

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

ORDER NO. R4-2002-0125

**WASTE DISCHARGE REQUIREMENTS
for
TREATED GROUNDWATER AND OTHER WASTEWATERS FROM INVESTIGATION
AND/OR CLEANUP OF PETROLEUM FUEL-CONTAMINATED SITES TO SURFACE
WATERS
IN
COASTAL WATERSHEDS OF LOS ANGELES AND VENTURA COUNTIES
(GENERAL NPDES PERMIT NO. CAG834001)**

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

General Permit Background

1. On September 22, 1989, the United States Environmental Protection Agency (USEPA) granted the State of California, through the State Water Resources Control Board (State Board) and the Regional Boards, the authority to issue general National Pollutant Discharge Elimination System (NPDES) permits pursuant to 40 Code of Federal Regulations (40 CFR) parts 122 and 123.
2. 40 CFR section 122.28 provides for issuance of general permits to regulate a category of point sources if the sources:
 - a. Involve the same or substantially similar types of operations;
 - b. Discharge the same type of waste;
 - c. Require the same type of effluent limitations or operating conditions;
 - d. Require similar monitoring; and
 - e. Are more appropriately regulated under a general permit rather than individual permits.
3. General waste discharge requirements and NPDES permits enable Regional Board staff to expedite the processing of requirements, simplify the application process for dischargers, better utilize limited staff resources, and avoid the expense and time involved in repetitive public noticing, hearings, and permit adoptions.

Discharge Description

4. Petroleum fuel contamination of soil and groundwater at various sites throughout the region causes or threatens to cause adverse impacts to existing and potential beneficial uses of the region's groundwater resources. Leaking underground storage tanks and surface spills from gasoline service station and similar sites pollutes the groundwater. Investigation and cleanup of these sites generate the following wastewaters:

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- a. Treated groundwater from cleanup and/or construction dewatering activity at a petroleum-impacted site;
- b. Groundwater pumped as an aid in the containment and extraction of petroleum fuel-contaminated groundwater and/or free product;
- c. Groundwater extracted during short- and long-term pumping test/aquifer testing;
- d. Groundwater generated from developing and purging wells prior to sampling;
- e. Sampling equipment's decontamination water; and,
- f. Subterranean seepage dewatering.

Storm water collected in fuel storage secondary containment tanks and fuel spill washwater contains similar contaminants as those from the investigation/cleanup of petroleum contaminated groundwater may also be regulated under this Order.

5. The waste streams identified in the foregoing paragraph and permitted under this order could contain petroleum hydrocarbons at levels that may be considered toxic. Usually, the treatments applied for the removal of constituents regulated by this order are activated carbon adsorption and air stripping. These treatment techniques are considered best available technology for controlling and removing hydrocarbon contamination from water.
6. Discharges covered by this general permit include, but are not limited to, treated groundwater from the investigation or cleanup of petroleum contamination arising from a current or former leaking underground storage tank. In addition, storm water collected inside the secondary containment area where the treatment system is located is covered under this permit. This permit also covers the discharge of groundwater from construction dewatering at a petroleum-impacted site.
7. This permit does not cover discharges from a treatment system that draws contaminated groundwater that contains volatile organic compounds that do not have effluent limitations in this Order, metals (other than lead), and other toxic pollutants.
8. To enroll under this general permit, a discharger must certify that there is no reasonable potential for pollutants other than those regulated by this permit to be in the discharge. Existing and new dischargers enrolling under this permit are required to collect a representative groundwater sample and analyze it for all the constituents listed on Attachment A. Existing dischargers shall conduct this analysis and submit the result with a Notice of Intent Form, otherwise the existing authorization will be terminated. If the analytical sample result of any constituent other than those listed in Part F and other constituents limited in this permit exceeds the water quality screening criteria listed on Attachment A, the discharge will be considered ineligible for enrollment.
9. Pursuant to section 2, Article X, California Constitution, and section 275 of the California Water Code on preventing waste and unreasonable use of waters of the state, this Regional Board encourages, wherever practical, water conservation and/or re-use of wastewater. To obtain coverage under this Order, the discharger shall first investigate the feasibility of conservation, land disposal and/or reuse of the wastewater,

Storm Water Regulations and Permits

10. This Regional Board adopted *Waste Discharge Requirements for Municipal Storm Water and Urban Runoff Discharges within the County of Los Angeles* contained in Order No. 01-182 [NPDES No. CAS004001] and *Waste Discharge Requirements for Storm Water Management/Urban Runoff Discharges within Ventura County Flood Control District, County of Ventura, and the Cities of Ventura County* contained in Order No. 00-108 [NPDES No. CAS004002] on December 13, 2001, and July 27, 2000, respectively. These Orders prohibit nonstorm water discharges to storm drain systems unless they are covered by separate NPDES permits. This prohibition, in general, does not apply to natural springs and rising groundwater, potable water supply and distribution system releases¹, foundation and footing drains discharges, and water from crawl space pumps. The municipality may allow discharge of these types of discharges into the storm drain system. However, the municipality or the Regional Board may prohibit these discharges if they are determined to cause, or threaten to cause, degradation of water quality, violation of water quality objectives, cause nuisance and/or impair beneficial uses of receiving waters.

Basis for Fee

11. Title 23 of the California Code of Regulations (CCR), Division 3, Chapter 9, Article 1, section 2200, *Annual Fee Schedule*, requires that all discharges subject to a specific general permit shall pay the same annual fee based on Threat to Water Quality and Complexity of discharges regulated under the general permit.
12. Discharges covered under this general permit have a Threat to Water Quality rating of Category 2 because they could impair the designated beneficial uses of the receiving water, cause short-term violations of water quality objectives, cause secondary drinking water standards to be violated, or cause a nuisance. These discharges have a Complexity rating of Category B because they involve a treatment system. The treatment system may include physical, chemical, and/or biological treatment.

Applicable Plans, Policies, and Regulations

13. On June 13, 1994, this Regional Board adopted a revised basin plan, *Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan). The Basin Plan incorporates, by reference, State Water Resources Control Board's Water Quality Control Plans and policies on ocean waters [*Water Quality Control Plan for Ocean Waters in California*, March 22, 1990], temperature [*Water Quality Control Plan for Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California*, Amended September 18, 1975]

¹ Potable water sources means flows from drinking water storage, supply and distribution systems, including flows from system failures, pressure releases, system maintenance, well development, pump testing, fire hydrant flow testing; and flushing and dewatering of pipes, reservoirs, vaults, and wells.

and antidegradation [*Statement of Policy with Respect to Maintaining High Quality Waters in California*, State Board Resolution No. 68-16, October 28, 1968].

14. The Basin Plan contains water quality objectives for, and lists the beneficial uses of, specific water bodies (receiving waters) in the Los Angeles Region. Typical beneficial uses covered by this Order include the following:
 - a. Inland surface waters above an estuary - municipal and domestic supply, industrial service and process supply, agricultural supply, groundwater recharge, freshwater replenishment, aquaculture, warm and cold freshwater habitats, inland saline water and wildlife habitats, water contact and noncontact recreation, fish migration, and fish spawning, preservation of rare and endangered species, preservation of biological habitats, and shellfish harvesting.
 - b. Inland surface waters within and below an estuary - industrial service supply, marine and wetland habitats, estuarine and wildlife habitats, water contact and noncontact recreation, commercial and sport fishing, aquaculture, migration of aquatic organisms, fish migration, fish spawning, preservation of rare and endangered species, preservation of biological habitats, and shellfish harvesting.
 - c. Coastal Zones (both nearshore and offshore) - industrial service supply, navigation, water contact and noncontact recreation, commercial and sport fishing, marine habitat, wildlife habitat, fish migration and spawning, shellfish harvesting, and rare, threatened, or endangered species habitat.
15. The 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.
16. The State Board adopted a *Water Quality Control Policy for the Enclosed Bays and Estuaries of California* in May 1974 (Policy). The Policy contains narrative and numerical water quality objectives that are designed to prevent water quality degradation and protect beneficial uses in enclosed bays and estuaries.

The Policy also lists principles of management that include the State Board's goal to phase out all discharges (excluding cooling waters), particularly industrial process water, to enclosed bays and estuaries as soon as practicable. The waste described above is not considered an industrial process wastewater.
17. 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 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 water quality-based effluent

limitations (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.

18. 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 water quality-based effluent limitations (WQBELs). The WQBELs are based on the Basin Plan, other State plans and policies, or USEPA water quality criteria which are taken from the California Toxics Rule (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.
19. BPJ was used in developing technology-based effluent limits in this tentative order. BPJ is defined as the highest quality technical opinion developed by the permit writer after consideration of all reasonably available and pertinent data or information that forms the basis for the terms and conditions of a NPDES permit. The authority for BPJ is contained in Section 402(a)(1) of the Clean Water Act.

Either aeration processes or adsorption processes (or combination of the two) are the treatment processes typically used to remove the organic compounds in the groundwater. Other treatment technology enhancements such as bioaugmentation of granular activated carbon (BioGAC), air stripping with biofilm, bioreactors, advanced oxidation processes, and resin can be employed to remove petroleum compounds and gasoline additives from impacted groundwater. When designed properly and operated, most aeration and/or GAC systems can lower the concentration of petroleum pollutants and volatile organic compounds (VOCs) to below the detection limits. Limits established in the tentative order for the petroleum pollutants and VOCs can be met consistently if GAC/air stripper (or enhancements thereto) treatment systems are properly operated and maintained.

20. The Basin Plan also implements the State Board's adopted Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality Water in California". This policy which is also referred to as the "Anti-degradation Policy", protects surface and ground waters from degradation. In particular, this policy protects waterbodies where existing quality is higher than that necessary for the protection of beneficial uses.

This permit complies with State and Federal "Anti-degradation" policies. The conditions and effluent limitations established in this Order for discharges of treated groundwater to surface waters in this Region ensure that the existing beneficial uses and quality of surface waters in this Region will be maintained and protected. Discharges regulated by this Order should not lower water quality if the terms and conditions of this Order are met.

21. Water Quality Objectives and Effluent Limits. Water Quality Objectives (WQOs) and effluent limitations in this permit are based on:

- The plans, policies and water quality objectives and criteria of the 1994 Basin Plan, as amended including, the Antidegradation Policy;
 - California Toxics Rule (40 CFR § 131.38);
 - California Code of Regulations Section 64431 of Title 22 (Drinking Water Standards);
 - Applicable Federal Regulations (including 40 CFR Parts 122 and 131);
 - Department of Health Services (DHS);
 - Office of Environmental Health Hazard Assessment (OEHHA); and,
 - Best professional judgement.
22. Because this Order is intended to serve as a general NPDES permit and covers discharges to all surface waters in the Los Angeles Region, the effluent limitations establish pursuant to this general order are established to protect the most protective water quality objective for the surface water beneficial uses in the Los Angeles Region.
23. U.S. EPA regulations, policy, and guidance documents upon which Best Professional Judgement (BPJ) was developed may include, in part:
- Technical Support Document for Water Quality Based Toxics Control, March 1991 (EPA-505/2-90-001);
 - Whole Effluent Toxicity (WET) Control Policy July 1994; and,
 - USEPA NPDES Permit Writer's Manual, December 1996 (EPA-833-B-96-003).
24. Section 301(b)(2) of the Federal Clean Water Act (Clean Water Act) requires that all NPDES permits prescribe the application of best available technology economically achievable in the determination of technology-based effluent limitations.
25. Effluent limitations and toxic and effluent standards established pursuant to sections 301, 302, 304, 306, and 307 of the Clean Water Act, as amended, are applicable to discharges under this Order.
26. The requirements contained in this Order were derived using best professional judgement and are based on the Basin Plan, CTR, Federal and State plans, policies, guidelines, and as they are met, will be in conformance with the goals of the aforementioned water quality control plans, water quality criteria, and will protect and maintain existing and potential beneficial uses of the receiving waters.
27. The SWRCB adopted *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (also known as the *State Implementation Plan* or *SIP*) on March 2, 2000. The SIP was amended by Resolution No. 2000-30, on April 26, 2000, and the Office of Administrative Law approved the SIP on April 28, 2000. The SIP applies to discharges of toxic pollutants in the inland surface waters, enclosed bays and estuaries of California which are subject to regulation under the State's Porter-Cologne Water Quality Control Act (Division 7 of the Water Code) and the Federal Clean Water Act. This policy also establishes the following: implementation provisions for priority pollutant criteria promulgated by USEPA through the CTR and for priority pollutant objectives established by Regional Water Quality Control Boards in their water quality control plans (Basin Plans) and chronic toxicity control provisions.

28. On May 18, 2000, the U.S. EPA promulgated the numeric criteria for priority pollutants for the State of California, known as the California Toxics Rule (CTR) and as codified as 40 CFR section 131.38. Toxic pollutant limits are prescribed in this Order to implement the CTR. 40 CFR section 122.44(d)(1)(ii) requires 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).
29. The effluent limitations from groundwater cleanup projects are calculated assuming no dilution. For most practical purposes, discharges from groundwater cleanup do not flow directly into receiving water with significant flow volume to consider dilution credit or to allocate a mixing zone. Most discharges of treated groundwater regulated under this general permit are to sewer drain systems that discharge to creeks and streams. Many of these creeks and streams are dry during the summer months. Therefore, for many months of the year, these discharges may represent all or nearly all of the flow in some portions of the receiving creeks or streams. These discharges therefore have the potential to recharge groundwaters protected as drinking waters.

An exception to this policy may be applied based on approved mixing zone study and based on demonstration of compliance with water quality objectives in the receiving water as prescribed in the Basin Plan. This exception process is more appropriate for an individual permit, and would not be appropriate for a general permit, that should be protective of most stringent water quality objectives and beneficial uses. If discharger requests that a dilution credit be included in the computation of effluent limit or that a mixing zone be allowed, an individual permit will be required. However, if no mixing zone is proposed, this general permit provides coverage for all discharges to receiving water bodies in Coastal Watersheds of Los Angeles and Ventura Counties.

30. On May 12, 1997, this Regional Board adopted Order No. 97-046 (General NPDES Permit No. CAG834001) to regulate discharges of treated groundwater and other wastewaters generated from investigation and/or cleanups of petroleum contaminated soils and/or groundwater to surface waters in the Region. Order No. 97-046 contains, in part, an effluent limitation for methyl tertiary butyl ether (MTBE) of 35 µg/L. On October 8, 1997, the state of California then 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 a revised effluent limitation for MTBE of 5 µg/L.
31. Tertiary Butyl Alcohol (TBA) is a gasoline constituent, an impurity in commercial-grade MTBE, and/or a breakdown product of MTBE. In 1999, California's Office of Environmental Health Hazard Assessment (OEHHA) conducted an interim assessment based on preliminary calculations of the carcinogenicity of TBA, concluding that

exposures to TBA via oral route represent a one in a million excess cancer risk of 12 µg/L. Based on this assessment, OEHHA has set an Action Level of TBA to 12 µg/L. This order includes effluent limitation for TBA of 12 µg/L.

New and Existing Discharges

32. As a general permit, there are numerous dischargers enrolled under existing Order No. 97-046 that may be required to modify their existing treatment systems to account for the new TBA limitations. For these discharges, the provisions of this Order recognize that it may take up to six months for these discharges to transfer coverage from existing Order No. 97-046 to this Order. As a result, for those existing discharges, Order No. 97-046 shall continue in full force until rescinded six months after the adoption of this Order. Any discharges commencing after the adoption of this Order must seek coverage under this Order and are not eligible for enrollment under Order No. 97-046.

Watershed Management Approach and Total Maximum Daily Loads

33. This Regional Board has implemented a Watershed Management Approach (WMA) to address water quality protection in the region. Watershed management may include diverse issues as defined by stakeholders to identify comprehensive solutions to protect, 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.

Notification

34. The Board has notified interested agencies, parties, and persons of its intent to issue general waste discharge requirements for discharges of treated groundwater and other wastewaters from investigation and/or cleanup of petroleum fuel-contaminated sites to surface waters and has provided them with an opportunity to submit their written views and recommendations.
35. The Board, in a public hearing, heard and considered all comments pertaining to the discharges to be regulated under this Order and to the tentative requirements.
36. This Order shall serve as a general NPDES permit pursuant to section 402 of the 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.
37. The issuance of general waste discharge requirements that serve as an NPDES permit is exempt from the provisions of Chapter 3 (commencing with 21100), Division 13, Public Resources Code, pursuant to Water Code section 13389.

38. 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, P. O. Box 100, Sacramento, California, 95812, within 30 days of adoption of the Order.

IT IS HEREBY ORDERED that dischargers authorized under this Order and general permit, in order to meet the provisions contained in Division 7 of the California Water Code, and regulations adopted thereunder, and the provisions of the Federal Clean Water Act, and regulations and guidelines adopted thereunder, shall comply with the following:

A. Eligibility

1. This Order covers discharges to surface waters of treated groundwater and other wastewaters from the investigation, dewatering, or cleanup of petroleum contamination arising from current and former leaking underground storage tank site or similar petroleum contamination.
2. To be covered under this Order, a discharger must demonstrate that:
 - a. Pollutant concentrations in the discharge shall not cause violation of any applicable water quality objective for the receiving waters, including discharge prohibitions.
 - b. The discharge shall not exceed the water quality criteria for toxic pollutants (Attachment B and Part F of this Order), and there shall be no reasonable potential to cause or contribute to an excursion above the criteria.
 - c. A representative sample of the contaminated groundwater to be treated and discharged does not exceed the water quality screening criteria for any constituent listed on Attachment A, other than those for which limitations are established in Part F.
 - d. The discharge shall not cause acute nor chronic toxicity in receiving waters;
 - e. The discharge shall pass through a treatment system designed and operated to reduce the concentration of contaminants to meet the requirements of this Order; and
 - f. The discharger shall be able to comply with the terms or provisions of this Order.
3. New discharges and existing discharges regulated under existing general or individual permits or Order No. 97-046 which meet the eligibility criteria, may be regulated under this Order. Discharges regulated under Order No. 97-046 may seek coverage under this Order within six months after adoption of this Order.

4. For the purpose of renewal of existing individual NPDES permits with this general permit, provided that all the conditions of this general permit are met, renewal is effective upon issuance of a notification by the Executive Officer and issuance of a new monitoring and reporting program.
5. When an individual NPDES permit with more specific requirements is issued to a discharger, the applicability of this Order to that discharger is automatically terminated on the effective date of the individual permit.

B. Ineligibility

The discharge of groundwater contaminated with petroleum mixed with other toxic pollutants are not eligible for enrollment under this permit.

C. Authorization

To be authorized to discharge under this Order, the discharger must submit a Report of Waste Discharge (ROWD) and an application for an NPDES permit in accordance with the requirements of Part D of this Order. Upon receipt of the application, the Executive Officer shall determine the applicability of this Order to such a discharge. If the discharge is eligible, the Executive Officer shall notify the discharger that the discharge is authorized under the terms and conditions of this Order and prescribe an appropriate monitoring and reporting program. For new discharges, the discharge shall not commence until receipt of the Executive Officer's written determination of eligibility for coverage under this general permit or until an individual NPDES permit is issued by the Regional Board.

D. Report of Waste Discharge

1. Deadline for Submission
 - a. Renewal of permits of existing dischargers covered under individual permits that meet the eligibility criteria in Part A and have submitted a ROWD will consist of a letter of determination from the Executive Officer of coverage under this Order.
 - b. Existing dischargers covered under Order No. 97-046 will be sent a Notice of Intent (NOI) form that must be completed and returned to the Regional Board within 45 days of receipt; otherwise permit coverage will be revoked. Existing dischargers enrolling under this Order are required to collect a representative groundwater sample and analyze it for all the constituents listed on Attachment A. Dischargers shall conduct this analysis and submit the result with a Notice of Intent Form, otherwise the existing authorization will be terminated. If the analytical sample result of any constituent other than those listed in Part F of this Order exceeds the water quality screening criteria listed on Attachment A, the discharge will be considered ineligible and enrollment will be denied or existing coverage terminated under this general permit. However, instead of an NOI, the Executive Officer may

require an existing discharger to submit a new Report of Waste Discharge, may revise an existing dischargers monitoring and reporting requirements, may require an existing discharger to participate in a regional monitoring program, or any combination of the foregoing.

- c. New dischargers shall file a complete application at least 30 days before commencement of the discharge.

2. Forms for Report of Waste Discharge

- a. Dischargers shall use the appropriate USEPA Forms or equivalent forms approved by the Regional Board or the Executive Officer.
- b. The discharger, upon request, shall submit any additional information that the Executive Officer deems necessary to determine whether the discharge meets the criteria for coverage under this Order, to prescribe an appropriate monitoring and reporting program, or both.
- c. The discharger must obtain and analyze (using appropriate methods) a representative sample of the groundwater to be treated and discharged under this Order. The analytical method used shall be capable of achieving a detection limit at or below the minimum level, otherwise, a written explanation shall be provided. The analytical result shall be submitted with the NPDES application. The data shall be tabulated and shall include the results for every constituent listed on Attachment A.
- d. The ROWD shall include but is not limited to, the following information:
 - i. The feasibility study on reuse and/or alternative disposal methods of the groundwater;
 - ii. Description of the treatment system;
 - iii. The type of chemicals that will be used (if any) during the operation and maintenance of the treatment system;
 - iv. Flow diagram of the influent to the discharge point; and
 - v. Preventive maintenance procedures and schedule for the treatment system.
- e. The Report of Waste Discharge shall be accompanied by the first annual fee (if appropriate) in accordance with the *Annual Fee Schedule* for a discharge with a rating of 2-B. The check or money order shall be made payable to the "State Water Resources Control Board."

E. Discharge Prohibitions

1. The discharge of wastes other than those which meet eligibility requirements in Part A of this Order is prohibited unless the discharger obtains coverage under another general permit or an individual permit that regulates the discharge of such wastes.
2. Bypass or overflow of untreated or partially treated contaminated groundwater to waters of the State either at the treatment system or from any of the collection or transport systems or pump stations tributary to the treatment system is prohibited.
3. The purposeful or knowing discharge of polychlorinated biphenils (PCBs) is prohibited.
4. The discharge of any radiological, chemical, or biological warfare agent or high level radiological waste is prohibited.

F. Effluent Limitations

1. Discharge of an effluent in excess of the following limitations is prohibited:

Constituents	Units	Discharge Limitations	
		Daily Maximum	Monthly Average
Total Suspended Solids	mg/L	150	50
Turbidity	NTU	150	50
BOD ₅ 20°C	mg/L	30	20
Settleable Solids	ml/L	0.3	0.1
Sulfides	mg/L	1.0	---
Total Petroleum Hydrocarbons	µg/L	100	---
Benzene	µg/L	1.0	---
Toluene	µg/L	150	---
Ethylbenzene	µg/L	700	---
Xylenes	µg/L	1750	---
Ethylene Dibromide	µg/L	0.05 ²	---
Lead	µg/L	5.2 ³	2.6 ³
Methyl Tertiary Butyl Ether(MTBE)	µg/L	5	---
Naphthalene	µg/L	21	---
Di-isopropyl Ether (DIPE)	µg/L	0.8 ²	---
Tertiary Butyl Alcohol (TBA)	µg/L	12	---

² If the reported detection level is greater than the effluent limit, then a non-detect using ML detection is deemed to be in compliance.

³ Total recoverable metals (based on a hardness of 100 mg/L).

2. The pH of the discharge shall at all times be within the range of 6.5 and 8.5.
3. The temperature of the discharge shall not exceed 100°F.
4. The discharge of an effluent with mineral and nitrogen constituents in excess of applicable limits given in Attachment B is prohibited. In the letter of determination, the Executive Officer shall indicate the watershed/stream reach limitations in Attachment B applicable to the particular discharge.
5. Pass-through or uncontrollable discharges of PCBs shall not exceed daily average concentrations of 14 ng/L into fresh waters or 30 ng/L into estuarine waters.
6. The acute toxicity of the effluent shall be such that 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%, with no single test less than 70% survival.
7. The discharge shall meet effluent limitations and toxic and effluent standards established pursuant to sections 301, 302, 304, 306, and 307 of the Clean Water Act, and amendments thereto.

G. Receiving Water Limitations

1. The discharge shall not cause the following to be present in receiving waters:
 - a. Toxic pollutants at concentrations that will bioaccumulate in aquatic life to levels that are harmful to aquatic life or human health;
 - b. Biostimulatory substances at concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses;
 - c. Chemical substances in amounts that adversely affect any designated beneficial use;
 - d. Visible floating materials, including solids, liquids, foams, and scum;
 - e. 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;
 - f. Suspended or settleable materials in concentrations that cause nuisance or adversely affect beneficial uses;
 - g. 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;

- h. Substances that result in increases of BOD₅20°C that adversely affect beneficial uses;
 - i. Fecal coliform concentration which exceed a log mean of 200 per 100 ml (based on a minimum of not less than four samples for any 30-day period), nor shall more than 10% of total samples during any 30-day period exceed 400 per 100 ml; and
 - j. Concentrations of toxic substances that are toxic to, or cause detrimental physiological responses in, human, animal, or aquatic life.
2. The discharge shall not cause the following to occur in the receiving waters:
- a. The dissolved oxygen to be depressed below:

WARM ⁴ designated waters	5 mg/L
COLD ⁴ designated waters	6 mg/L
COLD and SPWN ⁴ Designated waters	7 mg/L
 - b. The pH to be depressed below 6.5 or raised above 8.5, and the ambient pH levels to be changed from natural conditions in inland waters more than 0.5 units or in estuaries more than 0.2 units;
 - c. The temperature at any time or place and within any given 24-hour period to be altered by more than 5°F above natural temperature; but at no time be raised above 80°F for waters with a beneficial use of WARM (Warm Freshwater Habitat);
 - d. The turbidity to increase to the extent that such an increase causes nuisance or adversely affects beneficial uses; such increase shall not exceed 20% when the natural turbidity is over 50 NTU or 10% when the natural turbidity is 50 NTU or less;
 - e. Residual chlorine in concentrations that persist and impairs beneficial uses; and,
 - f. Any individual pesticide or combination of pesticides in concentrations that adversely affect beneficial uses or increase pesticide concentration in bottom sediments or aquatic life.
3. The discharge shall not alter the color, create a visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters.

⁴ Beneficial Uses: WARM - Warm Freshwater Habitat; COLD - Cold Freshwater Habitat; SPWN - Spawning, Reproduction, and/or Early Development.

4. The discharge shall not degrade surface water communities and population including vertebrate, invertebrate, and plant species.
5. The discharge shall not damage, discolor, nor cause formation of sludge deposits on flood control structures or facilities nor overload their design capacity.
6. The discharge shall not cause problems associated with breeding of mosquitoes, gnats, black flies, midges, or other pests.

H. Provisions

1. The Executive Officer may require any discharger authorized under this Order to apply for and obtain an individual NPDES permit with more specific requirements. The Executive Officer may require any discharger authorized to discharge under this permit to apply for an individual permit only if the discharger has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of the individual permit, the authority to discharge under this general permit is no longer applicable.
2. The discharger shall comply with all the applicable items of the *Standard Provisions and Reporting for Waste Discharge Requirements* (Standard Provisions), which are part of this general permit (Attachment C). If there is any conflict between provisions stated herein and the Standard Provisions, those provisions stated herein prevail.
3. Prior to application, the discharger shall submit for Executive Officer's approval the list of chemicals and proprietary additives that may affect the discharge, including rates/quantities of application, compositions, characteristics, and material safety data sheets, if any.
4. 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.
5. This Order neither exempts the discharger from compliance with any other laws, regulations, or ordinances that may be applicable, nor legalizes the waste disposal facility.
6. The discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.
7. Pursuant to 40 CFR section 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.

8. Pursuant to 40 CFR section 122.62 and 122.63, this Order may be modified, revoked and reissued, or terminated for cause. Reasons for modification may include new information on the impact of discharges regulated under this Order become available, promulgation of new effluent standards and/or regulations, adoption of new policies and/or water quality objectives, and/or new judicial decisions affecting requirements of this Order,
9. Any discharge authorized under this Order may request to be excluded from the coverage of this Order by applying for an individual permit.

I. Monitoring and Reporting Requirements

1. The Executive Officer is hereby authorized to prescribe a Monitoring and Reporting Program for each authorized discharger. This program may include participation of the discharger in a regional monitoring program.
2. The discharger shall comply with Monitoring and Reporting Requirements stated in Part B of the Standard Provisions (Attachment C).
3. The discharger shall retain records of all monitoring information and data used to complete the Report of Waste Discharge and application for coverage under this Order for at least five years from the date of sampling, measurement, report, or application. The retention period shall be extended during any unresolved litigation regarding the discharge or when requested by the Executive Officer.
4. The monitoring report shall specify the USEPA analytical method used, the Method Detection Limit (MDL) and the Minimum Level (ML)⁵ for each pollutant. For the purpose of reporting compliance with numerical limitations, performance goals, and receiving water limitations, analytical data shall be reported with one of the following methods, as the case may be:
 - a. An actual numerical value for sample results greater than or equal to the ML; or
 - b. "Detected, but Not Quantified (DNQ)" if results are greater than or equal to the laboratory's MDL but less than the ML. The estimated⁶ chemical concentration of the sample shall also be reported; or

⁵ The minimum levels are those published by the State Water Resources Control Board in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, March 2, 2000. See attached Appendix I.

⁶ The estimated chemical concentration is the estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

- c. "Not-Detected (ND)" for sample result less than the laboratory's MDL with the MDL indicated for the analytical method used.

The ML employed for an effluent analysis shall be lower than the permit limit 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 Executive Officer. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test and associated laboratory quality assurance and quality control procedures.

5. The discharger shall maintain all sampling, measurement and analytical results, including: the date, exact place, and time of sampling or measurement; individual(s) who did the sampling or measurement; the date(s) analyses were done; analysts' names; and analytical techniques or methods used.
6. All sampling, sample preservation, and analyses must be conducted according to test procedures under 40 CFR section 136, unless other test procedures have been specified in this Order or by the Executive Officer.
7. All chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services or other state agency authorized to undertake such certification.
8. The discharger shall calibrate and maintain all monitoring instruments and equipment to insure accuracy of measurements, or shall insure that both activities will be conducted.
9. For parameters/constituents where both monthly average and daily maximum limits are prescribed, but where monitoring frequency is less than four times a month, the following procedure shall apply:

If analysis of a sample yields a result greater than the monthly average limit for a parameter/constituent, the sampling frequency for that parameter/constituent shall increase to weekly within one week of receiving the laboratory result until at least three consecutive weekly samples are obtained and compliance with the monthly average has been demonstrated, and the discharger has submitted for Executive Officer approval a program that will ensure future compliance with the monthly average limit.
10. The discharger shall file with the Regional Board (Attention: Technical Support Unit) technical reports on self-monitoring work conducted according to the Monitoring and Reporting Program specified by the Executive Officer and submit other reports as requested by the Regional Board.
11. In reporting the monitoring data, the discharger shall arrange the data in tabular form so that the date, constituents, and concentrations are readily discernible. The

data shall be summarized to demonstrate compliance with waste discharge requirements.

12. For every item where the requirements are not met, the discharger shall submit a statement of the actions undertaken or proposed that will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction.
13. The discharger shall file a report of any material change or proposed change in the character, location or volume of the discharge.
14. The discharger shall notify this Regional Board within 24 hours by telephone of any adverse condition resulting from the discharge, such notification shall be affirmed in writing within five working days.

J. Compliance and Enforcement

1. The discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act and the Water Code and is subject to enforcement action and/or permit termination.
2. The Clean Water Act and the Water Code provide for civil and criminal penalties for violations of waste discharge requirements.

K. Expiration and Continuation of this Order and Prior Order

This Order expires on July 11, 2007; however, for those dischargers authorized to discharge under this Order, it shall continue in full force and effect until a new order is adopted. Notwithstanding Provision K (Expiration and Continuation of this Order) of Order No. 97-046, discharges regulated under Order No. 97-046 on or before July 10, 2002, may continue under Order No. 97-046 until January 11, 2003.

L. Reauthorization

Upon reissuance of a new general permit order, dischargers authorized under this Order shall file a Notice of Intent or a new Report of Waste Discharge within 45 days of notification by the Executive Officer.

M. Rescission

Except for enforcement purposes, Order No. 97-046, adopted by this Regional Board on May 12, 1997, is rescinded effective January 11, 2003.

I, Dennis A. 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 July 11, 2002.

Dennis A. Dickerson
Executive Officer