

**CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

**WATER QUALITY ORDER NO. 96-12-DWQ**

**NPDES NO. CAG990002  
WASTE DISCHARGE REQUIREMENTS**

**GENERAL ORDER FOR  
DISCHARGES BY UTILITY COMPANIES  
TO SURFACE WATERS**

The State Water Resources Control Board (hereinafter SWRCB) finds that:

1. States may request authority to issue general National Pollutant Discharge Elimination System (NPDES) permits pursuant to 40 Code of Federal Regulations (CFR) 122.28. On June 8, 1989, the SWRCB submitted an application to the U.S. Environmental Protection Agency (hereinafter U.S. EPA) requesting revisions to its NPDES Program in accordance with 40 CFR 122.28, 123.62, and 403.10. The application included a request to add general permit authority to its approved NPDES program. On September 22, 1989, the U.S. EPA, Region 9, approved the SWRCB's request and granted authorization for the State to issue general NPDES permits.
2. This statewide general NPDES permit (general permit) covers the short term intermittent discharge of pollutants by utility companies to waters of the United States. This discharge is described in Finding 4 of this permit.
3. To be covered by this general permit, discharges must meet the following criteria:
  - a. Pollutant concentrations in the discharge do not cause a violation of any applicable water quality objective for the receiving waters, including prohibitions of discharge.
  - b. The discharge does not cause acute or chronic toxicity in the receiving water.

4. Utility companies<sup>1</sup> may have numerous discharges from utility vaults and other underground structures as a result of subterranean seepage and/or storm water inflow. These underground structures may have small quantities of oil and grease present due to the normal operation of equipment, as well as small quantities of other pollutants.
5. Although a discharge may be eligible for coverage under this general permit, the appropriate Regional Water Quality Control Board (RWQCB) may determine that the discharge would be better regulated under an individual or another general NPDES permit or under waste discharge requirements (WDRs) for discharges to land. If an individual or general NPDES permit is issued or if WDRs are issued for a discharge, then the applicability of this general permit to this discharge is immediately terminated on the effective date of the RWQCB permit or WDRs.
6. The discharge of wastewater under the conditions of this permit constitutes the implementation of appropriate control measures to effectively manage the discharge of such wastewater through municipal separate storm sewer systems into waters of the United States. However, this general permit does not preempt or supersede the authority of other State or local agencies to prohibit, restrict, or control the discharge of wastewater from facilities subject to this permit in any manner subject to their authority.
7. The designated beneficial uses of surface waters throughout the State may include municipal, domestic, industrial, and agricultural supply; water contact and non-contact recreation; navigation; ground water recharge and fresh water replenishment; hydropower generation; wildlife habitat; cold freshwater and warm freshwater habitat; fish migration and fish spawning; marine habitat; estuarine habitat; shellfish harvesting; ocean commercial and sport fishing; areas of special biological significance; and preservation of rare and endangered species. To the extent that the applicable Water Quality Control Plans (WQCPs) designate additional or different beneficial uses, the WQCP shall control.

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<sup>1</sup> Utility companies are defined as any person, as defined in § 13050 of the Water Code, whose business is to supply the resources, excluding water, necessary for day-to-day living and/or operations. This includes, but is not limited to, suppliers of natural gas, electricity, and telephone services.

8. It is not feasible at this time to establish numeric effluent limitations for pollutants in discharges from utility companies. Instead, the provisions of this general permit require implementation of Pollution Prevention Practices (PPPs) to control and abate the discharge of pollutants to surface waters and to achieve compliance with Best Available Technology Economically Achievable (BAT)/ Best Conventional Pollutant Control Technology (BCT) requirements and with applicable water quality standards.
9. The Threat To Water Quality (TTWQ) and Complexity rating for this general permit is III-c. The annual fee associated with this rating is currently \$400.
10. The SWRCB has considered antidegradation pursuant to 40 CFR 131.12 and SWRCB Resolution 68-16 and discharges in compliance with this general permit are consistent with those provisions.
11. The SWRCB, in establishing the requirements contained herein, considered factors including, but not limited to, the following:
  - a. Beneficial uses to be protected and the water quality objectives reasonably required for that purpose;
  - b. Other waste discharges;
  - c. The need to prevent nuisance;
  - d. Past, present, and probable future beneficial uses of the waters under consideration;
  - e. Environmental characteristics of the waters under consideration;
  - f. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;
  - g. Economic considerations;
  - h. The need to develop housing within the State.
12. Effluent limitations and toxic effluent objectives established pursuant to Sections 301, 302, 304, and 307 of the Clean Water Act (CWA) and amendments thereto are applicable to the discharge.
13. The action to adopt a NPDES permit is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21100, et seq.), in accordance with Section 13389 of the California Water Code.
14. The SWRCB has notified interested agencies and persons of its intent to prescribe waste discharge requirements (WDRs) in this general permit and has provided them with an

opportunity for a public hearing and an opportunity to submit their written views and recommendations.

15. The SWRCB, in a public hearing, heard and considered all comments pertaining to the discharges to be regulated by this permit.
16. This Order shall serve as a NPDES permit pursuant to Section 402 of the CWA and amendments thereto and shall take effect upon the date of adoption, provided that U.S. EPA has no objections within thirty (30) days from such date.

**IT IS HEREBY ORDERED** that all Dischargers indicating their intention to be regulated under the provisions of this general permit shall comply with the following:

**A. Application:**

1. Dischargers described in Finding 2 are eligible for coverage under this general permit provided that:
  - a. The Discharger submits to the following address a complete and accurate Notice of Intent (NOI) to comply (Attachment A), project map, and first annual fee to cover all discharges by that Discharger within the boundaries of each RWQCB, as defined in Section 13200 of the California Water Code. The NOI must be signed in accordance with the signatory requirements of Standard Provision B.2. The NOI shall be submitted to:

**Utilities NOI  
State Water Resources Control Board  
Division of Water Quality  
Program Support Unit  
P.O. Box 944213  
Sacramento, CA 94244-2130**
  - b. The Discharger, upon request, submits any additional information which the SWRCB and/or RWQCB determines is necessary in order to ascertain whether the discharge meets the criteria for coverage under this general permit.
  - c. The Discharger does not receive a written Notification of Exclusion (NOE). The Discharger's authority to discharge under this general permit terminates upon receipt of an NOE.

- d. If the Discharger receives a request to submit an application for an individual or other general permit from the SWRCB or from a RWQCB, the Discharger is covered by this general permit until covered by an individual or other general permit.

**B. Discharge Prohibitions:**

1. The discharge of wastes other than as described in Findings 2 and 4 of this permit is prohibited unless the Discharger obtains coverage under either another general permit or an individual permit that regulates the discharge of such wastes.
2. The discharge of wastewater shall not create or cause conditions of nuisance or pollution.
3. The discharge shall not cause any applicable water quality objectives to be violated in the receiving water.

**C. Effluent Limitations:**

1. The discharge of wastewater containing chlorine residual, visible suspended solids, visible floating materials, and/or oil and grease shall be managed using PPPs as discussed in Section D., below.

The discharge shall comply with this limitation before it (a) enters any water body, or (b) enters a municipal separate storm sewer system.

**D. Pollution Prevention Practices (PPPs)**

Standard industrywide PPPs have not been developed for utility companies. A utility company shall prepare a Pollution Prevention Plan (PLAN) and implement it whenever there is a discharge. If standard industrywide PPPs are developed, then each utility company may utilize the standard industrywide PPPs as is or may develop its own PLAN utilizing selected standard industrywide PPPs, as appropriate. The PLAN shall be implemented whenever there is a discharge. All PLANs developed by utility companies must meet the minimum specifications as described in Attachment D.

If an exceedance(s) of a receiving water limitation defined in F. Receiving Water Limitations, below, expressed as either narrative or numerical, has been identified by the Permittee or by the RWQCB as a result of a utility company discharge, either of the following actions shall be undertaken to ensure compliance with this general permit:

- a. The Permittee shall demonstrate to the satisfaction of the RWQCB that the Permittee is fully implementing its PLAN in accordance with D. Pollution Prevention Practices, above, and continued implementation of the PLAN will prevent future exceedances of the receiving water limits; or
- b. The Permittee shall develop and submit new or revised PPPs to prevent future exceedance(s). The Permittee shall implement such PPPs and document the progress of implementation and effectiveness thereof in the Annual Reports to the RWQCB Executive Officer.

**E. Solids Disposal:**

1. Solids removed from liquid wastes shall be disposed of in a manner that is consistent with Chapter 15, Division 3, Title 23, of the California Code of Regulations (CCR) and approved by the appropriate RWQCB's Executive Officer.

**F. Receiving Water Limitations:**

Receiving Water Limitations are based upon water quality objectives contained in the appropriate RWQCB's WQCP. As such, Receiving Water Limitations are a required part of this permit. The discharge shall not cause the following in the receiving water:

1. Concentrations of dissolved oxygen (DO) in the receiving waters to fall below 7.0 mg/L<sup>2</sup>. During any period when the receiving water's DO concentration is already below 7.0 mg/L, the discharge shall not cause any further depression of the DO content.
2. Oils, greases, waxes, floating material (liquids, solids, foams, and scums) or suspended material to create a nuisance or adversely affect beneficial uses.
3. Alteration of the apparent color, taste, or odor beyond present natural background levels.

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<sup>2</sup> This limitation shall apply as is, unless there are more stringent provisions expressed in either the applicable Region's WQCP or the applicable State plan. In either case, the more stringent limitation shall apply.

4. Biostimulatory substances to be present in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.
5. Turbidity in amounts which adversely affect beneficial uses in the receiving waters. Turbidity shall not increase more than 20 percent over background levels.<sup>2</sup>
6. The normal ambient pH to fall below 6.5 or exceed 9.0.<sup>2</sup>
7. Deposition of material that causes nuisance or adversely affects beneficial uses.
8. Significant erosion or alteration of the watercourse.
9. The normal ambient receiving water temperature to be altered more than 5° F.<sup>2</sup>
10. Total residual chlorine to be present at concentrations which are detectable using approved methods as specified in 40 CFR Part 136.<sup>2</sup>
11. Taste or odor-producing substances that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin or to cause nuisance or adversely affect beneficial uses.
12. Radionuclides to be present in concentrations that exceed maximum contaminant levels specified in the California Code of Regulations, Title 22, that harm human, plant, animal or aquatic life, or that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal or aquatic life.
13. Toxic pollutants to be present in the water column, sediments, or biota in concentrations that adversely affect beneficial uses, that produce a detrimental response in human, plant, animal or aquatic life, or that bioaccumulate in aquatic resources at levels which are harmful to human health.
14. Violation of any applicable water quality objective for receiving waters adopted by the appropriate RWQCB or the SWRCB or applicable water quality criteria adopted by U.S. EPA pursuant to Section 303 of the CWA.

G. Provisions:

1. The Discharger must comply with all conditions of this permit including timely submittal of technical and monitoring reports as directed by the appropriate RWQCB's Executive Officer. Violations may result in enforcement action, including RWQCB or court orders requiring corrective action or imposing civil monetary liability, or in revocation of authorization to discharge under this general permit.
2. The Discharger shall comply with the attached Monitoring and Reporting Program, Water Quality Order No. 96-XXX-DWQ, contained in Attachment B of this general permit and any revision thereto.
3. The Discharger shall comply with all the applicable items of the Standard Provisions and Reporting for Waste Discharge Requirements (NPDES) (hereinafter Standard Provisions) which are a part of this general permit as Attachment C.
4. If a utility company's service area extends beyond a single RWQCB boundary, then the discharges in each Region shall be covered by a separate enrollment under this general permit. A Notice Of Intent (NOI) and first annual fee must be submitted to the SWRCB for each enrollment.
5. Utility companies shall prepare and implement a PLAN as described in Section D., above. The Discharger shall submit the PLAN within 90 days from the date of enrollment under this general permit to the appropriate RWQCB. The Discharger will be required to provide information in the NOI regarding the location where the PLAN is to be maintained and the identification of an appropriate contact person (including telephone number) for the PLAN. The Discharger shall revise the PLAN from time to time as requested by the RWQCB.
6. For the RWQCB to receive immediate and accurate information regarding all points of discharge, the Discharger shall establish and maintain a liaison contact with the appropriate RWQCB. A list of designated liaison personnel, telephone number(s), and specific area(s) of responsibility shall be submitted to the appropriate RWQCB within **30 days** from the date of submittal of the NOI and after any update to the list.



7. Dischargers discharging to a municipal separate storm sewer system shall contact the appropriate local agency with jurisdiction over the said municipal separate storm sewer system within 24 hours whenever there is a discharge of 50,000 gallons or more to its system.
8. A copy of this general permit and the PLAN shall be kept where key operating personnel can refer to the documents. Key operating and site management personnel shall be familiar with its contents.
9. When requested by U.S. EPA, the Discharger shall also complete and submit Discharge Monitoring Reports to U.S. EPA. The submittal date shall be specified in the request.
10. The Discharger is required to retain records, including all monitoring information and copies of all reports required by this permit, for five years unless directed otherwise by a RWQCB.
11. This general permit expires on **July 31, 2001**. Those enrollees who are covered under this general permit at the time of expiration will automatically be re-enrolled under the reissued general permit, unless a Notice Of Termination or Transfer (NOTT) is submitted to terminate coverage.
12. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this permit by letter, a copy of which shall be immediately forwarded to the appropriate RWQCB office. The Discharger shall also submit a NOTT to the appropriate RWQCB.

**H. RWQCB Authorities:**

1. Following adoption of this general permit, RWQCB's shall:
  - a. Review monitoring reports, review Discharger's PLANS, conduct compliance inspections, and take enforcement actions.

- b. Issue permits as they deem appropriate to individual dischargers, categories of dischargers, or dischargers in a geographic area. Upon issuance of such permits by a RWQCB, the affected dischargers shall no longer be regulated by this general permit.
2. RWQCB's may require additional monitoring and reporting program requirements.

**CERTIFICATION**

The undersigned, Administrative Assistant to the State Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the SWRCB held on August 15, 1996.

AYE:           John P. Caffrey  
                  John W. Brown  
                  Marc Del Piero  
                  James M. Stubchaer  
                  Mary Jane Forster

NO:            None.

ABSENT:       None.

ABSTAIN:     None.

  
\_\_\_\_\_  
Maureen Marché  
Administrative Assistant to the Board

State of California  
State Water Resources Control Board

**NOTICE OF INTENT**

TO COMPLY WITH THE TERMS OF THE STATEWIDE  
UTILITY COMPANIES GENERAL PERMIT NO. CAG990002  
TO DISCHARGE TO SURFACE WATERS



Mark Only One Item

1.  New Discharge Under Utility Companies General Permit

2.  Change of Information - WDID # \_\_\_\_\_

**I. TYPE** (Check ALL That Apply)

Electric     Natural Gas     Telephone     Other \_\_\_\_\_

**II. OWNER/OPERATOR** -If additional owners/operators are involved, provide the information in a supplementary letter.

A. Name			Owner/Operator Type (Check One)		
Mailing Address			1. <input type="checkbox"/> City 2. <input type="checkbox"/> County 3. <input type="checkbox"/> State 4. <input type="checkbox"/> Federal		
City			State	Zip Code	Phone
B. Contact Person			5. <input type="checkbox"/> Special District 6. <input type="checkbox"/> Gov. Combo. 7. <input type="checkbox"/> Private		
			1. <input type="checkbox"/> Owner 2. <input type="checkbox"/> Operator 3. <input type="checkbox"/> Owner/Operator		

Additional Owners

**III. BILLING ADDRESS**

Send to: <input type="checkbox"/> OWNER/OPERATOR <i>(Enter information at right only if different from above.)</i>  <input type="checkbox"/> OTHER <i>(Enter information at right)</i>	Name		
	Mailing Address		
	City	State	Zip Code

**IV. REGIONAL WATER BOARD JURISDICTION**

What Regional Water Quality Control Board's jurisdiction are you applying for coverage in? \_\_\_\_\_

**V. LAND DISPOSAL/RECLAMATION**

The State Water Resources Control Board's water rights authority encourages the disposal of wastewater on land or re-use of wastewater where practical. You must evaluate and rule out this alternative prior to any discharge to surface water under this Order.

Is land disposal/reclamation feasible?    Yes \_\_\_\_\_ No \_\_\_\_\_

If No, explain. If Yes, you should contact the Regional Water Quality Control Board (RWQCB). This Order does not apply if there is no discharge to surface waters.

\_\_\_\_\_

**VI. VERIFICATION**

Have you contacted the appropriate RWQCB or verified in the appropriate WQCP that the proposed discharge will not violate prohibitions or orders of that RWQCB?

YES \_\_\_\_\_ NO \_\_\_\_\_

**STATE USE ONLY**

WDID: _____	Regional Board Office: _____	Date NOI Received: _____	Date Permit Issued: _____
NPDES Sequence Number: _____	Order Number: _____	Fee Amount Received: \$ _____	

**VII. POLLUTION PREVENTION PRACTICES PLAN INFORMATION**

A. Company Name		Contact Person	
Street Address Where the Pollution Prevention Practices Plan is Located		Title of Contact Person	
City	State	Zip Code	Phone
	CA	-	-

**VIII. DESCRIPTION OF DISCHARGE**

Describe the discharge(s) proposed. List any potential pollutants in the discharge.

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**IX. CERTIFICATION**

"I certify under penalty of law that this document and all attachments were prepared under my direction and 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 fine and imprisonment." In addition, I certify that the provisions of the permit, including the criteria for eligibility, and the development and implementation of Pollution Prevention Practices, if required, will be complied with.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

**X. OTHER INFORMATION REQUIRED**

√ A 8 1/2" x 11" map of scale = 1:24000 is suggested unless service area is too large for such a scale to be practical, in which case a scale of up to 1:144000 may be used. If the scale=1:144000 is still impractical, a map larger than 8 1/2" x 11" may be used. The map shall show the essential features of the distribution system for the service area within a specific RWQCB boundary and show the corresponding surface waters to which water may be discharged.

**PLEASE SUBMIT THE NOI, FIRST ANNUAL FEE, AND MAP TO THE FOLLOWING ADDRESS:**

**UTILITIES NOI  
 STATE WATER RESOURCES CONTROL BOARD  
 DIVISION OF WATER QUALITY  
 PROGRAM SUPPORT UNIT  
 P.O. BOX 944213  
 SACRAMENTO, CA 94244-2130**

# INSTRUCTIONS

## FOR COMPLETING THE NOTICE OF INTENT (NOI) FOR THE UTILITY COMPANIES GENERAL PERMIT

These instructions are intended to help you, the discharger, complete the NOI form for general NPDES permit CAG990002, "General Permit for Discharges by Utility Companies to Surface Waters" (General Permit).

One NOI should be submitted by each utility company to cover all discharges within its service area within the boundaries of each RWQCB.

At the top of the form, please mark whether this is the first time coverage under this General Permit has been requested or this is a change of information for a facility already covered under this General Permit. If this is a change of information, please supply the eleven digit WDID number for the facility.

### Section I - Type

Check the appropriate box(es) indicating whether your company is a Natural Gas, Electric, Telephone, or Other utility company.

### Section II - Owner/Operator

#### Section A.

1. **Name** - The name (first and last) of the owner/operator of the facility. If the owner/operator is a company, corporation, etc., then please put the name of the company, corporation, etc., in this space. Please print clearly.
2. **Owner/Operator Type** - Please check the appropriate box for which type of agency best describes the owner/operator. "Gov. Combo." is an abbreviation for "Government Combination" and indicates that the owner/operator is a joint powers agency created by two or more government agencies. Private businesses should check the "Private" box.
3. **Mailing Address** - The street number and street name where mail and correspondence should be sent (P.O. Box is acceptable).
4. **City, State, and Zip Code** - The city, state, and zip code that apply to the mailing address given.
5. **Telephone** - Daytime telephone number of the owner/operator given.

Section II - Owner/Operator (Continued)

Section B.

1. **Contact Person** - Please list the name (first and last) of the contact person for the owner/operator (agency, corporation, private business, etc.) listed above.
2. Please check one of the boxes to the right of "Contact Person" to indicate whether the name given in Section A. is the owner, the operator, or both the owner and the operator.
3. **Additional Owners** - Please check this box if there is more than one owner/operator. Provide the additional information in a supplementary letter addressed to the appropriate Regional Water Quality Control Board and accompanying this NOI.

Section III - Billing Address

1. **Send To:** - Please check the appropriate box. If the billing should be sent to the property owner, please enter the information to the right only if it is different from the information given above. If the billing should be sent to somewhere or someone else, please check the box titled "OTHER" and fill in the information on the right.
2. **Name** - The name (first and last) of the person who will be responsible for the billing.
3. **Mailing Address** - The street number and street name where the billing should be sent (P.O. Box is acceptable).
4. **City, State, and Zip Code** - The city, state, and zip code that apply to the mailing address given.

Section IV - Regional Water Board Jurisdiction

Please fill in the number of the Region for which you are applying. The numbers for each Region are given below.

- |  |  |
|--|--|
| 1- North Coast                                     | 2- San Francisco                               |
| 3- Central Coast                                   | 4- Los Angeles                                 |
| 5- Central Valley<br>(Sacramento, Fresno, Redding) | 6- Lahontan<br>(South Lake Tahoe, Victorville) |
| 7- Colorado River                                  | 8- Santa Ana                                   |
| 9- San Diego                                       |  |

Regional Water Board Boudaries are defined in Section 13200 of the California Water Code.

### Section V - Land Disposal/Reclamation

Please fill in whether or not land disposal and/or reclamation is a feasible alternative. Check the space marked "Yes" or "No", depending on your findings. If you check the space "Yes", you should contact the appropriate RWQCB because your discharge will not be covered under the NPDES program. If you marked the space "No", then you need to explain the reason why this alternative is not feasible on the space provided. If you need more space for the explanation, provide the information in a supplementary letter attached with the NOI.

### Section V. - Verification

Please fill in whether or not a verification has been made to determine if the discharge(s) are in compliance with prohibitions or orders of the appropriate RWQCB. Check the space marked "YES" or "NO".

### Section VI. - Pollution Prevention Practices Plan Information

1. **Company Name** - The legal name of the company applying for coverage under this General Permit.
2. **Contact Person** - Please list the company contact person who would be responsible for the preparation and implementation of the Pollution Prevention Practices Plan.
3. **Street Address Where Pollution Prevention Practices Plan is Located** - Please give the street number and street name where the Pollution Prevention Practices Plan will be kept for reference and review by personnel.
4. **Title of Contact Person** - The official company title of the contact person listed in the space above this one.
5. **City and Zip Code** - The city and zip code that apply to the street address given.
6. **Telephone** - The daytime telephone number of the contact person given.

### Section VII - Description of Discharge

Give a narrative description of the types of operations that occur and the potential pollutants that may be contained in the discharge.

Section VIII - Certification

1. **Printed Name** - Please print your name legibly. This section should be filled out by the person responsible according to Section B.2.a. of the Standard Provisions (Attachment C).
2. **Signature and Date** - Signature of name printed above, and the date signed.
3. **Title** - The professional title of the person signing the NOI.



STATE WATER RESOURCES CONTROL BOARD  
WATER QUALITY ORDER NO. 96-XXX-DWQ

UTILITY COMPANIES MONITORING AND  
REPORTING PROGRAM

Utility companies<sup>1</sup> covered by this General Permit that propose to discharge at numerous points are required to implement the Monitoring and Reporting Program identified in this Attachment.

I. Monitoring and Reporting Program

- A. The Discharger shall develop a representative sampling and analysis program to be used as case studies to represent the typical types of discharges occurring within the service area. These case studies will be used to provide reasonable assurance that the discharges will comply with the requirements of the General Permit. The case studies shall be completed within six months from the date of enrollment under the General Permit, or as soon as possible, but within a period of twelve months in the case of discharges that occur infrequently. In the case studies the Discharger shall:
- (a) define the types of discharges that occur, and
  - (b) take up to five representative samples of each type of discharge and analyze the samples, using test procedures specified in 40 CFR Part 136, for the following constituents:

Total Petroleum Hydrocarbons (TPH)  
Total Suspended Solids  
Oil & Grease  
pH

Samples taken shall be representative of the monitored activities, and shall be performed after the implementation of the PPPs outlined in the Pollution Prevention Practices Plan.

The Discharger shall provide in the case studies at least the following:

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<sup>1</sup> Utility companies are defined as any person, as defined in § 13050 of the California Water Code, whose business is to supply the resources, excluding water, necessary for day to day living and/or operations. This includes, but is not limited to, suppliers of natural gas, electricity, and telephone services.

1. A list of the typical types of discharges that occur in the project area.
2. A rationale for the selection of sampling locations.
3. A description of the sampling methods, locations and frequency of monitoring for each type of discharge.
4. The results of any analysis done for each type of discharge.

The case studies shall be submitted with the first annual report, as described in section III., and shall constitute the first year's annual monitoring.

- B. Annually, the Discharger, using test procedures specified in 40 CFR Part 136, shall analyze a representative sample for each type of discharge listed in the case studies required by Provision A.1. above for the following constituents:

<u>Constituent</u>	<u>Sample Type</u>
TPH	Grab
Oil & Grease	Grab

The results of such analysis shall be reported in the annual report. Grab samples shall be collected at the applicable point of discharge (either at the storm drain or the receiving water). If a Discharger monitors the above constituents more frequently than required by this General Permit, then the results of such monitoring shall be included in the calculation and reporting of the data submitted in the annual report, but at no time will the Discharger be required to submit monitoring results for more than twice the frequency required.

- C. The Discharger shall provide a 8-1/2" x 11" map showing the location of the samples taken for the case studies with respect to the distribution system. The map shall be at a scale of at least 1:24,000 (1" = 2000') (e.g., USGS 7.5' topographic map). If the service area is too large for such a scale to be practical, then a scale of up to 1:144000 may be used. If a scale of 1:144000 is still impractical, a map larger than 8-1/2" x 11" may be used. The map shall also show, within reason for the final scale, the surface waters within the boundaries of the service area to which water may be discharged.

- D. The Monitoring and Reporting Program must comply with the provisions stated in "Standard Provisions and Reporting for Waste Discharge Requirements (NPDES)" (Attachment C), Section B., "Monitoring and Reporting Requirements".

## II. Records

Records of all monitoring information and copies of all reports required by this General Permit shall be retained for a period of at least five years from the date of the sample, observation, measurement, or report.

These records shall include:

1. The date, place, and time of site inspections, sampling, visual observation, and/or measurement;
2. The individual(s) who performed the site inspections, sampling, visual observations, and/or measurements;
3. Flow measurements or estimates (if required);
4. The date and time of analyses;
5. The laboratory, staff, or wholesaler who performed the analyses;
6. Analytical results.

## III. Reporting

Annual monitoring results shall be submitted to the RWQCB by the **20th day of March** for the preceding calendar year. In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner as to illustrate clearly whether the discharge complies with waste discharge requirements.

The discharger will submit the case studies as the first annual report.

All reports submitted in response to this Order shall comply with signatory requirements of Standard Provision B.2.

All reports shall be submitted to the appropriate RWQCB Executive Officer.

## STATE WATER RESOURCES CONTROL BOARD (SWRCB)

STANDARD PROVISIONS AND REPORTING FOR  
WASTE DISCHARGE REQUIREMENTS (NPDES)A. General Provisions

1. Duty to Comply [40 CFR 122.41(a)] [CWC 13381]
  - a. The discharger must comply with all of the conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and the Porter-Cologne Water Quality Control Act and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application.
  - b. The discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, even if this permit has not been modified to incorporate the requirement.
2. Duty to Mitigate [40 CFR 122.41(d)]
  - a. The discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
3. Proper Operation and Maintenance [40 CFR 122.41(e)]
  - a. The discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the discharger to achieve compliance with this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a discharger only when necessary to achieve compliance with the conditions of this permit.

4. Permit Actions [40 CFR 122.41(f)] [CWC 13263(e)] [40 CFR 122.44(b)(1)]
  - a. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the discharger for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
  - b. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge, and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and the discharger so notified.
5. Property Rights [40 CFR 122.41(g)] [CWC 13263(g)]
  - a. This permit does not convey any property rights of any sort, or any exclusive privileges.
  - b. All discharges of waste into water of the state are privileges, not rights.
6. Duty to Provide Information [40 CFR 122.41(h)]
  - a. The discharger shall furnish the Regional Water Quality Control Board (RWQCB), the SWRCB, or the U.S. Environmental Protection Agency (U.S. EPA), within a reasonable time, any information which the RWQCB, SWRCB, or U.S. EPA may request to determine compliance with this general permit. Upon request, the discharger shall also furnish to the RWQCB, SWRCB, or U.S. EPA, copies of records required by this permit to be kept.
7. Inspection and Entry [40 CFR 122.41]
  - a. The discharger shall allow the RWQCB, SWRCB, U.S. EPA, and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents as may be required by law, to:

- (1) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this permit; and
- (2) Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (3) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; and
- (4) Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Porter-Cologne Water Quality Control Act, any substances or parameters at any location.

8. Bypass and Upset [40 CFR 122.41(m)] [40 CFR 122.41(n)]

a. Definitions.

- (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
- (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which 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.
- (3) "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. Prohibition of Bypass.

- (1) Bypass is prohibited, and the RWQCB may take enforcement action against a permittee for bypass, unless:
  - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
  - (c) The permittee submitted notices as required under 40 CFR 122.41 (m) (3).

c. Conditions necessary for a demonstration of upset.

- (1) A permittee who wishes to establish the affirmative defense of upset 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 at the time being properly operated; and
  - (c) The permittee submitted notice of the upset as required in 24 Hour Reporting.
  - (d) The permittee complied with any remedial measures required under 40 CFR 122.41(d).

d. Burden of proof

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

9. Transfers [40 CFR 122.41(L)(3)] [CWC 13377]  
[40 CFR 122.61 (a)(b)]

- a. This permit is not transferable to any person except after notice to the RWQCB. The RWQCB may require modification or reissuance of the permit conditions to change the name of the discharger and incorporate such other requirements as may be necessary under the Clean Water Act and the Porter-Cologne Water Quality Control Act.

10. Severability

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

11. Pollution, Contamination, or Nuisance [CWC 13050]

- a. Neither the treatment nor the discharge shall create a condition of pollution, contamination, or nuisance.

B. Monitoring and Reporting Requirements

1. Monitoring and Records [40 CFR 122.417(j)] [Title 23, CCR, Div 3, Chapt. 14]

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- b. Records of monitoring information shall include:
  - (1) The date, exact place, and time of sampling or measurements;
  - (2) The individual(s) who performed the sampling or measurements;
  - (3) The date(s) analyses were performed;
  - (4) The individual(s) who performed the analysis;
  - (5) The analytical techniques or methods used; and
  - (6) The results of such analyses.



- c. Monitoring results must be conducted according to test procedures under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503 or unless other test procedures have been specified in this permit.

2. Signatory Requirements [40 CFR 122.41(k)] [40 CFR 122.22]

- a. All permit applications or NOIs submitted to the RWQCB, SWRCB, and/or U.S. EPA shall be signed as follows:
  - (1) For a corporation: by a responsible corporate officer. For the purpose of this provision, a responsible corporate officer means: 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 the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having a gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
  - (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a Federal agency includes: the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA).
- b. All reports required by this permit and other information requested by the RWQCB, SWRCB, or U.S. EPA shall be signed by a person described in paragraph (a) of this provision, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- (1) The authorization is made in writing by a person described in paragraph (a) of this provision;
  - (2) The authorization specified either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (a duly authorized representative may thus be either a named individual or any individual occupying a named position) and,
  - (3) The written authorization is submitted to the RWQCB, SWRCB, or U.S. EPA.
- c. If an authorization under paragraph (b) of this provision is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b) of this provision must be submitted to the RWQCB, SWRCB or U.S. EPA prior to or together with any reports, information, applications, or NOIs to be signed by an authorized representative.
- d. Any person signing a document under paragraph (a) or (b) of this provision shall make the following certification:

"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 fine and imprisonment for knowing violations."

3. Monitoring Reports [40 CFR 122.41(1)(4)]
  - a. Monitoring results shall be reported at the intervals specified in the permit.
  - b. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms approved by the RWQCB or SWRCB for reporting results of monitoring of pollutants and sludge use or disposal practices.
  - c. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
4. Compliance Schedules [40 CFR 122.41(1)(5)]
  - a. Reports of compliance or noncompliance with interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
5. Twenty-four Hour Reporting [40 CFR 122.41(1)(6)]
  - a. The discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times and, if the noncompliance has not been corrected, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
  - b. The following shall be included as information that must be reported within 24 hours under this paragraph:
    - (1) Any bypass which exceeds any effluent limitation in the permit.
    - (2) Any upset which exceeds any effluent limitation in the permit.

- (3) Violation of a maximum daily discharge limitation for any of the pollutants listed in this permit is to be reported within 24 hours. The RWQCB may waive the above required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours.

6. Other Noncompliance [40 CFR 122.41(1)(7)]

- a. The discharger shall report all instances of noncompliance not reported under Provisions (B.3), (B.4), and (B.5) at the time monitoring reports are submitted. The reports shall contain the information listed in Provision (B.5).

7. Other Information [40 CFR 122.41(1)(8)]

- a. When the discharger becomes aware that it failed to submit any relevant facts in a permit application or NOI, or submitted incorrect information in a permit application, NOI or in any report to the RWQCB, SWRCB, or U.S. EPA, the discharger shall promptly submit such facts or information.

8. Planned Changes [40 CFR 122.41(1)(1)]

- a. The discharger shall give notice to the RWQCB as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when:
  - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR Part 122.29(b); or
  - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit nor to notification requirements under 40 CFR Part 122.42 (a)(1); or
  - (3) The alteration or addition results in a significant change in the discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including

notification of additional use or disposal sites not reported during the permit application/NOI process or not reported pursuant to an approved land application plan.

9. Anticipated Noncompliance [40 CFR 122.41(1)(2)]
  - a. The discharger shall give advance notice to the RWQCB or SWRCB of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
10. Discharge Monitoring Quality Assurance (DMQA) Program [SWRCB/EPA 106 MOA]
  - a. The discharger shall conduct appropriate analyses on any sample provided by U.S. EPA as part of the DMQA program. The results of such analyses shall be submitted to U.S. EPA's DMQA manager.

C. Enforcement Provisions

1. The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of violation. Any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day for each violation, or by imprisonment of not more than one year, or both. Higher penalties may be imposed for knowing violations and for repeat offenders. The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to and in some cases greater than those provided under the Clean Water Act. [40 CFR 122.41(a)(2)] [CWC Sections 13385 and 13387]
2. The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both. [40 CFR 122.41(k)(2)]

3. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than two years, or both. Higher penalties may be imposed for repeat offenders.  
[40 CFR 122.41(j)(5)]

STATE WATER RESOURCES CONTROL BOARD  
WATER QUALITY ORDER NO. 96-XXX-DWQ  
**UTILITY COMPANIES CRITERIA FOR A  
POLLUTION PREVENTION PLAN**

Utility companies<sup>1</sup> covered by this General Permit that propose to discharge at numerous points are required to implement a Pollution Prevention Plan (PLAN) whenever there is a discharge<sup>2</sup>. The following elements shall constitute a complete and acceptable PLAN.

1. The PLAN shall be divided into at least four sections:
  - (1) Scheduled Discharges, (2) Unscheduled Discharges, (3) Reservoir Discharges (if any), and (4) Emergency Operation Discharges.
2. The PLAN shall include, at least, the following items:
  - a. A map showing the essential features of the distribution system for the service area within a specific RWQCB boundary and showing the corresponding surface waters to which water may be discharged. The map should be to a scale of 1:24000 if practical. If the above scale is not practical, then a scale of up to 1:144000 may be used. If this scale is not practical as well, then the map may be larger than 8-1/2" x 11".
  - b. For each section of the PLAN, a narrative description of the following:
    - i. The types of discharges that occur.
    - ii. The pollutant constituents expected in each type of discharge.
    - iii. The approximate duration (expressed as a range) of each type of discharge.
    - iv. Existing structural and nonstructural control measures (if any) to reduce pollutants in discharges to surface water.

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<sup>1</sup> Utility companies are defined as any person, as defined in § 13050 of the California Water Code, whose business is to supply the resources, excluding water, necessary for day-to-day living and/or operations. This includes, but is not limited to, suppliers of natural gas, electricity, and telephone services.

<sup>2</sup> If and when the SWRCB approves statewide Pollution Prevention Practices (PPPs) for utilities, the dischargers will have the option of: (1) adopting the statewide PPPs as their own; (2) adopting elements of the statewide PPPs, supplemented with the discharger's own PPPs, as their own PLAN; or (3) developing their own PLAN.

- c. For each section of the PLAN, describe the appropriate Pollution Prevention Practices (PPPs). The appropriate practices shall reflect identified types of discharges and potential sources of pollutants. The description of the PPPs shall include:
- i. A detailed description of the particular PPP
  - ii. Operating procedures
  - iii. Sample field calculations to be performed (if pertinent)
  - iv. Monitoring and evaluation
  - v. Suitable applications for the PPP
  - vi. Structural diagrams (if pertinent)
  - vii. Advantages and limitations of the PPP
  - viii. References

In addition:

1. The PLAN shall be designed to comply with BAT/BCT and to ensure compliance with water quality standards.
2. The PLAN shall be retained by the Discharger and made available upon request of a representative of the RWQCB. The contact person, telephone number and address where the PLAN is to be maintained shall be submitted in the Discharger's NOI.
3. The Discharger shall amend the PLAN whenever there is a change in construction, operation, or maintenance, when such amendment is necessary to ensure compliance with BAT/BCT and receiving water limits. The PLAN shall also be amended if it is in violation of any conditions of this General Permit, or has not achieved the general objective of controlling pollutants in discharges to surface waters.
4. The RWQCB may notify the Discharger that the Discharger's PLAN does not meet one or more of the minimum requirements of this Attachment. A time schedule to make the changes will be included with this notification. After making the required changes, the Discharger shall provide written certification that the changes have been made.
5. The PLAN shall be certified in accordance with the signatory requirements of Standard Provision B.2.



STATE WATER RESOURCES CONTROL BOARD  
901 P STREET  
SACRAMENTO, CA 95814

FACT SHEET  
FOR  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
GENERAL PERMIT CAG990002  
DISCHARGES BY UTILITY COMPANIES TO SURFACE WATERS

BACKGROUND

In 1972, the Federal Water Pollution Control Act (also referred to as the Clean Water Act [CWA] was amended to provide that the discharge of pollutants to waters of the United States from any point source is prohibited, unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The Federal regulations allow authorized states to issue either general permits or individual permits to regulate discharges of pollutants to waters of the United States.

Utility companies<sup>1</sup> may have multiple discharges from utility vaults and other underground structures as a result of subterranean seepage and/or storm water inflow. These underground structures may have small quantities of oil and grease present due to the normal operation of equipment, as well as small quantities of other pollutants. Utility companies usually have numerous vaults within their service area. The purpose of this permit is to facilitate regulation of discharges from these kinds of multiple discharges. The State Water Resources Control Board (hereinafter SWRCB) has elected to issue a statewide general NPDES permit that may be applied to most discharges from utility companies. If a utility company's service area extends over a Regional Water Quality Control Board (RWQCB) boundary, then the discharges in each Region shall be covered by a separate enrollment under this general permit.

To obtain authorization for continued and future discharge to waters of the United States, dischargers must submit a Notice of Intent (NOI) to Comply in order to be regulated under this general permit, as provided in 40 Code of Federal Regulations (CFR) Part 122.28 (b) (2).

<sup>1</sup>

Utility companies are defined as any person, as defined in § 13050 of the Water Code, whose business is to supply the resources, excluding water, necessary for day to day living and/or operations. This includes, but is not limited to, suppliers of natural gas, electricity, and telephone services.

It is illegal to discharge pollutants to surface waters, including wetlands without an NPDES permit. Facilities that do not obtain coverage under this or another general permit or under an individual NPDES permit for discharge to surface waters will be in violation of the CWA and the California Water Code. There are substantial penalties which can be pursued by the SWRCB, the RWQCB, the U.S. Environmental Protection Agency (U.S. EPA), or by private citizens for violation of these laws.

#### GENERAL CRITERIA

This statewide general NPDES permit (general permit) is intended to cover the short term intermittent discharges of pollutants to surface waters by utility companies. To be covered by this general permit, discharges must meet the following criteria:

1. Pollutant concentrations in the discharge do not cause a violation of any applicable water quality objective for the receiving waters, including prohibitions of discharge.
2. The discharge does not cause acute or chronic toxicity in the receiving water.

This general permit does not cover discharges from auto washing, auto maintenance, and/or ground water cleanup activities by utility companies.

Many utility companies engage in utility service construction activities when developing service areas. These activities are not covered under this general permit, but should be covered under the statewide general NPDES permit for storm water discharges associated with construction activities (CAS000002).

Utility companies that are permittees and/or co-permittees under Urban Areawide Storm Water Permits which cover the intended discharges do not need to seek coverage under this general permit.

Discharges to a sanitary sewer do not need regulatory coverage under the NPDES program, although the agency controlling the sanitary sewer must approve the discharge to its conveyance.

#### EFFLUENT LIMITATIONS AND RECEIVING WATER LIMITATIONS

NPDES permits for discharges to surface waters must meet all applicable provisions of Sections 301 and 402 of the CWA. These provisions require controls of pollutant discharges that utilize best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT) to reduce

pollutants and any more stringent controls necessary to meet water quality standards.

It is not feasible at this time for the SWRCB to establish numeric effluent limitations for pollutants in discharges from utility companies. Establishment of numeric effluent limitations for pollutants for utility companies is not feasible because: (1) utility companies have numerous short duration intermittent releases of water to surface waters from many different locations, and (2) treatment of all these releases to meet numeric effluent limitations would be impractical. Therefore, the effluent limitations contained in this general permit are narrative and include the requirement to implement appropriate Pollution Prevention Practices<sup>2</sup> (PPPs), which will have the equivalent effect of Best Management Practices (BMPs). The PPPs, which may include treatment of discharges to surface waters, will constitute BAT and BCT and will be required to achieve compliance with water quality standards. Receiving water requirements must be met by the discharger and are stated as either numerical or narrative requirements, as appropriate, and are intended to be consonant with all applicable Water Quality Control Plan (WQCP) objectives, including narrative toxicity objectives (i.e., Receiving Water Limitation 12) and total residual chlorine (TRC) objectives, if any.

#### POLLUTION PREVENTION PRACTICES (PPPs)

The development of PPPs provides the flexibility necessary to establish controls which can appropriately address the different situations in which utility companies discharge water to surface waters. The PPPs have two major objectives: (1) to help identify all the situations which lead to a discharge by utility companies, and (2) to describe and ensure the implementation of practices to reduce pollutants in the discharge from the normal operations of utility companies.

Standard industrywide PPPs have not been developed for utility companies. A utility company shall prepare a Pollution Prevention Plan (PLAN) and implement it whenever there is a discharge. If standard industrywide PPPs are developed, then each utility company may utilize the standard industrywide PPPs as is or may develop its own PLAN utilizing selected standard industrywide PPPs as appropriate. The PLAN shall be implemented whenever there is a discharge. All PLANs developed by utility companies must meet the minimum specifications described in Attachment D.

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<sup>2</sup> Examples of pollution prevention practices include, but are not limited to, preventive maintenance, employee training, source management, pollutant treatment, and good housekeeping.

For help in developing a PLAN, dischargers are referred to the following document:

"Industrial/Commercial Storm Water Best Management Practice Handbook", Stormwater Quality Task Force, March 1993.

Dischargers are expected to be able to show that there are no feasible alternatives to discharging to surface waters and that measures, such as PPPs, have been implemented or will be implemented to minimize potential impacts. The Discharger shall submit the PLAN within 90 days from the date of enrollment under this general permit. The discharger will be required to provide information in the NOI regarding the location of where the PLAN is to be maintained and to identify an appropriate contact person with regard to the PLAN.

#### NOTIFICATION REQUIREMENTS

To obtain coverage under this general permit, a NOI and first annual fee must be submitted. A separate enrollment is required for discharges located within each RWQCB boundary, as defined in Section 13200 of the Water Code. Each enrollment will cover all discharges occurring within the boundaries of that RWQCB. Signing the certification on the NOI signifies that the Discharger intends to comply with the provisions of this general permit. Dischargers are authorized to discharge upon submission of a complete and accurate NOI and the first annual fee. The authorization to discharge under this general permit is terminated upon receipt of a Notice of Exclusion (NOE)<sup>3</sup> or upon the adoption of either an individual or other general NPDES permit by the appropriate RWQCB. The Discharger may receive a request to submit additional information. Dischargers who are already covered under the NPDES program, whether by general or individual permit, may elect to continue their coverage under the existing permit or may submit a NOI for coverage under this general permit. Dischargers who submit a NOI are not required to submit an individual permit application. The RWQCB may determine that a discharger submitting a NOI is not eligible for coverage under this general permit and may require submittal of an application for an individual permit. Individual application forms will be provided by the appropriate RWQCB. The NOI form may be found within this general permit package as Attachment A. The fully completed NOI, a project map, and first annual fee constitute a complete application for coverage under this general permit. A NOI must be signed to be valid. Attachment A also includes guidance on completing the NOI.

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<sup>3</sup> An NOE is a one-page notice that indicates that the proposed discharger is NOT eligible for coverage under this general NPDES permit and states the reason why.

Please submit the complete application to the following address:

Utilities NOI  
State Water Resources Control Board  
Division of Water Quality  
Program Support Unit  
P.O. Box 944213  
Sacramento, CA 94244-2130

All dischargers discharging to a municipal separate storm sewer system shall contact the appropriate local agency with jurisdiction over the said municipal separate storm sewer system within 24 hours whenever there is a discharge of 50,000 gallons or more to its system. It is the SWRCB's intention with this requirement to encourage continuing communication between dischargers under this general permit and local agencies responsible for municipal separate storm sewer systems. Continuing communication will reduce misunderstandings and concerns over the types of discharges covered by this general permit.

#### DISCHARGE PROVISIONS

Dischargers are required to implement the Monitoring and Reporting Program contained in Water Quality Order No. 96-XXX-DWQ. Discharges are required to be nontoxic. The prohibition against toxicity covers chemicals in concentrations that are toxic to human, animal, plant, and aquatic life.

This general permit will expire on **July 31, 2001**. Those enrollees who are covered under this general permit at the time of expiration will automatically be re-enrolled under the reissued general permit, unless a Notice Of Termination or Transfer (NOTT) is submitted to terminate coverage.

# STATE WATER RESOURCES CONTROL BOARD

P.O. BOX 100, Sacramento, CA 95812-0100

Legislative and Public Affairs: (916) 657-1247  
Water Quality Information: (916) 657-0687

Clean Water Programs Information: (916) 227-4400  
Water Rights Information: (916) 657-2170

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARDS

### NORTH COAST REGION (1)

5550 Skylane Blvd., Ste. A  
Santa Rosa, CA 95403  
(707) 576-2220

### SAN FRANCISCO BAY REGION (2)

2101 Webster Street, Ste. 500  
Oakland, CA 94612  
(510) 286-1255

### CENTRAL COAST REGION (3)

81 Higuera Street, Ste. 200  
San Luis Obispo, CA 93401-5427  
(805) 549-3147

### LOS ANGELES REGION (4)

101 Centre Plaza Drive  
Monterey Park, CA 91754-2156  
(213) 266-7500

### CENTRAL VALLEY REGION (5)

3443 Routier Road, Suite A  
Sacramento, CA 95827-3098  
(916) 255-3000

### FRESNO BRANCH OFFICE

3614 East Ashlan Avenue  
Fresno, CA 93726  
(209) 445-5116

### REDDING BRANCH OFFICE

415 Knollcrest Drive  
Redding, CA 96002  
(916) 224-4845

### LAHONTAN REGION (6)

2092 South Lake Tahoe Blvd.  
South Lake Tahoe, CA 96150  
(916) 542-5400

### VICTORVILLE BRANCH OFFICE

15428 Civic Drive, Ste. 100  
Victorville, CA 92392-2383  
(619) 241-6583

### COLORADO RIVER BASIN REGION (7)

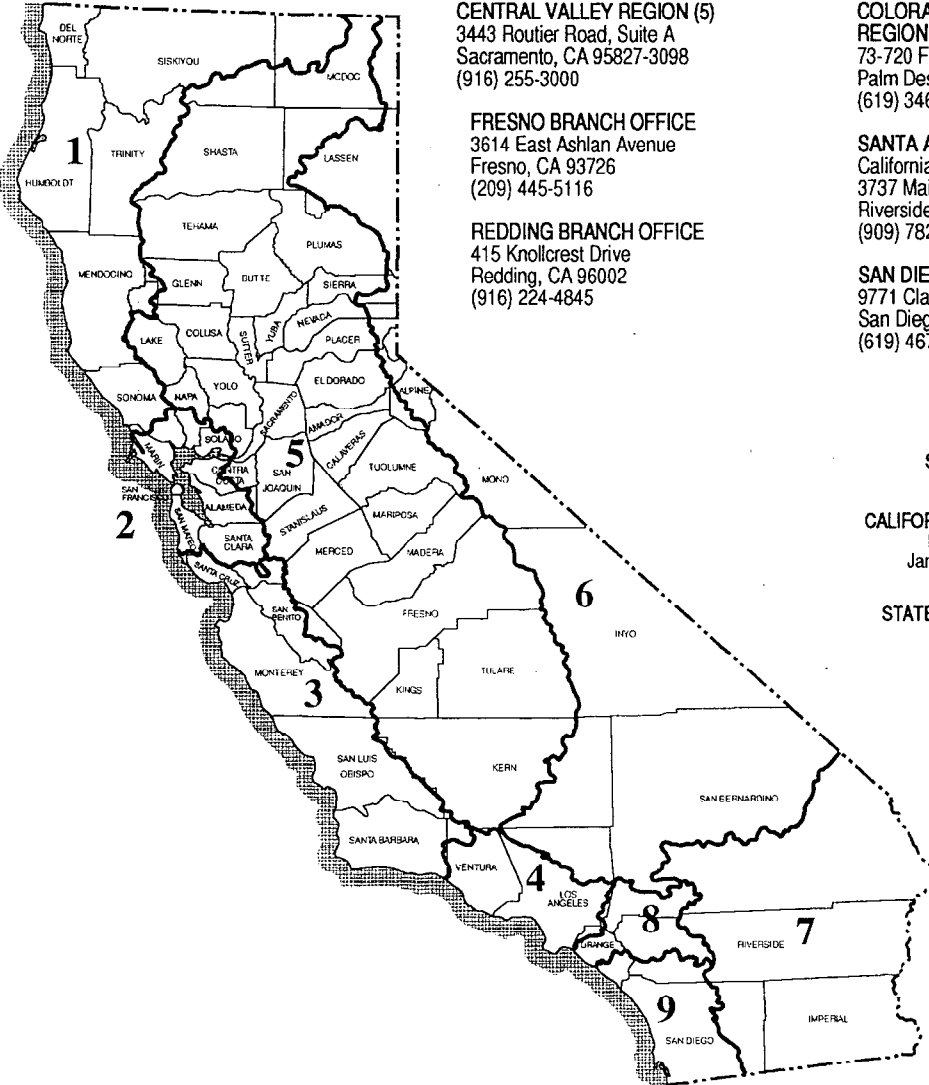
73-720 Fred Waring Dr., Ste. 100  
Palm Desert, CA 92260  
(619) 346-7491

### SANTA ANA REGION (8)

California Tower  
3737 Main Street, Ste. 500  
Riverside, CA 92501-3339  
(909) 782-4130

### SAN DIEGO REGION (9)

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San Diego, CA 92124  
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