ATTACHMENT F

TENTATIVE

LIST OF TABLE

TENTATIVE

ATTACHMENT F - FACT SHEET

This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

TENTATIVE

I. PERMIT INFORMATION

Background: In 1972, the Federal Water Pollution Control Act (also referred to as the Clean Water Act) was amended to provide that the discharge of pollutants to waters of the United States from any point source is effectively prohibited unless the discharge is in compliance with an NPDES Permit.

On September 22, 1989, the United States Environmental Protection Agency (USEPA) granted the State of California, through the State Water Resources Control Board and the Regional Water Boards, the authority to issue general NPDES permits pursuant to 40 Code of Federal Regulations (40 CFR) parts 122 and 123.

40 CFR part 122.28 provides for issuance of general permits to regulate a category of point sources if the sources involve the same or substantially similar types of operations; discharge the same type of waste; require the same type of effluent limitations or operating conditions; require similar monitoring; and are more appropriately regulated under a general permit rather than individual permits.

On August 7, 2003, this Regional Water Board adopted the *General National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements for Discharges of Groundwater from Potable Water Supply Wells to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties* (NPDES No. CAG994005, Order No. R4-2003-0108). The existing General Permit covered discharges of groundwater to surface waters from potable water supply wells. This General Permit expired on August 7, 2008. This Order now reissues the requirements of the General Permit and includes requirements for discharge of potable water from storage and distribution systems operations and maintenance.

II. NOTIFICATION REQUIREMENTS

To obtain coverage under this General Permit, the Discharger must submit a Notice of Intent (NOI) and supporting documents and, pay filing fee. Signing the certification on the NOI signifies that the Discharger intends to comply with the provisions of this General Permit. An NOI must be signed to be valid.

A. General Permit Application

To be authorized to discharge under this Order, the Discharger must apply for enrollment under the General National Pollutant Discharge Elimination System (NPDES) permit by submitting to the Regional Water Board a Notice of Intent (NOI) form and fee payable to: State Water Resources Control Board.

a. Notice of Intent

1. Both Existing and New Dischargers eligible to seek coverage under the General NPDES permit shall submit to the Executive Officer a complete NOI Form, including all information required by the NOI. The NOI is incorporated as Attachment C to this Order.
2. Upon request, the Discharger shall submit any additional information that the Executive Officer deems necessary to determine whether the discharge meets the criteria for coverage under this Order, or to prescribe an appropriate monitoring and reporting program, or both.

b. Deadline for Submission

Existing Dischargers that were authorized to discharge under Order R4-2003-0108 will be sent an NOI form that must be completed and returned to the Regional Water Board within 60 days of receipt; otherwise, permit coverage may be revoked. Existing Dischargers enrolling under this Order are required to collect representative groundwater sample(s) and analyze the samples for all the constituents listed on Attachment A *Screening Levels for Potential Pollutants of Concern in Potable Water.* Dischargers shall conduct this analysis and submit the result with the NOI; otherwise, the existing authorization may be terminated. New Dischargers shall file complete NOI at least 60 days before commencement of their discharge.

c. Failure to Submit an NOI

Existing Dischargers who fail to submit a complete NOI by the deadline established herein will be deemed as out of compliance with the General NPDES Permit and subject to all penalties allowable pursuant to applicable provisions of the Clean Water Act and the California Water Code including Section 13261 thereof.

d. Authorization of Coverage

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 NPDES Permit. The Executive Officer may require a Discharger to comply with the conditions of this General NPDES Permit even if the Discharger has not submitted an NOI to be covered by the General NPDES Permit, as specified in Section II. D. of the Order.

e. Notice of Start-Up

New Dischargers shall notify the Regional Water Board of the time and date for commencement of the discharge(s) authorized under the General NPDES Permit at least 24 hours prior to initiating a discharge.

B. Eligibility Requirement

a. Eligibility

Except as stated in the ineligibility criteria section of this permit all discharges of water from water supply and potable water distribution systems are eligible for coverage under this permit. Separate eligibility criteria are applicable for potable water distribution system discharges and for water supply system discharges. The specific eligibility criteria for each discharge group are described follows:

1. Potable Water Distribution Systems Discharges

Potable water distribution system discharges will fall within one of the three following categories:

a. Planned Discharges less than the permit threshold volume:

Planned discharges less than the permit threshold volume are those activities ancillary to routine operation and maintenance activities in the potable water distribution system, such as testing fire hydrants, storage tank maintenance, cleaning and lining of pipes, routine flushing, reservoir dewatering, minor well releases such as wellhead startup flushing prior to distribution, etc. In other words, activity for which actions may be taken prior to discharge and that have volumes below the threshold volume of 100,000 gallons per day per discharge event at a location.

b. Planned Discharges greater than the permit threshold volume:

Planned discharges greater than the permit threshold volume are those activities that would discharge more than 100,000 gallons per day of potable water per discharge event at a location. These could include activities ancillary to routine operations and maintenance activities in the potable water distribution system, such as testing fire hydrants, storage tank maintenance, cleaning and lining of

pipes, routine flushing, reservoir dewatering, minor well releases such as wellhead startup flushing prior to distribution.

c. Unplanned Discharges:

Unplanned or emergency discharges are those activities associated with non-routine activities of a water distribution system that have no advanced knowledge or warning including water line breaks, leaks, overflows, fire hydrant shearing.

Distribution Systems Discharge Enrollment Criteria

Applicable to Planned Discharges: To enroll under this general NPDES permit, dischargers are required to submit most recent water quality data from their distribution systems. If the analytical data indicates constituent(s) concentration above the maximum contaminants levels in Attachment A then the discharge has to comply with effluent limitations applicable to water supply systems Section V.B 1. and V.B.2. of this Order (as applicable). Otherwise, the discharge shall comply with effluent limitation applicable to potable water distribution systems for pH and residual chlorine as set forth in Section V.A of this Order.

2. Water Supply Systems Discharges

Water supply system discharges covered under this permit fall into two categories:

a. Discharges of groundwater from potable water supply wellheads generated during the following activities: well purging for data collection purposes, major well-rehabilitation and redevelopment activities; and well drilling, construction, and development.

b. Discharges from raw water supply, storage and distribution systems such as aqueduct water, reservoir water, maintenance of conveyance systems feeding water to treatment systems.

Water Supply Systems Discharge Enrollment Criteria

To be covered under this Order, a discharger must demonstrate that pollutant concentrations in the discharge will not cause violation of any applicable water quality objectives for the receiving waters, including discharge prohibitions. The Discharger has to perform reasonable potential analysis by collecting and analyzing a representative sample of untreated water to be discharged from the water supply systems and comparing the analytical data to the water quality screening criteria for the constituents listed on Attachment A.

TENTATIVE

i. If analytical data exceeds the screening criteria, further sampling may be required, if appropriate.

ii. If analytical data exceeds the screening criteria but not greater than the maximum contaminant levels (MCLs), enrollment will be authorized for temporal short-term discharges under this permit and effluent limitation in Section V.B.1 and V.B.2 will be applicable.

iii. If the analytical data exceeds the MCL, enrollment will be authorized if condition a) or b), below is satisfied.

a) Treatment is provided to meet the eligibility requirement ii), above, or

b) In accordance with SIP, submit documentation listed below in a timely manner, for approval of categorical exception by the Executive Officer of the Regional Water Board.

- A detailed description of the proposed action, including the proposed method of completing the action;
- A time schedule;
- A discharge and receiving water quality monitoring plan (before project initiation, during the project, and after project completion, with the appropriate quality assurance and quality control procedures);
- CEQA documentation;
- Contingency plans;
- Identification of alternate water supply (if needed); and
- Residual waste disposal plans.

iv. If analytical data meets the screening criteria, full enrollment under this general permit will be authorized and section V.B.2 will not be applicable.

v. Discharges not meeting the enrollment eligibility criteria will be enrolled under other appropriate general NPDES permit or an individual permit.

b. Ineligibility

The following discharges are not eligible for enrollment under this General Permit.

1. Groundwater highly contaminated with drilling mud and/or well completion fluids. Such contaminated water should be disposed separately at appropriate location.

TENTATIVE

2. This permit does not apply to hydrostatic test water discharges. Hydrostatic test discharges are those discharges resulting from integrity testing of pipelines, storage tanks, storage vessels, as well as testing of newly constructed non-drinking water (gas, oil, reclaimed water, etc.) pipelines, tanks, and vessels.

3. This permit does not apply to discharges of recycled water from any recycled water conveyance system or related appurtenance.

4. This permit does not apply to discharge of non-process filter backwash water from water treatment plants.

C. Exclusion of Coverage

a. Termination of Discharges

Dischargers shall submit a Notice of Termination (NOT) when coverage under this General NPDES Permit is no longer needed. An NOT is a letter that lists the Waste Discharge Identification Number (WDID) or Compliance Inspection Number CI #, the name and address of the owner of the facility, and is signed and dated by the owner certifying that the Discharges associated with the General NPDES Permit has been eliminated. Upon submission, the Discharger is no longer authorized to discharge wastewater associated with this General NPDES Permit.

b. Changes from Authorization Under General Permit to Individual Permit

Dischargers already covered under the NPDES program, whether by general or individual permit, may elect to continue coverage under the existing permit or may submit a complete NOI for coverage under this General NPDES Permit. Dischargers who submit a complete application under this General NPDES Permit are not required to submit an individual permit application. The Regional Water Board may request additional information and determine that a Discharger is not eligible for coverage under this General NPDES Permit and would be better regulated under an individual or other general NPDES permit or, for discharges to land, under waste discharge requirements (WDRs). If a Regional Water Board issues an NPDES permit or WDRs, the applicability of this General NPDES Permit to the specified discharge is immediately terminated on the effective date of the NPDES permit or WDRs.

c. Transferring Ownership

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.

D. Basis for Fee

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 annual fee.

III. DISCHARGE DESCRIPTION

A. Specific Description for Distribution Systems Discharges.

1. Potable Water discharges from distribution systems will fall within one of the following three categories as fully described in the eligibility criteria section II. B. a. a) Planned Discharges less than the permit threshold volume, b) Planned Discharges greater than the permit threshold volume and c) Unplanned Discharges. Potable water distribution system convey water from wellheads or treatment plants to service area users. The distribution and storage systems within most service areas are intricate networks, designed to efficiently and effectively supply water as needed. Though the systems have redundancy built into it, sometimes the systems require maintenance or repair. Often times to conduct the repair, it may require that the distribution or storage systems be dewatered. For most part the discharge water is clean. In addition, discharge from potable water distribution system may be necessary due to emergency repair created by unanticipated leakages, or breaks in distribution system.

2. Potable water has not been shown to be a source of pollution that would threaten or contribute to excursions above narrative and numeric water quality objectives contained in state and federal regulations. Potable water is considered to be a de minimus source of pollution.

3. Discharges of Potable water from distribution systems are currently permitted discharges under the Municipal Storm Water Permit (MS4) issued to Flood Control Districts of Los Angeles and Ventura Counties. Regional Water Board has indicated that these potable water discharges could be more appropriately regulated under General NPDES permit rather than in the MS4 permit. Therefore, the existing potable water discharge general permit is being revised to accommodate both water supply system discharges and potable water distribution system discharges. The

TENTATIVE

permit intend to regulate distribution system discharges by tracking large amount of discharges that would result in scouring, flushing of debris and other settled matter in the storm drain thus leading to possible high bacteria count at the beaches. The distribution system discharge regulation will provide more accountability of the discharges to the storm drain, and protects receiving water quality.

4. Discharge of potable water from pipelines and storage system occurs at varies locations throughout the water purveyors service areas. Sometimes the discharge location is known ahead of time, at other times it is not known. Due to this uncertainty, it is impracticable for purveyors to provide actual outfall locations for their unanticipated discharges from their distribution system. Therefore, for distribution system discharge, the actual outfall location may not be provided during filing of NOI Form.

5. Discharges from the distribution system and storage systems are potable water, meeting all drinking water standards and ready for service to end-users for domestic, municipal and industrial use and consumption. In addition, discharge from the distribution systems occur at locations that generally may not be suitable for storage or even for controlled discharge. Regulating the discharge solely with effluent limitation may not be practicable. As such, the best and appropriate mechanism for regulating the distribution system discharge is by using Best Management Practices (BMP). Therefore, dischargers are required to prepare and implement BMP and Pollution Prevention Plans (PPP) for their distribution system discharge. However, effluent limitations for residual chlorine and pH are incorporated for planned distribution discharges above 100,000 gallons per day (gpd). Planned dischargers are required to monitor their discharge for total flows, pH, temperature and residual chlorine.

6. Chlorine Residual Measurements: Chlorine is added to the potable water for disinfection purposes. Chlorine is toxic to the aquatic organisms in significant concentration. Therefore, planned discharges must be dechlorinated to protect the beneficial uses of receiving water. The Dischargers are allowed to use the appropriate field kit for measurements of chlorine concentration in the discharge. The recommended test kits include DPD Colorimetric Test Kits and ITS Free Chlorine Test Strips that are recommended by the Department of Public Health (DPH). Chlorine measuring instruments and filed test kits shall be calibrated periodically to assure accuracy of measurements.

7. Unplanned/Accidental Discharges: During unplanned discharges

where circumstances are beyond the Dischargers control, Dischargers are exempt from effluent sampling requirements. Discharges should implement BMPs to the maximum extent practicable and at the earliest time possible for both planned and unplanned discharges to minimize impact on the receiving water quality. Unplanned discharges include but not limited to flows from water main breaks. Dischargers are required to keep a record of all unplanned discharges from their systems. The record should include time, duration, day of discharge and an estimate of the discharge quantity, and a detailed description of BMP implemented.

8. Planned potable water discharges of less than 100,000 gpd and unplanned discharges are exempt from sampling requirements if all of the following are met: (1) the discharge is directly into a MS4 storm drain, other storm water conveyance or directly to a receiving water; (2) the discharge is potable water as defined and (3) the discharger is implementing a Best Management Practices Plan before, during, and after the discharge. (4) the Discharger records and report the estimated discharge volume, duration and day of discharge.

9. Low volume discharge of potable water for the purpose of this permit less than 25,000 gallons per discharge event at a location is considered insignificant discharge and can proceed without coverage under the NPDES permit or a need to submit monitoring report. Such insignificant discharge should occur after implementation of appropriate best management practices (BMP) to minimize impact to receiving water quality.

10. The Regional Water Board encourages dischargers and MS4 permit owners/operators within a common watershed to coordinate their water quality protection activities, including discharges providing adequate notification to MS4 owners prior to discharge of significant volume of water that could impact MS4 owners facilities ability to meet MS4 regulatory requirements.

11. This Order is not applicable to discharges of recycled water from any recycled water conveyance system or related appurtenance. Discharges of recycled water will be regulated under Recycled Water Permits, which will be issued to purveying agencies.

12. Single general NPDES permit will be issued to an agency or entity to cover all discharges from their potable water distribution and storage systems within their service areas located within this Regional Boards jurisdiction.

TENTATIVE

13. Flow Measurement: Total Flow measurements can be accomplished for planned discharges by using flow metering or by calculation methods. It is acceptable to provide flow estimates for unplanned discharges

B. Specific Description for Water Supply Systems Discharges.

1. Water purveyors operate water supply systems in order to provide drinking water throughout their service area. Discharges of groundwater generated from various well operation and maintenance activities in the vicinity of the well head to surface waters is essential in order to properly operate and maintain the water wells. These discharges can cause, or threaten to cause adverse impacts to existing beneficial uses of the surface water if not regulated. Many of these discharges are usually high flow and high volume but are of short-term duration. Waste discharges from these sites will be more efficiently regulated with general permits rather than individual permits.

   Wastewater discharge from water supply systems include, but are not limited to the following:

   a. Groundwater generated during well purging for data collection purposes;
   b. Groundwater extracted from major well-rehabilitation and redevelopment activities; and
   c. Groundwater generated from well drilling, construction, and development.
   d. Discharges from raw water supply storage and distribution systems such as aqueduct water, reservoir water maintenance and conveyance systems feeding water to treatment systems.

2. In order to fulfill statutory requirements, and in order to operate efficiently and optimize the pumping capacity of wells, potable water suppliers need to perform the following operations that are necessary for the success of their operations. These operations performed at the wellhead by water purveyors include:

   i. Well purging for data collection purposes

      Whenever a potable well has been out of service, pumping of the well to waste for a short period of time is required to collect representative groundwater samples. Other examples of data collection involve gathering information on well capacity or pumping data for design of a treatment system. The discharge activities described above usually

TENTATIVE

are of very short duration, and pose no threat to the beneficial uses of the receiving water.

ii. Well rehabilitation activities

Once every two to five years, or as the need arises, existing and operating groundwater wells are rehabilitated to optimize the pumping capacity of the wells. These wells supply potable water for domestic, municipal and industrial consumption and are compliant with the California Department of Public Health (DPH) standards. During the well rehabilitation process chemicals are added into the well formation to get rid of the mineral accumulation in and around the well screen area. Scrubbing and/or swabbing will follow to facilitate and increase the opening of the well screen. These wellhead invasive procedures produce wastewater that does not meet water quality standards. Therefore, treatment of such wastewater will be required to comply with this permit's effluent limits before discharge to the storm drain. Dechlorination, coagulation, or neutralization processes may be required to treat the wastewater. Aquifer pumping test will be performed after evacuating the well head of contaminated groundwater.

iii. New well construction activities

Drilling and constructing of new wells is necessary to meet the increasing demand for potable water, to replace depleted or unproductive wells, and to replace wells decommissioned due to pollution. New well construction and completion generate significant wastewater that may be polluted by drilling and completion activities, including mud, drill cuttings, and completion fluids. After the completion of a new well, it is usually necessary to conduct an aquifer and pumping test to determine the productive capacity of the well. Pumping tests will also provide data to properly design the size of the pump, and provide water samples for testing to assure compliance with Federal and State regulatory drinking water standards. Coagulation and settling processes may be used to treat the discharge.

3. Pursuant to section 2, Article X, California Constitution, and section 275 of the Water Code on preventing waste and unreasonable use of waters of the state, the Regional Water Board encourages, wherever practical, water conservation and/or re-use of wastewater. To obtain coverage under this Order, the discharger shall first assess the feasibility of conservation, land disposal and/or reuse of the wastewater.

TENTATIVE

5. Groundwater quality data from potable water supply wells has been reviewed to determine the reasonable potential of toxics and other pollutants to be present in potable water discharge. The review included comparing the level of toxics in water quality monitoring data submitted by water purveyors to the screening levels for toxics based on the California Toxics Rule. The review includes self-monitoring reports and supplemental analytical data submitted in relation to Order No. R4-2003-0108. Regional Water Board staff considers the data reviewed as representative of potable water supply well head discharges. The general constituents that appear in the analytical data at significant levels include: total suspended solids, turbidity, $BOD_5 20°C$, settleable solids, and residual chlorine.

   The toxic constituents listed below exhibited reasonable potential to exceed CTR criteria in a minority of groundwater quality data reviewed. The majority of monitoring data supplied by the water purveyors did not indicate reasonable potential for these constituents.

Copper	Carbon Tetrachloride
Chromium	Tetrachloroethylene
1,1-Dichloroethane	Vinyl Chloride
1,2-Dichloroethane	

   Arsenic: On January 22, 2001 EPA adopted a new standard for arsenic in drinking water at 10 parts per billion (ppb) (40 CFR 141.62(b)(16), replacing the old standard of 50 ppb. EPA has set the arsenic standard for drinking water at .010 parts per million (10 parts per billion) to protect consumers served by public water systems from the effects of long-term, chronic exposure to arsenic. The rule became effective on February 22, 2002. The date by which systems must comply with the new 10 ppb standard is January 23, 2006. This permit has been revised to incorporate the new standard.

   Copper: Copper is found in many drinking water sources in Southern California. Also copper compounds are commonly used in lakes and reservoirs to control algae growth. As copper is a pollutant of concern and poses threat to receiving water quality, this permit prescribes copper effluent limitation where applicable.

   It is necessary that water suppliers monitor these compounds in their discharges and to take appropriate best management practices (BMP) action to mitigate their presence if detected in significant concentration in groundwater.

TENTATIVE

6. The general permit will be issued to an agency or entity to cover discharges for water supply systems based on discharges to the same river reach.

C. Summary of Existing Requirements and Self Monitoring (SMR) Data

1. Water Distribution Systems

As regulations of discharges from distribution systems are being incorporated into this permit for the first time, there is no available data for the distribution systems discharges.

2. Water Supply Systems.

Most of the requirements of the Order No. R4-2003-0108 were retained in the Order R4-2009-XXXX. The following are summary of the requirements in the existing Order.

Effluent Limitations

The following table presents the effluent limitations and the specific rationales for pollutants that are expected to be present in discharges covered by the existing general permit:

Table 1. Existing Effluent Limitations

Constituents	Units	Discharge Limitations		Rationale
		Daily Maximum	Monthly Average	
Total Suspended Solids	mg/L	150	50	Existing permit
Turbidity	NTU	150	50	Existing permit
$BOD_5 20°C$	mg/L	30	20	Existing permit
Settleable Solids	ml/L	0.3	0.1	Existing permit
Residual Chlorine	mg/L	0.1	No limit	Basin Plan
Copper	µg/L	1000	No limit	AL[1]
Lead	µg/L	50	No limit	MCL[2]
Total Chromium	µg/L	50	No limit	MCL
1,1-dichloroethane	µg/L	5	No limit	MCL
1,1-dichloroethylene	µg/L	6	No limit	MCL
1,1,1-trichloroethane	µg/L	200	No limit	MCL
1,1,2-trichloroethane	µg/L	5	No limit	MCL
1,1,2,2-tetrachloroethane	µg/L	1	No limit	MCL
1,2-dichloroethane	µg/L	0.5	No limit	MCL
1,2-trans dichloroethylene	µg/L	10	No limit	MCL
Tetrachloroethylene	µg/L	5	No limit	MCL

[1] Action Level, Title 22, California Department of Public Health
[2] Maximum Contaminant Level, Title 22, California Department of Public Health

TENTATIVE

Constituents	Units	Discharge Limitations		Rationale
		Daily Maximum	Monthly Average	
Trichloroethylene	µg/L	5	No limit	MCL
Carbon Tetrachloride	µg/L	0.5	No limit	MCL
Vinyl Chloride	µg/L	0.5	No limit	MCL
Total Trihalomethanes	µg/L	80	No limit	Fed. MCL
Benzene	µg/L	1	No limit	MCL[2]
Methyl tertiary butyl ether	µg/L	5	No limit	SMCL[3]

TENTATIVE

2. Monitoring Requirements

Order No. R4-2003-0108 requires the effluent monitoring as appropriate in accordance with the following schedule.

Table 2. Existing Monitoring Requirements

Constituent	Units	Sample Type	Minimum Frequency of Analysis
Flow	gal/day	totalizer	continuously
pH	pH units	grab	monthly
Temperature	°F	grab	monthly
Total Suspended Solids	mg/L	grab	monthly
Turbidity	NTU	grab	monthly
$BOD_5$20°C	mg/L	grab	monthly
Oil and Grease	mg/L	grab	monthly
Settleable Solids	ml/L	grab	monthly
Residual Chlorine	mg/L	grab	monthly
Copper	µg/L	grab	monthly
Lead	µg/L	grab	monthly
Total Chromium	µg/L	grab	monthly
1,1-dichloroethane	µg/L	grab	monthly
1,1-dichloroethylene	µg/L	grab	monthly
1,1,1-trichloroethane	µg/L	grab	monthly
1,1,2-trichloroethane	µg/L	grab	annually
1,1,2,2-tetrachloroethane	µg/L	grab	monthly
1,2-dichloroethane	µg/L	grab	monthly

[3] Secondary Maximum Contaminant Level, Title 22, California Department of Public Health

Constituent	Units	Sample Type	Minimum Frequency of Analysis
1,2-trans dichloroethylene	µg/L	grab	monthly
Tetrachloroethylene	µg/L	grab	monthly
Trichloroethylene	µg/L	grab	monthly
Carbon Tetrachloride	µg/L	grab	monthly
Vinyl Chloride	µg/L	grab	monthly
Total Trihalomethanes	µg/L	grab	monthly
Benzene	µg/L	grab	monthly
Methyl tertiary butyl ether (MTBE)	µg/L	grab	monthly
Perchlorate	µg/L	grab	annually
1-4 Dioxane	µg/L	grab	annually
N-Nitrosodimethylamine (NDMA)	µg/L	grab	annually
Acute Toxicity	% survival	grab	annually

TENTATIVE

E. Compliance Summary (Not Applicable)

F. Planned Changes (Not Applicable)

IV. APPLICABLE PLANS, POLICIES AND REGULATIONS

The requirements contained in the tentative Order are based on the requirements and authorities described in this section.

A. Legal Authorities

This Order is issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).

B. California Environmental Quality Act (CEQA)

NPDES permit is exempt from the provisions of the CEQA, Public

Resources Code section 21100 through 21177.

C. State and Federal Regulations, Policies, and Plans

1. Water Quality Control Plans.

The Regional Water Board adopted a Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (hereinafter Basin Plan) on June 13, 1994, that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, the Basin Plan implements State Water Resources Control Board Resolution No. 88-63, which established state policy that all waters, with certain exceptions, the Regional Water Board assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in the Basin Plan.

Receiving Water Beneficial Uses 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:

i. 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.

ii. 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.

iii. 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.

Requirements of this Order implement the Basin Plan as amended for Total Daily Maximum Load (TMDL). The Regional Water

TENTATIVE

Board has developed a number of TMDL for impaired waterbodies in the Los Angeles Region to reduce pollutants which are identified in CWA section 303(d) list. These pollutants are classified into the categories of bacteria, chloride, coliforms, metals, toxics, and trash. All of the TMDL requirements are considered and only those applicable to this Order are implemented in the discharge limitations.

2. Thermal Plan.

The State Water 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 inland surface waters. Requirements of this Order implement the Thermal Plan.

3. National Toxics Rule (NTR) and California Toxics Rule (CTR).

USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants.

4. State Implementation Policy.

On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control.

Categorical Exceptions

The SIP authorizes the RWQCB to grant Categorical Exceptions from meeting the priority pollutant criteria/objective(s), if determined to be necessary to implement control measures

TENTATIVE

regarding drinking water conducted to fulfill statutory requirements under the Safe Drinking Water Act or California Health and Safety Code. Generally, discharges of potable water by potable water suppliers are done to fulfill the DPH statutory requirements, and to ensure steady and safe drinking water supply to end-users.

Water purveyors operating water supply systems and potable water distribution and storage systems provide an essential commodity for sustaining human life and our ecosystems. Groundwater supplements surface water supply necessary to satisfy the industrial, municipal, domestic, agricultural water demands in our urban and rural setting. Substantial numbers of water supply wells are located in urban settings with limited area to use the pumped groundwater for irrigation or other applied disposal of water. This creates the imperative for water suppliers to discharge to surface water. Water suppliers are required to provide continuous and reliable supply to customers and the water they serve must meet all drinking water standards. There are many operational and maintenance related activities which are critically important to ensure that water suppliers meet the requirements or standards for drinking water supply. These activities requiring groundwater and other water discharge alluded to elsewhere, include, but are not limited to well development, testing, purging, maintenance of distribution system pipelines, tanks, reservoirs, aqueducts, flows from fire hydrants and testing. The discharges generated from these activities are normally high flow that occur intermittently and of short duration. The discharge water from these activities generally meet state and federal drinking water standards.

Any potential impacts that may result from supply water discharges that comply with categorical exceptions requirements in this permit will be localized, of short duration, and are not expected to impact any existing or prospective uses of the surface or groundwater. In addition, receiving water quality will be monitored before and after discharge to verify no short-term and long-term adverse impacts to water quality. Dischargers enrolling under this general permit are required to implement best management practices and prepare a pollution prevention plan.

Discharges under this permit are considered de minimus discharge that are mostly intermittent, short duration, high flow discharge that comply with DPH maximum contaminant levels, for protection of human health. Therefore, discharges as qualified under this permit have been determined to pose no significant threat to water quality and meet the conditions for categorical exception under SIP. The effluent limitations in this permit, for constituents which were also included in the existing permits, are generally consistent with the limitations in the existing permits, Title 22 requirements, and consistent with SIP.

5. Alaska Rule.

On March 30, 2000, USEPA revised its regulation that specifies when new and revised State and Tribal water quality standards (WQS) become effective for the CWA purposes (40 CFR §131.21, 65 FR 24641, April 27, 2000). Under USEPA's new regulation (also known as the Alaska rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.

6. Anti-degradation Policy.

Section 131.12 of 40 CFR requires that State water quality standards include an anti-degradation policy consistent with the federal policy. The State Water Board established California's anti-degradation policy in State Water Board Resolution No. 68-16, which incorporates the requirements of the federal anti-degradation policy. State Water Board Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. As discussed in detail in the Fact Sheet, Attachment F, the permitted discharge is consistent with the anti-degradation provision of 40 CFR §131.12 and State Water Board Resolution No. 68-16.

7. Anti-Backsliding Requirements

Sections 402(o)(2) and 303(d)(4) of the CWA and 40 CFR § 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in the tentative Order are at least as stringent as the effluent limitations in the existing Order.

8. Monitoring and Reporting Requirements.

Section 122.48 of 40 CFR requires all NPDES permits to specify requirements for recording and reporting monitoring results. Sections 13267 and 13383 of the CWC authorize the Regional Water Boards to require technical and monitoring reports. The MRP establishes monitoring and reporting requirements to implement federal and State requirements. This MRP is provided in Attachment E.

D. Impaired Water Bodies on CWA 303(d) List

Trash TMDLs: Trash as defined in the Trash TMDLs does not appear in the potable water covered under the Order. Therefore, potable water is not a source of trash.

Bacteria TMDLs: Discharger is required to disinfect potable water by using chlorine and required to maintain chlorine residual in the water to ensure disinfection all the time. The Source Analyses in the bacteria TMDLs do not identify potable water as one of the sources for bacteria.

Minerals and Nutrient TMDLs: Waste Load Allocations (WLAs) per TMDLs for total dissolved solids, chloride, nitrate, nitrite, total nitrogen are relevant with this General NPDES Permit, and, thus, implemented in this Order. Nitrogen (nitrate pus nitrite) limits are changed from 5 to 6.8 mg/L for Reach D (Between West Pier Highway 99 and Blue Cut Gaging Station) and from 5 to 8.1 mg/L for Reaches F (Between A Street, Fillmore and Freeman Diversion "Dam" near Saticoy) of Santa Clara River Watershed in accordance with TMDL requirements specified in the Regional Water Board Resolution R4-2003-011.

Toxics TMDLs: Discharges under this General Permit are categorically excepted from compliance with CTR and SIP. The discharges, however, are required to comply with drinking water standards (MCLs) and to implement BMP. Therefore, toxics TMDLs are not applicable to categorical excepted potable water discharge.

E. Other Plans, Polices and Regulations (Not Applicable)

V. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: section 122.44(a) requires that permits include applicable technology-based limitations and standards; and section 122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

A. Discharge Prohibitions

Discharges under this Order are required to be nontoxic. Toxicity is the adverse response of organisms to chemicals or physical agents. This prohibition is based on the Regional Water Board's Basin Plan, which require that all waters be maintained free of toxic substances in concentrations that are lethal or produce other detrimental responses in

aquatic organisms. Detrimental responses include, but are not limited to, decreased growth rate and decreased reproductive success of resident or indicator species. Basin Plan also requires waters to be free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, or animal life. This objective applies regardless of whether the toxicity is caused by a single substances or the interactive effect of multiple substances.

B. Technology-Based Effluent Limitations (TBELs)

1. Scope and Authority

The CWA requires that technology-based effluent limitations be established based on several levels of controls:

a. Best practicable treatment control technology (BPT) is based on the average of the best performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional and non-conventional pollutants.

b. Best available technology economically achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable within an industrial point source category. BAT standards apply to toxic and non-conventional pollutants.

c. Best conventional pollutant control technology (BCT) is a standard for the control from existing industrial point sources of conventional pollutants including BOD, TSS, fecal coliform, pH and oil and grease. The BCT standard is established after considering the "cost reasonableness" of the relationship between the cost of attaining a reduction in effluent discharge and the benefits that would result, and also the cost effectiveness of additional industrial treatment beyond BPT.

d. New source performance standards (NSPS) that represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.

The CWA requires USEPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BCT, BAT and NSPS. Section 402(a)(1) of the CWA and 40 CFR §125.3 of the NPDES regulations authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis where ELGs are not available for certain industrial categories and/or pollutants of concern. Where BPJ is used, the permit writer must consider specific

TENTATIVE

factors outlined in 40 CFR §125.3.

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

Section 301(b) of the CWA and section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44(d)(1)(i) mandates that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) USEPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in section 122.44(d)(1)(vi).

The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

The Regional Water Board adopted a Basin Plan that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan. The Basin Plan includes both narrative and numeric water quality objectives applicable to the receiving water. To the extent that the applicable Basin Plan designates additional or different beneficial uses, the Basin Plan shall control.

3. Determining the Need for WQBELs

The effluent limitations prescribed under this permit are calculated

assuming no dilution. For most practical purposes, discharges from groundwater cleanups do not flow directly into receiving waters with enough volume to consider dilution credit or to allocate a mixing zone. Most discharges of potable water regulated under this General NPDES permit are to storm 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 ground waters 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.

The Regional Water Board developed WQBELs for chloride, nitrate and nitrite, that have available waste load allocations under a TMDL. The effluent limitations for these pollutants were established regardless of whether or not there is reasonable potential for the pollutants to be present in the discharge at levels that would cause or contribute to a violation of water quality standards. The Regional Water Board developed water quality-based effluent limitations for these pollutants pursuant to section 122.44(d)(1)(vii), which does not require or contemplate a reasonable potential analysis. Similarly, the SIP at Section 1.3 recognizes that reasonable potential analysis is not appropriate if a TMDL has been developed.

4. WQBELs Based on Basin Plan Objectives

The Basin Plan states that the pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharge. Based on the requirements of the Basin Plan an instantaneous minimum limitation of 6.5 and an instantaneous maximum limitation of 8.5 for pH are included in the tentative permit. The Basin Plan lists temperature requirements for the receiving waters and references the Thermal Plan. Based on the requirements of the Thermal Plan and a white paper developed by

Regional Water Board staff entitled *Temperature and Dissolved Oxygen Impacts on Biota in Tidal Estuaries and Enclosed Bays in the Los Angeles Region*, a maximum effluent temperature limitation of 86 °F is included in the tentative Order. The white paper evaluated the optimum temperatures for steelhead, topsmelt, ghost shrimp, brown rock crab, jackknife clam and blue mussel. The new temperature effluent limitation is reflective of new information available that indicates that the 100°F temperature is not protective of aquatic organisms. A survey was completed for several species of fish and the 86°F temperature was found to be protective.

TMDLs have been developed for nutrients in the major rivers and its tributaries in the Los Angeles Region. The WLAs specified in that TMDL will be used as effluent limits for discharges as specified in the ATTACHMENT B.

5. Whole Effluent Toxicity (WET)

Whole effluent toxicity (WET) protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. WET tests measure the degree of response of exposed aquatic test organisms to an effluent. The WET approach allows for protection of the narrative "no toxics in toxic amounts" criterion while implementing numeric criteria for toxicity. There are two types of WET tests: acute and chronic. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth.

The Basin Plan specifies a narrative objective for toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are lethal to or produce other detrimental responses by aquatic organisms. Detrimental response includes but is not limited to decreased growth rate, decreased reproductive success of resident or indicator species, and/or significant alterations in population, community ecology, or receiving water biota. The acute toxicity objective for discharges dictates that the average survival in undiluted effluent for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90 percent, with no single test having less than 70 percent survival.

For the intermittent nature of the discharge, it is not expected to contribute to long-term toxic effects within the receiving water; therefore, the Discharger will not be required to conduct chronic toxicity testing. Intermittent discharges are likely to have short-term effects; therefore at this facility, the Discharger will be required to comply with acute toxicity effluent limitations in accordance with the Basin Plan and the Order.

D. Final Effluent Limitations

1. Water Distribution Systems Effluent Limitations.

This Order requires the Discharger to implement best management practices (BMPs) and pollution prevention plan (PPP) for both planned and unplanned discharges to reduce to the maximum extent practicable the discharge of pollutants.

Discharge of a effluent from planned distribution system discharge in excess of the following limitations is prohibited.

Table 3. Distribution System Effluent Limitations (applicable to planned discharges above 100,000 gpd)

Constituents	Units	Discharge Limitations	
		Daily Maximum	Monthly Average
pH	pH units	6.5 to 8.5	---
Residual Chlorine	mg/L	0.1	---

The following are specific rationales for pollutants that are expected to be present in discharges covered by the general permit:

1. **Chlorine Residual**

Chlorine is added to the potable water for disinfection purposes. Chlorine in excess amount is toxic to the aquatic organisms. Therefore, all discharges must be dechlorinated consistent with American Water Works Association and guidelines for dechlorination and suspended solids reduction practices. The residual chlorine in the discharge shall not exceed a maximum daily limitation of 0.1 mg/l.

2. **pH**

Lime or sodium hydroxide is added to the water to adjust water pH for corrosion protection in the water conveyance system. Water with high pH content may discharge to the streams and impact aquatic organisms. The discharges shall have a balanced pH in order to prevent detrimental responses to aquatic organisms. The pH of the discharge shall at all times be within the range of 6.5 to 8.5.

TENTATIVE

3. **BMP Plan**

This Order requires Dischargers seeking coverage under this General Permit to develop and implement BMP plan for preventing and controlling pollutant discharges. The purpose of the BMP plan is to (1) control and abate the discharge of pollutants from the facility to surface waters; (2) achieve compliance with Best Available Technology Economically Achievable (BAT) or Best Conventional Pollutant Control Technology (BCT) requirement; and (3) achieve compliance with applicable water quality standards.

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 established 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.

The effluent limitations for water supply systems discharges are calculated assuming no dilution. For most practical purposes, discharges from potable water supply and distribution system do not flow directly into receiving water with significant flow volume to consider dilution credit or to allocate a mixing zone. Most discharges regulated under this general permit are to storm drains 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 groundwater protected as drinking water.

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.

Table 4. Final Effluent Limitations (Applicable to Wellhead and Raw Water discharges)

Constituents	Units	Discharge Limitations		Rationale
		Daily Maximum	Monthly Average	
Total Suspended Solids	mg/L	150	50	Existing permit
Turbidity	NTU	150	50	Existing permit
$BOD_5$20°C	mg/L	30	20	Existing permit
Settleable Solids	ml/L	0.3	0.1	Existing permit
Residual Chlorine	mg/L	1.0	---	Existing permit
Copper	µg/L	1000	---	Existing permit, (Action Level)
Arsenic	µg/L	10	---	Federal MCL
Total Chromium	µg/L	50	---	MCL[1]
1,1-dichloroethane	µg/L	5	---	MCL[1]
1,1-dichloroethylene	µg/L	6	---	MCL[1]
1,1,1-trichloroethane	µg/L	200	---	MCL[1]
1,1,2-trichloroethane	µg/L	5	---	MCL[1]
1,1,2,2-tetrachloroethane	µg/L	1	---	MCL[1]
1,2-dichloroethane	µg/L	0.5	---	MCL[1]
1,2-trans dichloroethylene	µg/L	10	---	MCL[1]
Tetrachloroethylene	µg/L	5	---	MCL[1]
Trichloroethylene	µg/L	5	---	MCL[1]
Carbon Tetrachloride	µg/L	0.5	---	MCL[1]
Vinyl Chloride	µg/L	0.5	---	MCL[1]
Total Trihalomethanes	µg/L	80	---	MCL[1]
Benzene	µg/L	1	---	MCL[1]
Methyl tertiary butyl ether	µg/L	5	---	SMCL[2]

[1] MCL – Maximum Contaminant Level, Department of Health Services, Title 22 California Code of Regulations.
[2] Secondary Maximum Contaminant Level, Department of Health Services, Title 22 California Code of Regulations.

TENTATIVE

The discharges regulated under this permit have the potential to recharge ground waters protected as drinking water sources. The Basin Plan requires these ground waters to be protected to both the primary and secondary MCLs, and it implements both the Federal and State anti-degradation policies. Therefore, it is appropriate to limit discharges that may recharge these ground waters to both primary and secondary MCL levels. For surface waters with the beneficial use of municipal and domestic supply, it is also appropriate to limit discharges into these sources of drinking water to the primary and secondary MCL. For surface waters with the beneficial use of municipal and domestic supply, it is also appropriate to limit discharges into these sources of drinking water to the primary and secondary MCL.

Satisfaction of Anti-Backsliding Requirements

All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order.

Satisfaction of Antidegradation Policy

The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. The permitted discharge under this General NPDES Permit is consistent with the antidegradation provision of Section131.12 and State Water Board Resolution No. 68-16.

Stringency of Requirements for Individual Pollutants

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. These limitations are not more stringent than required by the CWA.

E. Interim Effluent Limitations

Not Applicable

F. Land Discharge Specifications

Not Applicable.

G. Reclamation Specifications

Not Applicable.

VI. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

The Basin Plan contains numeric and narrative water quality objectives applicable to all surface waters within the Los Angeles Region. Water quality objectives include an objective to maintain the high quality waters pursuant to federal regulations (40 CFR § 131.12) and State Water Board Resolution No. 68-16. Receiving water limitations in the tentative Order are included to ensure protection of beneficial uses of the receiving water and are based on the water quality objectives contained in the Basin

TENTATIVE

Plan.

B. Groundwater

Not Applicable.

VII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

Section 122.48 of 40 CFR requires all NPDES permits to specify recording and reporting of monitoring results. Sections 13267 and 13383 of the CWC authorize the water boards to require technical and monitoring reports. The MRP (Attachment E) of this Order, establishes monitoring and reporting requirements to implement federal and State requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this Order.

A. Effluent Monitoring

Monitoring for pollutants expected to be present in the discharge will be required as established in the tentative MRP (Attachment E) and as required in the "*Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*" adopted March 2, 2000.

To demonstrate compliance with effluent limitations established in this Order, the Order carries over the existing monitoring requirements for all parameters. Monitoring will be required as appropriate to ensure compliance with final effluent limitations. Acute toxicity monitoring is also carried over and is required annually, at a minimum.

B. Whole Effluent Toxicity Testing Requirements

WET protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction and growth.

The Order includes limitations for acute toxicity, and therefore, monitoring requirements are included in the MRP (Attachment E) to determine compliance with the effluent limitations established in Limitations and Discharge Requirements, Effluent Limitations, of this Order.

The Regional Water Board has determined that discharges will not contribute to long-term toxic effects within the receiving water. Therefore, the Discharger will not be required to conduct chronic toxicity testing.

C. Receiving Water Monitoring

1. Surface Water

TENTATIVE

Not Applicable.

2. Groundwater

Not Applicable.

VIII. RATIONALE FOR PROVISIONS

A. Standard Provisions

1. Federal Standard Provisions

Standard Provisions, which in accordance with 40 CFR §§122.41 and 122.42, apply to all NPDES discharges and must be included in every NPDES permit, are provided in Attachment D to the Order. The discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Section 122.41(a)(1) and (b) through (n) establish conditions that apply to all State-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Section 123.25(a)(12) allows the state to omit or modify conditions to impose more stringent requirements. In accordance with section 123.25, this Order omits federal conditions that address enforcement authority specified in sections 122.41(j)(5) and (k)(2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

2. Regional Water Board Standard Provisions

Regional Water Board Standard Provisions are based on the CWA, USEPA regulations, and the CWC.

B. Special Provisions

1. Re-Opener Provisions

These provisions are based on 40 CFR Part 123 and the previous Order. The Regional Water Board may reopen the permit to modify permit conditions and requirements.

a. 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

TENTATIVE

policies and/or water quality objectives, and/or new judicial decisions affecting requirements of this Order.

b. Pursuant to 40 CFR parts 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. In addition, if receiving water quality is threatened due to discharges covered under this permit, this permit will be reopened to incorporate more stringent effluent limitations for the constituents creating the threat. TMDLs have not been developed for all the parameters and receiving waters on the 303(d) list. When TMDLs are developed and if applicable this permit may be reopened to incorporate appropriate limits. In addition, if TMDL identifies that a particular discharge covered under this permit is a load that needs to be reduced; this permit will be reopened to incorporate appropriate TMDL based limit and/or to remove any applicable exemptions.

2. Special Studies and Additional Monitoring Requirements

Not Applicable.

3. Best Management Practices and Pollution Prevention

All Dischargers are encouraged to implement Best Management Practices and Pollution Prevention Plans to minimize pollutant concentrations in the discharge.

4. Compliance Schedules

Not Applicable.

5. Construction, Operation, and Maintenance Specifications

Not Applicable.

6. Special Provisions for Municipal Facilities (POTWs Only)

Not Applicable.

IX. PUBLIC PARTICIPATION

The California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a general National Pollutant Discharge Elimination System

TENTATIVE

(NPDES) permit for discharges from Potable Water Supply Systems. As a step in the WDR adoption process, the Regional Water Board staff has developed tentative WDRs. The Regional Water Board encourages public participation in the WDR adoption process.

TENTATIVE

A. Notification of Interested Parties

The Regional Water Board has notified the Dischargers and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided through the local newspapers.

B. Written Comments

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments must be submitted either in person or by mail to the Executive Office at the Regional Water Board at the address above on the cover page of this Order.

To be fully responded to by staff and considered by the Regional Water Board, written comments must be received at the Regional Water Board offices by 5:00 p.m. on January 30, 2009.

C. Public Hearing

The Regional Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date:	**March, 5, 2009**
Time:	**9:00 AM**
Location:	**Metropolitan Water District of Southern California, Board Room 700 North Alameda Street Los Angeles, California**

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

Please be aware that dates and venues may change. Our Web address is http://www.waterboards.ca.gov/losangeles/ where you can access the current agenda for changes in dates and locations.

D. Nature of Hearing

This will be a formal adjudicative hearing pursuant to section 648 et seq. of title 23 of the California Code of Regulations. Chapter 5 of the California Administrative

Procedure Act (commencing with section 11500 of the Government Code) will not apply to this proceeding.

Ex Parte Communications Prohibited: As a quasi-adjudicative proceeding, no board member may discuss the subject of this hearing with any person, except during the public hearing itself. Any communications to the Regional Water Board must be directed to staff.

TENTATIVE

E. Parties to the Hearing

The following are the parties to this proceeding:

1. The applicant/permittee
2. Regional Water Board Staff

Any other persons requesting party status must submit a written or electronic request to staff not later than [20] business days before the hearing. All parties will be notified if other persons are so designated.

F Public Comments and Submittal of Evidence

Persons wishing to comment upon or object to the tentative waste discharge requirements, or submit evidence for the Board to consider, are invited to submit them in writing to the above address. To be evaluated and responded to by staff, included in the Board's agenda folder, and fully considered by the Board, written comments must be received no later than close of business **January, 30, 2009**. Comments or evidence received after that date will be submitted, ex agenda, to the Board for consideration, but only included in administrative record with express approval of the Chair during the hearing. Additionally, if the Board receives only supportive comments, the permit may be placed on the Board's consent calendar, and approved without an oral testimony.

G. Hearing Procedure

The meeting, in which the hearing will be a part of, will start at 9:00 a.m. Interested persons are invited to attend. Staff will present the matter under consideration, after which oral statements from parties or interested persons will be heard. For accuracy of the record, all important testimony should be in writing. The Board will include in the administrative record written transcriptions of oral testimony that is actually presented at the hearing. Oral testimony may be limited to 30 minutes maximum or less for each speaker, depending on the number of persons wishing to be heard. Parties or persons with similar concerns or opinions are encouraged to choose one representative to speak. At the conclusion of testimony, the Board will deliberate in open or close session, and render a decision.

Parties or persons with special procedural requests should contact staff. Any procedure not specified in this hearing notice will be waived pursuant to section 648(d) of title 23 of the California Code of Regulations. Objections to any procedure to be used during this hearing must be submitted in writing not later than close of [15] business days prior to the date of the hearing. Procedural objections will not be entertained at the hearing.

If there should not be a quorum on the scheduled date of this meeting, all cases will be automatically continued to the next scheduled meeting on April, 2, 2009. A continuance will not extend any time set forth herein.

H. Waste Discharge Requirements Petitions

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

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

I. Information and Copying

The Report of Waste Discharge (RWD), related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling (213) 576-6600.

J. Register of Interested Persons

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

K. Additional Information

Requests for additional information or questions regarding this order should be directed to Namiraj Jain at (213) 620-6003.