State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
Los Angeles Region

ORDER NO. R4-2002-0151
NPDES PERMIT NO. CA0060232

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
WASTE DISCHARGE REQUIREMENTS
FOR
BP PIPELINES NORTH AMERICA
(Carson Crude Terminal)

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

Background

1. BP Pipelines North America (hereinafter BP Pipelines or Discharger), formerly known as ARCO Pipe Line Company, discharges wastes from its Carson Crude Terminal (Terminal) under waste discharge requirements (WDRs) contained in Order No. 97-075 adopted by the Regional Board on June 16, 1997. Order 97-075 serves as a National Pollutant Discharge Elimination System (NPDES) permit (CA0060232) for the facility.

2. BP Pipelines has filed a report of waste discharge (ROWD) and has applied for renewal of its WDRs and NPDES permit.

Purpose of Order

3. The purpose of this order is to renew the WDRs for the Terminal. This NPDES permit regulates the discharge of storm water runoff from tank diked containment areas and adjacent land, to the Dominguez Channel estuary, a water of the United States. The point of discharge is located at Latitude 33°, 37', 11" North and Longitude 118°, 15', 16" West.

Facility Description

4. The Terminal, a petroleum crude oil transfer and storage facility, is located at 24696 South Wilmington Avenue, Carson, California. The facility consists of five above ground tanks (AGT): two AGTs with a capacity of 450,000 barrels (18.9 million gallons) each; and three AGTs with a capacity of 376,000 barrels (15.792 million gallons) each. Each of the AGTs is equipped with spill containment to capture any leakage from the tanks. Crude oil is transported to and from the Terminal by pipeline. Figures 1 and 2 show the location and plan view of the facility, respectively.

Discharge Description

5. BP Pipelines intermittently discharges up to 250,000 gallons per day (gpd) of storm water

runoff to the storm drain via Outfall No. 24, located near the intersection of Wilmington Avenue and Sepulveda Boulevard (Latitude 33°, 37', 11" North and Longitude 118°, 15', 16" West). The wastewater then flow to Dominguez Channel estuary, a water of the United States. Storm water runoff is collected or stored in an onsite retention basin (with a capacity of 1.638 million gallons), then pumped to an offsite retention basin located inside the entry road to the Terminal (with a capacity of 15.792 million gallons) prior to discharge to the outfall.

6. The current permit also regulates the discharge of hydrostatic test water. However, there have been no discharges of hydrostatic test water for the past five years; only storm water discharges occurred in January and February 2001. On July 11, 2002, BP Pipelines requested that the hydrostatic test water discharge proposed in the ROWD be separated from the storm water discharge. Therefore, this Order regulates only the discharge of storm water runoff.

7. Compliance inspection reports dated July 12, 2002, indicate that BP Pipelines was in compliance with its NPDES permit; no violations were cited.

Storm Water Management

8. BP Pipelines has implemented a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the existing individual permit, and is 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 updated, individual permit requires the Discharger to update and implement its SWPPP. The SWPPP will outline site-specific management processes for minimizing storm water runoff contamination and for preventing contaminated storm water runoff from being discharged directly into surface waters.

9. The objective of this Order is to protect the beneficial uses of receiving waters. To meet this objective, this Order requires that the SWPPP specify BMPs that will be implemented to reduce the discharge of pollutants in storm water to the maximum extent practicable. Further, the Discharger shall assure that 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, 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. 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). The Basin Plan contains water quality objectives for, and lists the following beneficial uses of the Dominguez Channel Estuary:

    Existing: water contact recreation, non-contact water recreation, commercial and sport fishing, estuarine habitat, marine habitat, wildlife habitat, preservation of rare and endangered species, migration of aquatic organisms, and spawning, reproduction, or early development.

    Potential: navigation.

12. The State Water Resources Control Board (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 Dominguez Channel.

13. On May 18, 2000, the U.S. Environmental Protection Agency (USEPA) promulgated numeric criteria for priority pollutants for the State of California [known as the *California Toxics Rule* (CTR*)* and codified as 40 CFR section 131.38]. In the CTR, USEPA 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 provides a schedule of compliance not to exceed 5 years from the date of permit issuance for a point source discharge if the Discharger demonstrates that it is infeasible to promptly comply with the CTR criteria.

14. 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 section 122.44(d)(1)(vi) specifies that WQBELs may be set based on USEPA 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.

15. 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 USEPA for some pollutants in this discharge. Effluent limitations for pollutants not subject to the

USEPA 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 USEPA 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.

16. State and Federal antibacksliding and antidegradation policies require that 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) of the Clean Water Act (CWA) and in Title 40, Code of Federal Regulations (40 CFR), section 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.

17. The existing permit prescribed effluent limitations for methyl tertiary butyl ether (MTBE) of 600 µg/L. On October 8, 1997, the State of California, then by Governor Pete Wilson, signed Assembly Bill 592. Assembly Bill 592 requires the State of California, Department of Health Services (DHS) to adopt primary and secondary drinking water standards for MTBE. In January 1999, the DHS adopted 5 µg/L as the secondary standard for MTBE based on taste and odor threshold. This Order includes an effluent limitation for MTBE of 5 µg/L.

18. Effluent limitations prescribed in this Order are based on the CTR, Basin Plan, existing permit limits, and established in accordance with sections 301, 304, 306, and 307 of the federal CWA, and amendments thereto. These requirements, as they are met, will protect and maintain existing beneficial uses of the receiving water. These requirements, as they are met, will maintain and protect the beneficial uses of the Dominguez Channel estuary.

Watershed Management Approach and Total Maximum Daily Loads (TMDLs)

19. The Regional Board has implemented the Watershed Management Initiative 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 nonpoint sources to more efficiently develop watershed-specific solutions that balance the environmental and economic impacts within a watershed. The TMDLs will establish waste load allocations (WLAs) and load allocations (LAs) for point and nonpoint sources, and will result in achieving water quality standards for the waterbody.

20. The Dominguez Channel begins in El Segundo and flows through portions of Hawthorne, Torrance, Gardena, Carson, and Wilmington to the East Basin of the Los Angeles Harbor. The channel is concrete-lined above the estuary (Vermont Avenue). The Dominguez Channel receives discharges from highly developed and industrialized areas.

21. The Dominguez Channel estuary is classified as impaired in the State Board's 1998 California 303(d) list. The pollutants of concern, detected in the channel water, sediment,

and in the fish tissue, are listed below:

- In sediment: chromium, lead, zinc, DDT, and polynuclear aromatic hydrocarbons (PAHs).

- In fish tissue: lead, aldrin, benthic community effects, Chem A (refers to the sum of aldrin, dieldrin, chlordane, endrin, heptachlor, heptachlor epoxide, HCH (including lindane), endosulfan, and toxaphene), chordane, DDT, dieldrin, and polychlorinated biphenyls (PCBs).

- In the water column: copper, lead, ammonia, and coliform.

The TMDL development for Dominguez Channel watershed is scheduled for fiscal year 2003-2004, beginning with coliform. The TMDLs will include WLAs for the 303(d)-listed pollutants, and the Board will adopt a WQBEL consistent with the corresponding WLA. If authorized, a time schedule might be included in a revised permit to require compliance with the final WQBEL.

22. To prevent further degradation of the water quality of Dominguez Channel estuary and to protect its beneficial uses, mixing zones and dilution credits are not allowed in this Order. This determination is based on:

- The discharge may contain the 303(d)-listed pollutants that exceed water column criteria. Since the receiving water is impaired, a dilution factor is not appropriate and the final WQBEL should be numeric objective/criterion applied end-of-pipe.

- The discharge may contain the 303(d)-listed pollutants that are bioaccumulative. These pollutants, when exceeding water criteria within the mixing zone, can potentially result in tissue contamination of organisms directly or indirectly through contamination of bed sediments with subsequent incorporation into the food chain.

Data Availability and Reasonable Potential Monitoring

23. 40 CFR 122.44(d)(1)(ii) requires that each toxic pollutant be analyzed with respect to its reasonable potential when determining whether a discharge (1) causes; (2) has the reasonable potential to cause; or (3) contributes to the exceedance of a receiving water quality objective. This is done by performing a reasonable potential analysis (RPA) for each pollutant. In performing the RPA, the permitting authority uses procedures that account for existing controls on point and nonpoint sources of pollution, the variability of the pollutant or pollutant parameter in the effluent, and the sensitivity of the species to toxicity testing (when evaluating whole effluent toxicity). Because of effluent variability, there is always some degree of uncertainty in determining an effluent's impact on the receiving water. The USEPA's *Technical Support Document for Water Quality-Based Toxics Control (TSD) of 1991* (USEPA/505/2-90-001), addresses this issue by suggesting the use of a statistical approach. Sufficient effluent data are needed to perform the RPA analysis.

24. There is insufficient monitoring data available to perform RPA to the priority pollutants. The TSD requires the dischargers to submit sufficient data to conduct the determination of priority pollutants requiring WQBELs and to calculate the effluent limitations. This permit includes an interim monitoring requirements to obtain the necessary data.

25. This 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.

CEQA and Notifications

26. 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.

27. The Regional Board, in a public hearing, heard and considered all comments pertaining to the discharge and to the tentative requirements.

28. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the Federal Clean Water Act or amendments thereto, and shall take effect at the end of ten days from the date of its adoption provided the Regional Administrator, USEPA has no objections.

29. 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.

30. 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 BP Pipelines North America, 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 Prohibition

1. Wastes discharged shall be limited to storm water runoff from tank diked containment areas and adjacent land, as proposed. The discharge of water from accidental spills or other sources is prohibited.

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, tributaries to Dominguez Channel estuary, or waters of the State, are prohibited.

B. Effluent Limitations

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

1. A pH value less than 6.5 or greater than 8.5.

2. A temperature greater than 100º F.

3. Toxicity limitations:

   a. 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.

   b. If either of the above requirements (Section I.B.3.a.) is not met, then the Discharger shall begin a Toxicity Identification Evaluation (TIE) using discharge water kept in reserve for this purpose. 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 toxicity is complex, all phases including confirmatory phases of TIE may not be possible with reserve water, however, the TIE shall include all reasonable steps to identify the source(s) of toxicity. The TIE will be continued with discharge water from the next discharge event. Once the source(s) of toxicity is identified, the Discharger shall take all reasonable steps to reduce the toxicity to meet the objective.

   c. Preparation of an Initial Investigation TRE Workplan:

      The Discharger shall submit within 90 days of the effective date of this permit a copy of the initial investigation Toxicity Reduction Evaluation (TRE) workplan (1-2 pages) to the Executive Officer of the Regional Board for approval. If the Executive Officer does not disapprove the workplan within 60 days, the workplan shall become effective. The Discharger shall use USEPA manual EPA/600/2-88/070 (industrial) as guidance. This workplan shall describe the steps the Discharger intends to follow if toxicity is detected, and should include, at a minimum:

      i. A description of the investigation and evaluation techniques that will be used to identify potential causes and sources of toxicity, effluent variability.

ii. 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,

iii. 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) (See MRP Section IV.3. for guidance manuals).

d. The Discharger shall conduct acute toxicity monitoring as specified in Monitoring and Reporting Program No. 6810.

4. The discharge of an effluent in excess of the following limits is prohibited:

Constituents	Units	Discharge Limitations 1/	
		Monthly Average	Daily Maximum
Total Suspended Solids	mg/L	50	75
Turbidity	NTU	50	75
BOD_5 20°C	mg/L	20	30
Oil and Grease	mg/L	10	15
Sulfides	mg/L	---	1.0
Phenols	mg/L	---	1.0
Benzene	µg/L	---	1.0
Ehtylbenzene	µg/L	---	700
Toluene	µg/L	---	150
Xylene	µg/L	---	1750
Carbon tetrachloride	µg/L	---	0.5
Tetrachloroethylene	µg/L	---	5.0
Trichloroethylene	µg/L	---	5.0
Vinyl chloride	µg/L	---	0.5
1,4-Dichlorobenzene	µg/L	---	5.0
1,1-Dichloroethane	µg/L	---	5.0
1,2-Dichloroethane	µg/L	---	0.5
Methyl tertiary butyl ether (MTBE)	µg/L	---	5.0
1,1-Dichloroethylene	µg/L	---	6.0
Arsenic 2/	µg/L	---	50
Cadmium 2/	µg/L	---	5.0
Chromium 2/	µg/L	---	50
Copper 2/	mg/L	---	1.0
Lead 2/	µg/L	---	50
Mercury 2/	µg/L	---	2.0
Selenium 2/	µg/L	---	10
Silver 2/	µg/L	---	50
Zinc 2/	mg/L	---	5.0

1/ The monthly average concentration shall be the arithmetic average of all the values of daily concentrations calculated using the results of analyses of all samples collected during the

month. If only one sample is taken within that month, compliance shall be based on this sample result.

The mass emission (in lbs/day) for the discharge shall be calculated and reported using the limitation concentration and the actual flow rate measured at the time of discharge, using the formula:

$$m = 8.34\ C_i Q$$

where: m = mass discharge for a pollutant, lbs/day
C_i = limitation concentration for a pollutant, mg/L
Q = actual discharge flow rate, mgd

2/ Discharge limitations for these metals are expressed as total recoverable.

C. Receiving Water Limitations

1. The discharge shall not cause the following conditions to exist in 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. The temperature at any time or place and within any given 24-hour period to be altered by more than 5ºF above natural temperature of the receiving waters at any time or place.

4. The discharge shall not cause the following limits 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 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;

c. Dissolved sulfide shall not be greater than 0.1 mg/L;

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 $BOD_5 20^0C$ 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 population 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. The Discharger shall submit within 90 days of the effective date of this Order:

1. An updated Storm Water Pollution Prevention Plan (SWPPP) that describes site-

specific management practices for minimizing storm water runoff from being contaminated, and for preventing contaminated storm water runoff from being discharged directly to waters of the State.

2. A Best Management Practices Plan (BMPP) that entails site-specific plans and procedures implemented and/or to be implemented to prevent hazardous waste/material from being discharged to waters of the State. The updated BMPP shall be consistent with the requirements of 40 CFR 125, Subpart K, and the general guidance contained in the *NPDES Best Management Guidance Document*, USEPA Report No. 600/9-79-045, December 1979 (revised June 1981). In particular, a risk assessment of each area identified by the Discharger shall be performed to determine the potential of hazardous waste/material discharge to surface waters.

Both plans 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 for containment and/or treatment of the storm water. The plans shall be reviewed annually and at the same time. Updated information shall be submitted within 30 days of revision.

B. The Discharger shall submit within 180 days of the effective date of this Order an updated Spill Contingency Plan. The Contingency Plan shall be site-specific and shall cover all areas of the facility. The Contingency Plan shall be reviewed at the same time as the SWPPP and BMPP. Updated information shall be submitted within 30 days of revision.

C. The Discharger shall implement or require the implementation of the most effective combination of BMPs for storm water/urban runoff pollution control. When implemented, BMPs are intended to result in the reduction of pollutants in storm water to the maximum extent practicable.

D. Oil or oily materials, chemicals, refuse, or other materials that may cause pollution in storm water and/or urban runoff shall not be stored or deposited in areas where they may be picked up by rainfall/urban runoff and discharged to surface waters. Any spill of such materials shall be contained, removed and cleaned immediately.

E. In the determination of compliance with the monthly average limitations, the following provisions shall apply to all constituents:

1. If the analytical result of a single sample, monitored monthly or at a lesser frequency, does not exceed the monthly average limit for that constituent, the Discharger will have demonstrated compliance with the monthly average limit for that month.

2. If the analytical result of a single sample, monitored monthly or at a lesser frequency, exceeds the monthly average limit for any constituent, the Discharger shall collect three additional samples at approximately equal intervals during the month. All four analytical results shall be reported in the monitoring report for that month, or 45 days after the sample was obtained, whichever is later.

   If the numerical average of the analytical result of these four samples does not exceed the monthly average limit for that constituent, compliance with the monthly average limit has been demonstrated for that month. Otherwise, the monthly average limit has been violated.

3. 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.

4. Any single reported value which exceeds a daily maximum effluent concentration of the waste discharge requirements shall be considered a violation of said limit.

   If there is any conflict between the provisions stated herein before and the attached "Standard Provisions', those stated hereinbefore prevail.

F. 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 limits in 40 CFR 122.42(a).

G. The discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.

H. The Discharger shall comply with the waste load allocations that will be developed from the TMDL process for the 303 (d) listed pollutants.

I. 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.

J. 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.

K. The Discharger shall notify the Executive Officer in writing no later than six 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. USEPA registration number, if applicable.

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

L. The Regional Board and USEPA 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 hereinbefore and the attached Standard Provisions, those provisions stated hereinbefore prevail.

B. This Order includes the attached Monitoring and Reporting Program. If there is any conflict between provisions stated in the Monitoring and Reporting Program and the Standard Provisions, those provisions stated in the former 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 and Construction Activity (State Board Order No. 99-08-DWQ adopted on August 19, 1999). This Order R4-2002-0151 shall take precedence where conflicts or differences arise between it and the aforementioned Orders.

D. This Order includes the attached *Storm Water Pollution Prevention Plan Requirements* (Attachment M).

E. The Discharger must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of storm water to their storm drain systems.

F. Pursuant to 40 CFR 122.61(b), coverage under this Order may be transferred in case of change of ownership of land or discharge facility provided the existing discharger notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new dischargers

containing a specific date of transfer of coverage, responsibility for compliance with this Order, and liability between them.

IV. Reopeners

A. This Order may 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.

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.

D. This Order may be reopened and modified, in accordance with the provisions set forth in 40 CFR Sections 122.44(d)(1)(vi)(C)(4), if the limits on the indicator parameter (total nitrogen) no longer attain and maintain applicable water quality standards.

E. This Order may be reopened and modified, to revise effluent limitations as a result of future Basin Plan Amendments, or the adoption of a TMDL for Dominguez Channel Watershed.

F. This Order may be reopened and modified, to revise the toxicity language once that language becomes standardized.

G. This Order may 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.

H. This Order may be reopened upon the submission by the Discharger, of adequate information, as determined by the Regional Board, to provide for dilution credits or a mixing zone, as may be appropriate.

V. Expiration Date

This Order expires on August 10, 2007.

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. 97-075, adopted by this Regional Board on June 16, 1997, is hereby rescinded except for enforcement purposes.

I, Dennis Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on September 26, 2002.

Dennis A. Dickerson
Executive Officer