DRAFT

LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD

ORDER No. 01-XXX
(NPDES No. CAS614001)

WASTE DISCHARGE REQUIREMENTS FOR MUNICIPAL STORM WATER AND URBAN RUNOFF DISCHARGES WITHIN THE COUNTY OF LOS ANGELES AND THE INCORPORATED CITIES, EXCEPT FOR THE CITIES OF LONG BEACH AND SANTA CLARITA

TABLE OF CONTENTS

STATE OF CALIFORNIA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

ORDER NO. 01-xxx
NPDES PERMIT NO. CAS004001
WASTE DISCHARGE REQUIREMENTS
FOR
MUNICIPAL STORM WATER AND URBAN RUNOFF DISCHARGES WITHIN THE COUNTY OF LOS ANGELES, AND THE INCORPORATED CITIES, EXCEPT THE CITIES OF LONG BEACH AND SANTA CLARITA

FINDINGS

The California Regional Water Quality Control Board, Los Angeles Region (hereinafter referred to as the Regional Board) finds:

Existing Permit and Report of Waste Discharge

1. The Los Angeles County Flood Control District, the County of Los Angeles, and 83 incorporated cities within the Los Angeles County Flood Control District (see Attachment A, List of Permittees), hereinafter referred to separately as Permittees and jointly as the Discharger, discharge or contribute to discharges of storm water and urban runoff from municipal separate storm sewer systems (MS4s), also called storm drain systems. The discharges flow to water courses within the Los Angeles County Flood Control District and into receiving waters of the Los Angeles region. These discharges are covered under countywide waste discharge requirements contained in Order No. 96-054 adopted by this Regional Board on July 15, 1996, and which rescinded in part Order No. 90-079 adopted by this Regional Board on June 18, 1990. Order No. 96-054 also serves as a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of municipal storm water.

Nature of Discharges and Sources of Pollutants

2. Storm water discharges consist of surface runoff generated from various land uses in all the hydrologic drainage basins that discharge into water bodies of the State. The quality of these discharges varies considerably and is affected by the hydrology, geology, land use, season, and sequence and duration of hydrologic events. The primary constituents of concern currently identified by the Los Angeles County Flood Control District 1994-2000 Integrated Receiving Water Impacts Report are cyanide, indicator bacteria, total dissolved solids, turbidity, total suspended solids, nutrients, total aluminum, dissolved cadmium, copper, lead, total mercury, nickel, zinc, bis(2-ethylhexyl)phthalate, polycyclic aromatic hydrocarbons (PAHs), diazinon, and chlorpyrifos.

3. Certain pollutants present in storm water and/or urban runoff may be derived from extraneous sources that Permittees have no or limited jurisdiction over. Examples of such pollutants and their respective sources are: PAHs which are products of internal combustion

engine operation, nitrates from atmospheric deposition, heavy metals, lead from fuels, copper from brake pad wear, zinc from tire wear, dioxins as products of combustion, and bis (2-ethylhexyl) phthalate and mercury as resulting from atmospheric deposition, and natural-occurring minerals from local geology. However, Permittees can implement control measures to reduce entry of these pollutants into storm water and their discharge to receiving waters.

4. These compounds can have damaging effects on both human health and aquatic ecosystems. In addition, the high volumes of storm water discharged from MS4s in areas of urbanization can significantly impact aquatic ecosystems due to physical modifications such as bank erosion and widening of channels. It is anticipated that, due to the nature of storm water events (i.e., large volumes of water and high velocities) that there may be short-term, reversible impacts to beneficial uses that are not directly related to water quality.

5. Water quality assessments conducted by the Regional Board identified impairment, or threatened impairment, of beneficial uses of water bodies in the Los Angeles region. The causes of impairments include pollutants of concern identified by the County of Los Angeles in the Integrated Receiving Water Impacts Report (1994-2000).

6. Development and urbanization especially threaten environmentally sensitive areas. Such areas have a much lower capacity to withstand pollutant shocks than might be acceptable in the general circumstance. In essence, development that is ordinarily insignificant in its impact on the environment may in a particular sensitive environment become significant. These environmentally sensitive area include Areas of Special Biological Significance, water bodies designated with a RARE beneficial use, Significant Natural Areas, and impaired water bodies listed under Clean Water Act Section 303(d).

7. The increased volume, increased velocity, and discharge duration of storm water runoff from developed areas greatly accelerates downstream erosion and impairs stream habitat. Studies have demonstrated a direct correlation between the degree of imperviousness of an area and the degradation of its receiving waters. Significant declines in the biological integrity and physical habitat of streams and other receiving waters have been found to occur with as little as 10 percent conversion from natural to impervious surfaces. Percentage impervious cover is a reliable indicator and predictor of potential water quality degradation expected from new development. (*Impervious Cover as An Urban Stream Indicator and a Watershed Management Tool*, Schuler, T. and R. Claytor, In, Effects of Water Development and Management on Aquatic Ecosystems (1995), ASCE, New York.)

Permit Background

8. The Permittees have filed a Report of Waste Discharge (ROWD), dated February 1, 2001, and has applied for renewal of its waste discharge requirements and an NPDES permit to discharge wastes to surface waters. The ROWD includes the Storm Water Quality Management Plan (SQMP) and a Monitoring Program.

9. The SQMP contains programs previously approved under Board Order No. 96-054 in the following areas:

Public Information and Participation
Development Construction
Illicit Connection/Illicit Discharge Elimination Program
Development Planning
Public Agency Activities

These programs will be revised pursuant to the provisions of this Order after adoption.

10. The Regional Board has reviewed the ROWD and has determined it to be complete under the reapplication policy of MS4s issued by the USEPA (61 *Fed. Reg*. 41697). The Regional Board finds that the Permittee's proposed Storm Water Management Plan is acceptable.

11. Studies indicate that facilities with paved surfaces subject to frequent motor vehicular traffic (such as parking lots and fast food restaurants), or facilities which perform vehicle repair, maintenance, or fueling (automotive service facilities0)are potential sources of pollutants of concern in storm water. [References: Pitt *et a*l., *Urban Storm Water Toxic Pollutants: Assessment, Sources, and Treatability*, Water Environment Res., 67, 260 (1995)*; Results of Retail Gas Outlet and Commercial Parking Lot Storm Water Runoff Study*, Western States Petroleum Association and American Petroleum Institute, (1994); *Action Plan Demonstration Project, Demonstration of Gasoline Fueling Station Best Management Practices*, Final Report, County of Sacramento (1993).]

12. Retail gasoline outlets are points of convergence for vehicular traffic and are similar to parking lots and urban roads. Studies indicate that storm water discharges from retail gasoline outlets have high concentrations of hydrocarbons and heavy metals. [*Schueler and Shepp* (1992)]. Pilot studies indicate that treatment control best management practices installed at retail gasoline stations are effective in removing pollutants, reasonable in capital cost, easy to operate, and do not present safety risks [*Rouge River National Wet Weather Demonstration Project, Task Product Memorandum – Evaluation of On-line Media Filters RPO-NPS-TPM59.00*, Wayne County, MI, March 1999].

Permit Coverage

13. The requirements in this Order cover all areas within the boundaries of the cities (see Attachment A) as well as unincorporated areas in Los Angeles County Flood Control District within the jurisdiction of the Regional Board. The Permittees serve a population of about 11.4 million [Reference: *2000 Census of Population and Housing,* Bureau of the Census, U.S. Department of Commerce (2001)] in an area of approximately 3,100 square miles. Attachment B shows the map of the permitted area in Los Angeles County Flood Control District.

14. Federal, state, regional or local entities within the Permittees' boundaries or in jurisdictions outside the Los Angeles County Flood Control District, and not currently named in this Order, may operate storm drain facilities and/or discharge storm water to storm drains and watercourses covered by this Order. The Permittees may lack legal jurisdiction over these entities under state and federal constitutions. Consequently, the Regional Board recognizes that the Permittees will not be held responsible for such facilities and/or discharges. The

Regional Board will coordinate with these facilities to implement programs that are consistent with the requirements of this Order.

15. Sources of discharges into receiving waters in the County of Los Angeles but in jurisdictions outside its boundary include the following:

    a) About 34 square miles of unincorporated area in Ventura County drain into Malibu Creek, thence to Santa Monica Bay,

    b) About 9 square miles of the City of Thousand Oaks also drain into Malibu Creek, thence to Santa Monica Bay, and

    c) About 86 square miles of area in Orange County drain into Coyote Creek, thence into the San Gabriel River in the Los Angeles County Flood Control District.

    The Regional Board will ensure that storm water management programs for the areas in Ventura County and the City of Thousand Oaks that drain into Santa Monica Bay are consistent with the requirements of this Order. The Regional Board will coordinate with the Santa Ana Regional Board so that storm water management programs for the areas in Orange County that drain into Coyote Creek are consistent with the requirements of this Order.

16. This permit is intended to develop, achieve, and implement a timely, comprehensive, cost-effective storm water pollution control program to minimize the discharge of pollutants in storm water from the permitted areas in the County of Los Angeles to the waters of the United States.

17. Permittees will work cooperatively to control the contribution of pollutants from one portion of the municipal separate storm sewer system to another portion of the system. Permittees may control the contribution of pollutants to the municipal separate storm sewer system from non-permittee dischargers such as Caltrans, the U.S. Department of Defense, and other state and federal facilities, through interagency agreements.

Federal, State, and Regional Regulations

18. The Water Quality Act of 1987 added Section 402(p) to the Federal Clean Water Act (CWA). This section requires the U.S. Environmental Protection Agency (U.S. EPA) to establish regulations setting forth NPDES requirements for storm water discharges in two phases.

    - The U.S. EPA Phase 1 regulations were directed at municipal separate storm sewer systems (MS4) serving a population of 100,000 or more, including interconnected systems and storm water discharges associated with industrial activities, including construction activities. The Phase 1 Final Rule was published on November 16, 1990 (55 *Fed Reg*. 47990).

    - The U.S. EPA Phase II regulations are directed at other types of storm water discharges, including small municipal MS4s (serving a population of less than

100,000), small construction projects (one to five acres), municipal facilities with delayed coverage under the Intermodal Surface Transportation Efficiency Act of 1991, and other discharges for which the U.S. EPA Administrator or the State determines that the storm water discharge contributes to a violation of a water quality standard, or is a significant contributor of pollutants to waters of the United States. The Phase II Final Rule was published on December 8, 1999 (64 *Fed Reg*. 68722).

19. The U.S. EPA published an 'Interim Permitting Approach for Water Quality-Based Effluent Limitations in Storm Water Permits' on August 26, 1996 (61 Fed. Reg. 4376). This policy discusses the appropriate kinds of water quality based effluent limitations to be included in NPDES storm water permits to provide for the attainment of water quality standards.

20. The U.S. EPA published an 'Interpretative Policy Memorandum on Reapplication Requirements' for MS4 permits on August 9, 1996 (61 *Fed. Reg*. 41697). This policy requires that MS4 reapplications for the next five-year permit term contain certain basic information and information for proposed changes and improvements to the storm water management program and monitoring program.

21. U.S. EPA regulations at 40 CFR 122.26(d)(2)(iv)(A) and 40 CFR 122.26(d)(2)(iv)(C) require that Permittees implement a program to monitor and control pollutants in discharges to the municipal system from industrial and commercial facilities that contribute a substantial pollutant load to the MS4. The regulations require that Permittees establish priorities and procedures for inspection of industrial facilities. This permit consistent with the regulations incorporates a requirement that Permittees conduct an industrial/ commercial inspection program to control pollutants in storm water discharges from industrial facilities.

22. Section 122.2 of the CWA authorizes the U.S. EPA to delegate its NPDES permitting authority to states with an approved environmental regulatory program. The State of California is a delegated State. The Porter-Cologne Water Quality Control Act (California Water Code) authorized the State Water Resources Control Board (State Board), through the Regional Boards, to regulate and control the discharge of pollutants into waters of the State and tributaries thereto. The State Board entered into a Memorandum of Agreement [MOA] with the U.S. EPA, on 22 September 1989, to administer the NPDES Program.

23. Section 303(d) of the CWA requires that the State identify a list of impaired water-bodies and develop and implement Total Maximum Daily Loads (TMDLs) for these waterbodies. A TMDL specifies the maximum amount of a pollutant that a water-body can receive and still protect beneficial uses. The U.S. EPA entered into a consent decree with the Natural Resources Defense Council (NRDC) on March 22, 1999, under which the Regional Board must adopt all TMDLs for the Los Angeles Region within 13 years from that date. This permit incorporates a provision to implement and enforce approved load allocations for municipal storm water discharges and require changes to the Storm Water Quality Management Plan after pollutants loads have been allocated and approved.

24. Section 6217(g) of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) requires coastal states with approved coastal zone management programs to address non-point pollution impacting or threatening coastal water quality. CZARA addresses five sources of non-point pollution: agriculture, silviculture, urban, marinas, and

hydromodification. This NPDES permit addresses the management measures required for the urban category, with the exception of septic systems. The Regional Board addresses septic systems through the administration of other programs.

25. On May 18, 2000, the U.S. EPA established numeric criteria for priority toxic pollutants for the State of California (California Toxics Rule) 65 *Fed. Reg*. 31682, for the protection of human health and aquatic life. These criteria apply to discharges to inland surface waters, and enclosed bays and estuaries and to the Clean Water Act and its programs. The State Board adopted the*, Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California – 2000*) on March 2, 2000, for implementation of the California Toxics Rule (State Board Resolution No. 200-15 as amended by Board Resolution No. 2000-030). This policy requires that discharges comply with TMDL derived load allocations as soon as possible but no later than 20 years from the effective date of the policy.

26. The State Board adopted a revised Water Quality Control Plan for Ocean Waters of California (Ocean Plan) on July 23, 1997. The Ocean Plan contains water quality objectives for the coastal waters of California.

27. The Regional Board adopted an updated Water Quality Control Plan (Basin Plan) for the Los Angeles Region on June 13, 1994, *'Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties*, (1994).' The Basin Plan, and amendments thereto, which are incorporated in this Order by reference, designate the beneficial uses of receiving waters and specify both narrative and numerical water quality objectives for the receiving waters in Los Angeles County.

28. The Regional Board on April 13, 1998, approved best management practices for sidewalk washing to minimize the discharge of wash waters to the storm drain system (Resolution No. 98-08). By the same Resolution, the Regional Board prohibited the discharge of municipal street wash waters to the storm drain system.

29. The Regional Board on April 13, 1998, approved recommended best management practices for industrial/ commercial facilities (Resolution No. 98-08).

30. The Regional Board on April 22, 1999, approved a List of best management practices for use in development planning and development construction (Resolution No. 99-03)

31. The Regional Board adopted and approved requirements for new development and significant redevelopment projects in Los Angeles County to control the discharge of storm water pollutants in post-construction storm water, on January 26, 2000, in Board Resolution No. R-00-02. The Regional Board Executive Officer issued the approved Standard Urban Storm Water Mitigation Plans (SUSMPs) on March 8, 2000. The State Board in large part affirmed the Regional Board action and SUSMPs in Order No. WQ 2000-1 issued on October 5, 2000. The State Board's Chief Counsel has issued a statewide policy memorandum (dated December 26, 2000,) which interprets the Order to provide broad discretion to Regional Boards and identifies potential future areas for inclusion in SUSMPs and the types of evidence and findings necessary. Such areas include ministerial projects, projects in environmentally sensitive areas, and retail gasoline outlets.

32. The Regional Board supports a Watershed Management Approach to address water quality protection in the region. The objective of the Watershed Management Approach should be to provide a comprehensive and integrated strategy towards water resource protection, enhancement, and restoration while balancing economic and environmental impacts within a hydrologically defined drainage basin or watershed. It emphasizes cooperative relationships between regulatory agencies, the regulated community, environmental groups, and other stakeholders in the watershed to achieve the greatest environmental improvements with available resources.

33. To promote a watershed management approach, the County of Los Angeles is divided into five Watershed Management Areas (WMAs) as follows:

    a. Malibu Creek and Rural Santa Monica Bay WMA
    b. Ballona Creek and Urban Santa Monica Bay WMA
    c. Los Angeles River WMA
    d. San Gabriel River WMA
    e. Dominguez Channel/Los Angeles Harbor WMA

    Permittees may form sub-watershed groups within the WMA. Attachment A, shows the list of Permittees under each WMA.

34. To facilitate compliance with federal regulation, the State Board has issued two statewide general NPDES permits: one for storm water from industrial sites [NPDES No. CAS000001, General Industrial Activity Storm Water Permit (GIASP)] and the other for storm water from construction sites [NPDES No. CAS000002, General Construction Activity Storm Water Permit (GCASP)]. The GCASP was reissued on August 19, 1999. The GIASP was reissued on April 17, 1997. Facilities discharging storm water associated with industrial activities and construction projects with a disturbed area of five acres or more are required to obtain individual NPDES permits for storm water discharges, or be covered by these statewide general permits by completing and filing a Notice of Intent (NOI) with the State Board. The U.S. EPA guidance anticipates coordination of the state-administered programs for industrial and construction activities with the local agency program to reduce pollutants in storm water discharges to the MS4.

35. The State Board, on October 28, 1968, adopted Resolution No. 68-16, “Maintaining High Quality Water” which established an anti-degradation policy for State and Regional Boards.

36. The State Board, on June 17, 1999, adopted Order No. WQ 99-05, which specifies standard receiving water limitations language to be included in all municipal storm water permits issued by the State and Regional Boards.

37. California Water Code (CWC) Section 13263(a) requires that waste discharge requirements issued by the Regional Board shall implement any relevant water quality control plans that have been adopted; shall take into consideration the beneficial uses to be protected and the water quality objectives reasonably required for that purpose; other waste discharges; and the need to prevent nuisance.

38. California Water Code Section 13370 *et seq.* requires that waste discharge requirements issued by the Regional Boards comply with provisions of the Federal Clean Water Act and its amendments.

Other Findings

39. The Regional Board is the enforcing authority in the Los Angeles Region or the two statewide general permits, which regulate discharges from industrial facilities and construction sites, and all NPDES storm water and non-storm water permits issued by the Regional Board. These industrial and construction sites and discharges are also regulated under local laws and regulations.

40. The Executive Advisory Committee (EAC) is a representative committee of Permittee members established to facilitate permit compliance and enhance consistency in program implementation among Permittees.

41. For water quality purposes, the Regional Board considers that all new development and significant redevelopment activity in specified categories, that receive approval or permits from a municipality, are subject to storm water mitigation requirements. The California Environmental Quality Act (CEQA) (Pub Resources Code Section 21000 *et seq*.) requires that public agencies consider the environmental impacts of the projects they approve for development. CEQA applies to projects that are considered discretionary and does not apply to ministerial projects, which involve the use of established standards or objective measurements. A ministerial project may be made discretionary by adopting local ordinance provisions that create decision-making discretion.

42. A review of industrial waste/ pretreatment records in the County of Los Angeles on illicit discharges indicates that automotive service facilities and food service facilities sometimes discharge polluted washwaters to the MS4. The pollutants of concern in such washwaters include food waste, oil and grease, and toxic chemicals. Other storm water/industrial waste programs in California have reported similar observations.

Implementation

43. The objective of this Order is to protect the beneficial uses of receiving waters in Los Angeles County. To meet this objective, this Order requires implementation of BMPs intended to reduce pollutants in storm water and urban runoff such that ultimately their discharge will neither cause violations of water quality objectives nor create conditions of nuisance in receiving waters.

44. The Regional Board recognizes the unique challenges to regulating storm water discharges through municipal storm sewer systems, including intermittent and variable nature of discharges, difficulties in monitoring, and limited physical control over the discharge, and that it will require adequate time to implement and evaluate the effectiveness of best management practices required in this Order and to determine whether they will adequately protect the receiving water.

45. The SQMP required in this Order builds upon the programs established in Order No. 90-079, and No. 96-054, consists of the components recommended in the USEPA guidance manual, and was developed with the cooperation of representatives from the regulated community and environmental groups. The SQMP includes provisions that promote customized initiatives, both on a countywide and watershed basis, in developing and implementing cost-effective measures to minimize discharge of pollutants to the receiving water. The various components of the SQMP, taken as a whole rather than individually, are expected to reduce pollutants in storm water and urban runoff to the maximum extent practicable.

46. The emphasis of the SQMP is pollution prevention through education, public outreach, planning, and implementation as source control BMPs first and then structural and treatment control BMPs. Successful implementation of the provisions of the SQMP will require cooperation and coordination of all public agencies in each Permittee's organization, among Permittees, and the regulated community. To minimize cost, the Permittees are encouraged to utilize their existing organizational framework to implement the various activities required in this Order.

47. This Order provides the flexibility for the Permittees to petition the Regional Board Executive Officer to substitute a BMP or requirement under the SQMP with an alternative BMP, if they can provide information and documentation on the effectiveness of the alternative, equal to or greater than the prescribed BMP in meeting the objectives of this Order.

48. This Order contemplates that the Permittees are responsible for considering potential storm water impacts when making planning decisions. This Order or any of its requirements are not intended to restrict or control local land use decision-making authority.

Public Process

49. The Regional Board has notified the Permittees and interested agencies and persons of its intent to issue waste discharge requirements for this discharge, and has provided them with an opportunity to submit their written view and recommendations.

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

51. The Regional Board has conducted public workshops to discuss the draft permit.

52. This Order shall serve as a National Pollutant Discharge Elimination System (NPDES) Permit, pursuant to Section 402 of the Federal Clean Water Act, or amendments thereto, and shall take effect 50 days from permit adoption provided the Regional Administrator of the EPA has no objections.

53. This Order may be modified or alternatively revoked or reissued prior to its expiration date, in accordance with the procedural requirements of the federal NPDES program, and the California Water Code for the issuance of waste discharge requirements.

IT IS HEREBY ORDERED that the Los Angeles County Flood Control District, Los Angeles County, and the Cities of Agoura Hills, Alhambra, Arcadia, Artesia, Azusa, Baldwin Park, Bell, Bellflower, Bell Gardens, Beverly Hills, Bradbury, Burbank, Calabasas, Carson, Cerritos, Claremont, Commerce, Compton, Covina, Cudahy, Culver City, Diamond Bar, Downey, Duarte, El Monte, El Segundo, Gardena, Glendale, Glendora, Hawaiian Gardens, Hawthorne, Hermosa Beach, Hidden Hills, Huntington Park, Industry, Inglewood, Irwindale, La Cañada Flintridge, La Habra Heights, Lakewood, La Mirada, La Puente, La Verne, Lawndale, Lomita, Los Angeles, Lynwood, Malibu, Manhattan Beach, Maywood, Monrovia, Montebello, Monterey Park, Norwalk, Palos Verdes Estates, Paramount, Pasadena, Pico Rivera, Pomona, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Rosemead, San Dimas, San Fernando, San Gabriel, San Marino, Santa Fe Springs, Santa Monica, Sierra Madre, Signal Hill, South El Monte, South Gate, South Pasadena, Temple City, Torrance, Vernon, Walnut, West Covina, West Hollywood, Westlake Village, and Whittier, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act, as amended, and regulations and guidelines adopted thereunder, shall comply with the following:

Part 1. DISCHARGE PROHIBITIONS

Each Permittee shall effectively prohibit non-storm water discharges into the MS4 and watercourses, except where such discharges are:

1. covered by a separate individual or general NPDES permit for non-storm water discharges; or

2. in one of the categories below, and meet all conditions specified by the Regional Board Executive Officer (and which must be included in the revised SQMP):

    a) Categories of natural flow:

        (1) Natural springs and rising ground water;

        (2) Flows from riparian habitats or wetlands;

        (3) Stream diversions, permitted by the State Board; and

        (4) Uncontaminated ground water infiltration [as defined by 40 CFR 35.2005(20)].

    b) Category of flows from emergency fire fighting activity.

    c) Categories of flows incidental to urban activities, all of which are subject to conditions that shall be approved by the Regional Board Executive Officer:

        (1) Reclaimed and potable landscape irrigation runoff;

        (2) Water line flushing of potable water distribution systems;

        (3) Drains for foundations, footings, and crawl spaces;

(4) Air conditioning condensate;

(5) Dechlorinated swimming pool discharges;

(6) Dewatering of lakes and decorative fountains;

(7) Non-commercial car washing by residents or by non-profit organizations; and

(8) Sidewalk rinsing.

The Regional Board Executive Officer may add or remove categories of non-storm water discharges above. Furthermore, in the event that any of the above categories of non-storm water discharges are determined to be a source of pollutants by the Regional Board Executive Officer, the discharge will no longer be exempt from this prohibition unless the Permittee implements conditions approved by the Regional Board Executive Officer to ensure that the discharge is not a source of pollutants. Notwithstanding the above, the Regional Board Executive Officer may impose additional prohibitions of non-storm water discharges in consideration of anti-degradation policies.

Part 2. RECEIVING WATER LIMITATIONS

1. Discharges from the MS4 that cause or contribute to the violation of water quality standards or water quality objectives are prohibited.

2. Discharges from the MS4 of storm water, or non-storm water, for which a Permittee is responsible shall not cause or contribute to a condition of nuisance.

3. The Permittee shall comply with the permit through timely implementation of control measures and other actions to reduce pollutants in the discharges in accordance with the Storm Water Quality Management Plan (SQMP) and its components and other requirements of this permit including any modifications. The SQMP and its components shall be designed to achieve compliance with receiving water limitations. If exceedances of water quality objectives or water quality standards (collectively, water quality standards) persist, notwithstanding implementation of the SQMP and its components and other requirements of this permit, the Permittee shall assure compliance with discharge prohibitions and receiving water limitations by complying with the following procedure:

   a) Upon a determination by either the Permittee or the Regional Board that discharges are causing or contributing to an exceedance of an applicable water quality standard, the Permittee shall promptly notify and thereafter submit a report to the Regional Board that describes BMPs that are currently being implemented and additional BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the exceedances

of water quality standards. This report may be incorporated in the annual update of the SQMP and its components unless the Regional Board directs an earlier submittal. The report shall include an implementation schedule. The Regional Board may require modifications to the Report.

b) Submit any modifications to the report required by the Regional Board within 30 days of notification.

c) Within 30 days following the approval of the report, the Permittee shall revise the SQMP and its components and monitoring program to incorporate the approved modified BMPs that have been and will be implemented, implementation schedule, and any additional monitoring required.

d) Implement the revised SQMP and its components and monitoring program according to the approved schedule.

4. So long as the Permittee has complied with the procedures set forth above and is implementing the revised SQMP and its components, the Permittee does not have to repeat the same procedure for continuing or recurring exceedances of the same receiving water limitations unless directed by the Regional Board to develop additional BMPs.

Part 3. STORM WATER QUALITY MANAGEMENT PLAN IMPLEMENTATION, MONITORING, AND REPORTING

A. Responsibilities of the Principal Permittee

The Principal Permittee will coordinate and facilitate activities necessary to comply with the requirements of this Order, but is not responsible for ensuring compliance of any individual Permittee. The County of Los Angeles is hereby designated as the Principal Permittee, and as such shall:

1. Coordinates permit activities among Permittees and negotiate NPDES requirements with the Regional Board.

All Permittees will be given the opportunity to have an active role in, provide input and participate in the development of permit requirements. However, the Principal Permittee and the watershed Executive Advisory Committee (EAC) representative(s) will conduct formal discussions with the Regional Board on behalf of Permittees.

2. Provide personnel and fiscal resources for the necessary update of the SQMP and its components;

3. Convene the Watershed Management Committees (WMCs) constituted pursuant to Part C, below, upon designation of representatives;

4. Provide technical and administrative support for committees that will be organized to implement the SQMP and its components;

5. Implement the Countywide Monitoring Program required in this Order;

6. Provide personnel and fiscal resources for the preparation and submittal to the Regional Board of annual reports and summaries of other reports required under the SQMP; and

7. Comply with the "Responsibilities of the Permittees" in Part 3.B., below;

B. Responsibilities of Each Permittees

Each Permittee is responsible for the implementation of the appropriate storm water management program developed pursuant to the requirements of this Order, and not for the implementation of the provisions applicable to the Principal Permittee or other Permittees. A Permittee is required to comply with the requirements of this Order applicable to discharges, which originate from places within its boundaries over which it has authority to enforce the requirements of this Order. Each Permittee shall, within its geographic jurisdiction:

1. Comply with the requirements of the SQMP and its amendments;

2. Coordinate among its internal departments and agencies, as appropriate, to facilitate the implementation of the requirements of the SQMP and its components applicable to such Permittee in an efficient and cost-effective manner;

3. Participate in the update of the SQMP and its components;

4. Designate a technically knowledgeable representative to the appropriate WMC;

5. Implement the SQMP upon approval by the Regional Board Executive Officer; and,

6. Provide intra-agency coordination (e.g. Fire Department, Building and Safety, Code Enforcement, etc.) toward the successful implementation of the provisions of this Order and SQMP components. As such, these

organizations are expected to actively participate in implementing the area wide storm water program.

C. Watershed Management Committees (WMCs)

1. Each WMC shall be comprised of a voting representative from each Permittee in the Watershed Management Area (WMA).

2. The WMC's chair and secretary shall be chosen by the WMC upon permit adoption and on an annual basis, thereafter. In the absence of volunteer Permittee(s) for the positions, the Principal Permittee shall assume those roles until the WMC chooses members of the committee for the positions.

Each WMC shall:

1. Facilitate cooperation and exchange of information among Permittees;

2. Establish additional goals and objectives and associated deadlines for the WMA, as the program implementation progresses;

3. Prioritize pollution control efforts based on beneficial use impairment(s), watershed characteristics and analysis of results from studies and the monitoring program;

4. Develop and/or update and monitor the adequate implementation, on an annual basis, of the tasks identified for the WMA;

5. Assess the effectiveness of, prepare revisions for, and recommend appropriate changes to the SQMP and its components;

6. Continue the Industrial/Commercial Source Identification program. Additional industrial/commercial or other types of activities will be investigated and those identified as priority shall be included in the program for industrial/commercial businesses.

7. Conduct joint WMC meetings at least four times per year and, as necessary.

D. Executive Advisory Committee (EAC)

The EAC is constituted by one representative from the Malibu Creek WMA and by two representatives from each of the other WMAs, along with representatives from the City of Los Angeles, and the Los Angeles County.

E. General Requirements

1. Each Permittee shall, at a minimum, adopt and implement the elements of the SQMP and its components that are consistent with the terms of this permit.

2. Additionally, modifications to the SQMP made during the term of the permit including those made in accordance with part 3.F.1. of this permit shall be implemented.

3. The SQMPs shall, at a minimum, comply with the applicable storm water program requirements of 40 CFR 122.26(d)(2). The SQMP and its components shall be implemented so as to reduce the discharges of pollutants in storm water to the maximum extent practicable. The SQMP Table of Contents are described in Attachment A.

4. Each Permittee shall be responsible for implementation of the relevant portions of the SQMPs within its jurisdictional boundaries. The Principal Permittee shall be responsible for program coordination as described in 3.B., as well as, compliance with the relevant portions of the permit within its jurisdiction.

F. SQMP Modifications

1. The Permittees shall modify the SQMP and its components adopted with this Order to make it consistent with the requirements herein. The revised SQMP and its components will be submitted to the Regional Board Executive Officer for approval no later than 180 days from the adoption of this Order.

2. The Principal Permittee shall modify the SQMP to comply with waste load allocations developed and approved pursuant to the process for the designation and implementation of Total Daily Maximum Loads (TMDLs) for impaired water bodies.

3. The Regional Board Executive Officer may approve changes to the SQMP and its components, except as noted in part 3.F.1., either:

   a) Upon petition by the Permittees or interested parties, and after providing for and considering public comment, or,

   b) As deemed necessary by the Regional Board Executive Officer following notice to the Permittees, and after providing for and considering public comments.

4. The Permittees shall modify the SQMP and its components, at the direction of the Regional Board Executive Officer, to incorporate regional provisions. Such provisions may include watershed specific requirements for watersheds shared by Permittees with other MS4 programs.

G. Legal Authority

1. Permittees shall possess the necessary legal authority to prohibit non-storm water discharges, to the maximum extent practicable, to the storm drain system, including, but not limited to:

   a) Prohibit illicit discharges and illicit connections and a requirement for removal of illicit connections;

   b) Prohibit the discharge of wash waters to the MS4 from the cleaning of gas stations, auto repair garages, or other types of automotive service facilities;

   c) Prohibit the discharge of runoff to the MS4 from mobile auto washing, steam cleaning, mobile carpet cleaning, and other such mobile commercial and industrial operations;

   d) Prohibit the discharge of runoff to the MS4 from areas where repair of machinery and equipment which are visibly leaking oil, fluid or antifreeze, is undertaken;

   e) Prohibit the discharge of runoff to the MS4 from storage areas of materials containing grease, oil, or other hazardous substances, and uncovered receptacles containing hazardous materials;

   f) Prohibit the discharge of chlorinated swimming pool water and filter backwash to the MS4;

   g) Prohibit the discharge of runoff from the washing of toxic materials from paved or unpaved areas to the MS4;

   h) Prohibit washing impervious surfaces in industrial/commercial areas that results in a discharge of runoff to the MS4; and

   i) Prohibit the discharge of concrete or concrete laden wash water from concrete trucks, pumps, tools, and equipment to the MS4.

   j) Prohibit spills, dumping, or disposal of materials into the MS4, other than storm water, such as:

      (1) Litter, landscape debris and construction debris;

      (2) Any state or federally banned pesticide, fungicide or herbicide;

      (3) Food wastes; and

      (4) Fuel and chemical wastes, animal wastes, garbage, batteries, and other materials that have potential adverse impacts on water quality.

k) Comply with conditions in Permittees ordinances, permits, contracts, model programs, or orders (i.e. hold dischargers to its MS4 accountable for their contributions of pollutants and flows);

l) Utilize enforcement mechanisms to require compliance with Permittees ordinances, permits, contracts, or orders;

m) Control the contribution, or potential contribution, of pollutants in discharges of storm water runoff associated with industrial activities (including construction activities) **to** its MS4 and control the quality of storm water runoff **from** industrial sites (including construction sites). This requirement applies to source control, treatment control, and structural control BMPs; and,

n) Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance and non-compliance with permit conditions, including the prohibition of illicit discharges to the MS4. Permittees must possess authority to enter, sample, inspect, review and copy records, and require regular reports from industrial facilities discharging polluted or potentially polluted storm water runoff into its MS4 (including construction sites).

o) Require the use of best management practices (BMPs) to prevent or reduce the discharge of pollutants to MS4s.

p) Adopt and implement an agency-specific storm water and urban runoff ordinance or amend an existing one, if necessary, to be able to enforce all requirements of the permit, effective immediately upon the adoption of this Order.

H. Annual Storm Water Program Report and Assessment

The Principal Permittee shall submit by October 15 of each year beginning the Year 2002, an Annual Storm Water Program Report and Assessment documenting the status of the general program and individual tasks contained in the SQMP, and in accordance with the requirements identified in the Monitoring and Reporting Program CI-6948 of this Order. The Principal Permittee shall evaluate the Annual Storm Water Program Report and Assessment with the results of analyses from the Monitoring and Reporting program. (e.g., if the monitoring report results show a particular constituent consistently at elevated levels, that may be a trigger for Permittees to address their programs specifically for that particular situation and change them accordingly to address the problem).

The Annual Storm Water Program Report and Assessment shall cover the previous fiscal year from July 1 through June 30, and shall include the information necessary to assess the Permittees' compliance status relative to this Order, and the effectiveness of implementation of permit requirements on storm water quality.

The Annual Storm Water Program Report and Assessment shall include any proposed changes to the SQMP and its components as approved by the Management Committee(s).

The Principal Permittee shall submit by October 15, 2001, the annual program report for period July 1, 2000 through July 26, 2001 documenting the status of the general program up to permit reissuance and the results of analyses from the monitoring and reporting program.

I. Storm Water Management Program Budget

1. Each Permittee shall prepare annually a budget summary on resources applied to the storm water management program. This budget summary shall include an annual summary identifying the storm water budget for the following year, using estimated percentages and written explanations where necessary, for the specific categories noted below:

   a) Program management

   b) Illicit connection/illicit discharge

   c) Development planning/development construction

   d) Industrial inspection activities (including construction activities)

   e) Public Agency Activities

   f) Operations and maintenance

   g) Municipal Street Sweeping

   h) Fleet and Public Agency Facilities

   i) Landscape and Recreational Facilities

   j) Capital Costs

   k) Public Information and Participation

   l) Monitoring Program

   m) Other

2. Each Permittee, in addition to the budget summary, shall report any supplemental dedicated budgets, if any, for the same categories.

J. Storm Water Monitoring Report

The Principal Permittee shall submit a Storm Water Monitoring Report on August 15, 2002 and annually on August 15 thereafter, in accordance with the requirements identified in the Monitoring and Reporting Program CI-6948 of this order. The report shall include:

a) Status of implementation of the monitoring program as described in the attached Monitoring and Reporting Program CI-6948;

b) Results of the monitoring program; and

c) A general interpretation of the significance of the results, to the extent that data allows.

K. Modification

The Regional Board Executive Officer or the Regional Board, consistent with 40 CFR 122.41, may approve changes to the SQMP as specified in 3.F.3. The petition for changes shall be filed no later than 60 days after the Annual Monitoring Program Report submittal date.

L. Best Management Practice Substitution

The Regional Board Executive Officer may approve any Best Management Practice (BMP) substitution upon petition by the Permittee(s), if the Permittee can document that:

1. The proposed alternative BMP or program will meet or exceed the objective of the original BMP or program in the reduction of stormwater pollutants; or

2. The fiscal burden of the original BMP or program is substantially greater than the proposed alternative and does not achieve a substantially greater improvement in storm water quality; and,

3. The proposed alternative BMP or program will be implemented within a similar period of time.

The Regional Board Executive Officer may approve any BMP elimination upon petition by the Permittee(s), if the Permittee can document that the BMP is not technically feasible and no substitute is available.

Part 4. SPECIAL PROVISIONS

A. Public Information and Participation Program

Permittees shall work collaboratively to implement a comprehensive education/outreach program with the following objectives:

To measurably increase the knowledge of the target audiences regarding the MS4, the impacts of storm water pollution on receiving waters, and potential solutions to mitigate the problems caused;

To measurably change the behavior of target audiences by encouraging implementation of appropriate solutions;

To involve and engage all socio-economic and ethnic groups in Los Angeles County to

publicly participate in mitigating the impacts of storm water pollution.

1. Programs for Residents

a) The Principal Permittee shall implement the Public Education Program as outlined in the SQMP, including the continuation of the following activities:

- Advertising
- Media Relations
- Public Service Announcements
- "How To" Instructional Material Distributed in a Targeted and Activity-Related Manner
- Corporate, Community Association, Environmental Organization and Entertainment Industry Tie-Ins
- 1-888-CLEAN-LA and 888CleanLA.com
- Events Targeted to Specific Activities and Population Sub-groups

b) Countywide Hotline

The 888-CLEAN-LA hotline will serve as the general public reporting contact for reporting clogged catch basin inlets and illicit discharges/dumping, and general storm water management information. Each Permittee may establish its own hotline if preferred. Permittees shall include this information, updated when necessary, in public information, and the government pages of the telephone book as they are developed/published.

c) "No Dumping" Message

Each Permittee shall mark all storm drain inlets with a legible “no dumping” message. In addition, signs with prohibitive language discouraging illegal dumping must be posted at designated public access points to creeks, other relevant water bodies, and channels by July 26, 2003. Good signage shall be maintained.

d) Outreach and Education

The Principal Permittee shall implement the second Five-Year Education Plan as detailed in the SQMP.

Each Permittee shall conduct educational activities within its jurisdiction and participate in countywide events.

The Principal Permittee shall organize Public Outreach Strategy meetings with all Co-permittees on a quarterly basis. The Principal Permittee shall provide guidance for Permittees to augment the regional outreach and education program. Permittees shall coordinate regional and local outreach and education to reduce duplication of efforts.

The Principal Permittee shall insure that a minimum of 35 million impressions per year are made on the general public about storm water quality via print, local TV access, local radio, or other appropriate media.

Each Permittee shall provide all School Districts within its jurisdiction with materials, including videos, live presentations, brochures, and other media necessary to educate a minimum of 50 percent of all school children (K-12) every 2 years on storm water pollution. All Permittees shall cooperate to implement this requirement. Permittees shall provide the contact information for their appropriate storm water staff to the Principal Permittee within 30 days of the date this order is adopted. Cooperative efforts with other agencies may also be used to accomplish this requirement.

e) Pollutant-Specific Outreach

Permittees shall coordinate to develop outreach programs that target the watershed-specific pollutants listed in Table 1 no later than [6 months from the permit adoption date]. Metals may be appropriately addressed through the Industrial/Commercial businesses program. Region-wide pollutants may be included in the Principal Permittee's mass media efforts. Programs shall be appropriate for the anthropogenic sources of each pollutant.

Table 1. Target Pollutants for Outreach

Watershed	***Target Pollutants for Outreach***
Ballona Creek	Trash, Indicator Bacteria, Metals
Malibu Creek	Trash, Nutrients, indicator Bacteria
Los Angeles River	Trash, Nutrients (Nitrogen), Indicator Bacteria, Metals, Pesticides
San Gabriel River	Trash, Nutrients (Nitrogen), Indicator Bacteria, Metals
Dominguez Channel	Trash, Indicator Bacteria

Each Permittee shall distribute outreach materials to the general public and target audiences, such as schools, community groups, contractors and developers, and at appropriate public counters and events. Outreach material shall include information on pollutants and sources of concern, as listed in Table 1.

2. Programs for Businesses

a) Corporate Outreach

The Principal Permittee shall develop and implement a Corporate Outreach program to educate corporate heads about storm water regulations. The program shall target gas stations and restaurant chains. At a minimum, this program shall include:

(1) Consulting with corporate heads to explain storm water regulations;

(2) Distribute and discuss BMP and educational material, and management suggestions to facilitate employee compliance.

Corporate Outreach for all gas station and restaurant chain corporations shall occur once every 2 years, not less than twice during the permit term.

b) Business Assistance Program

Permittees shall develop and implement a Business Assistance Program to provide confidential, technical resource assistance to small businesses to help them understand and comply with storm water regulations. At a minimum, programs shall include:

(1) On-site technical assistance or consultation via telephone to identify and implement pollution prevention methods and best management practices;

(2) Availability, distribution, and discussion of applicable BMP and educational materials; and,

(3) Access to information concerning environmental consulting services, hazardous waste treatment, hauling, disposal and recycling services, and pollution prevention and control practices.

Permittees shall provide assistance to small businesses that meet the following criteria:

(1) Less than 100 employees;

(2) Lack funding for private consulting;

(3) Lack access to the expertise necessary to understand and comply with storm water regulations; and

(4) Requested assistance, or were referred through the Industrial/Commercial Inspection Program.

Permittees shall assist (through site visits, telephone consultations, presentations or material distribution) all qualifying businesses that request assistance, or 1000 businesses per year, whichever is less.

The Business Assistance Program shall be a confidential and non-enforcement program. Permittees shall conduct follow-up independent of the Business Assistance Program, based on the priorities of the Industrial/Commercial Inspection Program.

The Principal Permittee shall submit an annual PIPP Update, with the Annual Program and Assessment Report, to the Regional Board Executive Officer for approval. The PIPP Update shall include a summary of the overall strategy and any updates or modifications to the Public Information and Participation Program.

B. Programs for Industrial/Commercial Inspections

Each Permittee shall implement an Industrial/Commercial Program to:

- Achieve the control and reduction of pollutants in storm water runoff from all Industrial/Commercial sites to the maximum extent practicable.

At a minimum the Industrial/Commercial program shall address:

- Regulatory mechanism requiring the implementation of proper Pollution Prevention and control measures at Industrial/Commercial sites;
- Source Identification;
- Threat to Water Quality;
- Site plan review and BMP Implementation;
- Inspection of Industrial/Commercial sites;
- Enforcement of pollution prevention and control measures at Industrial/Commercial sites;
- Have sanctions to ensure compliance (established in the regulatory mechanism).

1. Pollution Prevention (Industrial/Commercial)

Each Permittee shall implement pollution prevention methods in its Industrial/Commercial Program and shall require its use by industrial/commercial businesses, where appropriate.

2. Source Identification (Industrial/Commercial)

Each Permittee shall develop and update annually a watershed-based inventory of all Industrial/Commercial sites within its jurisdiction regardless of site ownership. The inventory may be expanded through designation by the WMC, as additional information becomes available. This requirement is applicable to all Industrial/Commercial sites regardless of whether the Industrial/Commercial site is subject to the GIASP, other individual NPDES permit, or commercial sites. The update of the database may be performed through new information obtained through field activities or through other readily available intra-agency informational databases (e.g. business license, pretreatment permits, sanitary sewer hook-up permits, etc…) The inventory shall include the following minimum information for each Industrial/Commercial site:

a) name;

b) address; and

c) a narrative description including SIC codes that best reflects the principal products or activities performed by each facility. The use of an automated database system, such as Geographical Information System (GIS) or web-based is highly recommended, but not required. Any database already available may be used to satisfy the requirements of this section. The Permittees may use other fields of information, as necessary (e.g. to point out discrepancies between SIC Code designation and type of activities in reality performed on-site).

3. Threat to Water Quality Prioritization (Industrial/Commercial)

The program for Industrial/Commercial Businesses will address at the minimum, the following categories of activities:

a) All industrial groups regulated under Phase I of the federal storm water program;

b) Motor vehicle repair shops, motor vehicle body shops, motor vehicle parts and accessories facilities;

c) Restaurants. The County Health Department Code shall be amended to facilitate compliance with this Order. At a minimum, the Code shall be modified to require inspections for:

(1) Parking lot, alley, sidewalk and street areas. Inspectors will verify that floormats, filters and garbage containers are not washed in those areas. They will also verify that no washwater is poured in those areas.

(2) Dumpster areas. Inspectors will verify that the dumpster area is clean with the lid closed and not filled with liquid or hosed out.

(3) Oil and Grease residue is not poured onto a parking lot, street or adjacent catch basin.

(4) Parking lot area is cleaned by sweeping and not by hosing down. The facility uses dry methods for spill cleanup.

d) Other Commercial facilities (contributing or potentially contributing to the impairments of receiving waters)

4. BMP Implementation

a) Each Permittee shall implement, or require the implementation of, the designated minimum BMPs, as approved in Resolution No. 98-08, at each industrial/commercial site within its jurisdiction. If particular minimum BMPs are infeasible at any specific site, each Permittee shall implement, or require implementation of, other equivalent BMPs. Each Permittee shall also implement or require any additional site specific BMPs as necessary to comply with this Order including BMPs which are more stringent than those required under the statewide General Industrial Permit.

b) Each Permittee shall implement, or require implementation of, additional controls for Industrial/Commercial sites tributary to Clean Water Act section 303(d) impaired water bodies (where a site discharges pollutants for which the water body is impaired) as necessary to comply with this Order. Each Permittee shall implement, or require implementation of, additional controls for Industrial/Commercial sites within or directly adjacent to or discharging directly to coastal lagoons or other receiving waters within environmentally sensitive areas as necessary to comply with this Order.

5. Inspection of Industrial/Commercial Sites

a) Each Permittee shall conduct Industrial site inspections for compliance with its ordinances, permits. Inspections shall include review of BMP implementation plans or implementation of the required minimum BMPs.

b) Each Permittee shall establish inspection frequencies for facilities described in B.3. above. Each Permittee shall inspect Industrial/commercial sites, at a minimum:

Facility Type	Inspection Frequency
Restaurants	Once in 24 months, but not less

	than twice during the life of the permit
Automotive Service Facilities	Once in 24 months, but not less than twice during the life of the permit
Other Commercial	Once in 24 months, but not less than twice during the life of the permit
Phase I Facilities*	Once in 24 months, but not less than twice during the life of the permit

* During the first cycle of inspections, all facilities will be investigated, regardless of exposure or non-exposure. After that cycle is concluded sites without exposure need not be addressed in the following cycles.

c) Based upon the results of site inspections, each Permittee shall implement all follow-up actions necessary to comply with Permittee's ordinances and this Order.

d) To the extent that Regional Board staff has conducted an inspection of an Industrial/Commercial site during a particular year, the requirement for the responsible Permittee to inspect this site during the same year will be satisfied.

6. Enforcement of Pollution Prevention and Control Measures at Industrial/Commercial Sites

a) Each Permittee shall enforce its storm water ordinance at all Industrial/Commercial sites as necessary to maintain compliance with this Order. Permittee ordinances or other regulatory mechanisms shall include sanctions to ensure compliance.

7. Reporting of Non-compliant Sites (Industrial/Commercial)

a) Each Permittee shall provide oral notification to the Regional Board of non-compliant sites that are determined to be in non-compliance with existing storm water regulations (within 3 days of discovery) or create an adverse impact or nuisance as it relates to the quality of the receiving waters of the State within its jurisdiction, within 24 hours of the discovery.

Such oral notification shall be followed up by a written report to be submitted to the Regional Board within 5 days of the incidence of non-compliance. Sites are considered non-compliant when one or more violations of local ordinances, permits, plans, or this Order exist on the site.

b) Permittees shall develop and submit criteria by which to evaluate events of non-compliance to determine whether they create an adverse impact or nuisance. These criteria shall be submitted in

the SQMP and Annual Report for Regional Board review and subject to Regional Board Executive Officer's approval.

C. Programs for Development Planning

1. The Permittees shall implement a development-planning program with immediate effect that will require all planning priority development and redevelopment projects to,

a) Minimize impacts from storm water and urban runoff on the biological integrity of natural drainage systems and water bodies in accordance with requirements under CEQA, Section 404 of the CWA, local ordinances and other legal authorities;

b) Maximize the percentage of permeable surfaces to allow more percolation of storm water into the ground;

c) Minimize the quantity of storm water directed to impermeable surfaces and the MS4;

d) Minimize pollution emanating from parking lots through the use of appropriate treatment control BMPs and good housekeeping practices;

e) Establish reasonable limits on the clearing of vegetation from the project site including, but not limited to, regulation of the length of time during which soil may be exposed and in certain environmentally critical situations, the prohibition of bare soil;

f) Provide for appropriate permanent measures to reduce storm water pollutant loads in storm water from the development site.

2. Peak Flow Control

The Permittees shall establish and enforce numerical criteria no later than [90 days from permit adoption] to control the post-development peak storm runoff discharge rates in natural drainage systems to maintain or reduce pre-development peak discharge rates to prevent down-stream erosion, and to protect stream habitat. Natural drainage systems include, but are not limited to, the following:

a) Malibu Creek

b) Topanga Canyon

c) Upper Los Angeles River

d) Upper San Gabriel River

e) Soft-bottom segments of other receiving waters within Los Angeles County

3. Standard Urban Storm Water Mitigation Plans

a) Each Permittee shall require that single-family hillside home developments:

(1) Conserve natural areas

(2) Protect slopes and channels

(3) Provide storm drain system stenciling and signage

(4) Divert roof runoff to vegetated areas before discharge

(5) Direct surface flow to vegetated areas before discharge

b) Each Permittee shall require that a Standard Urban Storm Water Mitigation Plan as approved by the Regional Board in Board Resolution No. R 00-02 be implemented for the following categories of developments with immediate effect:

(1) Single-family hillside residential developments of 10,000 square feet or more

(2) Ten or more unit homes (includes single family homes, multifamily homes, condominiums, and apartments)

(3) A 100,000 or more square feet industrial/ commercial development

(4) Automotive service facilities (SIC 5013, 5014, 5541, 7532-7534, and 7536-7539)

(5) Retail gasoline outlets

(6) Restaurants (SIC 5812)

(7) Parking lots 5,000 square feet or more or with 25 or more parking spaces

c) Each Permittee shall require, no later than 180 days from permit adoption that a Standard Urban Storm Water Mitigation Plan be

implemented for all projects located in or directly adjacent to or discharging directly to an environmentally sensitive area, where, the development will:

(1) create 2,500 square feet or more of impervious area, or

(2) alter the area of imperviousness of the site to ten or more percent of the naturally occurring condition, and

(3) discharge storm water and urban runoff that is likely to impact a sensitive biological species or habitat

4. Numerical Design Criteria

The Permittees shall require that post-construction treatment control BMPs incorporate, at a minimum, the following design criteria to mitigate (infiltrate, filter or treat) storm water runoff:

a) Volumetric Structural or Treatment Control BMP

(1) the 85th percentile 24-hour runoff event determined as the maximized capture storm water volume for the area, from the formula recommended in *Urban Runoff Quality Management, WEF Manual of Practice No. 23/ ASCE Manual of Practice No. 87, (1998*), or

(2) the volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in *California Stormwater Best Management Practices Handbook – Industrial/ Commercial,* (1993), or

(3) the volume of runoff produced from a 0.75 inch storm event, prior to its discharge to a storm water conveyance system, or

(4) the volume of runoff produced from a historical-record based reference 24-hour rainfall criterion for "treatment" (0.75 inch average for the Los Angeles County area) that achieves approximately the same reduction in pollutant loads achieved by the 85th percentile 24-hour runoff event,

AND/ OR

b) Flow Based Structural or Treatment Control BMP

(1) the flow of runoff produced from a rain event equal to at least 0.2 inches per hour intensity, or

(2) the flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity for Los Angeles County

(3) the flow of runoff produced from a rain event that will result in treatment of the same portion of runoff as treated using volumetric standards above,

5. Applicability of Numerical Design Criteria

The Permittees shall require the following categories of planning priority projects to design and implement post-construction treatment and structural controls to mitigate storm water pollution prior to issuing grading or building permits:

a) Single-family hillside residential developments of 10,000 square feet or more

b) Ten or more unit home development (includes single family homes, multifamily homes, condominiums, and apartments)

c) A 100,000 or more square feet industrial/ commercial development

d) Automotive service facilities (SIC 5013, 5014, 5541, 7532-7534 and 7536-7539)

e) Retail gasoline outlets [suggested criteria: projected gasoline output of 25,000 gallons per month or more; or with four or more fueling dispensers, or with 24 or more dispensing meters or projected average daily traffic of 100 cars or more or 5,000 square feet or more of surface area]

f) Restaurants (SIC 5812) [5,000 square feet or more]

g) Parking lots 5,000 square feet or more or with 25 or more parking spaces

h) Projects located in, adjacent to or discharging directly to environmentally sensitive areas that meet threshold conditions identified above.

6. Each Permittee shall require the implementation of SUSMP and post-construction control requirements for the following categories of development planning projects no later than March 9, 2003, to conform to USEPA Phase II requirements:

a) One acre (40,000 square feet) industrial/commercial development

7. Site Specific Mitigation

a) Each Permittee shall require a site-specific plan for developments not requiring a SUSMP but which may potentially have adverse impacts on post-development storm water quality, where the following project characteristics exist:

(1) Vehicle or equipment fueling areas;

(2) Vehicle or equipment maintenance areas, including washing and repair

(3) Commercial or industrial waste handling or storage

(4) Outdoor handling or storage of hazardous materials;

(5) Outdoor manufacturing areas

(6) Outdoor food handling or processing

(7) Outdoor animal care, confinement, or slaughter

(8) Outdoor horticulture activities

8. Redevelopment Projects

The Permittees shall apply the SUSMP, or site specific requirements including post-construction storm water mitigation to all projects that undergo significant redevelopment in their respective categories. Significant redevelopment means the creation or addition or replacement of 5,000 square feet of impervious surface area on an already developed site. Where significant redevelopment results in an increase of more than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post development storm water quality control requirements, the entire project must be mitigated.

9. Maintenance Agreement and Transfer

Each Permittee shall require that all developments subject to SUSMP and site specific plan requirements provide verification of maintenance provisions for structural and treatment control BMPs, including but not limited to legal agreements, covenants, CEQA mitigation requirements, and or conditional use permits. Verification at a minimum shall include:

a) The developers signed statement accepting responsibility for maintenance until the responsibility is legally transferred, and either

b) A signed statement from the public entity assuming responsibility for structural or treatment control BMP maintenance and that it meets all local agency design standards, or

c) Written conditions in the sales or lease agreement, which requires the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year, or

d) Written text in project conditions, covenants and restrictions (CCRs) for residential properties assigning maintenance

responsibilities to the Home Owners Association for maintenance of the structural and treatment control BMPs; or

e) Any other legally enforceable agreement that assigns responsibility for the maintenance of post-construction structural or treatment control BMPs

10. Mitigation Funding

The Permittees shall identify no later than [120 days from permit adoption] a funding mechanism[s] and management framework, for endorsement by the Regional Board Executive Officer, to support regional solutions to storm water pollution, where the following situations occur:

a) A waiver for impracticability Is granted or threat to ground water exists

b) Legislative funds become available

c) Off-site mitigation is required because of loss of environmental habitat

11. California Environmental Quality Act (CEQA) Document Update

Each Permittee shall modify planning procedures for preparing and reviewing CEQA documents to consider potential storm water quality impacts and provide for appropriate mitigation, with immediate effect. The CEQA guidelines shall require consideration of the following:

a) Potential Impact of project construction on storm water runoff

b) Potential Impact of projects post-construction activity on storm water runoff.

c) Potential for discharge of storm water from areas from material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas.

d) Potential for discharge of storm water to impair the beneficial uses of the receiving waters or areas that provide water quality benefit

e) Potential for the discharge of storm water to cause significant harm on the biological integrity of the waterways and water bodies

f) Potential for significant changes in the flow velocity or volume of storm water runoff that can cause environmental harm

g) Potential for significant increases in erosion of the project site or surrounding areas

12. General Plan Update

Each Permittee shall update appropriate elements of its General Plans to include watershed and storm water quality and quantity management considerations no later than [540 days from permit adoption date]. Appropriate elements include, but are not limited to, water quality protection, development goals and policies, open space goals and policies, preservation of and integration with natural features, and water conservation policies.

13. Targeted Employee Training

Each Permittee shall train its employees in targeted positions (whose jobs or activities are engaged in development planning) regarding the requirements of the development planning on an annual basis beginning no later than [90 d from permit adoption], and more frequently if necessary.

14. Developer Technical Guidance and Information

a) Each Permittee shall develop and make available to developer development planning guidelines with immediate effect.

b) Permittees shall develop no later than [365 days from permit adoption] a technical manual for the siting and design of BMPs for the development community. The technical manual shall at a minimum include:

(1) Specifications for treatment control BMPs based on flow-based and volumetric water quality design criteria for the purposes of countywide consistency,

(2) Criteria for control of peak discharge rates, velocities and duration,

(3) Expected pollutant removal performance ranges

(4) Maintenance considerations

(5) Cost considerations

D. Programs for Construction Sites

Each Permittee shall implement a program to control runoff from construction activity at all construction sites. To accomplish this, the Permittees shall revise their Construction Development Program in the SQMP within 180 days of adoption of this Order, subject to the approval of the Executive Officer. The revisions shall specify a schedule for implementation by each Permittee, and must contain the following minimum elements, including performance measures, schedules for implementation, and shall include the following categories of construction:

a) Five or more acres;

b) Between one and five acres; and

c) Less than one acre.

1. For construction sites less than 1 acre, each Permittee shall:

a) Implement an educational program to discuss storm water pollution prevention and controls at construction sites and distribute educational materials targeted to the construction community during meetings, workshops, pre-construction meetings, and inspections;

b) Train employees in targeted positions (whose jobs or activities are engaged in construction activities including construction inspection staff) regarding the requirements of the storm water management program no later than (180 days from adoption of this Order), and annually thereafter; and

c) Require the implementation of a minimum set of BMPs to prevent pollution and control storm water runoff discharges. These minimum BMPs shall, at a minimum, include:

- Requirements for the use of effective erosion and sediment controls at construction sites;

- Requirements for structural and non-structural Best Management Practices (BMPs) for controlling runoff at construction sites;
- Site plan review and verification of BMP implementation; and
- Each Permittee is encouraged to prioritize sites to be inspected during wet weather to determine compliance with the minimum BMPs.

2. For construction sites one acre and greater each Permittee shall require that in D.1 above and require the preparation, submittal, and implementation of a Local Storm Water Pollution Prevention Plan (Local SWPPP), prior to issuance of a grading permit for construction projects, that meets one or more of the following criteria:

   a) Will result in soil disturbance of one acre or more in size;

   b) Is within, directly adjacent to, or is discharging directly to an environmentally sensitive area; or

   c) Is located in a hillside area.

   The Local SWPPP shall include appropriate construction site BMPs and maintenance schedules. A State required SWPPP may be substituted by a Local SWPPP if the Local SWPPP is at least as inclusive as the requirements for a State SWPPP. The BMPs may be selected from documents such as the California Storm Water BMP Handbook, the Caltrans Storm Water Quality Handbook, Ventura County Stormwater Quality Standard Sheet, American Society of Civil Engineers (ASCE) database or similar guidance documents. In addition, each Permittee shall ensure the following minimum requirements are effectively implemented at all construction sites regardless of size:

   d) Sediments generated on the project site shall be retained using adequate structural drainage controls;

   e) No construction-related materials, wastes, spills, or residues shall be discharged from the project site to streets, drainage facilities or adjacent properties by wind or runoff;

   f) Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site; and

   g) Erosion from slopes and channels will be prevented by implementing BMPs including, but not limited to: limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes; and covering erosion susceptible slopes.

   The Local SWPPP must include the rationale used for selecting or rejecting BMPs. The project architect, or engineer of record, or

authorized qualified designee, must sign a statement on the Local SWPPP to the effect:

"As the architect/engineer of record, I have selected appropriate BMPs to effectively minimize the negative impacts of this project's construction activities on storm water quality. The project owner and contractor are aware that the selected BMPs must be installed, monitored, and maintained to ensure their effectiveness. The BMPs not selected for implementation are redundant or deemed not applicable to the proposed construction activity."

The landowner shall sign a statement to the effect:

"I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate, and complete. I am aware that submitting false and/or inaccurate information, failing to update the Local SWPPP to reflect current conditions, or failing to properly and/or adequately implement the Local SWPPP may result in revocation of grading and/or other permits or other sanctions provided by law."

The Local SWPPP certification shall be signed by the landowner as follows:

For a corporation: by a responsible corporate officer which means (a) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (b) the manager of the construction activity if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipality or other public agency: by an elected official, a ranking management official (e.g., County Administrative Officer, City Manager, Director of Public Works, City Engineer, District Manager), or the manager of the construction activity if authority to sign Local SWPPPs has been assigned or delegated to the manager in accordance with established agency policy.

3. For sites one acre and greater, each Permittee shall inspect all construction sites with Local SWPPPs (or SWPPPs) for storm water quality requirements during routine inspections a minimum of once during the wet season. The Local SWPPP (or SWPPP) shall be reviewed for

compliance. For inspected sites that have not adequately implemented their Local SWPPP (or SWPPP), a follow-up inspection to ensure compliance will take place within 2 weeks. If compliance has not been attained, the Permittee will take additional actions to achieve compliance (as specified in Local or State codes). If compliance has not been achieved, and the site is covered under the State General Construction Activity Storm Water Permit, each Permittee shall enforce their Local ordinance requirements and if non-compliance continues the Regional Board shall be notified for further joint enforcement actions.

4. For sites five acres and greater, each Permittee shall require that in D.1 above and:

   a) Require proof of filing of a Notice of Intent (NOI) for coverage under the State General Construction Activity Storm Water Permit and a copy of the SWPPP prior to issuing a grading permit for all projects requiring coverage under the state general permit. On March 10, 2003, for sites one acre and greater, each Permittee shall require proof of filing a Notice of Intent (NOI) for coverage under the State General Construction Activity Storm Water Permit and a copy of the SWPPP prior to issuing a grading permit for all projects requiring coverage under the state general permit. The prepared SWPPP may satisfy the requirement under D.2. (in-lieu of Local SWPPP).

   Each Permittee shall require proof of an NOI and a copy of the SWPPP at any time a transfer of ownership takes place for the entire development or portions of the common plan of development where construction activities are still on-going.

   b) Each Permittee shall use an electronic system to track grading permits issued by each Permittee.

E. Public Agency Activities

1. Each Permittee shall implement a Public Agency program to minimize storm water pollution impacts from public agency activities. Public Agency requirements consist of:

- Sewage Systems Operations
- Public Construction Activities
- Vehicle Maintenance/Material Storage Facilities Management
- Landscape and Recreational Facilities Management
- Storm Drain Operation and Management
- Streets and Roads Maintenance
- Parking Facilities Management
- Public Industrial Activities
- Emergency Procedures
- Dry Weather Diversions

2. Sewage System Operations

Each Permittee shall implement a response plan for overflows of the sanitary sewer system within their respective jurisdiction which shall consist of the following at a minimum:

a) Investigate any complaints received;

b) Immediately respond to overflows by containment; and

c) Notify appropriate sewer and public health agencies when a sewer overflows to the MS4.

For those Permittees which own and/or operate a sanitary sewer system, each Permittee shall also implement the following requirements until such time that they are superceded by the proposed Capacity, Management, Operation and Maintenance Regulations (CMOM) are promulgated by the USEPA:

d) A program to prevent sewage spills or leaks from sewage facilities from entering the MS4; and

e) Identify, repair, and remediate sanitary sewer blockages, exfiltration, overflow, and wet weather overflows from sanitary sewers to the MS4.

3. Public Construction Activities Management

a) Each Permittee shall implement a program to control runoff from construction activity at all construction sites. To accomplish this, the Permittees shall revise their Construction Development Program in the SQMP within 180 days of adoption of this Order, subject to the approval of the Executive Officer. The revisions shall specify a schedule for implementation by each Permittee, and must contain the following minimum elements, including performance measures, schedules for implementation, and shall include the following categories of construction:

(1) Five or more acres;

(2) Between one and five acres; and

(3) Less than one acre.

b) Each Permittee shall comply with requirements 1, 2, and 3 in the Construction Section of this Order and with the following requirements at all public construction sites:

(1) Design and construction of public facilities shall be consistent with the requirements and dates specified for private development in Part 4.C Programs for Development Planning;

(2) Prepare and retain site-specific SWPPPs for municipal construction sites;

(3) Implement construction and post-construction storm water controls as required of private construction projects, including numerical mitigation criteria for post-construction BMPs;

(4) Implement a program to ensure that SWPPPs and BMPs implemented are effective;

(5) Inspect public construction sites and implement changes as necessary to maintain or replace ineffective BMPs in order to protect water quality; and

(6) Each Permittee shall obtain coverage under the State of California General Construction Activities Storm Water Discharge Permit coverage for public construction sites for sites 5 acres or greater (or part of a larger area of development, etc…) except that a municipality under 100,000 in population need not obtain coverage under a separate permit until March 10, 2003.

c) On March 10, 2003, each Permittee shall obtain coverage under the State of California General Construction Activities Storm Water Discharge Permit coverage for public construction sites for sites 1 acre or greater (or part of a larger area of development, etc…).

3. Vehicle Maintenance/Material Storage Facilities/Corporation Yards Management

a) Each Permittee shall implement pollution prevention plans for public vehicle maintenance facilities and material storage facilities which have the potential to discharge pollutants into storm water.

b) Each Permittee shall implement BMPs to minimize pollutant discharges in storm water including but not be limited to:

(1) Good housekeeping practices;

(2) Material storage control;

(3) Vehicle leaks and spill control; and

(4) Illicit discharge control;

c) Each Permittee shall require that all vehicle/equipment wash areas be self-contained or covered, or equipped with a clarifier, or other pretreatment device, and properly connected to the sanitary sewer to prevent the discharge of pollutants to the MS4 for new facilities or during redevelopment of existing sites.

d) Each Permittee shall, for each municipal yard covered under Phase I of the Federal Storm Water Regulations, obtain separate coverage under the State of California General Industrial Activities Storm Water Discharge Permit except that a municipality under 100,000 in population need not file the NOI until March 10, 2003.

4. Landscape and Recreational Facilities Management

Each Permittee shall continue to implement the following requirements with the following additions:

a) Each Permittee shall implement a standardized protocol for the routine and non-routine application of pesticides, herbicides (including preemergents), and fertilizers.

b) There shall be no application of pesticides or fertilizers immediately before, during, or immediately after a rain event or when water is flowing off the area to be applied.

c) The Permittee shall ensure that staff applying pesticides are certified by the California Department of Food and Agriculture, or are under the direct supervision of a certified pesticide applicator.

d) Each Permittee shall implement procedures to encourage retention and planting of native vegetation and to reduce water, fertilizer, and pesticide needs;

e) Each Permittee shall store fertilizers and pesticides indoors or under cover on paved surfaces or use secondary containment;

f) Each Permittee shalll reduce the use, storage, and handling of hazardous materials; and

g) Each Permittee shall regularly inspect storage areas.

5. Storm Drain Operation and Management

Each Permittee shall implement the following BMPs for storm drain inlet Maintenance (except that for any Permittee within an area subject to a trash TMDL, the Permittee may implement a program which maximizes trash removal by using an effective combination of street sweeping, catch basin clean outs, installation of treatment devices, and/or implementation of any other BMPs that achieve waste load allocations):

a) Inspect and clean catch basins between May 1 and September 30 of each year;

b) Classify priority catch-basins to be those that are 40 percent full;

c) Cleaning of priority catch basins, as necessary, between October 1 and April 30;

d) Keep record of catch basins cleaned;

e) Recording of the overall quantity of catch basin waste collected; and

f) Each Permittee shall submit a record (preferably as a GIS layer) of all catch basins in a municipality and identify which are city-owned/ county-owned, and which are priority for more frequent cleaning.

Each Permittee shall implement BMPs for Storm Drain Maintenance that shall include but not be limited to:

a) A program to visually monitor open channel storm drains for debris and identify and prioritize problem areas of illicit discharge for regular inspection;

b) A review of current maintenance activities to assure that appropriate storm water BMPs are being utilized to water quality;

c) Removal of trash and debris from open channel storm drains shall occur a minimum of once per year before the storm season;

d) Minimize the discharge of contaminants during MS4 maintenance and clean outs;

e) Recording of the overall quantity of catch basin waste collected; and

f) Proper disposal of material removed.

6. Streets and Roads Maintenance

a) Each Permittee shall conduct street sweeping on curbed public streets in their permitted area according to the following schedule (except that for any Permittee within an area subject to a trash TMDL, the Permittee may implement a program which maximizes trash removal by using an effective combination of street sweeping, catch basin clean outs, installation of treatment devices, and/or implementation of any other BMPs that achieve waste load allocations):

(1) At a monthly average not less than 4 times per month in areas generating high volumes of trash;

(2) At a monthly average not less than 2 times per month in areas generating moderate volumes of trash on traffic collector streets and residential areas.

b) Permittee-owned parking lots shall be kept clear of debris and oil buildup and cleaned no less than 2 times per month and/or inspected no less than 2 times per month to determine if cleaning is necessary.

c) Each Permittee shall require that sawcutting wastes be recovered and disposed of properly and that in no case shall waste be allowed to enter the storm drain.

d) Concrete and other street and road maintenance materials and wastes shall be managed to prevent pollutant discharges; and

e) The washout of concrete trucks and chutes shall only occur in designated areas and never into storm drains, open ditches, streets, or catch basins leading to the storm drain system.

Each Permittee shall train their employees in targeted positions (whose interactions, jobs, and activities affect storm water quality) regarding the requirements of the storm water management program to:

a) Promote a clear understanding of the potential for maintenance activities to pollute storm water; and

b) Identify and select appropriate BMPs.

7. Emergency Procedures

Each Permittee shall continue to repair essential public services and infrastructure in a manner to minimize environmental damage in emergency situations such as: earthquakes; fires; floods; landslides; or windstorms. BMPs shall be implemented to the extent that measures do not compromise public health and safety. After initial emergency response or emergency repair activities have been completed, each Permittee shall implement BMPs as required under this Order.

F. Program to Eliminate Illicit Connections and Discharges

Permittees shall eliminate all illicit connections and illicit discharges to the storm drain system, and shall document and report all such cases. To accomplish this, the Permittees shall revise their Program for Elimination of Illicit Connection and Illicit Discharge (IC/ID Program) within 180 days of Permit adoption. This revision, which is subject to the approval of the Executive Officer, must specify a schedule for implementation by each Permittee, and must contain the following minimum elements, including performance measures and schedules.

1. General Elements

   a) Implementation: Upon Executive Officer approval of the revised IC/ID Program, each Permittee must develop an Implementation Program which specifies how each Permittee is implementing the revised IC/ID Program from the SQMP. This Implementation Program must be documented, and available for review and approval by the Regional Board when requested.

   b) Management and Tracking System: All Permittees shall make use analytical tools, such as a Geographic Information System or a comparable tool suited to their storm drain system, that will enable the Lead Permittee to manage and track all suspected illicit connections and illicit discharges into the storm drain system. Furthermore, within one year from Permit adoption, the Lead Permittee shall have the capability to locate all permitted discharges, and to track and evaluate patterns and trends of illicit connections and illicit discharges in the entire storm drain system, including portions operated by other Permittees.

   c) Training: Complete, within 180 days of Permit adoption, training for all targeted employees who are responsible for identification, investigation, termination, cleanup, and reporting of illicit connections and discharges. Furthermore, conduct refresher training on an annual basis thereafter.

   d) Documentation and Reporting: Document and report all illicit connections, illicit discharges, and hazardous substances that enter the storm drain, within times specified below.

2. Illicit Connection Elements

   a) Baseline Screening: Permittees shall continue to screen the storm drain system for illicit connections during scheduled infrastructure maintenance. On an annual basis, Permittees shall report, to the Lead Permittee, on the location and length of open channels or closed storm drains that have been screened, and on the status of suspected, confirmed, and terminated illicit connections.

   b) Priority Screening: In addition to the baseline screening that will occur during regularly scheduled maintenance, Permittees shall design and implement a proactive storm drain screening of priority areas. Permittees shall consider, among others, the following factors when designating priority areas: an analysis past illicit connections; and a review of documentation for storm drain connections made in the six months following the 1994 Northridge Earthquake, and in the year following the 1992 civil unrest.

   c) Investigation: Upon discovery through either baseline or priority screening, or upon receiving a report of a suspected illicit

connection, Permittees shall initiate an investigation within 21 days, to determine the source of the connection, the nature and volume of discharge through the connection, and the responsible party for the connection.

d) Termination: Upon confirmation of the illicit nature of a storm drain connection, Permittees shall ensure termination of the connection within 180 days, using enforcement authority as needed. For those cases of illicit connections that require more than 180 days to eliminate due to lengthy court proceedings, the Regional Board Executive Officer may grant time extensions on a case by case basis.

3. Illicit Discharge Elements

a) Abatement and Cleanup: Respond, within 72 hours of discovery or a report of a suspected illicit discharge, with activities to abate, contain, and clean up all illicit discharges, including hazardous substances.

b) Investigation: As soon as practicable, during or immediately following containment and cleanup activities, take enforcement action as appropriate.

PART 5. DEFINITIONS

The following are definitions for terms applicable to this Order:

"Adverse Impact" means a detrimental effect upon water quality or beneficial uses caused by a discharge or loading of a pollutant or pollutants.

"Anti-degradation policies" refers to the *Statement of Policy with Respect to Maintaining High Quality Water in California* (State Board Resolution No. 68-16) which 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 including the protection of fish and wildlife propagation and recreation on and in the water.

"Applicable Standards and Limitations" means all State, interstate, and federal standards and limitations to which a "discharge" or a related activity is subject under the CWA, including "effluent limitations, "water quality standards, standards of performance, toxic effluent standards or prohibitions, "best management practices," and pretreatment standards under sections 301, 302, 303, 304, 306, 307, 308, 403 and 404 of CWA.

"Authorized Discharge" means any discharge that is authorized pursuant to an NPDES permit or meets the conditions set forth in this Order.

"Automotive Repair Shop" means a facility that is categorized in any one of the following Standard Industrial Classification (SIC) codes: 5013, 5014, 5541, 7532-7534, or 7536-7539.

"BAT/BCT Criteria" means treatment-based standards for reducing the discharge of pollutants, as defined in 40 CFR subchapter N, for specific categories of industrial facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards. Effluent limitations have been defined in 40 CFR for the reduction of toxic pollutants using Best Available Technology Economically Achievable (BAT) and for the reduction of conventional pollutants using Best Conventional Pollutant Control Technology (BCT).

"Basin Plan" refers to the Water Quality Control Plan, Los Angeles Region, Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties, adopted by the Regional Board on June 13, 1994 and subsequent amendments.

"Beneficial Uses" means the existing or potential uses of receiving waters in the permit area as designated by the Regional Board in the Basin Plan.

"Best Management Practices (BMPs)" are methods, measures, or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharges including storm water. BMPs include structural and nonstructural controls, and operation and maintenance procedures, which can be applied before, during, and/or after pollution producing activities.

"Commercial Development" means any development on private land that is not heavy industrial or residential. The category includes, but is not limited to: hospitals, laboratories and other medical facilities, educational institutions, recreational facilities, plant nurseries, multi-apartment buildings, car wash facilities, mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses and other light industrial complexes.

“Construction” means constructing, clearing, grading, or excavation that results in soil disturbance. Construction includes structure teardown. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

"Control" means to minimize, reduce, eliminate, or prohibit by technological, legal, contractual or other means, the discharge of pollutants from an activity or activities.

"Dechlorinated Swimming Pool Discharge" shall mean swimming pool discharges which have no measurable chlorine and do not contain any detergents, wastes, or additional chemicals not typically found in swimming pool water. The term does not include swimming pool filter backwash.

“Development” shall mean any construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and other non-residential projects, including public agency projects; or mass grading for future construction.

“Directly Adjacent” means situated within 200 feet of the contiguous zone required for the continued maintenance, function, and structural stability of the environmentally sensitive area.

“Director” shall mean the Director of Public Works of the County and Person(s) designated by and under the Director’s instruction and supervision.

“**Directly Discharging**” means outflow from a drainage conveyance system that is composed entirely or predominantly of flows from the subject, property, development, subdivision, or industrial facility, and not commingled with the flows from adjacent lands.

“Discharge” when used without qualification means the “discharge of a pollutant.”

“Discharge of a Pollutant” means: Any addition of any “pollutant” or combination of pollutants to “waters of the United States” from any “point source” or, Any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. The term discharge includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any “indirect Discharger.”

"Disturbed Area" means an area that is altered as a result of clearing, grading, and/or excavation.

“Effluent limitation” means any restriction imposed by the Regional Board on quantities, discharge rates, and concentrations of “pollutants” which are “discharged” from “point sources” into “waters of the United States,” the waters of the “contiguous zone,” or the ocean.

“Environmentally Sensitive Areas” means an area “in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would be easily disturbed or degraded by human activities and developments” (California Public Resources Code § 30107.5). Areas subject to storm water mitigation requirements are: areas designated as an Area of Special Biological Significance (ASBS) by the State Water Resources Control Board; an area designated as a Significant Natural Area by the California Department of Fish and Game; an area listed in the Regional Board Basin Plan as supporting the "Rare, Threatened, or Endangered Species (RARE)" beneficial use; or an area identified by the Permittees as environmentally sensitive for water quality purposes, based on the Regional Board Basin Plan and Clean Water Act Section 303(d) Impaired Water-bodies List for Los Angeles County. Refer to Attachment XXX for a map of Significant Natural Areas.

"Executive Advisory Committee" refers to the committee composed of representatives of the Los Angeles County Flood Control District, the City of Los Angeles, and the five Watershed Management Areas.

"General Construction Activities Storm Water Permit (GCASP)" is the general NPDES permit adopted by the State Water Resources Control Board which authorizes the discharge of storm water from construction activities under certain conditions.

"General Industrial Activities Storm Water Permit (GIASP)" is the general NPDES permit adopted by the State Water Resources Control Board which authorizes the discharge of storm water from certain industrial activities under certain conditions.

"Hillside" means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is 25% or greater and where grading contemplates cut or fill slopes.

"Illicit Connection" shall mean any man-made conveyance that is connected to the storm drain system without a permit, excluding roof drains and other similar type connections. Examples include channels, pipelines, conduits, inlets, or outlets that are connected directly to the storm drain system.

"Illicit Discharge" means any discharge to the storm drain system that is prohibited under local, state, or federal statutes, ordinances, codes, or regulations. The term illicit discharge includes all non storm-water discharges except discharges pursuant to an NPDES permit, discharges that are identified in Part 1 of this order, and discharges authorized by the Regional Board Executive Officer.

"Illicit Disposal" means any disposal, either intentionally or unintentionally, of material(s) or waste(s) that can pollute storm water.

"Industrial/Commercial Facility" means any facility involved and/or used in either the production, manufacture, storage, transportation, distribution, exchange or sale of goods and/or commodities, and any facility involved and/or used in providing professional and non-professional services. This category of facilities includes, but is not limited to, any facility defined by the Standard Industrial Classifications (SIC). Facility ownership (federal, state, municipal, private) and profit motive of the facility are not factors in this definition.

"Infiltration" means the downward entry of water into the surface of the soil.

"Local SWPPP" refers to the Storm Water Pollution Prevention Plan required by the local agency if the project is not subject to the Statewide Construction Activities General Permit.

"Maximum Extent Practicable (MEP)" refers to the standard for implementation of storm water management programs to reduce pollutants in storm water. It is the maximum extent possible taking into account equitable consideration and competing facts, including, but not limited to: the gravity of the problem, public health risk, societal concern, environmental benefits, pollutant removal effectiveness, regulatory compliance, public acceptance, implementability, cost and technical feasibility. Section 402(p)(3)(B)(iii) of the CWA requires that municipal permits "shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of such pollutants.

"Method Detection Limit (MDL)" is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in 40 CFR 136, Appendix B.

"Minimum Level (ML)" is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

"Municipal Separate Storm Sewer System (MS4)" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) owned by a State, city, county, town or other public body, that is designed or used for collecting or conveying storm water, which is not a combined sewer, and which is not part of a publicly owned treatment works.

"National Pollutant Discharge Elimination System (NPDES)" means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA. The term includes an "approved program."

"New Development" means land disturbing activities; structural development, including construction or installation of a building or structure, creation of impervious surfaces; and land subdivision.

"Non-Storm Water Discharge" means any discharge to a storm drain that is not composed entirely of storm water.

"Nuisance" means anything that meets all of the following requirements: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property; (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal; (3) occurs during, or as a result of, the treatment or disposal of wastes.

"Parking Lot" means land area or facility for the temporary parking or storage of motor vehicles used personally, for businesses or for commerce with a lot size of 5,000 square feet or more, or with 25 or more parking spaces.

"Permit" means an authorization, license, or equivalent control document issued by EPA or an "approve State" to implement the requirements of 40 CFR Parts 122, 123, and 124. "Permit" includes an NPDES "general permit" (§ 122.28). Permit does not include any permit which has not yet been the subject of final agency action, such as a "draft permit" or a "proposed permit."

"Permittee(s)" means Co-Permittees and refers to any agency named in this Order as being responsible for permit conditions within its jurisdiction. Permittees to this Order include the Los Angeles County Flood Control District, Los Angeles County, and the cities of Agoura Hills, Alhambra, Arcadia, Artesia, Azusa, Baldwin Park, Bellflower, Bell Gardens, Beverly Hills,

Bradbury, Burbank, Calabasas, Carson, Cerritos, Claremont, Commerce, Compton, Covina, Cudahy, Culver City, Diamond Bar, Downey, Duarte, El Monte, El Segundo, Gardena, Glendale, Glendora, Hawaiian Gardens, Hawthorne, Hermosa Beach, Hidden Hills, Huntington Park, Industry, Inglewood, Irwindale, La Canada Flintridge, La Habra Heights, Lakewood, La Mirada, La Puente, La Verne, Lawndale, Lomita, Los Angeles, Lynwood, Malibu, Manhattan Beach, Maywood, Monrovia, Montebello, Monterey Park, Norwalk, Palos Verdes Estates, Paramount, Pasadena, Pico Rivera, Pomona, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Rosemead, San Dimas, San Fernando, San Gabriel, San Marino, Santa Fe Springs, Santa Monica, Sierra Madre, Signal Hill, South El Monte, South Gate, South Pasadena, Temple City, Torrance, Vernon, Walnut, West Covina, West Hollywood, Westlake Village, and Whittier.

"Phase I Facilities" are the categories of facilities which are required to obtain an NPDES permit for storm water discharges associated with "industrial activity" as required by 40 CFR 122.26(c).

"Pollutants" means those "pollutants" defined in Section 502(6) of the federal Clean Water Act (33.U.S.C.§1362(6)), or incorporated into California Water Code §13373. Examples of pollutants include, but are not limited to the following:

- Commercial and industrial waste (such as fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash, and sludge);
- Metals such as cadmium, lead, zinc, copper, silver, nickel, chromium, and non-metals such as phosphorus and arsenic;
- Petroleum hydrocarbons (such as fuels, lubricants, surfactants, waste oils, solvents, coolants, and grease)
- Excessive eroded soils, sediment, and particulate materials in amounts which may adversely affect the beneficial use of the receiving waters, flora or fauna of the State;
- Animal wastes (such as discharge from confinement facilities, kennels, pens, recreational facilities, stables, and show facilities);
- Substances having characteristics such as pH less than 6 or greater than 9, or unusual coloration or turbidity, or excessive levels of fecal coliform, or fecal streptococcus, or enterococcus;

The term "pollutant" shall not include uncontaminated storm water, potable water or reclaimed water generated by a lawfully permitted water treatment facility.

The term "pollutant" also shall not include any substance identified in this definition, if through compliance with the best management practices available, the discharge of such substance has been eliminated to the maximum extent practicable. In an enforcement action, the burden shall be on the person who is the subject of such action to establish the elimination of the discharge to the maximum extent practicable through compliance with the best management practices available.

“Potable Water Distribution Systems” means sources of 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.

“Priority Pollutants” are those constituents referred to in 40 CFR 401.15 and listed in the EPA NPDES Application Form 2C, pp. V-3 through V-9.

"Project" means all development and land disturbing activities. The term is not limited to "Project" as defined under California Environmental Quality Act (Pub Resources Code Section 21065).

“Rain Event” means any rain event greater than 0.1 inch in 24 hours.

"Receiving Waters" means all surface water bodies within the permit area that are identified in the Basin Plan.

“Redevelopment” means, but is not limited to, the expansion of a building footprint or addition or replacement of a structure; structural development including an increase in gross floor area and/or exterior construction or remodeling; replacement of impervious surface that is not part of a routine maintenance activity; land disturbing activities related with structural or impervious surfaces. Redevelopment that results in the creation or addition of 5,000 square feet or more of impervious surfaces is subject to the requirements for storm water mitigation. If the creation or addition of impervious surfaces is fifty percent or more of the existing impervious surface area, then storm water runoff from the entire area (existing and additions) must be considered for purposes of storm water mitigation. If the creation or additions is less than fifty percent of the existing impervious area, then storm water runoff from only the addition area needs mitigation.

“Regional Administrator” means the Regional Administrator of the Regional Office of the Environmental Protection Agency or the authorized representative of the Regional Administrator.

“Restaurant” means a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC Code 5812).

"Runoff" means any runoff including storm water and dry weather flows from a drainage area that reaches a receiving water body or subsurface. During dry weather it is typically comprised of many base flow components either contaminated with pollutants or uncontaminated.

“Side Walk Rinsing” means pressure washing of paved pedestrian walkways with average water usage of 0.006 gallons per square foot, with no cleaning agents, and properly disposing of all debris collected, as authorized under Regional Board Resolution No. 98-08.

“Site” means the land or water area where any “facility or activity” is physically located or conducted, including adjacent land used in connection with the facility or activity.

“Source Control BMP” means any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices or operational practices that aim to prevent storm water pollution by reducing the potential for contamination at the source of pollution.

“SQMP” shall mean the Los Angeles Countywide Stormwater Quality Management Plan.

“Storm Water Pollution Prevention Plan (SWPPP)” shall mean a plan, as required by a State General Permit, identifying potential pollutant sources and describing the design, placement and implementation of BMPs, to effectively prevent non-stormwater Discharges and reduce Pollutants in Stormwater Discharges during activities covered by the General Permit.

“Storm Water” shall mean any surface flow, runoff, and/or drainage associated with rainstorm events and/or snowmelt.

“Stormwater Quality Management Plan” shall mean the Los Angeles Countywide Stormwater Quality Management Plan, which includes descriptions of programs, collectively developed by the Permittees in accordance with provisions of the NPDES Permit, to comply with applicable federal and state law, as the same is amended from time to time.

“Structural BMP” means any structural facility designed and constructed to mitigate the adverse impacts of storm water and urban runoff pollution (e.g. canopy, structural enclosure). The category may include both treatment control BMPs and source control BMPs.

"SUSMP" means the Los Angeles Countywide Standard Urban Stormwater Mitigation Plan. The SUSMP shall address conditions and requirements of new development.

“Total Maximum Daily Load (TMDL)” means the sum of the individual waste load allocations for point sources and load allocations for nonpoint sources and natural background.

"Toxicity Identification Evaluation" refers to a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.

"Toxicity Reduction Evaluation" is a study conducted in a step-wise process to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity.

“Treatment” means the application of engineered systems that use physical, chemical, or biological processes to remove pollutants. Such processes include, but are not limited to, filtration, gravity settling, media absorption, biodegradation, biological uptake, chemical oxidation and UV radiation.

“Treatment Control BMP” means any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media absorption or any other physical, biological, or chemical process.

"Water Column Toxicity" means a 70 percent survival rate for a single test or an average of 90 percent survival for three consecutive tests.

“Water Quality Standards and Water Quality Objectives” applicable to the Permittee include those contained in the Los Angeles Regional Water Quality Control Plan (Basin Plan), the California Ocean Plan, the National Toxics Rule, the California Toxics Rule, and other state or federally approved surface water quality plans. Such plans are used by the Regional Board to regulate all discharges, including storm water discharges.

"Waters of the State" means any surface water or groundwater, including saline waters, within boundaries of the state.

"Waters of the United States" or "Waters of the U.S." means:

a. All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
b. All interstate waters, including interstate "wetlands";
c. All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetlands," sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
    1. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
    2. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
    3. Which are used or could be used for industrial purposes by industries in interstate commerce;
d. All impoundments of waters otherwise defined as waters of the United States under this definition;
e. Tributaries of waters identified in paragraphs (a) through (d) of this definition;
f. The territorial sea; and
g. "Wetlands" adjacent to waters (other than waters that are themselves wetlands) identified in paragraph (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 423.22(m), which also meet the criteria of this definition) are not waters of the United States. This exclusion applies only to man-made bodies of water, which neither were originally created in waters of the United States (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with US EPA.

"Wet Season" means the calendar period beginning October 1 through April 15.

"Whole Effluent Toxicity" means the aggregate toxic effect of an effluent measured directly by a toxicity test.

PART 6. STANDARD PROVISIONS

A. Standard Requirements

1. The Permittees shall comply with all provisions and requirements of this permit.

2. Should the Permittees discover a failure to submit any relevant facts or that it submitted incorrect information in a report, it shall promptly submit the missing or correct information.

3. The Permittees shall report all instances of non-compliance not otherwise reported at the time monitoring reports are submitted.

4. This Order includes the attached Monitoring and Reporting Program, and Standard Urban Storm Water Mitigation Plan, which are a part of the permit and must be complied with in the same manner as with the rest of the requirements in the permit.

B. Public Review

1. All documents submitted to the Regional Board in compliance with the terms and conditions of this Permit shall be made available to members of the public pursuant to the Freedom of Information Act (5 U.S.C. Section 552 (as amended) and the Public Records Act (California Government Code Section 6250 *et seq.*).

2. All documents submitted to the Executive Officer for approval shall be made available to the public for a 30-day period to allow for public comment.

C. Duty to Comply [40 CFR 122.41(a)]

1. The Principal Permittee must comply with all of the terms, requirements, and conditions of this Order. Any violation of this order constitutes a violation of the Clean Water Act, its regulations and the California Water Code, and is grounds for enforcement action, Order termination, Order revocation and reissuance, denial of an application for reissuance; or a combination thereof.

2. A copy of these waste discharge specifications shall be maintained by each Permittee so as to be available during normal business hours to Permittee employees and members of the public.

3. Any discharge of wastes at any point(s) other than specifically described in this Order is prohibited, and constitutes a violation of the Order.

D. Duty to Mitigate [40 CFR 122.41 (d)]

The Permittees shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.

E. Inspection and Entry [40 CFR 122.41(i)]

The Regional Board, USEPA, and other authorized representatives shall be allowed:

1. Entry upon premises where a regulated facility is located or conducted, or where records are kept under conditions of this Order;

2. Access to copy any records that are kept under the conditions of this Order;

3. To inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and,

4. To photograph, sample, and monitor for the purpose of assuring compliance with this Order, or as otherwise authorized by the Clean Water Act and the California Water Code.

F. Proper Operation and Maintenance [40 CFR 122.41 (e)]

The Permittees shall at all times properly operate and maintain all facilities and systems of treatment and (and related appurtenances) that are installed or used by the Permittees to achieve compliance with this Order. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar system that are installed by a Permittee only when necessary to achieve compliance with the conditions of this Order.

G. Signatory Requirements [40 CFR 122.41(k)]

Except as otherwise provided in this Order, all applications, reports, or information submitted to the Regional Board shall be signed by the Director of Public Works, City Engineer, or authorized designee under penalty of perjury.

H. Reopener and Modification [40 CFR 122.41(f)]

1. This Order may only be modified, revoked, or reissued, prior to the expiration date, by the Regional Board, in accordance with the procedural requirements of the Water Code and Title 23 of the California Code of Regulations for the issuance of waste discharge requirements, and upon prior notice and hearing, to:

   a) Address changed conditions identified in the required reports or other sources deemed significant by the Regional Board;

   b) Incorporate applicable requirements or statewide water quality control plans adopted by the State Board or amendments to the Basin Plan;

c) Comply with any applicable requirements, guidelines, and/or regulations issued or approved pursuant to CWA Section 402(p); and/or,

d) Consider any other federal, or state laws or regulations that became effective after adoption of this Order.

2. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:

a) Violation of any term or condition contained in this Order;

b) Obtaining this Order by misrepresentation, or failure to disclose all relevant facts; or,

c) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

3. This Order may be modified, revoked and reissued, or terminated for cause.

4. The filing of a request by the Principal Permittee for a modification, revocation and re-issuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

5. This Order may be modified to make corrections or allowances for changes in the permitted activity listed in this section, following the procedures at 40 CFR Part 122.63, if processed as a minor modification. Minor modifications may only:

a) Correct typographical errors, or

b) Require more frequent monitoring or reporting by the Permittee.

I. Severability

The provisions of this permit are severable; and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected.

J. Duty to Provide Information [40 CFR 122.41(h)]

The Permittees shall furnish, within a reasonable time, any information the Regional Board or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Permittees shall also furnish to the Regional Board, upon request, copies of records required to be kept by this Order.

K. Twenty-four Hour Reporting[1]

1. The Permittees shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time any Permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

2. The Regional Board may waive the required written report on a case-by-case basis.

L. Bypass [40 CFR 122.41(m)][2]

Bypass (the intentional diversion of waste streams from any portion of a treatment facility) is prohibited. The Regional Board may take enforcement action against Permittees for bypass unless:

1. Bypass was unavoidable to prevent loss of life, personal injury or severe property damage. (Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.);

2. There were no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment down time. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that could occur during normal periods of equipment downtime or preventive maintenance;

3. The Permittee submitted a notice at least ten days in advance of the need for a bypass to the Regional Board; or,

[1] This provision applies to incidents where effluent limitations (numerical or narrative) as provided in this Order or in the Los Angeles County SQMP are exceeded, and which endanger public health or the environment.

[2] This provision applies to the operation and maintenance of storm water controls and BMPs as provided in this Order or in the Los Angeles County SQMP.

4. Permittees may allow a bypass to occur that does not cause effluent limitations to be exceeded, but only if it is for essential maintenance to assure efficient operation. In such a case, the above bypass conditions are not applicable. The Permittee shall submit notice of an unanticipated bypass as required.

M. Upset [40 CFR 122.41(n)][3]

1. A Permittee that wishes to establish the affirmative defense of an upset in an action brought for non compliance shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

   a) An upset occurred and that the Permittee can identify the cause(s) of the upset;

   b) The permitted facility was being properly operated by the time of the upset;

   c) The Permittee submitted notice of the upset as required; and,

   d) The Permittee complied with any remedial measures required.

2. No determination made before an action for noncompliance, such as during administrative review of claims that non-compliance was caused by an upset, is final administrative action subject to judicial review.

3. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

N. Property Rights [40 CFR 122.4(g)]

This Order does not convey any property rights of any sort, or any exclusive privilege.

O. Enforcement

1. Violation of any of the provisions of the NPDES permit or any of the provisions of this Order may subject the violator to any of the penalties described herein, or any combination thereof, at the discretion of the prosecuting authority; except that only one kind of penalties may be applied for each kind of violation. The Clean Water Act provides the following:

   a) Criminal Penalties for:

      (1) Negligent Violations:

      The CWA provides that any person who negligently violates permit conditions implementing sections 301, 302, 306,

[3] *Supra*. See footnote number 2.

307, 308, 318, or 405 of the Act is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than 1 year, or both.

(2) Knowing Violations:

The CWA provides that any person who knowingly violates permit conditions implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than 3 years, or both.

(3) Knowing Endangerment:

The CWA provides that any person who knowingly violates permit conditions implementing sections 301, 302, 307, 308, 318, or 405 of the Act and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than $250,000, or by imprisonment for not more than 15 years, or both.

(4) False Statement:

The CWA provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed of required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than $10,000 or by imprisonment for not more than two years, or by both. If a conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or by both. (See section 309(c)(4) of the Clean Water Act.)

b) Civil Penalties

The CWA provides that any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed $27,500 per day for each violation.

2. The California Water Code provides that any person who violates a waste discharge requirement provision of the California Water Code is subject to civil penalties of up to $5,000 per day, $10,000 per day, or $25,000 per day of violation; or when the violation involves the discharge of pollutants, is subject to civil penalties of up to $10 per gallon per day or $25 per gallon per day of violation; or some combination thereof, depending on the violation or combination violations.

P. Need to Halt or Reduce Activity not a Defense [40 CFR 122.41(c)]

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order.

Q. Modifications to this Order

This Order may be modified, revoked, or reissued, prior to the expiration date as follows:

1. To address changed conditions identified in the required technical reports or other sources deemed significant by the Regional Board;

2. To incorporate applicable requirements or statewide water quality control plans adopted by the State Board, or amendments to the Basin Plan;

3. To comply with any applicable requirements, guidelines, or regulations issued or approved under Section 402(p) of the CWA, if the requirement, guideline, or regulation so issued or approved contains different conditions or additional requirements not provided for in this Order. The Order as modified or reissued under this paragraph shall also contain any other requirements of the CWA then applicable; or,

4. Any amendments under the Clean Water Act.

R. Regional Board Order No. 96-054 is hereby rescinded.

S. This Order expires on July 26, 2006]. The Principal Permittee must submit a Storm Water Quality Management Plan in accordance with Title 23, California Code of Regulation, not later than 180 days in advance of such date as application for reissuance of waste discharge requirements.

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 26, 2001.

_____

Dennis A. Dickerson
Executive Officer

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

MONITORING AND REPORTING PROGRAM

FOR

STORM WATER MANAGEMENT/URBAN RUNOFF DISCHARGES
FOR
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
DEPARTMENT OF PUBLIC WORKS, AND THE CITIES OF LOS ANGELES COUNTY

NPDES PERMIT NO. CAS614001 (CI 6948)

I. Program Reporting Requirements

A. Program Management

Permittees shall submit, by October 15, 2001, the Annual Storm Water Report and Assessment for the period July 1, 2000, through July 26, 2001 documenting the status of the general program up to permit reissuance and the results of analyses from the monitoring and reporting program.

The Principal Permittee shall submit, by October 1 of each year beginning the year 2002, an Annual Storm Water Report and Assessment documenting the status of the general program and individual tasks contained in the SQMP, and an integrated summary of the results of analyses from the monitoring program described under *II. Monitoring Requirements*.

The Annual Storm Water Report and Assessment shall include any proposed changes to the SQMP as approved by the Executive Advisory Committee. The Annual Storm Water Report and Assessment Report shall cover each fiscal year from July 1 through June 30. At a minimum, the annual report will include the following:

1. A comparison of program implementation results to performance standards established in this Order and in the SQMP;

2. Status of compliance with permit requirements including implementation dates for all time-specific deadlines. If permit deadlines are not met, Permittees shall report the reasons why the requirement was not met,

how the requirements will be met in the future, including projected implementation date;

3. An assessment of the effectiveness of SQMP requirements to reduce storm water pollution. This assessment will be based upon the specific record-keeping information requirement in each major section of the permit, monitoring data, and any other information related to program effectiveness. Beginning in the Year 2002, to the extent that data collected in monitoring requirements included herein and existing monitoring data allows, the Principal Permittee shall include an analysis of trends, land use contributions, pollutant source identifications, BMP effectiveness, and impacts on beneficial uses;

4. An analysis of the data to identify areas of the Program coverage which cause or contribute to exceedances of water quality standards or objectives, predominate land uses in these areas, and potential sources of pollutants in those areas;

5. Discussion of the compliance record and the corrective actions taken or planned that may be needed to bring the discharge into full compliance with the waste discharge requirements.

B. Public Information and Participation Program

<u>Programs for Residents</u>

1. Number of storm drain inlets and designated public access points to creeks, channels, and other relevant water bodies in each Permittees' systems that are marked or posted with a no dumping message. If the requirement that 100 percent of storm drains inlets are marked/signed is not met, each Permittee shall report the reasons why, and how the requirement will be met in the future, including the implementation date.

2. Description of activities on distributing brochures, community outreach efforts, public communication efforts and educational programs in schools including an estimate of the number of impressions per year made on the general public about storm water quality via print, local TV access, local radio presentations, meetings or other appropriate media;

3. Description of the quarterly Public Outreach Strategy meetings, including percentage of Permittee attendance, effectiveness at coordinating Permittee education programs, and overall effectiveness based on Permittee evaluations. Also, a description of each Permittee's participation in and contribution to the Public Education and Participation Program.

4. Description of activities for the Pollutant-Specific Outreach programs, including creating and distributing outreach materials to the general public

and target audiences, such as schools, community groups, contractors and developers, and at appropriate counters and events.

Programs for Businesses

1. Description of the Corporate Outreach program, including the number of consultations with corporate heads of gas stations and restaurant chains and the percentage of the total.

2. Description of the Business Assistance Program, including the number of businesses that requested assistance and the number that were assisted through site visits, telephone consultations, presentations, or material distribution.

C. Programs for Industrial / Commercial Inspections

1. An annual update of the watershed-based inventory of all Industrial/Commercial sites identified as a threat to water quality. This includes all Phase I industrial facilities, motor vehicle repair shops, motor vehicle body shops, motor vehicle parts and accessories facilities, restaurants, and other facilities that contribute or have the potential to contribute to impairments of receiving waters. The inventory shall include at a minimum: facility name, site address, SIC code and narrative description of activities performed at each facility.

2. Number of restaurants, automotive businesses, industrial facilities, and other commercial facilities targeted under the program. During the past year, the number of industrial and commercial inspections conducted, the number of non-compliant sites, and the number of industrial facilities the Permittees have identified that have failed to file an NOI.

3. The percentage of targeted staff trained annually.

D. Programs for Planning and Land Development

1. Total number and percent of all development projects reviewed and conditioned to meet SUSMP requirements by category such as residential, commercial, and industrial.

2. Total square feet of impervious area conditioned for mitigation by development and redevelopment category.

3. Significant date rewrite completed of General Plan with storm water considerations.

4. Percent and total number of targeted staff trained annually [100 percent].

5. Date CEQA guidelines revision completed to include storm water mitigation conditions.

6. Date BMP design and sizing technical manual completed and made available electronically.

E. Programs for Construction Sites

1. Number of construction projects requiring local SWPPPs in the past year and the percentage of projects in categories requiring submittal of a local SWPPP for which local SWPPPs were completed.

2. Number and type of enforcement actions, applicable to storm water enforcement, taken at construction sites during the past year.

3. Description of the outreach program to the construction community and assessment of its effectiveness; This assessment should include a discussion of the number of inspections, site visits, or other meetings conducted.

4. The percentage of targeted staff trained annually.

F. Programs for Illicit Discharge and Illegal Connection Control

1. Annual update of the analytical tool used to manage and track illicit connections and discharges, including an evaluation of patterns and trends of illicit connections and illicit discharges in the entire storm drain system.

2. Location and length of open channels and closed storm drains that were screened by all Permittees, and the status of all suspected, confirmed, and terminated illicit connections.

3. Number of reports of illicit discharges that Permittees responded to, percentage that were identified as actual illicit discharges, and percentage of the actual illicit discharges where the incident was either cleaned up, referred to another responsible agency and/or follow up/education with the discharger was conducted.

4. Percentage of cleanup and abatement activities that occurred within 72 hours of discovery or report of a suspected illicit discharge and justification for response activities that exceeded 72 hours.

5. For groups of identified illicit discharge types where the probable causes for the discharge can be identified, report probable causes and the actions taken to prevent similar discharges from occurring;

6. Number of illicit connections identified in the past year;

7. Percentage of investigations that were initiated within 21 days of identification or a report of an illicit connection and justification for those that exceeded 21 days.

8. Number of illicit connections eliminated in the past year;

9. Percentage of illicit connections terminated within 180 days of identification and justification for terminations that exceeded 180 days.

10. Number and type of enforcement actions for storm water illicit discharges and/or illicit connections taken in the past year;

11. A summary from records on illicit discharges and connections which includes type of material, type of source, date of initial inspection, enforcement action taken, date of follow-up inspection, date of conclusion/clean up/removal/ follow up/education;

12. The percentage of targeted employees trained annually.

G. Programs for Facilities Maintenance

1. A summary which at a minimum includes the quantity, predominant types and likely sources of trash removed from catch basin inlets;

2. A summary of the total curb miles of streets swept annually and the percentage of total curb miles swept annually as a function of total curb miles;

3. The percentage of targeted staff trained annually; and,

H. Pollutants of Concern

1. A progress report on sources of pollutants of Concern, BMPs for their control, and implemented BMP effectiveness.

I. Monitoring Program Management

1. The Principal Permittee shall submit a Storm Water Monitoring Report on August 15, 2002, and annually on August 15, thereafter. The report shall include:

a) status of implementation of the monitoring program;

b) results of the monitoring program;

c) a general interpretation of the results;

d) both tabular and graphical summaries of the monitoring data obtained during the previous year;

e) an analysis of trends, land use contributions, pollutant source identifications, BMP effectiveness, and impacts on beneficial uses; and

f) suggestions for improvements to the SQMP based on the analysis.

2. The Principal Permittee shall submit, by October 15, 2001, the results of analyses from the monitoring and reporting program for the period July 1, 2000 through July 26, 2001 together with the Annual Report for the same period.

All applications, reports, or information submitted to the Regional Board shall be signed and certified pursuant to EPA regulations 40 CFR 122.41 (k). Each report shall contain the following completed declaration:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.

Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility, of a fine and imprisonment for knowing violations.

Executed on the ___ day of _____ , 20_,

at _____.

(Signature)_____(Title)_____";

Permittee submittals to the Principal Permittee shall also be signed and certified pursuant to EPA regulations 40 CFR 122.41 (k).

The Principal Permittee shall mail the original of each annual report to:

INFORMATION TECHNOLOGY
CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD - LOS ANGELES REGION
320 W. 4TH STREET, SUITE 200
LOS ANGELES, CA 90013

A copy of the annual report shall also be mailed to:

REGIONAL ADMINISTRATOR
ENVIRONMENTAL PROTECTION AGENCY
REGION 9
75 Hawthorne Street
San Francisco, CA 94105

II. **Monitoring Requirements**

The Principal Permittee shall implement the Countywide Storm Water Monitoring Program as follows.

A. Mass Emissions

1. The Principal Permittee shall monitor mass emissions from the following six mass emission stations: Ballona Creek, Malibu Creek, Los Angeles River, San Gabriel River, Coyote Creek, and Dominguez Channel. The Principal Permittee shall monitor the first storm event and a minimum of 3 additional storm events of each season. One dry weather event per year at each mass emission station shall also be monitored.

2. Samples for mass emission station monitoring shall be taken with the same type of automatic sampler used under Order 96-054, as well as through grab sampling. The samplers shall be set to monitor storms totaling 0.25 inches or greater of rainfall. Samples taken at mass emission stations during the first storm event should be analyzed for all constituents listed in Attachment 1. The Principal Permittee may elect not to sample Volatile Organic Compounds from the list of constituents for mass emission stations.

3. Al samples shall be analyzed for Suspended-Sediment Concentration (SCC) and Total Suspended Solids (TSS). Particle size distribution shall also be determined, depending on the development of appropriate sample handling and analytical methods.

4. Method detection limits for priority pollutants shall be modified, pursuant to the California Toxics Rule. The modified method detection limits are listed in Attachment 1. If a constituent has been detected in 100 percent of samples during the last 2 years of monitoring, the Principal Permittee may continue to use the existing method detection limit until the constituent is not detected, afterwhich, the method detection limits shall be lowered to those in Attachment 1.

5. If a constituent is not detected at the method detection limit for its respective test method listed in Attachment 1 in more than 25 percent of the first ten sampling events or on a rolling basis using ten consecutive sampling events, it need not be further analyzed, with the exception of the first storm of each season, unless the observed occurrences show high concentrations and are cause for concern.

B. Toxicity Monitoring

1. Water Column Toxicity Monitoring

The Principal Permittee shall analyze two wet weather samples and two dry weather samples from each mass emission station for toxicity per year. A minimum of one freshwater and one marine species shall be used for toxicity testing. Specifically, Ceriodaphnia dubia and sea urchin fertilization

shall be used. If toxicity is not detected in either of the dry weather samples for any given mass emission station, the Principal Permittee may reduce dry weather toxicity testing to one sample per year at that station. If toxicity is not detected in either of the wet weather samples for any given mass emission station, wet weather toxicity testing may be reduced to one sample from the first storm per year at that station. Toxicity shall be defined as a 70 percent survival rate for a single test or an average of 90 percent survival for three consecutive tests.

2. Toxicity Identification Evaluations (TIE)

The Principal Permittee shall conduct Phase I TIEs on wet weather samples when two consecutive samples from the same monitoring station show toxicity and on dry weather samples when two consecutive dry weather samples from the same monitoring station show toxicity.

3. Toxicity Reduction Evaluations (TRE)

Following the identification of a toxic pollutant, the Principal Permittee shall perform a TRE for that pollutant and submit it to the Regional Board Executive Officer for approval within one year. TREs shall include procedures for investigating the causes and identifying corrective actions for toxicity problems. Specifically, the following activities shall be included in each TRE:

- Identify the causative agents of toxicity (accomplished with the TIE)
- Isolate the sources of toxicity
- Evaluate the effectiveness of toxicity control options
- Implement effective toxicity control options
- Confirm the reduction in toxicity

If applicable, the Principal Permittee may use the same TRE for the same toxic pollutant in different watersheds.

During TRE development and implementation, the Principal Permittee shall continue monitoring the first storm and one dry weather event per year for toxicity at the subject station. Two years after the TRE has been approved, the Principal Permittee shall analyze two wet weather and two dry weather samples for toxicity to evaluate the effectiveness of the TRE.

The Principal Permittee shall conduct a maximum of two TREs per year. TRE performance shall be prioritized according to the TMDL schedule (Attachment 2) and the level of toxicity present.

The Principal Permittee may use sampling data from previous storm water toxicity monitoring, however, all stations must conduct regular toxicity tests on the freshwater species Ceriodaphnia

dubia where it was not previously conducted. For example, toxicity monitoring activities during the 2001-2002 permit year shall occur according to Table 1.

Table 1. Toxicity Monitoring Activities for 2001-2002

Monitoring Station	***Toxicity Monitoring Activities***
Ballona Creek	Zinc TRE, Copper TRE, toxicity testing on Ceriodaphnia dubia
Malibu Creek	Toxicity testing on Ceriodaphnia dubia, reduced testing on sea urchins
Los Angeles River	Wet and dry weather TIEs, toxicity testing on Ceriodaphnia dubia
San Gabriel River	Wet weather TIE, toxicity testing on Ceriodaphnia dubia
Dominguez Channel	Toxicity monitoring
Coyote Creek	Toxicity monitoring

C. Tributary/Source Identification Monitoring

1. The Principal Permittee shall develop and implement a tributary/source identification monitoring program. At a minimum the program shall consist of station identification, monitoring, and analysis of data for a minimum total of 20 tributary stations throughout the five major watersheds (Ballona Creek, Malibu Creek, Los Angeles River, San Gabriel River, and Dominguez Channel).

2. Each tributary station shall be selected and prioritized based on the TMDL schedule (Attachment 2), and the results of monitoring summarized in the Los Angeles County Integrated Monitoring Report (Integrated Report), located on the internet at http://dpw.co.la.us/epd/wq/IntTC.cfm, and the Land Use Model. To the extent practicable, station selections shall be representative of specific sources of pollutants identified through the Land Use Model. The Principal Permittee may develop a staggered monitoring schedule to ensure sufficient available resources. Staggered monitoring shall begin with a minimum of the ten highest priority tributary stations. The Principal Permittee shall submit the station selections to the Regional Board Executive Officer for approval prior to the issuance of this Order.

3. Permittees shall participate in tributary monitoring when the majority of a monitoring station subwatershed is located in their jurisdiction.

4. The Principal Permittee shall monitor the first storm event and at least 2 additional storm events during each storm season. At least one dry weather event per year will also be sampled at each station.

5. All samples for tributary stations may be taken as grab samples or with an automatic sampler. Constituents to be analyzed for each location shall include the following:

   a) Constituents on the 303(d) and TMDL lists for each receiving water

   b) Constituents that were identified in the Integrated Report as exceeding the objectives of the California Ocean Plan, the Los Angeles Basin Plan, and the California Toxics Rule

   c) Diazinon and chlorpyrifos

   d) Indicator bacteria (total and fecal coliform, streptococcus, and enterococcus)

   e) Toxic pollutants identified by TIEs at that tributary's mass emission station

6. If a constituent is not detected at the method detection limit (MDL) for its respective test method listed in Attachment 1 in more than 25 percent of the first ten sampling events or on a rolling basis using ten consecutive sampling events, it will not be further analyzed unless the observed

occurrences show high concentrations and are cause for concern. The Principal Permittee will also conduct annual confirmation sampling for non-detected constituents at each station for as long as the station is monitored.

7. The Principal Permittee shall submit a report identifying sources and/or source areas of pollutants within each watershed and priority management actions as part of the fourth Annual Report.

D. Receiving Waters Studies

1. The Principal Permittee shall conduct a study the impacts of storm water on receiving waters. The study or studies shall achieve the following objectives:

   a) Sediment Toxicity: Evaluate the extent and causes of sediment toxicity in the estuaries of each of the 5 major watersheds (Ballona Creek, Malibu Creek, Los Angeles River, San Gabriel River, and Dominguez Channel). Existing data from the "Study of the Impact of Stormwater Discharge on Santa Monica Bay" for Ballona and Malibu Creeks may be used.

   b) Plume Studies: Evaluate the dispersion, fate, and transport of storm water pollutants in Dominguez Channel, Los Angeles river, and San Gabriel River.

   c) Benthic Study: Assess the impacts of storm water on the marine benthic community near the mouths of the Dominguez Channel, Los Angeles River, and San Gabriel River. This shall be accomplished by determining the population and community metrics of benthic epifauna and infauna.

   d) Continuation of Santa Monica Bay Study: A follow-up to the "Study of the Impact of Stormwater Discharge on Santa Monica Bay" shall be conducted to determine the persistence of storm water plumes and an estimate of the duration of exposure of swimmers to bacteria and marine life to storm water toxicants and nutrients. Chemical and oceanographic studies shall be conducted to determine the fate of storm water particles discharged into the Santa Monica Bay.

2. The Principal Permittee may meet some or all of the requirements of the Receiving Waters Studies by participating in Regional Monitoring of the Southern California Bight, organized by the Southern California Coastal Water Research Project. This shall involve contributing sufficient funding and participating on the Steering Committee to help identify study objectives, sample sites, and indicators to be measured.

E. Urban Stream Bioassessment Monitoring

1. The Principal Permittee shall develop and implement an urban stream bioassessment monitoring program. At a minimum, the program shall consist of station identification, sampling, monitoring and analysis of data for 20 bioassessment stations in order to determine the biological and physical integrity of urban streams within Los Angeles County. In addition to the urban stream bioassessment stations, three reference bioassessment stations shall be identified, sampled, monitored, and analyzed. The selection, sampling, monitoring, and analysis of bioassessment stations shall meet the following requirements and shall be compatible with the Ambient Monitoring Program being developed by the Regional Board and with the California Department of Fish and Game Bioassessment Program.

   Each urban stream bioassessment station shall:

   a) be located within one of the six watersheds specified in the Mass Emission Monitoring Section;

   b) be representative of urban stream conditions within one of the six watersheds; and

   c) Meet the physical criteria of the California Stream Bioassessment Procedure[4], or a modification thereof, approved by the Regional Board Executive Officer.

2. Reference stations shall be selected in stream reaches that are not listed as impaired on the 303(d) list and that are not representative of urban stream conditions, based on surrounding land uses and a lack of up-stream point source discharges.

3. The Principal Permittee shall submit a proposed urban stream bioassessment monitoring plan, including station selections, to the Regional Board for approval within 180 days of the date this Order is adopted.

4. Each urban stream bioassessment station shall be monitored twice annually, in May and October of each year, beginning in May 2002. A minimum of three replicate samples shall be collected at each station during each sampling event.

5. Sampling, laboratory, quality assurance, and analysis procedures shall follow the standardized procedures set forth in the California Department of Fish and Game's California Stream Bioassessment Procedure (CSBP). Analysis procedures shall include comparison between station mean values for various biological metrics. Sampling, laboratory, quality assurance, and analytical procedures shall follow the standardized "Non-

[4] California Stream Bioassessment Procedure (Protocol Brief for Biological and Physical/Habitat Assessment in Wadeable Streams), California Department of Fish and Game - Aquatic Bioassessment Laboratory, May 1999. Located at www.dfg.ca.gov/cabw/protocols.html.

point Source Bioassessment Sampling Procedures" for professional bioassessment as set forth in the CSBP. Results of the Urban Stream Bioassessment Monitoring shall be reported annually as part of the Annual Storm Water Monitoring Report. Results shall include:

a) All physical, chemical and biological data collected in the assessment;

b) Photographic documentation of assessment and reference stations;

c) Documentation of quality assurance and control procedures;

d) Analysis that shall include calculation of the metrics used in the CSBP;

e) Comparison of mean biological and habitat assessment metric values between assessment and reference stations;

f) Electronic data formatted to the California Department of Fish and Game Aquatic Bioassessment Laboratory for inclusion in the Statewide Access Bioassessment Database.

6. A professional environmental laboratory shall perform all sampling, laboratory, quality assurance, and analytical procedures.

F. Bacteria

The Principal Permittee and the City of Los Angeles shall participate in the Southern California Coastal Waters Research Project's development and calibration of water quality models in an effort to characterize the presence and persistence of indicator bacteria in dry and wet weather. This includes participation in the Beach Water Quality Workgroup and coordinating results of AB 411 monitoring with storm water management activities.

G. Trash Monitoring

Permittees shall participate in the development of a baseline trash monitoring program with the respective Permittees, pursuant to the Los Angeles River and Ballona Creek trash TMDLs. The Principal Permittee is encouraged to implement the program in the watersheds that are not presently listed on the 303(d) list for impairment for trash.

H. Natural Stream Study

The Principal Permittee and Permittees in the Malibu Watershed shall participate in, or seek funding to conduct, a study of the impacts of development and peak flow on erosion and habitat in natural stream channels in the Malibu Creek watershed.

I. BMP Effectiveness Study

The Principal Permittee shall conduct or participate in studies to evaluate the effectiveness of structural and treatment control storm water best management

practices. The objectives of this study shall include the following:

- Monitor the reduction of pollutants of concern in storm water (including, but not limited to: trash, suspended sediment, pathogen indicators, nutrients, heavy metals, and oil and grease) from a minimum of three different BMPs that have been properly installed within the year preceding monitoring. Monitoring shall be continued until the effectiveness of the BMP can be determined.
- Evaluate the requirements, feasibility and cost of maintenance for each BMP.
- Develop recommendations for appropriate BMPs for the reduction of pollutants of concern in storm water in Los Angeles County.

The Principal Permittee may participate in the Santa Monica Bay Restoration Foundation's proposed study, "Performance Evaluation of Structural BMPs for Storm water Pollution Control in the Santa Monica Bay Watershed" to meet this requirement. Participation includes collaboration and resource contribution to expand the scope of the proposed study.

J. Standard Monitoring Provisions

1. The Principal Permittee shall retain records of all monitoring information, including all calibration and maintenance of monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the Report of Waste Discharge and application for this Order, for a period of at least five (5) years from the date of the sample, measurement, report, or application. This period may be extended by request of the Regional Board or EPA at any time and shall be extended during the course of any unresolved litigation regarding this discharge.

   Records of monitoring information shall include:

a) The date, exact place, and time of sampling or measurements;

b) The individual(s) who performed the sampling or measurements;

c) The date(s) analyses were performed;

d) The individual(s) who performed the analyses;

e) The analytical techniques or methods used; and,

f) The results of such analyses.

2. All sampling, sample preservation, and analyses must be conducted according to test procedures under 40 CFR Part 136, unless other test procedures have been specified in this Order.

3. All chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by an appropriate governmental regulatory agency.

4. If no flow occurred during the reporting period, the monitoring report shall so state.

5. For any analyses performed for which no procedure is specified in the EPA guidelines or in this Monitoring and Reporting Program, the constituent or parameter analyzed and the method or procedure used must be specified in the monitoring report.

6. Whenever feasible, all MDLs shall be less than California Toxic Rule and Ocean Plan standards. If this is not feasible, the Principal Permittee shall use analytical methods with the lowest MDL.

7. All samples shall be analyzed for SSC and TSS, until the Regional Board Executive Officer determines the most accurate method to quantify concentrations of suspended solid-phase material in surface waters.

8. The Regional Board Executive Officer or the Regional Board, consistent with 40 CFR 122.41, may approve changes to the Monitoring and Reporting Program, after providing the opportunity for public comment, either:

   a) By petition of the Principal Permittee or by petition of interested parties after the submittal of the Annual Monitoring Program Report. Such petition shall be filed not later than 60 days after the Annual Monitoring Program Report submittal date, or

   b) As deemed necessary by the Regional Board Executive Officer following notice to the Principal Permittee.

ATTACHMENT 1

LIST OF CONSTITUENTS IN MONITORING PROGRAM
AND ASSOCIATED DETECTION LIMITS

CONSTITUENTS	USEPA METHOD	DETECTION LIMIT
Conventional Pollutants		(mg/L)
Oil and Grease	413.2	1
Total Phenols	420.1	0.1
Cyanide	335.2	0.01
pH	150.1	0 - 14
Temperature		None
Dissolved Oxygen	---	Sensitivity to 5 mg/L
Bacteria		
Total Coliform	9221B	<20mpn/100ml
Fecal Coliform	9221B	<20mpn/100ml
Fecal Streptococcus	9221B	<20mpn/100ml
General		(mg/L)
Dissolved Phosphorus	300	0.05
Total Phosphorus	300	0.05
Turbidity	180.1	0.1NTU
Suspended-Sediment Concentration		2
Total Suspended Solids	160.2	2
Total Dissolved Solids	160.1	2
Volatile Suspended Solids	160.4	2
Total Organic Carbon	415.1	1
Total Petroleum Hydrocarbon	418.1	1
Biochemical Oxygen Demand	405.1	2
Chemical Oxygen Demand	410.4	20-900
Total Ammonia-Nitrogen	350.2	0.1
Total Kjeldahl Nitrogen	351.2	0.1
Nitrate-Nitrite	4110	0.1
Alkalinity	310.1	2
Specific Conductance	120.1	1umho/cm
Total Hardness	130.2	2
MBAS	425.1	<0.5
Chloride	4110	2
Fluoride	4110	0.1
Sulfate	4110	2

| CONSTITUENTS | USEPA METHOD | DETECTION LIMIT |

Metals (Total and Soluble)		**(µg/L)**
Aluminum	202.1	100
Antimony	204.2	0.5*
Arsenic	206.2	1*
Barium	208.2	100
Beryllium	210.2	0.5*
Boron	212.3	250
Cadmium	213.2	.25*
Calcium	215.2	200
Chromium	218.2	0.5*
Copper	219.2	0.5*
Hex. Chromium	7196	5*
Iron	236.2	100
Lead	239.2	0.5*
Magnesium	242.1	200
Manganese	243.2	30
Mercury	245.1	0.2*
Nickel	249.2	1*
Potassium	258.1	100
Selenium	270.2	1*
Silver	272.2	.25*
Sodium	273.1	50
Thallium	279.2	1*
Zinc	289.2	1*

Semivolatile Organic Compounds		**(µg/L)**
Acids	**8250**	
Benzoic Acid	8250	<5
Benzyl Alcohol	8250	<5
2-Chlorophenol	8250	<2
2, 4-Dichlorophenol	8250	1*
2, 6-Dichlorophenol	8250	<2
4-Dimetylphenol	8250	<2
4, 6-Dinitro-2-metylphenol	8250	<3
2,4-Dinitrophenol	8250	<3
2-Methylphenol	8250	<3
4-Methylphenol	8250	<3
2-Nitrophenol	8250	<3
4-Nitrophenol	8250	<3
4-Chloro-3-methylphenol	8250	1*
Pentachlorophenol	8250	1*
Phenol	8250	<1
2,3,4,6-Tetrachlorophenol	8250	<1
2,4,5-Trichlorophenol	8250	<1

2,4,6-Trichlorophenol	8250	<1

CONSTITUENTS	USEPA METHOD	DETECTION LIMIT
Base/Neutral	**8250**	**(µg/L)**
Acenapthene	8250	<0.5
Acenapthylene	8250	0.2*
Acetophenone-	8250	<3
Aniline	8250	<3
Anthracene	8250	2.0*
4-Aminobiphenyl	8250	<3
Benzidine	8250	<3
Benzo(a)anthracene	8250	<1
4-Chloroaniline	8250	<1
1-Chloronapthalene	8250	<1
p-Dimethylaminoazobenzene	8250	<3
7,12-Dimethylbenz(a)-anthracene	8250	<1
a-,a-Dimethylphenethylamine	8250	<3
Benzo(a)pyrene	8250	<1
Benzo(b)flouranthene	8250	<1
Benzo(k)flouranthene	8250	<1
Chlordane	8250	<1
Bis(2-chloroethoxy)methane	8250	<1
Bis(2-chlorisopropyl)ether	8250	<1
Bis(2-chloroethyl)ether	8250	<1
Bis(2-ethylhexyl)phtalate	8250	<3
4-Bromophenyl phenyl ether	8250	<1
Butyl benzyl phthalate	8250	<3
2-Chloronapthalene	8250	<1
4-Chlorophenyl phenyl ether	8250	<1
Chrysene	8250	<1
Dibenz(a,j)acridine	8250	<3
Dibenz(a,h)anthracene	8250	0.1*
1, 3-Dichlorobenzene	8250	<0.5
1, 4-Dichlorobenzene	8250	<0.5
1, 2-Dichlorobenzene	8250	<0.5
3, 3-Dichlorobenzidine	8250	<3
Diethylphthalate	8250	<0.5
Dimethylphthalate	8250	<0.5
Di-n-butylphthalate	8250	<3
2,4-Dinitrotoluene	8250	<0.5
2, 6-Dinitrotoluene	8250	<0.5
Diphenylamine	8250	<3
1, 2-Diphenylhydrazine	8250	1*
Di-n-octylphtalate	8250	<3
Ethyl methanesulfonate	8250	<3
Fluoranthene	8250	.05*

Fluorene	8250	0.1*

CONSTITUENTS	USEPA METHOD	DETECTION LIMIT
Base/Neutral (continued)	**8250**	**(µg/L)**
Hexachlorobenzene	8250	<0.5
Hexachlorobutadiene	8250	<1
Hexachlorocyclopentadiene	8250	<3
Hexachloroethane	8250	<1
Indeno(1, 2, 3-cd)pyrene	8250	0.05*
Isophorone	8250	<0.5
3-Methylcholanthrene	8250	<3
Methyl methanesulfonate	8250	<3
Napthalene	8250	0.2*
1-Napthylamine	8250	<3
2-Napthylamine	8250	<3
2-Nitroaniline	8250	<3
3-Nitroaniline	8250	<3
4-Nitroaniline	8250	<3
Nitrobenzene	8250	<0.5
N-Nitroso-di-n-butylamine	8250	<3
N-Nitrosodimethylamine	8250	<3
N-Nitrosodiphenylamine	8250	1*
N-Nitroso-di-N-propylamine	8250	<1
N-Nitrosopiperidine	8250	<3
Pentachlorobenzene	8250	<3
Phenacitin	8250	<3
Phenanthrene	8250	0.05*
2-Picoline	8250	<3
Pronamide	8250	<5
Pyrene	8250	0.05*
5-Tetrachlorobenzene	8250	<3
1, 2, 4,-Trichlorobenzene	8250	<0.5
Pesticides	**608**	**µg/L**
Aldrin	608	0.005*
alpha-BHC	608	0.05
beta-BHC	608	0.05
delta-BHC	608	0.05
gamma-BHC (Lindane)	608	0.05
Carbofuran	531.1	<5
Chlordane	608	0.05
4, 4'-DDD	608	0.05*
4, 4'-DDE	608	0.05*
4, 4'-DDT	608	0.01*
Benzaton	515.1	<2

Dieldrin	608	0.01*
Endosulfan I	608	<0.1
Endosulfan II	608	<0.1
Endosulfan sulfate	608	0.05*
Endrin	608	0.01*
Endrin aldehyde	608	0.01*
Glyphosate	547	<.5
Heptachlor	608	0.01*

CONSTITUENTS	**USEPA METHOD**	**DETECTION LIMIT**
Pesticides (continued)	**8250**	**(µg/L)**
Heptachlor epoxide	608	0.01*
Methoxychlor	608	<0.5
Toxaphene	608	0.5*
2,4-D	515.1	<0.02
2,4,5-TP-SILVEX	515.1	<0.2
Polychlorinated Biphenyls	**608**	**(µg/l)**
Aroclor-1016	608	0.5*
Aroclor-1221	608	0.5*
Aroclor-1232	608	0.5*
Aroclor-1242	608	0.5*
Aroclor-1248	608	0.5*
Aroclor-1254	608	0.5*
Aroclor-1260	608	0.5*
Herbicides		**(µg/L)**
Diazinon		0.01
Chlorpyrifos		0.05
Diuron		1
Malathion		1
Prometryn	507	2
Atrazine	507	2
Simazine	507	<2
Cyanazine	507	2
Molinate	507	<.01
Thiobencarb	507	<.1
Volatile Organic Compounds (VOCs)	**8240A**	**(µg/L)**
Acetonitrile	8240A	10.0
Acrolein	8240A	2*
Acrylonitrile	8240A	0.5
Benzene	8240A	0.5

Bromoform	8240A	0.5
2-Butanone	8240A	10.0
Carbon Disulfide	8240A	10.0
Carbon Tetrachloride	8240A	0.5
Chlorobenzene	8240A	0.5
Chlorodibronmethane	8240A	0.5
Chloroethane	8240A	0.5
2-Chloroethyl vinyl ether	8240A	1.0
Chloroform	8240A	0.5
Dibromomethane	8240A	0.5
1,2-Dibromo-3Chloropropane	8240A	<.01
1, 4-Dichloro-2-butene	8240A	10.0
Dichlorobromomethane	8240A	0.5
Dichlorodifluoromethane	8240A	0.5
1, 1-Dichloroethane	8240A	0.5
1, 2-Dichloroethane	8240A	0.5
1, 1-Dichloroethene	8240A	0.5

CONSTITUENT	**USEPA METHOD**	**DETECTION LIMIT**
VOCs (continued)	**8240A**	**(µg/L)**
trans-1, 2-Dichloroethene	8240A	0.5
1, 2-Dichloropropane	8240A	0.5
cis-1, 3-Dichloropropene	8240A	0.5
trans-1, 3-Dichloropropene	8240A	0.5
Ethanol	8240A	10.0
Ethylbenzene	8240A	0.5*
Ethylene Dibromide	8240A	<.01
Ethylene Oxide	8240A	10.0
Ethyl Metcrylate	8240A	0.5
2-Hexanone	8240A	5.0
Iodomethane	8240A	0.5
Methyl Bromide	8240A	5.0
Methyl Chloride	8240A	5.0
Methylene Chloride	8240A	1.0
4-Methyl-2-pentanone	8240A	5.0
Styrene	8240A	0.5
1, 1, 2,2-Tetrachloroethane	8240A	0.5
Tetrachloroethane	8240	0.5
Toluene	8240A	0.5*
Trichlorofluoromethane	8240A	1.0
1, 2,3-Trichloropropane	8240A	0.5
Trichloroethene	8240A	0.5
1, 1, 1-Trichloroethane	8240A	1.0
1, 1,2-Trichloroethane	8240A	1.0
1,1,2-Trichloro- 1,2,2 triflluoroethane	8240A	<.5
Vinyl acetate	8240A	5.0

Vinyl chloride	8240A	0.5
Xylene (Total)	8240A	0.5

*** Method Detection Limits have been decreased pursuant to the California Toxics Rule**

Attachment 2

Total maximum Daily Loads Scheduled for Implementation in Los Angeles County Watershed Within 5 Years

Waterbody	***TMDL***	***Consent Decree Year***
Malibu	Coliform	2002
Malibu	Nutrients	2002
Malibu Creek Lakes and Tributaries	Metals	
Ballona Creek	Trash	2001
Ballona Creek	Coliform	2006
Ballona Creek	Historic Pesticides	2004
Ballona Creek	Metals	2004
Dominguez Channel/LA Harbor	Coliform	2002
Los Angeles River	Trash	2001
Los Angeles River	Nutrients	2001
Los Angeles River	Coliform	2001
Los Angeles River	Chlorpyrifos	2006
Los Angeles River	Metals	2004
San Gabriel River	Nutrients	2003
San Gabriel River	Coliform	
San Gabriel River	Metals	2006
San Gabriel Lakes	Coliform	
Santa Monica Bay Beaches	Coliform	2002
Santa Monica Bay Beaches	Metals	2004
Santa Monica Bay Beaches	Chlordane	2006