDES No. CA0058556). SCMI has filed a ROWD and has applied for renewal of its waste discharge requirements and NPDES permit.

III. DESCRIPTION OF FACILITY

SCMI operates the Fish Harbor Laboratory (Laboratory) located at 820 South Seaside Avenue, Terminal Island, California. The Laboratory is an open seawater aquaculture system for the study of live marine organisms. The organisms are maintained in holding tanks and aquaria while under study. The seawater is pumped from the Los Angeles Inner Harbor (Berth 260), filtered through a sand filter and fed into a series of holding tanks and aquaria, and then discharged back into the harbor. The sand filter is backwashed for about five minutes per day with about 400 gallons of seawater.

IV. WASTE DISCHARGE DESCRIPTION

SCMI discharges up to 150,000 gallons per day (gpd) of wastes consisting of filter backwash and seawater circulated through holding tanks and aquaria to the Los Angeles Inner Harbor, a water of the United States through Discharge Serial No. 001 (Latitude 33° 44' 14"; Longitude 118° 15' 10"). Only seawater, with negligible levels of metabolic wastes from the captive fish and invertebrates is discharged; no industrial pollutants, toxic chemicals nor toxic substances are introduced into the discharge.

The discharge of wastes into the sanitary wastes is restricted because of the nature of wastes discharged.

The Report of Waste Discharge, Form 2E, describes the effluent characteristics as follows:

<u>Constituent</u>	<u>Units</u>	<u>Daily Maximum Value</u>
pH	Standard Unit	8.0
Temperature		
Winter	°C	14
Summer	°C	23
BOD ₅ 20 °C	mg/L	<3
Total Suspended Solids	mg/L	2.7
Oil and grease	mg/L	<5
Fecal Coliform	MPN/100 ml	0.0
Ammonia (as N)	mg/L	0.05

V. APPLICABLE PLANS, POLICIES, AND REGULATIONS

A. The federal Clean Water Act (CWA).

B. Ocean vs. Non-Ocean Discharge Applicability

The 1997 California Ocean Plan (Ocean Plan) presents the following definitions:

Ocean Waters are the territorial marine waters of the State as defined by the California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. If a discharge outside the territorial waters of the State could affect the quality of the waters of the State, the discharge may be regulated to assure no violation of the Ocean Plan will occur in ocean waters.

Enclosed Bays are indentations along the coast which enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. This definition includes but is not limited to: Humboldt Bay, Bodega Harbor, Tomales Bay, Drakes Estero, San Francisco Bay, Morro Bay, Los Angeles Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay.

Accordingly, all plans and policies applicable to the enclosed bays and estuaries of California are applicable to the discharges from this facility.

C. *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan). The Basin Plan contains water quality objectives for, and lists the following beneficial uses for the Los Angeles Inner Harbor:

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

Potential: water contact recreation, and shellfish harvesting.

D. *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California* (Thermal Plan).

E. *The California Toxics Rule* (CTR) promulgated by the USEPA on May 18, 2000, and *The Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP) adopted by the State Board on March 2, 2000. The SIP was effective April 28, 2000 with respect to the priority pollutants criteria that were promulgated for California by the USEPA through the National Toxics Rule (NTR) and also with respect 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 USEPA 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 USEPA through the CTR.

- F. Valid existing WDRs contained in Regional Board Order No. 95-010, adopted by the Regional Board on January 23, 1995. Section 402(o) of the Clean Water Act and title 40 Code of Federal Regulations (40 CFR) section 122.44(l) require that water-quality based effluent limits in re-issued permits must be at least as stringent as in the existing permit (anti-backsliding). Therefore, some of the requirements in the proposed Order are based on limits specified in the SCMI's existing permit.

VI. REGULATORY BASIS FOR EFFLUENT LIMITATIONS

A. Water Quality-Based Effluent Limitations (WQBELs)

The WQBELs are based on the Basin Plan, other State plans and policies, or USEPA water quality criteria. These requirements, as they are met, will protect and maintain existing beneficial uses of the receiving water.

The CTR and SIP require dischargers to submit sufficient data to determine the priority pollutants requiring WQBELs and to calculate effluent limitations. To protect the beneficial uses of the Los Angeles Inner Harbor, the CTR criteria for saltwater or human health for consumption of organisms, whichever produced more stringent limitations, were used to prescribe the effluent limitations in this Order.

B. Reasonable Potential Analysis (RPA)

As specified in 40 CFR 122.44(d)(1)(i) and (ii), permits are required to include limits for pollutants that are or may be discharged at a level which cause, have reasonable potential to cause, or contribute to an excursion above any State water quality standard.

For toxic pollutants, according to the SIP, a WQBEL is required when:

- a. the maximum effluent concentration (MEC) is greater than or equal to the most stringent applicable water quality criteria in the CTR (C),
- b. the background water quality (B) is greater than C, or
- c. other available information.

Sufficient effluent and ambient data are needed to conduct a complete RPA. If data are not sufficient, the Discharger shall be required to gather the appropriate data for the Regional Board's RPA. Upon review of the data, and if the Regional Board determines that effluent limits are needed to protect the beneficial uses, the permit will be reopened for appropriate modification.

For most toxic pollutants, no background or effluent data were available. Pursuant to SIP provisions, no limits are prescribed or, if these pollutants have limits in the existing permit, these limits are prescribed in this Order until data are obtained to complete the RPA. The CTR and SIP require the dischargers to submit sufficient data to conduct the determination of priority pollutants requiring WQBELs and to calculate the effluent

limitations. The proposed permit includes an interim monitoring requirements to obtain the necessary data to perform the RPA .

The permit will be reopened to include effluent limitations for toxic constituents determined to be present in significant amounts in the discharge through a more comprehensive monitoring program included as part of this Order and based on the results of the RPA.

The Regional Board has determined that, except metals, and based on the reported nature of the operations and the facility's performance history, there is no evidence that the discharge from SCMI cause, have a reasonable potential to cause, or contribute to an excursion above any applicable toxic pollutant criterion or objective. However, SCMI is required to collect sufficient data for toxic pollutants, so a reasonable potential analysis can be performed for these constituents.

VII. Monitoring Requirements

A. Effluent Monitoring

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

B. Interim Monitoring Program

Will provide the necessary data to perform RPA and to calculate the effluent limitations for toxic pollutants.