

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

June 21, 2013

Mr. Greg Grover
Circle K Stores Inc.
255 East Rincon, Suite 100
Corona, CA 92879

Certified Mail
Return Receipt Requested
Claim No. 7011 2970 0000 0645 1287

**GENERAL WASTE DISCHARGE REQUIREMENTS FOR GROUNDWATER CLEANUP AT
PETROLEUM HYDROCARBON FUEL, VOLATILE ORGANIC COMPOUND AND/OR
HEXAVALENT CHROMIUM IMPACTED SITES
CIRCLE K STORE #2211209 (PRIORITY D-1/EAOP)
11001 VENTURA BOULEVARD, STUDIO CITY, CA (CASE NO. 913040361A)
(ORDER NO. R4-2007-0019, SERIES NO. 226; CI NO. 9950)**

Dear Mr. Grover:

We have completed our review of your application for coverage under the General Waste Discharge Requirements for ozone sparging application at the site referenced above in Studio City, California, for groundwater cleanup and remediation pilot testing.

The site is currently a Circle K owned retail fuel service station located at the northwest corner of the Vineland Avenue and Ventura Boulevard intersection in Studio City, California (Site) (See Figure 1) (Latitude: 34.140368 °Longitude: -118.370197 °).

In August 2002, the product piping was upgraded at the site. Several site assessments were conducted between 2002 and 2009. Site investigations found soil and groundwater contamination beneath the site. A periodic groundwater monitoring program was initiated in May 2007. The most recent monitoring data dated November 2, 2012, showed the maximum concentrations of total petroleum hydrocarbon as gasoline (TPHg) at 1,300 µg/L, benzene at 4.1 µg/L, MTBE at 330 µg/L, and TBA at 170,000 µg/L were detected in the groundwater samples.

On behalf of the responsible party, Blaes Environmental submitted an "Ozone Feasibility Workplan" (the RAP) dated December 11, 2012, for the subject site. The RAP proposed to sparge ozone into the saturated soil and groundwater to determine if ozone sparge in conjunction with soil vapor extraction (SVE) is a suitable remedial method to remediate the vadose zone and groundwater beneath the site. The RAP proposed to install two injection wells for ozone sparging at the site (See Figure 2 for injection locations). A Regional Board staff directive letter dated June 12, 2013 approved the RAP.

Regional Board staff has determined that the proposed ozone sparging meets the conditions specified in Order No. R4-2007-0019, "Revised General Waste Discharge Requirements for Groundwater Remediation at Petroleum Hydrocarbon Fuel, Volatile Organic Compound and/or

MARIA MEHRANIAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles

Hexavalent Chromium Impacted Sites (General WDR)," adopted by the Los Angeles Regional Water Quality Control Board on March 1, 2007.

Enclosed are your Waste Discharge Requirements (WDRs), consisting of Board Order No. 2007-0019 and Monitoring and Reporting Program No. CI-9950 and Standard Provisions.

The WDRs issued shall not be terminated until Regional Board staff determines the WDRs are no longer needed for the subject site.

In accordance with regulations adopted by the State Board in September 2004 regarding electronic submittal of information (ESI), the Discharger has been electronically submitting monitoring reports to the State Board GeoTracker system under UST Global ID T0603719545. To comply with the Monitoring and Reporting Program (MRP) under this WDR, the Discharger shall upload the WDR monitoring reports to the Geotracker under the two Global ID T0603719545 (continuing) and Global ID WDR100011021 (new). For more information regarding the new Global ID under WDR, please see ESI training video available at:

<https://waterboards.webex.com/waterboards/ldr.php?AT=pb&SP=MC&rID=44145287&rKey=7dad4352c990334b>.

When submitting monitoring or technical reports to the Regional Board per these requirements, please include a reference to Compliance File No. CI-9950 to assure that the reports are directed to the appropriate file and staff. Do not combine other reports with your monitoring reports. Submit each type of report as a separate document.

We are sending a copy of Order No. R4-2007-0019 only to the applicant. A copy of the Order will be furnished to anyone who requests it, or on line at:

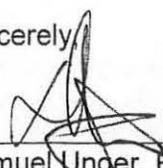
[http://www.waterboards.ca.gov/losangeles/board decisions/adopted orders/general orders/r4-2007-0019/r4-2007-0019.pdf](http://www.waterboards.ca.gov/losangeles/board%20decisions/adopted%20orders/general%20orders/r4-2007-0019/r4-2007-0019.pdf)

To avoid paying future annual fees, please submit a written request for termination of your enrollment under the general permit in a separate letter, when your project has been completed and the permit is no longer needed. Be aware that the annual fee covers the fiscal year billing period beginning July 1 and ending June 30, the following year. You will pay the full annual fee if your request for termination is made after the beginning of the new fiscal year beginning July 1.

The Discharger shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports required under the MRP, including groundwater monitoring data, discharge location data, and pdf monitoring reports to the State Water Resources Control Board GeoTracker database under Global ID WDR100011021.

If you have any questions regarding the WDRs, please contact Mr. Eric Wu at (213) 620-6683 or ewu@waterboards.ca.gov. Questions regarding underground storage tank issues should be forwarded to Ms. Maryam Taidy at (213) 576-6741 or mtaidy@waterboards.ca.gov.

Sincerely,


Samuel Unger, P.E.
Executive Officer

Ch: of Dept 7 20
for

- Enclosures: 1. Board Order No. R4-2007-0019
2. Monitoring and Reporting Program No. CI-9950
3. Standard Provisions

cc:

Kathy Jundt, State Water Resources Control Board, UST Cleanup Fund
Nancy Matsumoto, Water Replenishment District of Southern California
Matthew Gatewood, City of Los Angeles Fire Department
Ken Hamilton, Blaes Environmental

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
MONITORING AND REPORTING PROGRAM NO. CI-9950
for
CIRCLE K STORE 2211209
11001 VENTURA BOULEVARD, STUDIO CITY, CA
(OZONE SPARGE FOR GROUNDWATER CLEANUP)
(ORDER NO. R4-2007-0019, SERIES NO. 226)

I. REPORTING REQUIREMENTS

A. Circle K Stores Inc. (hereinafter Discharger) shall implement this monitoring program on the on the effective date of this monitoring and reporting program (MRP). The first monitoring report under this program shall be received at the Regional Board by **January 15, 2014**. Subsequent monitoring reports shall be received at the Regional Board according to the following schedule:

| <u>Monitoring Period</u> | <u>Report Due</u> |
|--------------------------|--------------------------|
| January – June | July 15 th |
| July – December | January 15 th |

- B. If there is no discharge or injection during any reporting period, the report shall so state.
- C. Laboratory analyses – all chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP). A copy of the laboratory certification shall be provided each time a new and/or renewal certification is obtained from ELAP.
- D. The method limits (MLs) employed for effluent analyses shall be lower than the permit limits established for a given parameter, unless the Discharger can demonstrate that a particular ML is not attainable and obtains approval for a higher ML from the Regional Board Executive Officer (Executive Officer). The Discharger shall submit a list of the analytical methods employed for each test and the associated laboratory quality assurance/quality control (QA/QC) procedures upon request by the Regional Board.
- E. Groundwater samples must be analyzed within allowable holding time limits as specified in 40 CFR Part 136. All QA/QC samples must be run on the same dates when samples were actually analyzed. The Discharger shall make available for inspection and/or submit the QA/QC documentation upon request by Regional Board staff.
- F. Each monitoring report must affirm in writing that “All analyses were conducted at a laboratory certified for such analyses by the California Department of Health Services, and in accordance with current United States Environmental Protection Agency (USEPA) guideline procedures or as specified in this Monitoring Program.” Proper chain of custody procedures must be followed and a copy of the completed chain of custody form shall be submitted with the report.
- G. Each monitoring report shall contain a separate section titled “Summary of Non-Compliance”

June 21, 2013

which discusses the compliance record and the corrective actions taken or planned that may be needed to bring the discharge into full compliance with WDRs. This section shall be located at the front of the report and shall clearly list all non-compliance with WDRs, as well as all excursions of effluent limitations.

- H. The Discharger shall maintain all sampling and analytical results: date, exact place, and time of sampling; dates analyses were performed; analyst's name; analytical techniques used; and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.
- I. If the Discharger performs analyses on any groundwater samples more frequently than required by this Order using approved analytical methods, the results of those analyses shall be included in the report.
- J. In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized to demonstrate compliance with the requirements and, where applicable, shall include results of receiving water observations.
- K. In accordance with regulations adopted by the State Water Resource Control Board (State Board) in September 2004 regarding electronic submittal of information (ESI), the Discharger has been electronically submitting Underground Storage Tank Program (UST) technical reports to the State Board GeoTracker system under the UST Global ID T0603719545. To comply with this MRP, the Discharger shall upload the MRP monitoring reports to the Geotracker under the two Global ID T0603719545 (continuing) and WDR100011021 (new).

II. DISCHARGE MONITORING REQUIREMENTS

The reports shall contain the following information regarding injection activities:

1. Location map showing application area.
2. Written summary defining:
 - Depth of insertion and depth to groundwater;
 - Quantity of ozone sparge per area; and
 - Total amount of ozone applied at site.
3. Groundwater monitoring wells shall not be used as ozone injection points to avoid reduction of groundwater monitoring network, data bias, well screen clogging and alternation. Separate injection points must be installed for the proposed chemical oxidation injection.

III. GROUNDWATER MONITORING PROGRAM

A groundwater monitoring program shall be designed to detect and evaluate impacts associated with the ozone application. The monitoring program shall consist of upgradient well MW04, source well MW03, and downgradient well MW06 (See Figure 2). A baseline monitoring and sampling shall be conducted one or two weeks prior to the proposed magnesium sulfate application. Baseline monitoring will establish the initial conditions with respect to the contaminant levels. These sampling stations shall not be changed and any proposed change of monitoring locations shall be identified and approved by the Executive Officer. The Discharger shall conduct baseline sampling one or two weeks prior to magnesium sulfate application and regular sampling with the required frequencies from the up-gradient, down-gradient, and source monitoring wells for the following constituents:

| <u>CONSTITUENT</u> | <u>UNITS</u> ¹ | <u>TYPE OF SAMPLE</u> | <u>MINIMUM FREQUENCY OF ANALYSIS</u> |
|---|---------------------------|-----------------------|--------------------------------------|
| pH ² | PH units | Grab | Semi-Annually |
| Temperature ² | °F | grab | Semi-Annually |
| Oxidation-reduction potential ² | Milivolts | grab | Semi-Annually |
| Specific conductivity ² | µmhos/cm | grab | Semi-Annually |
| Ferrous iron | µg/L | grab | Semi-Annually |
| Dissolved Oxygen ² | µg/L | grab | Semi-Annually |
| MTBE | µg/L | grab | Semi-Annually |
| Tert-Butyl Alcohol (TBA) | µg/L | grab | Semi-Annually |
| Di-isopropyl Ether (DIPE) | µg/L | grab | Semi-Annually |
| Ethyl-t-Butyl Ether (ETBE) | µg/L | grab | Semi-Annually |
| Tert-Amyl-Methyl Ether (TAME) | µg/L | grab | Semi-Annually |
| Acetone | µg/L | grab | Semi-Annually |
| Formaldehyde | µg/L | grab | Semi-Annually |
| Total Petroleum Hydrocarbons as gasoline (TPHg) | µg/L | grab | Semi-Annually |
| Carbon tetrachloride | µg/L | grab | Semi-Annually |
| Benzene | µg/L | grab | Semi-Annually |
| Ethylbenzene | µg/L | grab | Semi-Annually |
| Toluene | µg/L | grab | Semi-Annually |
| Total xylenes | µg/L | grab | Semi-Annually |

| | | | |
|-----------------------------|------|------|----------------------------|
| Naphthalene | µg/L | grab | Semi-Annually |
| Methane | µg/L | grab | Semi-Annually |
| Total organic carbon | µg/L | grab | Semi-Annually |
| Total dissolved solids | mg/L | grab | Semi-Annually |
| Sulfate | mg/l | grab | Semi-Annually |
| Chloride | mg/L | grab | Semi-Annually |
| Boron | mg/L | grab | Semi-Annually |
| Carbon dioxide | mg/L | grab | Semi-Annually |
| Manganese | µg/L | grab | Semi-Annually |
| Total iron | µg/L | grab | Semi-Annually |
| Alkalinity | µg/L | grab | Semi-Annually |
| Chromium (VI) ³ | mg/L | grab | Semi-Annually ³ |
| Total Chromium ³ | mg/L | grab | Semi-Annually ³ |

¹ mg/L: milligrams per liter; µg/L: micrograms per liter; µmhos/cm: microohms per centimeter; °F: degree Fahrenheit.

² Field instrument will be used to test for this constituent.

³ The Discharger is required to monitor for total chromium and chromium six in the baseline, second and fourth semi-annual sampling. If detected at any of these sampling events, the total chromium and chromium six must be monitored semi-annually thereafter.

All groundwater monitoring reports must include, at minimum, the following:

- a. Well identification, date and time of sampling;
- b. Sampler identification, and laboratory identification;
- c. Quarterly observation of groundwater levels, recorded to 0.01 feet mean sea level and groundwater flow direction.

IV. MONITORING FREQUENCIES

Specifications in this monitoring program are subject to periodic revisions. Monitoring requirements may be modified or revised by the Executive Officer based on review of monitoring data submitted pursuant to this Order. Monitoring frequencies may be adjusted to a less frequent basis or parameters and locations dropped by the Executive Officer if the Discharger makes a request and the request is backed by statistical trends of monitoring data submitted.

V. CERTIFICATION STATEMENT

Each report shall contain the following declaration:

"I certify under penalty of law that this document, including all attachments and supplemental information, was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment.

Executed on the _____ day of _____ at _____.

(Signature)

(Title)"

VI. PUBLIC DOCUMENTS

These records and reports are public documents and shall be made available for inspection during normal business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

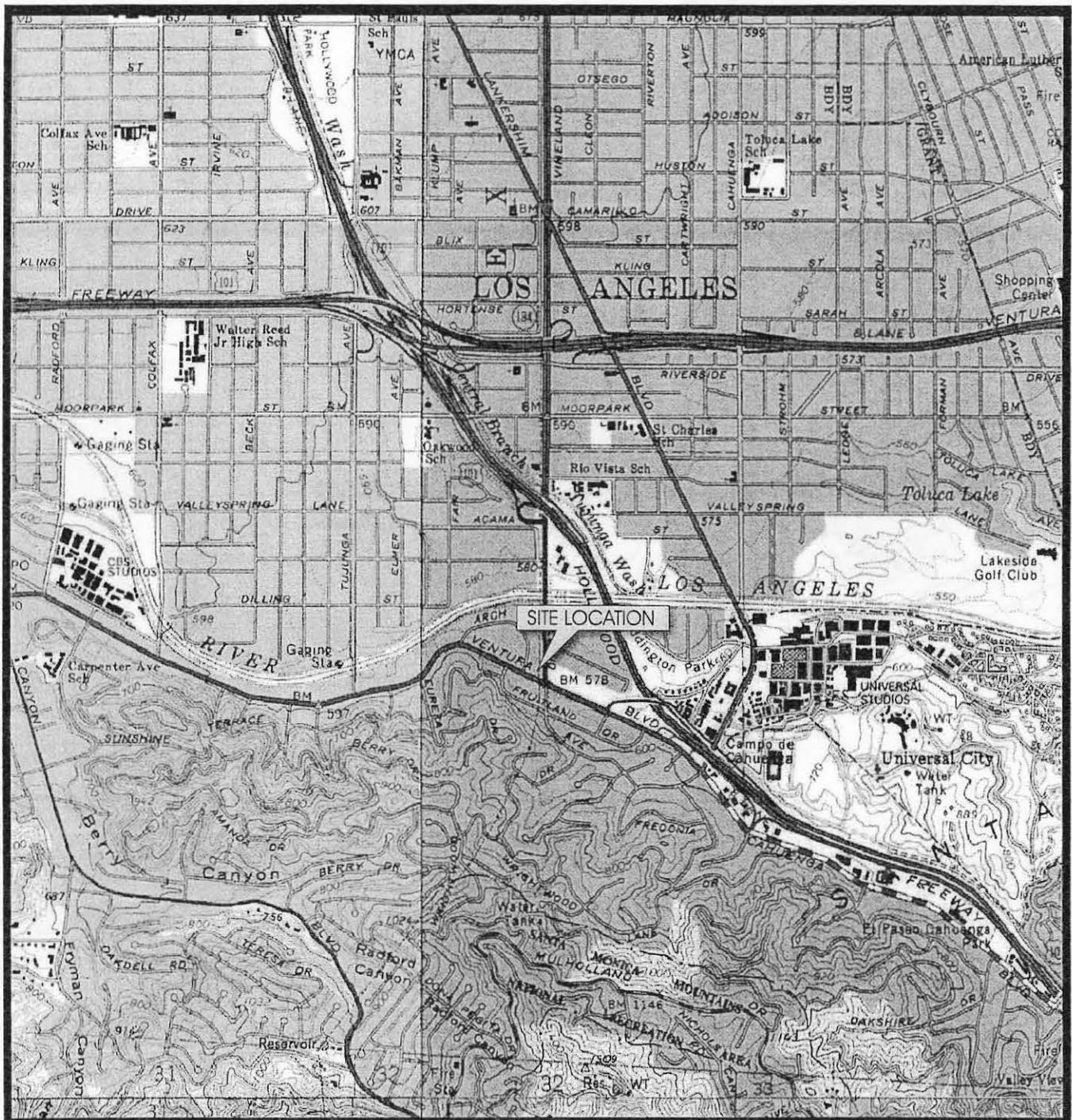
Ordered by:



Samuel Unger, P.E.
Executive Officer

Chief Deputy EO

Date: June 21, 2013

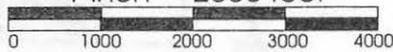


Source: MapTech Terrain Navigator - Burbank Quadrangle, 7.5 Minute Topographic Series, 1972 (1994 photo-revised)



QUADRANGLE
LOCATION

Approximate Scale
1:24,000
1 inch = 2000 feet



Contour Interval = 40 feet



CRWQCB Case #913040361A
Circle K Store # 2211209
11001 Ventura Blvd
Los Angeles, CA 91604

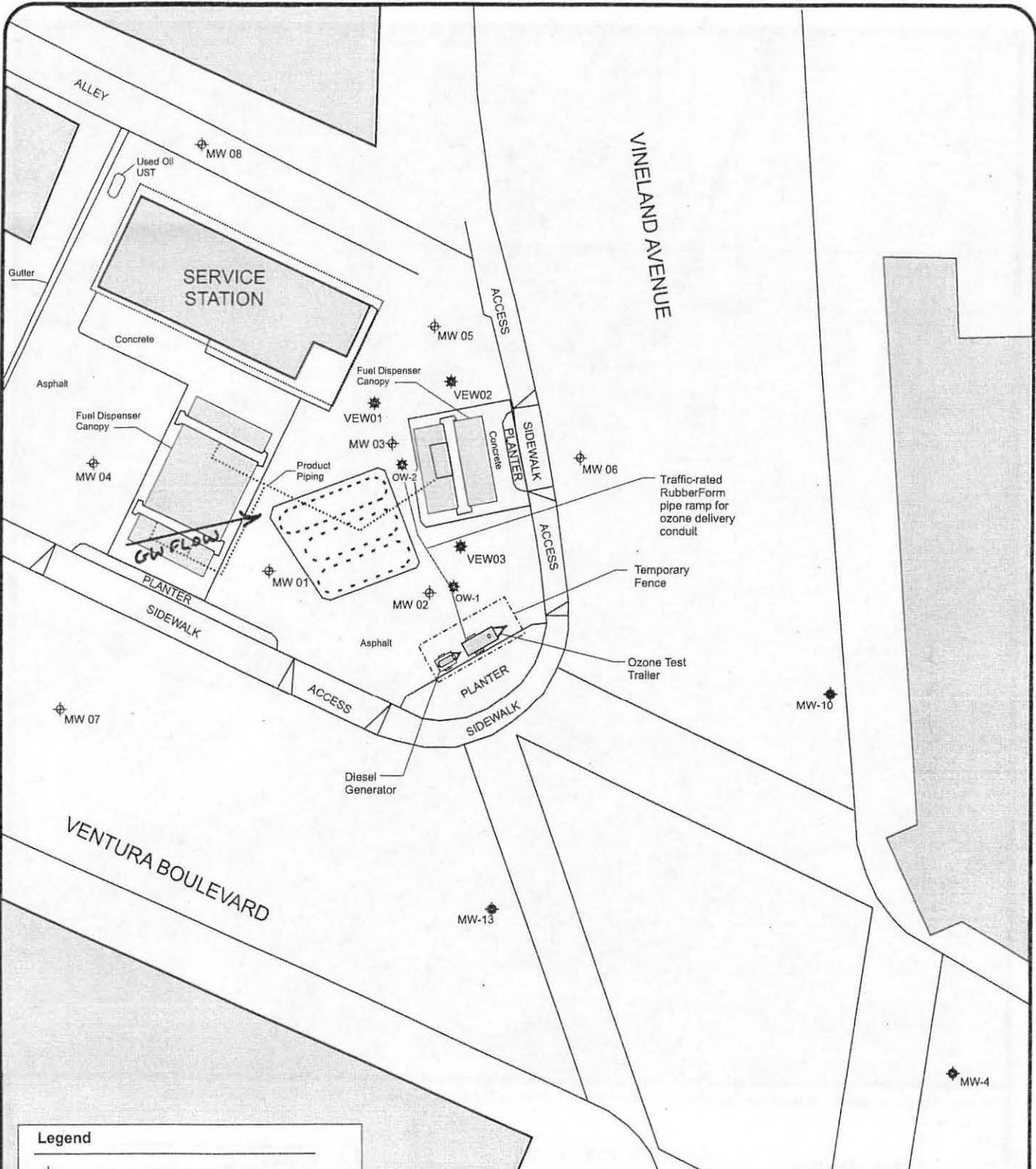
**SITE
LOCATION
MAP**

Dec 2011 | Project #200-1209-01 | Figure 1

P:\Technical\200 Circle K-Corona\200-1209-01\1209 Fixed Graphics\1209 SLM.cdr

SITE LOCATION: T1S, R14W

34° 08' 27.43" North Latitude; 118° 22' 14.38" West Longitude



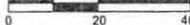
Legend

- CONOCO PHILLIPS MONITORING WELL(S) & ID
MW-13
- MONITORING WELL(S) & ID
MW-02
- VAPOR EXTRACTION WELL(S) & ID
VEW-03
- PROPOSED OZONE SPARGE WELL(S) & ID
OS-1

Map Source : Modified from a map provided by ETIC



Approximate Scale
1 inch = 40 feet



RWQCB Case ID: 913040361A
 Circle K Store # 2211209
 11001 Ventura Blvd
 Los Angeles, CA 91604

**SITE PLAN
 PROPOSED OZONE
 TEST WELL LOCATION**

June 2012

Project # 200-1209-01

Figure

2

P:\Technical\200 Circle K - Corona\200-1209-01\
 2211209 Ozone Feasibility\2211209 O3 Layout.cdr

STANDARD PROVISIONS
APPLICABLE TO WASTE DISCHARGE REQUIREMENTS

1. DUTY TO COMPLY

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. [CWC Section 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350]

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code (CWC). [H&SC Section 5411, CWC Section 13263]

3. AVAILABILITY

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. [CWC Section 13263]

4. CHANGE IN OWNERSHIP

The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on. [CWC Sections 13267 and 13263]

5. CHANGE IN DISCHARGE

In the event of a material change in the character, location, or volume of a discharge, the discharger shall file with this Regional Board a new Report of Waste Discharge. [CWC Section 13260(c)]. A material change includes, but is not limited to, the following:

- (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the Waste.

November 7, 1990
WDR

Standard Provisions Applicable to
Waste Discharge Requirements

- (b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- (d) Increase in flow beyond that specified in the waste discharge requirements.
- (e) Increase in the area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. [CCR Title 23 Section 2210]

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board. [CCR Section 13263]

7. TERMINATION

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information. [CWC Sections 13260 and 13267]

8. 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, do not protect the discharger from his liability under Federal, State or local laws, nor do they create a vested right for the discharger to continue the waste discharge. [CWC Section 13263(g)]

9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provision of these requirements are found invalid, the remainder of the requirements shall not be affected. [CWC Section 921]

Standard Provisions Applicable to
Waste Discharge Requirements

10. OPERATION AND MAINTENANCE

The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. [CWC Section 13263(f)]

11. HAZARDOUS RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. [CWC Section 1327(a)]

12. PETROLEUM RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. [CWC Section 13272]

Standard Provisions Applicable to
Waste Discharge Requirements

13. ENTRY AND INSPECTION

The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the California Water Code, any substances or parameters at any location. [CWC Section 13267]

14. MONITORING PROGRAM AND DEVICES

The discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. [CWC Section 13267]

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Office a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The Regional Board Executive Officer may allow use of an uncertified laboratory under exceptional circumstances, such as when the closest laboratory to the monitoring location is outside the State boundaries and therefore not subject to certification. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" [40CFR Part 136] promulgated by the U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

Standard Provisions Applicable to
Waste Discharge Requirements

15. TREATMENT FAILURE

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. [CWC Section 13263(f)]

16. DISCHARGE TO NAVIGABLE WATERS

Any person discharging or proposing to discharge to navigable waters from a point source (except for discharge of dredged or fill material subject to Section 404 of the Clean Water Act and discharge subject to a general NPDES permit) must file an NPDES permit application with the Regional Board. [CCR Title 2 Section 22357]

17. ENDANGERMENT TO HEALTH AND ENVIRONMENT

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Office within 24 hours:

- (a) Any bypass from any portion of the treatment facility.
- (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (c) Any treatment plan upset which causes the effluent limitation of this Order to be exceeded. [CWC Sections 13263 and 13267]

18. MAINTENANCE OF RECORDS

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies off all reports required by this Order, and record of all data used

Standard Provisions Applicable to
Waste Discharge Requirements

to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurement;
 - (b) The individual(s) who performed the sampling or measurement;
 - (c) The date(s) analyses were performed;
 - (d) The individual(s) who performed the analyses;
 - (e) The analytical techniques or method used; and
 - (f) The results of such analyses.
19. (a) All application reports or information to be submitted to the Executive Office shall be signed and certified as follows:
- (1) For a corporation – by a principal executive officer or at least the level of vice president.
 - (2) For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
 - (3) For a municipality, state, federal, or other public agency – by either a principal executive officer or ranking elected official.
- (b) A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision.
 - (2) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
 - (3) The written authorization is submitted to the Executive Officer.

Any person signing a document under this Section shall make the following certification:

Standard Provisions Applicable to
Waste Discharge Requirements

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. [CWC Sections 13263, 13267, and 13268]”

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the PUC, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations Section 3680. State Boards may accept experience in lieu of qualification training. In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Health Services where reclamation is involved.

Each plan shall be operated and maintained in accordance with the operation and maintenance manual prepared by the municipality through the Clean Water Grant Program [CWC Title 23, Section 2233(d)]

ADDITIONAL PROVISIONS APPLICABLE TO
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a publicly owned wastewater treatment plant will reach capacity within four years the discharger shall notify the Regional Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Board showing flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Board, or within 120 days after receipt of notification from the Regional Board, of a finding that the treatment plant will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Board. An extension of 30 days may be granted by the Executive Officer, and longer extensions may be granted by the Regional Board itself. [CCR Title 23, Section 2232]