CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
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Central Coast Regional Water Quality Control Board
(http://www.waterboards.ca.gov/centralcoast)

TENTATIVE ORDER R3-2026-0018
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT NUMBER CA0005274

WASTE DISCHARGE REQUIREMENTS FOR THE GRANITE ROCK COMPANY, ARTHUR R. WILSON QUARRY, SAN BENITO COUNTY, DISCHARGE TO THE PAJARO RIVER

The following Discharger is subject to waste discharge requirements (WDRs) set forth in this Order:

Discharger	**Granite Rock Company**
Name of Facility	**Arthur R. Wilson Quarry**
Facility Address	**1900 Quarry Road** **Aromas, CA 95004** **San Benito County**

Table 1. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude (North-South)	Discharge Point Longitude (East-West)	Receiving Water
001	Treated process water and contact storm water	36.9088º N	121.6161º W	Pajaro River

This Order was adopted on:	**<Date Adopted>**
This Order shall become effective on:	**November 1, 2026**
This Order shall expire on:	**October 31, 2031**

The Discharger shall file a Report of Waste Discharge as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a National Pollutant Discharge Elimination System (NPDES) permit no later than: **180 days prior to the Order expiration.** The U.S. Environmental Protection

Agency (U.S. EPA) and the California Regional Water Quality Control Board, Central Coast Region have classified this discharge as follows: **Minor discharge.**

I, Ryan E. Lodge, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on **August 20-21, 2026**.

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Ryan E. Lodge, Executive Officer

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1. FACILITY INFORMATION

Information describing the Arthur R. Wilson Quarry (Facility) is summarized on the cover page and in sections 1 and 2 of the Fact Sheet (Attachment F). Section 1 of the Fact Sheet also includes information regarding the Facility's permit application.

2. FINDINGS

The California Regional Water Quality Control Board, Central Coast Region (hereinafter Central Coast Water Board), finds:

2.1. **Legal Authorities.** This Order serves as waste discharge requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 1 subject to the WDRs in this Order.

2.2. **Background and Rationale for Requirements.** The Central Coast Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through F are also incorporated into this Order.

2.3. **Provisions and Requirements Implementing State Law.** The Central Coast Water Board finds that none of the provisions and requirements herein implement state law only and that all of the provisions and requirements are required or authorized under the CWA.

2.4. **Response to Climate Change.** Climate change refers to observed changes in regional weather patterns such as temperature, precipitation, storm frequency and size. At the local scale, within urbanized areas, climate change may directly impact groundwater and surface water supply; drainage, flooding, and erosion patterns; and ecosystems and habitat. This shift in climate, combined with California's growing population, has increased reliance on pumping, conveying, treating, and heating water, increasing the water sector's greenhouse gas emissions. The State Water Board's Resolution 2017-0012, *Comprehensive Response to Climate Change*, requires a proactive response to climate change in all California Water Board actions, with the intent to embed climate change consideration into all programs and activities. Aligning with Resolution 2017-0012, this Order requires the Discharger to consider climate change impacts to the Facility by requiring the climate adaptation implementation report.

2.5. **Human Right to Water.** California Water Code section 106.3 established the policy that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. On

January 26, 2017, the Central Coast Water Board adopted Resolution R3-2017-0004, which adopts the human right to water as a core value and affirms the realization of the human right to water and protecting human health as the Central Coast Water Board's top priorities. Consistent with the human right to water stated in California Water Code section 106.3, subdivision (a), and the Central Coast Water Board's Resolution R3-2017-0004, this Order promotes actions that advance the human right to water and discourages actions that delay or impede opportunities for communities to secure safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order implements recently updated mercury water quality objectives that are more stringent than previous objectives to more adequately protect beneficial uses related to water and fish consumption.

2.6. **Disadvantaged Community Status.** Environmental Justice principles call for the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in the development, adoption, implementation, and enforcement of all environmental laws, regulations, and policies that affect every community's natural resources and the places people live, work, play, and learn. The Central Coast Water Board implements regulatory activities and water quality projects in a manner that ensures the fair treatment of all people, including Underrepresented Communities. Underrepresented Communities include but are not limited to Disadvantaged Communities (DACs), Severely Disadvantaged Communities (SDACs), Economically Distressed Areas (EDAs), Tribes, Environmentally Disadvantaged Communities (EnvDACs), and members of Fringe Communities. Furthermore, the Central Coast Water Board is committed to providing all interested persons the opportunity to participate in the public process and provide meaningful input to decisions that affect communities. To meet environmental justice principles, staff has evaluated the disadvantaged community status for the Discharger. Using 2023 census data, the California Department of Water Resources Disadvantaged Community (DAC) Mapping Tool[1] identifies zero (0) block groups in the area surrounding the facility as disadvantaged communities. The tool defines a DAC as a census block with a median household income between $57,800 and $77,067 and a severely disadvantaged community (SDAC) as a census block with a median household income below $57,800. The closest DAC downstream of the Facility is the City of Watsonville which is approximately 10 miles away. There are many other land uses in between the Facility and the location of the DAC, including various parcels with row crops.

2.7. **Notification of Interested Parties.** The Central Coast Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet, Attachment F.

[1] The DAC Mapping Tool is used to inform statewide Integrated Water Resources Management (IRWM), Sustainable Groundwater Monitoring Act (SGMA), and California Water Plan implementation efforts and can be found at the following website: https://gis.water.ca.gov/app/dacs/.

2.8. **Consideration of Public Comment.** The Central Coast Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet, Attachment F.

THEREFORE, IT IS HEREBY ORDERED that this Order supersedes Order R3-2017-0027 except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. This action in no way prevents the Central Coast Water Board from taking enforcement action for violations of the previous order.

3. DISCHARGE PROHIBITIONS

3.1. Discharge of treated process water at a location or in a manner other than as described by this Order is prohibited.

3.2. The discharge of any waste not specifically regulated by this Order, excluding stormwater regulated by State Water Board Order 2014-0057-DWQ, NPDES CAS000001 *Waste Discharge Requirements for Discharges of Stormwater Associated with Industrial Activities*, and any subsequent revisions to that order, is prohibited.

3.3. The overflow or bypass of process water from the Discharger's collection, treatment, or disposal facilities and the subsequent discharge of untreated or partially treated process water, except as provided for in Attachment D, Standard Provisions 1.7 (Bypass), is prohibited.

3.4. The flow rate of the discharge of Facility process water from the Quarry Lake to the Pajaro River shall not exceed 9.0 MGD.

3.5. The discharge of Facility process water from the Quarry Lake to the Pajaro River shall not occur when Pajaro River flows are greater than 13,000 MGD (corresponding to a Pajaro River stage of approximately 31.3 feet) as measured at the Chittenden gauging station.

3.6. The discharge of any volume from Lower Hole Ponds directly through Discharge Point 001 without prior comingling with Quarry Lake is prohibited.

3.7. The discharge of floating material, including solids, liquids, foams, and scum at Discharge Point 001 to the Pajaro River is prohibited.

3.8. The discharge of concentrations of radionuclides in excess of the maximum contaminant levels (MCLs) for radioactivity presented in title 22 California Code of Regulations, division 4, chapter 15, article 5, section 64442 and 64443 is prohibited.

3.9. The discharge of trash to the Pajaro River or deposition of trash where it may be discharged into the Pajaro River is prohibited.

4. EFFLUENT LIMITATIONS

4.1. Effluent Limitations – Discharge Point 001

4.1.1. **Final Effluent Limitations – Discharge Point 001**

4.1.1.1. The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001 as described in the Monitoring and Reporting Program (MRP), Attachment E. **Error! Reference source not found.** describes the effluent limitations at Discharge Point 001.

Table 2. Effluent Limitations at Discharge Point 001 (EFF-001)

Parameter	Units	Average Monthly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	Monthly Median	Annual Average
pH	standard units	-	-	7.0	8.3	-	-
Total Suspended Solids (TSS)	mg/L	50	-	-	-	-	-
Turbidity	NTUs	-	50	-	-	-	-
Suspended Sediments	mg/L	[1]					
Copper, Total Recoverable	µg/L	12	24	-	-	-	-
Mercury, Total Recoverable	µg/L	0.012	0.024	-	-	-	-
Selenium, Total Recoverable	µg/L	3.1	6.2	-	-	-	-
Bis (2-Ethylhexyl) Phthalate[2]	µg/L	1.8	3.6	-	-	-	-
Nitrobenzene	µg/L	17	34.2	-	-	-	-
Aluminum, Total Recoverable	µg/L	1000	5000	-	-	-	-
Nitrate, Total (as N), Dry Weather [3]	mg/L	3.9	-	-	-	-	-
Nitrate, Total (as N), Wet Weather[4]	mg/L	8.0	-	-	-	-	-
Orthophosphate (as P), Dry Weather[3]	mg/L	0.14	-	-	-	-	-

Parameter	Units	Average Monthly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	Monthly Median	Annual Average
Orthophosphate (as P), Wet Weather[4]	mg/L	0.3	-	-	-	-	-
Un-ionized Ammonia (as N)	mg/L	0.025	-	-	-	-	-
Iron, Total Recoverable	µg/L	1000	-	-	-	-	-
Molybdenum, Total Recoverable	µg/L	10	-	-	-	-	-
Total Dissolved Solids	mg/L	1000	-	-	-	-	-
Sulfate (as SO4)	mg/L	-	-	-	-	-	250[5]
Sodium (as Na)	mg/L	-	-	-	-	-	200[5]
Escherichia Coli (*e. coli*)	MPN/100 mL	[6]					
Chronic Toxicity	"Pass/Fail" and Percent Effect	-	"Pass" and Percent Effect <50[7]	-	-	[8]	-

[1] The following shall apply for the suspended sediments limitation:
- For a discharge duration of 1 day (24 hours) or less, the suspended sediments concentration (SSC) cannot exceed 1,807 mg/L.
- For a discharge duration of 2 days (48 hours), the SSC cannot exceed 665 mg/L for both days.
- For a discharge duration of 2 to 14 days (48 to 336 hours), the SSC cannot exceed 244 mg/L for each day.
- For a discharge duration of 14 to 49 days (336 to 1,176 hours), the SSC cannot exceed 90 mg/L for each day.
- For a discharge duration of greater than 49 days (1,176 hours), the SSC cannot exceed 90 mg/L for each day.

[2] The synonym for bis (2-ethylhexyl) phthalate is di (2-ethylhexyl) phthalate.

[3] May 1- October 31

[4] November 1- April 30

[5] Based on a 12-month running mean. To calculate the 12-month running mean for the current month, the Discharger will only use months that discharge occurred in the previous 12 months in the calculation.

[6] *Escherichia Coli* (*E. coli*):

- *E. coli* concentrations in the effluent shall not exceed 100 Most Probable Number (MPN)/100mL, as a 6-week rolling geometric mean; and
- *E. coli* concentrations in the effluent shall not exceed 320 MPN/100 mL in more than 10 percent of samples collected in a calendar month, calculated in a static manner.

[7] The Maximum Daily Effluent Limitation (MDEL) is exceeded if a chronic toxicity test using the most sensitive species results in a "Fail" at the in-stream waste concentration (IWC) for the sub-lethal endpoint measured in the test and a "Percent Effect" greater than or equal to 50 percent for the survival endpoint.

[8] The Median Monthly Effluent Limitation (MMEL) is exceeded when two or more chronic toxicity tests using the most sensitive species initiated in a calendar month result in a "Fail" at the IWC for any endpoint (see section 5 of the MRP-Attachment E).

4.1.2. **Interim Effluent Limitations – Not Applicable**

4.2. Land Discharge Specifications – Not Applicable

4.3. Recycling Specifications – Not Applicable

5. RECEIVING WATER LIMITATIONS

5.1. Surface Water Limitations – Not Applicable

5.2. Groundwater Limitations – Not Applicable

6. PROVISIONS

6.1. Standard Provisions

6.1.1. The Discharger shall comply with all Standard Provisions included in Attachment D.

6.1.2. The Discharger shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:

6.1.2.1. The Discharger shall comply with the Central Coast Water Board Standard Provisions included in Attachment D of this Order.

6.1.2.2. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.

6.1.2.3. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, the Discharger shall notify the Central Coast Water Board by telephone (805) 549-3147 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Central Coast Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance,

and shall describe the measures being taken to remedy the current noncompliance and prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

6.2. Monitoring and Reporting Program (MRP) Requirements

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E. All monitoring shall be conducted according to 40 CFR 136, *Guidelines Establishing Test Procedures for Analysis of Pollutants*.

6.3. Special Provisions

6.3.1. **Reopener Provisions**

6.3.1.1. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Upon reopening, additional requirements may be included in this Order as a result of the special condition monitoring data.

6.3.1.2. This Order may be reopened and modified in accordance with NPDES regulations at 40 Code of Federal Regulations (CFR) parts 122 and 124, as necessary. Causes for taking such actions include, but are not limited to, failure to comply with any condition of this Order, endangerment to human health or the environment resulting from the permitted activity, or acquisition of newly obtained information which would have justified the application of different conditions if known at the time of Order adoption and issuance.

6.3.1.3. This Order may be reopened for modification to include an effluent limitation if monitoring establishes that the discharge causes, has the reasonable potential to cause, or contributes to an excursion above any water quality objective

6.3.1.4. This Order may be reopened and modified to reevaluate reasonable potential for acute toxicity, and establish acute toxicity effluent limitations, if warranted, after the evaluation of new data and information.

6.3.1.5. This Order may be reopened for modification to revise the aquatic toxicity provisions if the Supreme Court determines that the test of significant toxicity cannot be used in NPDES permits and the State Water Board suspends or revises the aquatic toxicity water quality standards.

6.3.1.6. This Order may be reopened and modified to revise the most sensitive species to be used for acute and/or chronic aquatic toxicity testing once the required species sensitivity is completed in accordance with the MRP (Attachment E).

6.3.2. **Special Studies, Technical Papers and Additional Monitoring Requirements**

6.3.2.1. **Toxicity Reduction Requirements**

For compliance with the Central Coast Water Board Water Quality Control Plan for the Central Coastal Basin (Basin Plan) narrative toxicity objective and Statewide Toxicity Provisions, this Order requires the Discharger to conduct chronic whole effluent toxicity (WET) testing, as specified in section 5 of the MRP. Furthermore, this Provision requires the Discharger to investigate the causes of and identify corrective actions to reduce or eliminate effluent toxicity.

When chronic toxicity is detected (reported as “Fail”) at Discharge Point 001 (EFF-001), the Discharger shall resample immediately, retest, and report the result to the Executive Officer. This resampling will be triggered when there is a “Fail” from routine monitoring and will also be triggered if there are any “Fails” during the species sensitivity screening.

The Discharger is required to initiate a Toxicity Reduction Evaluation (TRE) when there are any combination of two or more chronic toxicity MDEL or MMEL violations (reported as “Fail”) within a single calendar month or within two successive calendar months. The Discharger will report MDEL or MMEL violations for both routine monitoring and species sensitivity screening in CIWQS self-reported violations. Results from both routine monitoring and species sensitivity screening will be taken into account when determining initiation of the TRE.

If a TRE is triggered, the Discharger is required to follow the approved TRE Work Plan and take actions to mitigate the impact of the discharge and prevent recurrence of toxicity. A TRE is a site-specific study conducted in a stepwise process to identify the source(s) of toxicity and the effective control measures for effluent toxicity. TREs are designed to identify the causative agents and sources of whole effluent toxicity, evaluate the effectiveness of the toxicity control options, and confirm the reduction in effluent toxicity. This Provision includes requirements for the Discharger to update and submit their TRE Work Plan and includes procedures for accelerated toxicity monitoring and TRE initiation:

6.3.2.1.1. **TRE Work Plan**. Within 90 days of the effective date of this Order, the Discharger shall submit to the Central Coast Water Board an updated TRE Work Plan for approval by the Executive Officer (see MRP Table E-5). The TRE Work Plan shall outline the procedures for identifying the source(s) of and reducing or eliminating effluent toxicity. The TRE Work Plan must be developed in accordance with U.S. EPA guidance and be of adequate detail to allow the Discharger to immediately initiate a TRE as required in this Provision.

6.3.2.1.2. **Accelerated Monitoring and TRE Initiation.** When the numeric toxicity monitoring trigger or effluent limitation is exceeded during regular toxicity monitoring, and the testing meets all test acceptability criteria (TAC), the Discharger shall initiate accelerated monitoring as required in the Accelerated Monitoring Specifications in section 5 of the MRP. The Discharger shall initiate a TRE to address effluent toxicity if any WET testing results exceed

the numeric toxicity monitoring trigger or effluent limitation during accelerated monitoring.

6.3.2.2. **Temperature Investigation Report**

The Basin Plan establishes cold freshwater habitat (COLD) as one of the beneficial uses of the Pajaro River. The previous order included a numeric receiving water limitation for temperature. Consistent with the U.S. Supreme Court's holding in *City and County of San Francisco, California v. Environmental Protection Agency* (2025) 145 S.Ct. 704, the receiving water limitation has been removed from this Order. To inform the possible inclusion of a temperature effluent limitation in a future iteration of the permit, the Discharger shall conduct and submit a Temperature Investigation Report to the Central Coast Water Board. Requirements of the Study are described in Attachment E.

6.3.2.3. **Climate Change Adaptation Report**

As described in Attachment E, the Discharger shall submit a Climate Change Adaptation Report to the Central Coast Water Board Executive Officer describing the Discharger's assessment and identification of climate change hazards and vulnerabilities as well as the Discharger's progress in implementing, monitoring, and updating its long-term approach for identifying and addressing climate change hazards and vulnerabilities at the Facility, including all associated infrastructure (e.g., treatment facilities, conveyances to discharge points, discharge facilities).

6.3.3. **Best Management Practices and Pollution Prevention**

6.3.3.1. **Pollutant Minimization Program**

The Discharger shall develop and conduct a Pollutant Minimization Program (PMP) as further described in Attachment E when there is evidence that a priority pollutant and any pollutant with an effluent limitation is present in the effluent above an effluent limitation and either: a) A sample result is reported as DNQ and the effluent limitation is less than the RL; or b) A sample result is reported as ND and the effluent limitation is less than the MDL. Examples of evidence of this include sample results reported as DNQ when the effluent limitation is less than the MDL, sample results from analytical methods more sensitive than those methods required by this Order, presence of whole effluent toxicity, health advisories for fish consumption, and or results of benthic or aquatic organism tissue sampling. The Discharger will monitor submit an annual status report to CIWQS that will include all requirements listed in Attachment E - Pollutant Minimization Program.

6.3.4. **Construction, Operation and Maintenance Specifications**

6.3.4.1. The Facility shall be operated as specified under Standard Provision 1.4 of Attachment D.

6.3.4.2. **Erosion And Sediment Control**. By October 1 of each year, the Discharger shall inspect, install, and properly operate all erosion and sediment control systems necessary to ensure compliance with this Order. A summary report of

inspection results and any planned updates or changes to control measures will be submitted annually on February 15th of the following year.

6.3.5. **Special Provisions for Publicly-Owned Treatment Works (POTWs) – Not Applicable**

6.3.6. **Other Special Provisions**

6.3.6.1 **Discharges of Storm Water**. This Order applies to discharges of treated process water and storm water from Discharge Point 001. Depending on the time of year and the volume of water in Quarry Lake (Quarry Storage Reservoir) and the Lower Hole Ponds, discharge from Discharge Point 001 can be composed of either a) Quarry Lake or b) a comingled volume from Quarry Lake and Lower Hole Ponds. All other storm water runoff from the Facility can be discharged only in accordance with the requirements of the State Water Resources Control Board's Water Quality Order 2014-0057-DWQ, NPDES General Permit CAS000001, General Permit for Storm Water Discharges Associated with Industrial Activities.

The Discharger has explained that volumes collected in Lower Hole Ponds are comprised of stormwater runoff. Discharge directly from Lower Hole Ponds through Discharge Point 001, without prior mixing with Quarry Lake, is prohibited by this Order.

6.3.7. **Compliance Schedules – NOT APPLICABLE**

7. COMPLIANCE DETERMINATION

7.1 General

Compliance with effluent limitations for reportable pollutants shall be determined using sample reporting protocols defined in the MRP and Attachment A of this Order. For purposes of reporting and administrative enforcement by the Central Coast and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the reportable pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (ML). For priority pollutants, the methods must meet the lowest MLs specified in Attachment 4 of the SIP. If no methods are specified for a given pollutant, it shall be analyzed by methods approved by this Central Coast Water Board or the State Water Board. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding MLs.

7.2. Chronic Toxicity

The discharge is subject to determination of "Pass" or "Fail" from a chronic toxicity test using the Test of Significant Toxicity (TST) statistical t-test approach described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1, and Appendix B, Table B-1.

The null hypothesis (H_o) for the TST statistical approach is:

> Mean discharge "in-stream" waste concentration (IWC) response ≤0.75 × Mean control response.

A test result that rejects this null hypothesis is reported as "Pass". A test result that does not reject this null hypothesis is reported as "Fail".

The MDEL for chronic toxicity is exceeded when a chronic toxicity test, analyzed using the TST statistical approach, results in "Fail" for the sub-lethal endpoint and the "Percent Effect" is ≥0.50 for the survival endpoint or the sub-lethal endpoint if there is no survival endpoint.

The MMEL for chronic toxicity is exceeded and a violation will be flagged when two or more toxicity tests initiated in a calendar month result in a "Fail" in accordance with the TST approach for any endpoint.

The MDEL and MMEL for chronic toxicity are set at the IWC for the discharge (100 percent effluent) and expressed in units of the TST statistical approach ("Pass" or "Fail"; "Percent Effect"). All NPDES effluent monitoring for the chronic toxicity effluent limitations shall be reported using the 100 percent effluent concentration and negative control, expressed in units of the TST. The TST hypothesis (H_o) (see above) is statistically analyzed using the IWC and a negative control. Effluent toxicity tests shall be run using a multi-concentration test design when required by *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA-821-R-02-013, 2002).

7.3. Multiple Sample Data

When determining compliance with a measure of central tendency (arithmetic mean, geometric mean, median, etc.) of multiple samples analyses and the data set contains one or more reported determinations of "Detected, but Not Quantified" ("DNQ", or "Not Detected" (ND), the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

7.3.1 The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

7.3.2 The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

7.4. Average Monthly Effluent Limitation (AMEL)

If the average of daily discharges over a calendar month exceeds the AMEL for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). The average of daily

discharges over the calendar month that exceeds the AMEL for a parameter will be considered out of compliance for that month only. If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger will be considered out of compliance for that calendar month. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

7.5. Average Weekly Effluent Limitation (AWEL)

If the average of daily discharges over a calendar week exceeds the AWEL for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the Discharger will be considered out of compliance for that calendar week. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

7.6. Maximum Daily Effluent Limitation (MDEL)

If a daily discharge exceeds the MDEL for a given parameter, an alleged violation will be flagged, and the Discharger will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

ATTACHMENT A – DEFINITIONS

Acute Aquatic Toxicity Test
A test to determine an adverse effect (usually lethality) on a group of aquatic test organisms during a short-term exposure (e.g., 24, 48, or 96 hours).

Alternative Hypothesis
A statement used to propose a statistically significant relationship in a set of given observations. Under the Test of Significant Toxicity (TST) approach, when the null hypothesis is rejected, the alternative hypothesis is accepted in its place, indicating a relationship between variables and an acceptable level of toxicity.

Ambient Water
For Aquatic Toxicity purposes, ambient water refers to a sample taken from the water body of concern that may or may not be influenced by a discharge.

Arithmetic Mean (μ)
Also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

$$\text{Arithmetic mean } (\mu) = \frac{\Sigma x}{n}$$

where: Σx is the sum of the measured ambient water concentrations, and n is the number of samples.

Average Monthly Effluent Limitation (AMEL)
The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL)
The highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Bioaccumulative
Those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

Bioassay
A test used to evaluate the relative potency of a chemical or a mixture of chemicals by comparing its effect on a living organism with the effect of a standard preparation on the same type of organism.

Calendar Month(s)
A period of time from a day of one month to the day before the corresponding day of the next month, if the corresponding day exists, or if not, to the last day of the next month

(e.g., from January 1 to January 31, from June 15 to July 14, or from January 31 to February 28).

Calendar Quarter
A period of time defined as three consecutive calendar months.

Calendar Year
A period of time defined as twelve consecutive calendar months.

Carcinogenic
Pollutants are substances that are known to cause cancer in living organisms.

Chronic Aquatic Toxicity Test
A test to determine an adverse effect (sub-lethal or lethal) on a group of aquatic test organisms during an exposure of duration long enough to assess sub-lethal effects. Compliance with the effluent limitation for chronic toxicity in this Order is demonstrated by conducting chronic toxicity tests for the effluent as described in section 7.2 of this Order and section 5 of the Monitoring and Reporting Program (MRP) (Attachment E), and in accordance with the Test of Significant Toxicity (TST) statistical approach.

Coefficient of Variation (CV)
CV is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

Continuous Dischargers
Facilities that discharge without interruption throughout its operating hours, except for infrequent shutdowns for maintenance, process changes, or other similar activities, and that discharges throughout the calendar year.

Daily Discharge
Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

Detected, but Not Quantified (DNQ)
DNQ are those sample results less than the RL, but greater than or equal to the laboratory's MDL. Sample results reported as DNQ are estimated concentrations.

Dilution Credit
Dilution Credit is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

Dilution Ratio
The critical low flow of the upstream receiving water divided by the flow of the effluent discharged.

Effluent Concentration Allowance (ECA)
ECA is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as wasteload allocation (WLA) as used in U.S. EPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

Enclosed Bays
Enclosed Bays means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

Endpoint
A measured response of a receptor to a stressor. An endpoint can be measured in a toxicity test or field survey.

Estimated Chemical Concentration
The estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

Estuaries and Coastal Lagoons
Estuaries means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San

Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

Flow-Through Acute Toxicity Testing Systems
A toxicity testing system where an effluent sample is either pumped continuously from the sampling point directly to a dilutor system, or collected and placed in a tank adjacent to the test laboratory and pumped continuously from the tank to a dilutor system.

Inland Surface Waters
All surface waters of the state that do not include the ocean, enclosed bays, or estuaries.

Insignificant Discharges
National Pollutant Discharge Elimination System (NPDES) discharges that are determined to be a very low threat to water quality by the permitting authority.

Instantaneous Maximum Effluent Limitation
The highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation
The lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Instream Waste Concentration (IWC)
The concentration of effluent in the receiving water after mixing as determined by the permitting authority. For purposes of aquatic toxicity testing for non-stormwater NPDES dischargers, the IWC shall be as described in section III.C.1 of the State Policy for Water Quality Control: Toxicity Provisions. For assessing whether receiving waters meet the numeric water quality objectives (WQOs), the undiluted ambient water shall be used as the IWC in the Test of Significant Toxicity (TST) as indicated in section III.B.3 of the Toxicity Provisions.

Maximum Daily Effluent Limitation (MDEL)
The highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day. For the purposes of chronic and acute aquatic toxicity, an MDEL is an effluent limitation based on the outcome of the Test of Significant Toxicity (TST) approach and the resulting Percent Effect at the instream waste concentration (IWC), as described in sections III.C.5 and III.C.6 of the State Policy for Water Quality Control: Toxicity Provisions.

Maximum Daily Effluent Target (MDET)
For the purposes of chronic and acute aquatic toxicity, an MDET is a target used to

determine whether a Toxicity Reduction Evaluation (TRE) should be conducted. Not meeting the MDET is not a violation of an effluent limitation.

Median
The middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order)

If the number of measurements (n) is odd, then:

$$\text{median} = \frac{X_{(n+1)}}{2}$$

If n is even, then:

$$\text{median} = \frac{X_{\frac{n}{2}} + X_{\frac{n}{2}+1}}{2}$$

(i.e., the midpoint between the (n/2 and ((n/2)+1))).

Median Monthly Effluent Limitation (MMEL)
For the purposes of chronic and acute aquatic toxicity, an MMEL is an effluent limitation based on a maximum of three independent toxicity tests, analyzed using the Test of Significant Toxicity (TST) as described in sections III.C.5 and III.C.6 of the State Policy for Water Quality Control: Toxicity Provisions.

Median Monthly Effluent Target (MMET)
For the purposes of chronic and acute aquatic toxicity, an MMET is a target based on a maximum of three independent toxicity tests used to determine whether a Toxicity Reduction evaluation (TRE) should be conducted. Not meeting the MMET is not a violation of an effluent limitation.

Median Monthly Effluent Limitation Compliance Tests (MMEL Compliance Tests)
For the purposes of chronic and acute toxicity tests, MMEL compliance tests are a maximum of two tests that are used in addition to the routine monitoring test to determine compliance with the chronic and acute aquatic toxicity MMEL and MDEL.

Median Monthly Effluent Target Tests (MMET Tests)
For the purposes of chronic and acute aquatic toxicity, for dischargers not required to comply with numeric chronic toxicity effluent limitations, MMET tests are a maximum of two tests that are used in addition to the routine monitoring test to determine whether a Toxicity Reduction Evaluation (TRE) should be conducted.

Method Detection Limit (MDL)
MDL is the minimum concentration of a substance that can be reported with 99 percent confidence that the measured concentration is distinguishable from method blank results, as defined in 40 Code of Federal Regulations (CFR) part 136, Attachment B.

Minimum Level (ML)
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.

Mixing Zone
Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

Most Sensitive Species
The single species selected from an array of test species to be used in a single species laboratory test series to determine toxic effects of effluent or ambient water.

Non-continuous Dischargers
Dischargers that do not discharge in a continuous manner or does not discharge throughout the calendar year (e.g. intermittent and seasonal dischargers).

Non-NPDES Dischargers
Dischargers of waste that could affect the quality of waters of the State that are not regulated by the NPDES program.

Non-Stormwater NPDES Dischargers
Dischargers that are regulated pursuant to one or more NPDES permit(s), but excluding any discharges subject to the United States Code title 33 section 1342(p). This includes dischargers that discharge a combination of treated municipal or industrial wastewater and stormwater.

Nonpoint Source
A source that does not meet the definition of a point source, as defined below.

Not Detected (ND)
Sample results which are less than the laboratory's Method Detection Limit (MDL).

Null Hypothesis (Ho)
A statement used in statistical testing that has been put forward either because it is believed to be true or because it is to be used as a basis for argument, but has not been proved.

Ocean Waters
The territorial marine waters of the State, as defined by California law, to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. Discharges to the ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

Percent Effect
For the purposes of acute and chronic aquatic toxicity, the percent effect refers to the value that denotes the difference in response between the test concentration and the control, divided by the mean control response, and multiplied by 100.

Permitting Authority
The State Water Board or a regional water board that issues a permit, waste discharge requirements, water quality certification, or other authorization for discharge or proposed discharge of waste. To the extent that the action is delegable, the term "Permitting Authority" can include the Executive Officer or Executive Director.

Persistent Pollutants
Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

Point Source
Any discernible, confined and discrete conveyance including, but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft from which pollutants are or may be discharged. This term does not include agricultural stormwater discharges and return flows from irrigated agriculture.

Pollutant
Defined in section 502(6) of the CWA as "dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water."

Pollutant Minimization Program (PMP)
PMP means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) or any pollutant with an effluent limitation through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants or any pollutant with an effluent limitation where there is evidence that beneficial uses are being impacted. The Central Coast Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

Pollution Prevention
Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production

process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State Water Resources Control Board (State Water Board) or Central Coast Water Board.

Publicly Owned Treatment Works (POTW)
Facilities owned by a state or municipality that store, treat, recycle, and reclaim municipal sewage or industrial wastes of a liquid nature. Similar facilities that are privately, instead of publicly owned, are included in this definition for purposes of section III of the Toxicity Provisions.

Reasonable Potential (RP)
A designation used for a waste discharge that is projected or calculated to cause or contribute to an instream excursion above a water quality standard.

Regulatory Management Decision (RMD)
The decision that represents the maximum allowable error rates and thresholds for toxicity and non-toxicity that would result in an acceptable risk to aquatic life.

Replicates
Two or more independent organism exposures of the same treatment (i.e., effluent concentration) within a toxicity test. Replicates are typically conducted with separate test chambers and test organisms, each having the same effluent concentration.

Reporting Level (RL)
The RL is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order, including an additional factor if applicable as discussed herein. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Central Coast Water Board either from Appendix 4 of the SIP in accordance with section 2.4.2 of the SIP or established in accordance with section 2.4.3 of the SIP. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

Response
For the purposes of acute and chronic aquatic toxicity, response refers to a measured biological effect (e.g., survival, reproduction, growth) as a result of exposure to a stimulus**.**

Routine Monitoring
Required monitoring

Source of Drinking Water
Any water designated as municipal or domestic supply (MUN) in a Central Coast Water Board Water Quality Control Plan for the Central Coastal Basin (Basin Plan).

Species Sensitivity Screening
An analysis to determine the single most sensitive species from an array of test species to be used in a single species laboratory test series**.**

Standard Deviation (σ)
Standard Deviation is a measure of variability that is calculated as follows:

$$\text{Standard Deviation } (\sigma) = \frac{\Sigma(X-\mu)^2}{(n-1)^{0.5}}$$

where: x is the observed value; μ is the arithmetic mean of the observed values; and n is the number of samples.

Stormwater
As defined at 40 CFR section 122.26(b)(13)(Nov. 16, 1990) which states, 'Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage."

Test of Significant Toxicity (TST)
A statistical approach used to analyze aquatic toxicity test data, as described in Section IV.B.1.c of the Toxicity Provisions**.**

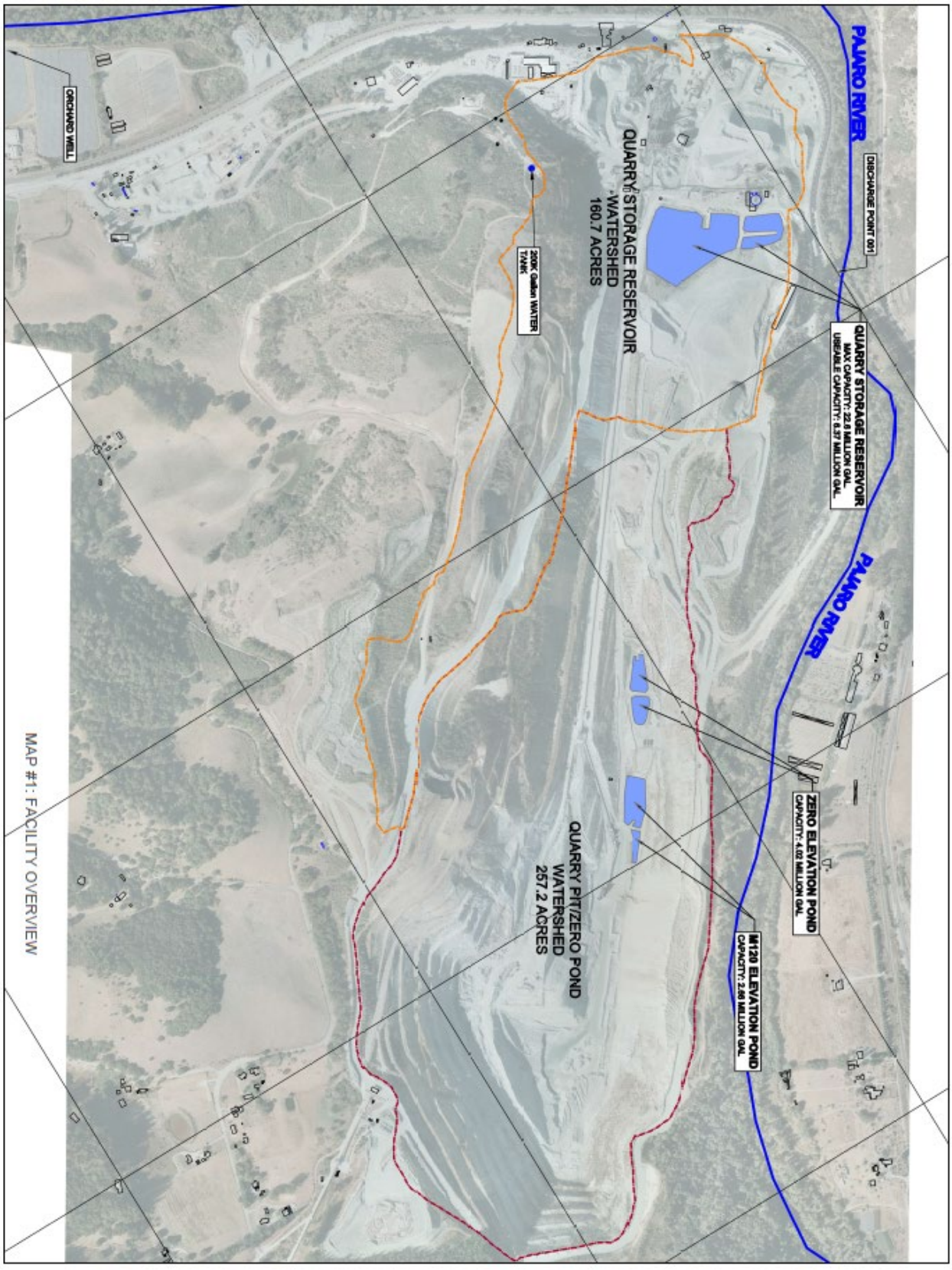
Toxicity Identification Evaluation (TIE)
Techniques used to identify the unexplained cause(s) of toxic event. A TIE involves selectively removing classes of chemicals through a series of sample manipulations, effectively reducing complex mixtures of chemicals in natural waters to simple components for analysis. Following each manipulation, the toxicity sample is assessed to see whether the toxicant class removed was responsible for toxicity.

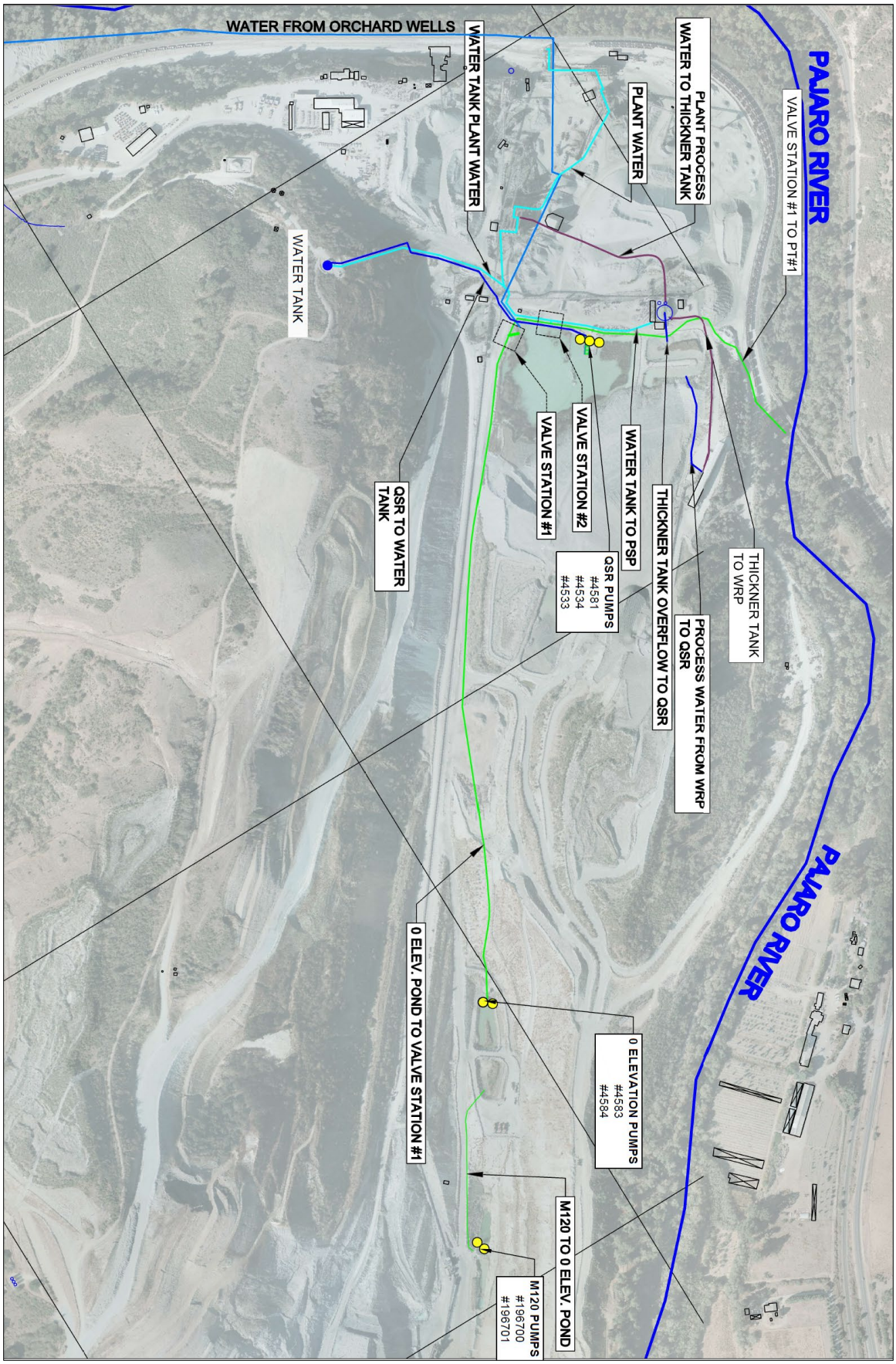
Toxicity Provisions
Refers to State Policy for Water Quality Control: Toxicity Provisions (adopted in 2020 and revised in 2021) Section III.B and Section IV.B of the *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California*.

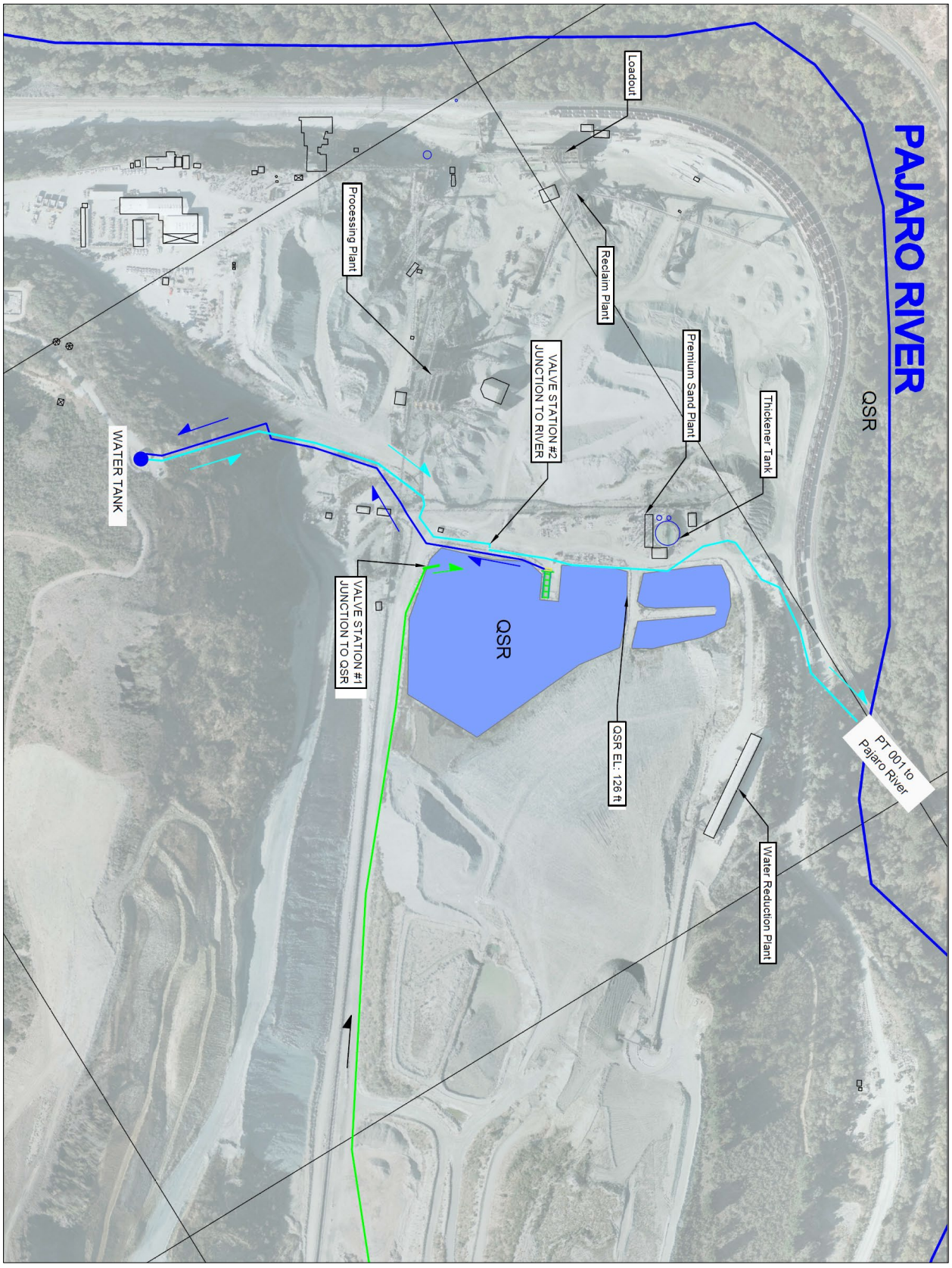
Toxicity Reduction Evaluation (TRE)
TRE is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are

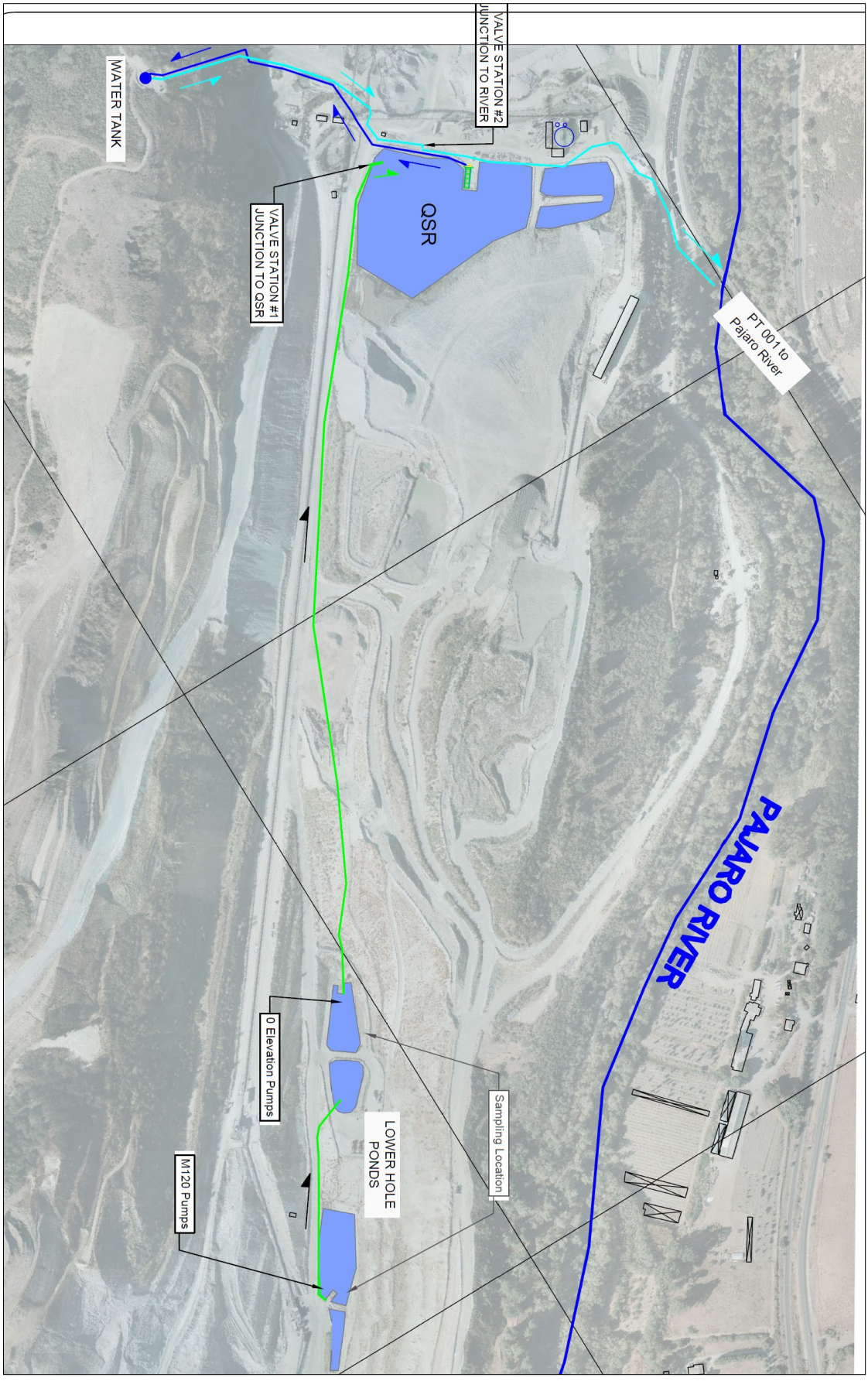
performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

ATTACHMENT B – MAP




WATER FROM ORCHARD WELLS
WATER TANK PLANT WATER
PLANT PROCESS WATER TO THICKNER TANK
PLANT WATER
VALVE STATION #1 TO PT#1
PAJARO RIVER
WATER TANK
VALVE STATION #1
VALVE STATION #2
WATER TANK TO PSP
THICKNER TANK OVERFLOW TO QSR
PROCESS WATER FROM WRP TO QSR
THICKNER TANK TO WRP
QSR TO WATER TANK
QSR PUMPS #4581 #4534 #4533
0 ELEV. POND TO VALVE STATION #1
0 ELEVATION PUMPS #4583 #4584
M120 TO 0 ELEV. POND
M120 PUMPS #196700 #196701
PAJARO RIVER


PAJARO RIVER
QSR
Loadout
Processing Plant
Reclaim Plant
Premium Sand Plant
Thickener Tank
VALVE STATION #2
JUNCTION TO RIVER
WATER TANK
VALVE STATION #1
JUNCTION TO QSR
QSR
QSR EL: 126 ft
PT 001 to
Pajaro River
Water Reduction Plant


WATER TANK
VALVE STATION #2
JUNCTION TO RIVER
VALVE STATION #1
JUNCTION TO QSR
QSR
PT 001 to
Pajaro River
PAJARO RIVER
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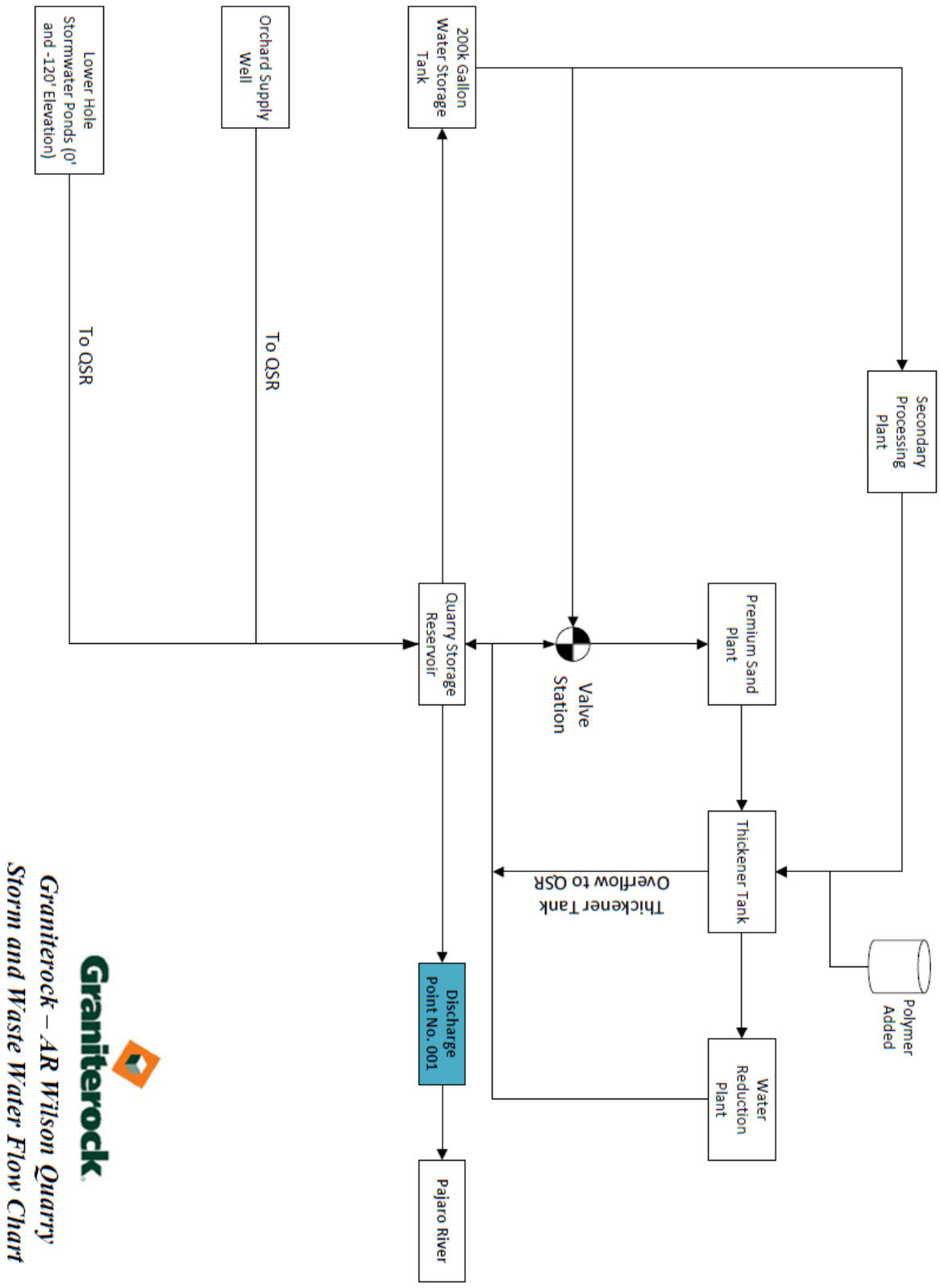
LOWER HOLE
PONDS
Sampling Location
M120 Pumps

ATTACHMENT C – FLOW SCHEMATIC



ATTACHMENT D – STANDARD PROVISIONS

1. STANDARD PROVISIONS – PERMIT COMPLIANCE

1.1. Duty to Comply

1.1.1. The Discharger must comply with all of the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. (40 Code of Federal Regulations (CFR) § 122.41(a); Wat. Code, §§ 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)

1.1.2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 CFR § 122.41(a)(1).)

1.2. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger 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. (40 CFR § 122.41(c).)

1.3. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 CFR § 122.41(d).)

1.4. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. 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 that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 CFR § 122.41(e).)

1.5. Property Rights

1.5.1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 CFR § 122.41(g).)

1.5.2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 CFR § 122.5(c).)

1.6. Inspection and Entry

The Discharger shall allow the Central Coast Water Board, State Water Board, 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 (33 U.S.C. § 1318(a)(4)(B); 40 CFR § 122.41(i); Wat. Code, §§ 13267, 13383):

1.6.1. 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 Order (33 U.S.C. § 1318(a)(4)(B)(i); 40 CFR § 122.41(i)(1); Wat. Code, §§ 13267, 13383);

1.6.2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 CFR § 122.41(i)(2); Wat. Code, §§ 13267, 13383);

1.6.3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 CFR § 122.41(i)(3); Wat. Code, §§ 13267, 13383); and

1.6.4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (33 U.S.C. § 1318(a)(4)(B); 40 CFR § 122.41(i)(4); Wat. Code, §§ 13267, 13383.)

1.7. Bypass

1.7.1. Definitions

1.7.1.1. “Bypass” means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR § 122.41(m)(1)(i).)

1.7.1.2. “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 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. (40 CFR § 122.41(m)(1)(ii).)

1.7.2. **Bypass not exceeding limitations.** The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance 1.7.3, 1.7.4, and 1.7.5 below. (40 CFR § 122.41(m)(2).)

1.7.3. **Prohibition of bypass.** Bypass is prohibited, and the Central Coast Water Board may take enforcement action against a Discharger for bypass, unless (40 CFR § 122.41(m)(4)(i)):

1.7.3.1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 CFR § 122.41(m)(4)(i)(A));

1.7.3.2. 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 judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 CFR § 122.41(m)(4)(i)(B)); and

1.7.3.3. The Discharger submitted notice to the Central Coast Water Board as required under Standard Provisions – Permit Compliance 1.7.5 below. (40 CFR § 122.41(m)(4)(i)(C).)

1.7.4. The Central Coast Water Board may approve an anticipated bypass, after considering its adverse effects, if the Central Coast Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance 1.7.3 above. (40 CFR § 122.41(m)(4)(ii).)

1.7.5. **Notice**

1.7.5.1. **Anticipated bypass.** If the Discharger knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the date of the bypass. The notice shall be sent to the Central Coast Water Board. As of December 21, 2023, all notices must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting 5.10 below. Notices shall comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. (40 CFR § 122.41(m)(3)(i).)

1.7.5.2. **Unanticipated bypass.** The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting 5.10 below (24-hour notice. The notice shall be sent to the Central Coast Water Board. As of December 21, 2023, all notices must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting 5.10 below. Notices shall comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. (40 CFR § 122.41(m)(3)(ii).)

1.8. Upset

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. (40 CFR § 122.41(n)(1).)

1.8.1. **Effect of an upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance 1.8.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 CFR § 122.41(n)(2).)

1.8.2 **Conditions necessary for a demonstration of upset.** A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 CFR § 122.41(n)(3)):

1.8.2.1. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 CFR § 122.41(n)(3)(i));

1.8.2.2. The permitted facility was, at the time, being properly operated (40 CFR § 122.41(n)(3)(ii));

1.8.2.3. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting 5.5.2.2 below (24-hour notice) (40 CFR § 122.41(n)(3)(iii)); and

1.8.2.4. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance 1.3 above. (40 CFR § 122.41(n)(3)(iv).)

1.8.3**. Burden of proof.** In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 CFR § 122.41(n)(4).)

2. STANDARD PROVISIONS – PERMIT ACTION

2.1. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 CFR § 122.41(f).)

2.2. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 CFR § 122.41(b).)

2.3. Transfers

This Order is not transferable to any person except after notice to the Central Coast Water Board . The Central Coast Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. (40 CFR §§ 122.41(l)(3), 122.61.)

3. STANDARD PROVISIONS – MONITORING

3.1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 CFR § 122.41(j)(1).)

3.2. Monitoring must be conducted according to test procedures approved under 40 CFR part 136 for the analyses of pollutants unless another method is required under 40 CFR chapter 1, subchapter N. Monitoring must be conducted according to

sufficiently sensitive test methods approved under 40 CFR part 136 for the analysis of pollutants or pollutant parameters or as required under 40 CFR chapter 1, subchapter N. For the purposes of this paragraph, a method is sufficiently sensitive when:

3.2.1. The method minimum level (ML) is at or below the level of the most stringent effluent limitation established in the permit for the measured pollutant or pollutant parameter, and either the method ML is at or below the level of the most stringent applicable water quality criterion for the measured pollutant or pollutant parameter or the method ML is above the applicable water quality criterion but the amount of the pollutant or pollutant parameter in the facility's discharge is high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge; or

3.2.2. The method has the lowest ML of the analytical methods approved under 40 CFR part 136 or required under 40 CFR chapter 1, subchapter N for the measured pollutant or pollutant parameter. In the case of pollutants or pollutant parameters for which there are no approved methods under 40 CFR part 136, or otherwise required under 40 CFR chapter 1, subchapter N, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 CFR §§ 122.21(e)(3), 122.41(j)(4), 122.44(i)(1)(iv).)

4. STANDARD PROVISIONS – RECORDS

4.1. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Central Coast Water Board Executive Officer at any time. (40 CFR § 122.41(j)(2).)

4.2. Records of monitoring information shall include:

4.2.1. The date, exact place, and time of sampling or measurements (40 CFR § 122.41(j)(3)(i));

4.2.2. The individual(s) who performed the sampling or measurements (40 CFR § 122.41(j)(3)(ii));

4.2.3. The date(s) analyses were performed (40 CFR § 122.41(j)(3)(iii));

4.2.4. The individual(s) who performed the analyses (40 CFR § 122.41(j)(3)(iv));

4.2.5. The analytical techniques or methods used (40 CFR § 122.41(j)(3)(v)); and

4.2.6. The results of such analyses. (40 CFR § 122.41(j)(3)(vi).)

4.3. Claims of confidentiality for the following information will be denied (40 CFR § 122.7(b)):

4.3.1. The name and address of any permit applicant or Discharger (40 CFR § 122.7(b)(1)); and

4.3.2. Permit applications and attachments, permits and effluent data. (40 CFR § 122.7(b)(2).)

5. STANDARD PROVISIONS – REPORTING

5.1. Duty to Provide Information

The Discharger shall furnish to the Central Coast Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Central Coast Water Board, State Water Board, or U.S. EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Central Coast Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 CFR § 122.41(h); Wat. Code, §§ 13267, 13383.)

5.2. Signatory and Certification Requirements

5.2.1. All applications, reports, or information submitted to the Central Coast Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting 5.2.2, 5.2.3, 5.2.4, 5.2.5, and 5.2.6 below. (40 CFR § 122.41(k).)

5.2.2. All permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) 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 (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. (40 CFR § 122.22(a)(1).)

5.2.3. All reports required by this Order and other information requested by the Central Coast Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting 5.2.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

5.2.3.1. The authorization is made in writing by a person described in Standard Provisions – Reporting 5.2.2 above (40 CFR § 122.22(b)(1));

5.2.3.2. The authorization specifies 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.) (40 CFR § 122.22(b)(2)); and

5.2.3.3. The written authorization is submitted to the Central Coast Water Board and State Water Board. (40 CFR § 122.22(b)(3).)

5.2.4. If an authorization under Standard Provisions – Reporting 5.2.3 above 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 Standard Provisions – Reporting 5.2.3 above must be submitted to the Central Coast Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 CFR § 122.22(c).)

5.2.5. Any person signing a document under Standard Provisions – Reporting 5.2.2 or 5.2.3 above 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." (40 C.F.R. § 122.22(d).)

5.2.6. Any person providing the electronic signature for documents described in Standard Provisions – 5.2.1, 5.2.2, or 5.2.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting 5.2, and shall ensure that all relevant requirements of 40 CFR part 3 (Cross-Media Electronic Reporting) and 40 CFR part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 C.F.R § 122.22(e).)

5.3. Monitoring Reports

5.3.1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 CFR § 122.41(l)(4).)

5.3.2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Central Coast Water Board or State Water Board. As of December 21, 2016, all reports and forms must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting

5.10 and comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. (40 CFR § 122.41(l)(4)(i).)

5.3.3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR part 136, or another method required for an industry-specific waste stream under 40 CFR chapter 1, subchapter N, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Central Coast Water Board or State Water Board.
(40 CFR § 122.41(l)(4)(ii).)

5.3.4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order.
(40 CFR § 122.41(l)(4)(iii).)

5.4. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date.
(40 CFR § 122.41(l)(5).)

5.5. Twenty-Four Hour Reporting

5.5.1. The Discharger shall report any noncompliance which 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 report shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The report 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.

For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (i.e., combined sewer overflow, sanitary sewer overflow, or bypass event), type of overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volume untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the event, and whether the noncompliance was related to wet weather.

As of December 21, 2023, all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted to the Central Coast Water Board and must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting 5.10 The reports shall comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. The Central Coast Water Board may also require the Discharger to electronically submit reports not

related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 CFR § 122.41(l)(6)(i).)

5.5.2. The following shall be included as information that must be reported within 24 hours:

5.5.2.1. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(A).)

5.5.2.2. Any upset that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(B).)

5.5.3. The Central Coast Water Board may waive the above required written report on a case-by-case basis if an oral report has been received within 24 hours. (40 CFR § 122.41(l)(6)(ii)(B).)

5.6. Planned Changes

The Discharger shall give notice to the Central Coast Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 CFR § 122.41(l)(1)):

5.6.1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) (40 CFR § 122.41(l)(1)(i)); or

5.6.2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (40 CFR § 122.41(l)(1)(ii).)

5.7. Anticipated Noncompliance

The Discharger shall give advance notice to the Central Coast Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with this Order's requirements. (40 CFR § 122.41(l)(2).)

5.8. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting 5.3, 5.4, and 5.5 above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting 5.5 above. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting 5.5 and the applicable required data in appendix A to 40 CFR part 127. The Central Coast Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 CFR § 122.41(l)(7).)

5.9 Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in

any report to the Central Coast Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information.
(40 CFR § 122.41(l)(8).)

5.10. Initial Recipient for Electronic Reporting Data

The owner, operator, or the duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 CFR part 127 to the initial recipient defined in 40 CFR section 127.2(b). U.S. EPA will identify and publish the list of initial recipients on its website and in the Federal Register, by state and by NPDES data group [see 40 CFR section 127.2(c)]. U.S. EPA will update and maintain this listing. (40 CFR § 122.41(l)(9).)

6. STANDARD PROVISIONS – ENFORCEMENT

6.1. The Central Coast Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13268, 13385, 13386, and 13387.

6.2. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the CWA, is subject to a civil penalty not to exceed $25,000 per day for each violation. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the CWA, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the CWA, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than one year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than two years, or both. Any person who knowingly violates such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than three years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not

more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions (40 CFR § 122.41(a)(2); CWC section 13385 and 13387).

6.3. Any person may be assessed an administrative penalty by the Administrator of USEPA, or an administrative civil liability by the Central Coast Water Board, or State Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000. (40 CFR § 122.41(a)(3).)

6.4. The CWA 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. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or both. (40 CFR § 122.41(j)(5).)

6.5. The CWA 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 non-compliance 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).)

7. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

7.1. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Central Coast Water Board as soon as they know or have reason to believe (40 CFR § 122.42(a)):

7.1.1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 CFR § 122.42(a)(1)):

7.1.1.1. 100 micrograms per liter (µg/L) (40 CFR § 122.42(a)(1)(i));

7.1.1.2. 200 µg/L for acrolein and acrylonitrile; 500 µg/L for 2,4 dinitrophenol and 2-methyl 4,6 dinitrophenol; and 1 milligram per liter (mg/L) for antimony (40 CFR § 122.42(a)(1)(ii));

7.1.1.3. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 CFR § 122.42(a)(1)(iii)); or

7.1.1.4. The level established by the Central Coast Water Board in accordance with section 122.44(f). (40 CFR § 122.42(a)(1)(iv).)

7.1.2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following “notification levels" (40 CFR § 122.42(a)(2)):

7.1.2.1. 500 micrograms per liter (µg/L) (40 CFR § 122.42(a)(2)(i));

7.1.2.2. 1 milligram per liter (mg/L) for antimony (40 CFR § 122.42(a)(2)(ii));

7.1.2.3. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 CFR § 122.42(a)(2)(iii)); or

7.1.2.4. The level established by the Central Coast Water Board in accordance with section 122.44(f). (40 CFR § 122.42(a)(2)(iv).)

7.2 Publicly Owned Treatment Works (POTWs)

All POTWs shall provide adequate notice to the Central Coast Water Board of the following (40 CFR § 122.42(b)):

7.2.1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to sections 301 or 306 of the CWA if it were directly discharging those pollutants (40 CFR § 122.42(b)(1)); and

7.2.2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order. (40 CFR § 122.42(b)(2).)

7.2.3. Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW. (40 CFR § 122.42(b)(3).)

8. CENTRAL COAST WATER BOARD STANDARD PROVISIONS

8.1. Central Coast Standard Provision – Prohibitions

8.1.1. Introduction of “incompatible wastes” to the treatment system is prohibited.

8.1.2. Discharge of high-level radiological waste and of radiological, chemical, and biological warfare agents is prohibited.

8.1.3. Discharge of “toxic pollutants” in violation of effluent standards and prohibitions established under section 307(a) of the CWA is prohibited.

8.1.4. Discharge of sludge, sludge digester or thickener supernatant, and sludge drying bed leachate to drainageways, surface waters, or the ocean is prohibited.

8.1.5. Introduction of pollutants into the collection, treatment, or disposal system by and “indirect discharger” that:

8.1.5.1. Inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or,

8.1.5.2. Flow through the system to the receiving water untreated; and,

8.1.5.3. Cause or “significantly contribute” to a violation of any requirement of this Order, is prohibited.

8.1.6. Introduction of “pollutant free” wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited.

8.2. Central Coast Standard Provisions

8.2.1. All facilities used for transport or treatment of wastes shall be adequately protected from inundation and washout as the result of a 100-year frequency flood.

8.2.2. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.

8.2.3. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner approved by the Executive Officer.

8.2.4. Publicly owned wastewater treatment plans shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to title 23 of the California Administrative Code.

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

8.2.5.1. Violation of any term or condition contained in this Order;

8.2.5.2. Obtaining this Order by misrepresentation, or by failure to disclose fully all relevant facts;

8.2.5.3. A change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge; and,

8.2.5.4. A substantial change in character, location, or volume of the discharge.

8.2.6. Provisions of this permit are severable. If any provision of the permit is found invalid, the remainder of the permit shall not be affected.

8.2.7. After notice and opportunity for hearing, this Order may be modified or revoked and reissued for cause, including:

8.2.7.1. Promulgation of a new or revised effluent standard or limitation;

8.2.7.2. A material change in character, location, or volume of the discharge;

8.2.7.3. Access to new information that affects the germs of the permit, including applicable schedules;

8.2.7.4. Correction of technical mistakes or mistaken interpretations of law; and,

8.2.7.5. Other causes set forth under Sub-part D of 40 CFR part 122.

8.2.8. Safeguards shall be provided to ensure maximal compliance with all terms and conditions of this permit. Safeguards shall include preventative and contingency plans and may also include alternative power sources, stand-by generators, retention capacity, operative procedures, or other precautions. Preventative and contingency plans for controlling and minimizing the effect of accidental discharges shall:

8.2.8.1. Identify possible situations that could cause “upset,” “overflow,” or “bypass,” or other noncompliance. (Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered).

8.2.8.2. Evaluate the effectiveness of present facilities and procedures and describe procedures and steps to minimize or correct any adverse environmental impact resulting from noncompliance with the permit.

8.2.9. Physical Facilities shall be designed and constructed according to accepted engineering practice and shall be capable of full compliance with this Order when properly operated and maintained. Proper operation and maintenance shall be described in an Operation and Maintenance Manual. Facilities shall be accessible during the wet-weather season.

8.2.10. 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 the conditions of this Order. Electrical and mechanical equipment shall be maintained in accordance with appropriate practices and standards, such as NFPA 70B, Recommended Practice for Electrical Equipment Maintenance; NFPA 70E, Standard for Electrical Safety in the Workplace; ANSI/NETA MTS Standard for Maintenance: Testing Specifications for Electrical Power Equipment and Systems, or procedures established by insurance companies or industry resources.

8.2.11. If the discharger’s facilities are equipped with SCADA or other systems that implement wireless, remote operation, the discharger should implement appropriate safeguards against unauthorized access to the wireless systems. Standards such as NIST SP 800-53, Recommended Security Controls for Federal Information Systems, can provide guidance.

8.2.12. Production and use of reclaimed water is subject to the approval of the Central Coast Water Board. Production and use of reclaimed water shall be in conformance with recycling criteria established in chapter 3, title 22, of the California Administrative Code and chapter 7, division 7, of the Water Code. An engineering report pursuant to section 60323, title 22, of the California Administrative Code is required and a waiver or water recycling requirements from the Central Coast Water Board is required before reclaimed water is supplied for any use, or to any user, not specifically identified and approved either in this Order or another order issued by the Central Coast Water Board.

8.3. Central Coast Standard Provisions – General Monitoring Requirements

8.3.1. If results of monitoring a pollutant appear to violate effluent limitations based on a weekly, monthly, 30-day, or six-month period, but compliance or non-compliance cannot be validated because sampling is too infrequent, the frequency of sampling shall be increased to validate the test within the next monitoring period. The increased frequency shall be maintained until the Executive Officer agrees the original monitoring frequency may be resumed.

For example, if copper is monitored annually and results exceed the six-month median numerical effluent limitation in the permit, monitoring of copper must be increased to a frequency of at least once every six months. If suspended solids are monitored monthly and results exceed the weekly average numerical limit in the permit, monitoring of suspended solids must be increased to at least weekly.

8.3.2. Water quality analyses performed in order to monitor compliance with this permit shall be by a laboratory certified by the Division of Drinking Water for the constituent(s) being analyzed. Bioassay(s) performed in order to monitor compliance with this permit shall be in accord with guidelines approved by the State Water Board and the California Department of Fish and Wildlife. If the laboratory used or proposed for use by the discharger is not certified by the Division of Drinking Water or, where appropriate, the Department of Fish and Wildlife due to restrictions in the State's laboratory certification program, the discharger shall be considered in compliance with this provision provided:

8.3.2.1. Data results remain consistent with results of samples analyzed by the Central Coast Water Board;

8.3.2.2. A quality assurance program is used at the laboratory, including a manual containing steps followed in this program that is available for inspections by the staff of the Central Coast Water Board; and,

8.3.2.3. Certification is pursued in good faith and obtained as soon as possible after the program is reinstated.

8.3.3. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Samples shall be taken during periods of peak loading conditions. Influent samples shall be samples collected from the combined flows of all incoming wastes, excluding recycled wastes. Effluent samples shall be samples collected downstream of the last treatment unit and tributary flow and upstream of any mixing with receiving waters.

8.3.4. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

8.4. Central Coast Standard Provisions – General Reporting Requirements

8.4.1. Reports of marine monitoring surveys conducted to meet receiving water monitoring requirements of the Monitoring and Reporting Program shall include at least the following information:

8.4.1.1. A description of climatic and receiving water characteristics at the time of sampling (weather observations, floating debris, discoloration, wind speed and direction, swell or wave action, time of sampling, tide height, etc.).

8.4.1.2. A description of sampling stations, including differences unique to each station (e.g., station location, grain size, rocks, shell litter, calcareous worm tubes, evident life, etc.).

8.4.1.3. A description of the sampling procedures and preservation sequence used in the survey.

8.4.1.4. A description of the exact method used for laboratory analysis. In general, analysis shall be conducted according to Central Coast Standard Provisions – 8.3.1 above, and Federal Standard Provision – Monitoring 3.2. However, variations in procedure are acceptable to accommodate the special requirements of sediment analysis. All such variations must be reported with the test results.

8.4.1.5. A brief discussion of the results of the survey. The discussion shall compare data from the control station with data from the outfall stations. All tabulations and computations shall be explained.

8.4.2. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule shall be submitted within 14 days following each scheduled date unless otherwise specified within the permit. If reporting noncompliance, the report shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance. A second report shall be submitted within 14 days of full compliance.

8.4.3. The Discharger shall file a Report of Waste Discharge or secure a waiver from the Executive Officer at least 180 days before making any material change or proposed change in the character, location, or plume of the discharge.

8.4.4. Within 120 days after the Discharger discovers, or is notified by the Central Coast Water Board, that monthly average daily flow will or may reach design capacity of waste treatment and/or disposal facilities within four (4) years, the Discharger shall file a written report with the Central Coast Water Board. The report shall include:

8.4.4.1. The best estimate of when the monthly average daily dry weather flow rate will equal or exceed design capacity; and,

8.4.4.2. A schedule for studies, design, and other steps needed to provide additional capacity for waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

In addition to complying with Federal Standard Provision – Reporting 5.2, the required technical report shall be prepared with public participation and reviewed, approved and jointly submitted by all planning and building departments having jurisdiction in the area served by the waste collection, treatment, or disposal facilities.

8.4.5. All Dischargers shall submit reports electronically to the:

California Regional Water Quality Control Board
Central Coast Region
centralcoast@waterboards.ca.gov
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

In addition, Dischargers with designated major discharges shall submit a copy of each document to:

Regional Administrator
U.S. EPA, Region 9
Attention: CWA Standards and Permits Office (WTR-5)
75 Hawthorne Street
San Francisco, California 94105

8.4.6. Transfer of control or ownership of a waste discharge facility must be preceded by a notice to the Central Coast Water Board at least 30 days in advance of the proposed transfer date. The notice must include a written agreement between the existing Discharger and proposed Discharger containing specific date for transfer of responsibility, coverage, and liability between them. Whether a permit may be transferred without modification or revocation and reissuance is at the discretion of the Board. If permit modification or revocation and reissuance is necessary, transfer may be delayed 180 days after the Central Coast Water Board's receipt of a complete permit application. Please also see Federal Standard Provision – Permit Action 2.3.

8.4.7. Except for data determined to be confidential under CWA section 308 (excludes effluent data and permit applications), all reports prepared in accordance with this permit shall be available for public inspection at the office of the Central Coast Water Board or Regional Administrator of U.S. EPA. Please also see Federal Standard Provision – Records 4.3.

8.4.8. By February 1st of each year, the discharger shall submit an annual report to the Central Coast Water Board. The report shall contain the following:

8.4.8.1. Both tabular and graphical summaries of the monitoring data obtained during the previous year.

8.4.8.2. A discussion of the previous year’s compliance record and corrective actions taken, or which may be needed, to bring the discharger into full compliance.

8.4.8.3. An evaluation of wastewater flows with projected flow rate increases over time and the estimated date when flows will reach facility capacity.

8.4.8.4. A discussion of operator certification and a list of current operating personnel and their grades of certification.

8.4.8.5. The date of the facility's Operation and Maintenance Manual (including contingency plans as described in Provision 8.2.9), the date the manual was last reviewed, and whether the manual is complete and valid for the current facility.

8.4.8.6. A discussion of the laboratories used by the discharger to monitor compliance with effluent limits and a summary of performance relative to section 8.3, General Monitoring Requirements.

8.4.8.7. If the facility treats industrial or domestic wastewater and there is no provision for periodic sludge monitoring in the Monitoring and Reporting Program, the report shall include a summary of sludge quantities, analyses of its chemical and moisture content, and its ultimate destination.

8.4.8.8. If appropriate, the report shall also evaluate the effectiveness of the local source control or pretreatment program using the State Water Board's "Guidelines for Determining the Effectiveness of Local Pretreatment Program."

8.5. Central Coast Standard Provisions – General Pretreatment Provisions

8.5.1. Discharge of pollutants by "indirect dischargers" in specific industrial sub-categories (appendix C, 40 CFR part 403), where categorical pretreatment standards have been established, or are to be established, (according to 40 CFR chapter 1, subchapter N), shall comply with the appropriate pretreatment standards:

8.5.1.1. By the date specified therein;

8.5.1.2. Within three (3) years of the effective date specified therein, but in no case later than July 1, 1984; or,

8.5.1.3. If a new indirect discharger, upon commencement of discharge.

8.6. Central Coast Standard Provision – Enforcement

8.6.1. Any person failing to file a Report of Waste Discharge or other report as required by this permit shall be subject to a civil penalty not to exceed $5,000 per day.

8.6.2. Upon reduction, loss, or failure of the treatment facility, the Discharger shall, to the extent necessary to maintain compliance with this permit, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided.

8.7. Central Coast Standard Provisions – Definitions (Not otherwise included in Attachment A to this Order)

8.7.1. A "composite sample" is a combination of no fewer than eight (8) individual samples obtained at equal time intervals (usually hourly) over the specified sampling (composite) period. The volume of each individual sample is

proportional to the flow rate at the time of sampling. The period shall be specified in the Monitoring and Reporting Program ordered by the Executive Officer.

8.7.2. “Daily Maximum” limit means the maximum acceptable concentration or mass emission rate of a pollutant measured during a calendar day or during any 24-hour period reasonably representative of the calendar day for purposes of sampling. It is normally compared with results based on "composite samples” except for ammonia, total chlorine, phenolic compounds, and toxicity concentration. For all exceptions, comparisons will be made with results from a “grab sample”.

8.7.3. “Discharger", as used herein, means, as appropriate: (1) the Discharger, (2) the local sewering entity (when the collection system is not owned and operated by the Discharger), or (3) "indirect discharger" (where "Discharger" appears in the same paragraph as "indirect discharger”, it refers to the discharger.)

8.7.4. “Duly Authorized Representative" is one where:

8.7.4.1. The authorization is made in writing by a person described in the signatory paragraph of Federal Standard Provision 5.2.;

8.7.4.2. The authorization specifies either an individual or the occupant of a position having either responsibility for the overall operation of the regulated facility, such as the plant manager, or overall responsibility for environmental matters of the company; and,

8.7.4.3. The written authorization was submitted to the Central Coast Water Board.

8.7.5. A "grab sample" is defined as any individual sample collected in less than 15 minutes. "Grab samples” shall be collected during peak loading conditions, which may or may not be during hydraulic peaks. It is used primarily in determining compliance with the daily maximum limits identified in Central Coast Standard Provision – Provision 8.7.2. and instantaneous maximum limits.

8.7.6. "Hazardous substance” means any substance designated under 40 CFR part 116 pursuant to section 311 of the CWA.

8.7.7. "Incompatible wastes” are:

8.7.7.1. Wastes which create a fire or explosion hazard in the treatment works;

8.7.7.2. Wastes which will cause corrosive structural damage to treatment works, but in no case wastes with a pH lower than 5.0 unless the works is specifically designed to accommodate such wastes;

8.7.7.3. Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation of treatment works;

8.7.7.4. Any waste, including oxygen demanding pollutants (BOD, etc.), released in such volume or strength as to cause inhibition or disruption in the treatment works and subsequent treatment process upset and loss of treatment efficiency; and,

8.7.7.5. Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.

8.7.8. "Indirect Discharger" means a non-domestic discharger introducing pollutants into a publicly owned treatment and disposal system.

8.7.9. "Log Mean" is the geometric mean. Used for determining compliance of fecal or total coliform populations, it is calculated with the following equation:

Log Mean = (C1 x C2 x...x Cn)1/n,
in which "n" is the number of days samples were analyzed during the period and any "C" is the concentration of bacteria (MPN/100 mL) found on each day of sampling. "n" should be five or more.

8.7.10. "Mass emission rate" is a daily rate defined by the following equations:

mass emission rate (lbs/day) = 8.34 x Q x C; and,

mass emission rate (kg/day) = 3.79 x Q x C,

where "C" (in mg/L) is the measured daily constituent concentration or the average of measured daily constituent concentrations and "Q" (in MGD) is the measured daily flowrate or the average of measured daily flow rates over the period of interest.

8.7.11. The "Maximum Allowable Mass Emission Rate," whether for a month, week, day, or six-month period, is a daily rate determined with the formulas in paragraph 8.7.10, above, using the effluent concentration limit specified in the permit for the period and the average of measured daily flows (up to the allowable flow) over the period.

8.7.12. "Maximum Allowable Six-Month Median Mass Emission Rate" is a daily rate determined with the formulas in Central Coast Standard Provision – Provision 8.7.10, above, using the "six-month Median" effluent limit specified in the permit, and the average of measured daily flows (up to the allowable flow) over a 180-day period.

8.7.13. "Median" is the value below which half the samples (ranked progressively by increasing value) fall. It may be considered the middle value, or the average of two middle values.

8.7.14. "Monthly Average" (or "Weekly Average", as the case may be) is the arithmetic mean of daily concentrations or of daily mass emission rates over the specified 30-day (or 7-day) period.

Average = (X1 + X2 + ... + Xn) / n

in which "n" is the number of days samples were analyzed during the period and "X" is either the constituent concentration (mg/l) or mass emission rate (kg/day or lbs/day) for each sampled day. If only a single sample is taken in a month (or week), the single sample shall be used as the average value.

8.7.15. "Municipality" means a city, town, borough, county, district, association, or other public body created by or under State law and having jurisdiction over disposal of sewage, industrial waste, or other waste.

8.7.16. "Overflow" means the intentional or unintentional diversion of flow from the collection and transport systems, including pumping facilities.

8.7.17. "Pollutant-free wastewater" means inflow and infiltration, stormwaters, and cooling waters and condensates which are essentially free of pollutants.

8.7.18. "Primary Industry Category" means any industry category listed in 40 CFR part 122, Appendix A.

8.7.19. "Removal Efficiency" is the ratio of pollutants removed by the treatment unit to pollutants entering the treatment unit. Removal efficiencies of a treatment plant shall be determined using “Monthly averages" of pollutant concentrations (C, in mg/l) of influent and effluent samples collected about the same time and the following equation (or its equivalent):

$$C_{effluent}\ \text{Removal Efficiency}\ (\%) = 100 \times (1 - C_{effluent} / C_{influent})$$

8.7.20. "Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss to natural resources which can reasonably be expected to occur in the absence of a "bypass”. It does not mean economic loss caused by delays in production.

8.7.21. "Sludge" means the solids, residues, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system.

8.7.22. To "significantly contribute" to a permit violation means an "indirect discharger" must:

8.7.22.1. Discharge a daily pollutant loading in excess of that allowed by contract with the Discharger or by Federal, State, or Local law;

8.7.22.2. Discharge wastewater which substantially differs in nature or constituents from its average discharge;

8.7.22.3. Discharge pollutants, either alone or in conjunction with discharges from other sources, which results in a permit violation or prevents sewage sludge use or disposal; or

8.7.22.4. Discharge pollutants, either alone or in conjunction with pollutants from other sources that increase the magnitude or duration of permit violations.

8.7.23. "Toxic Pollutant" means any pollutant listed as toxic under Section 307 (a) (1) of the CWA or under 40 CFR part 122, Appendix D. Violation of maximum daily discharge limitations are subject to 24-hour reporting (Federal Standard Provisions 5.5.).

8.7.24. “Zone of Initial Dilution" means the region surrounding or adjacent to the end of an outfall pipe or diffuser ports whose boundaries are defined through calculation of a plume model verified by the State Water Board.

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM

Section 308 of the federal Clean Water Act (CWA) and sections 122.41(h), (j)-(l), 122.44(i), and 122.48 of title 40 of the Code of Federal Regulations (40 CFR) require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Central Coast Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. This MRP establishes monitoring, reporting, and recordkeeping requirements that implement the federal and California laws and/or regulations.

1. GENERAL MONITORING PROVISIONS

1.1. Laboratories analyzing monitoring samples shall be certified by the State Water Resources Control Board (State Water Board), in accordance with the provision of Water Code section 13176, and must include quality assurance/quality control data with their reports.

1.2. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified in this MRP and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and approval of the Central Coast Water Board.

1.3. Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than ±10 percent from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references.

1.3.1. *A Guide to Methods and Standards for the Measurement of Water Flow*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 96 pp. http://nvlpubs.nist.gov/nistpubs/Legacy/SP/nbsspecialpublication421.pdf

1.3.2. *Water Measurement Manual*, U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. https://www.usbr.gov/tsc/techreferences/mands/wmm/index.htm

1.3.3. *Flow Measurement in Open Channels and Closed Conduits*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. https://nvlpubs.nist.gov/nistpubs/Legacy/SP/nbsspecialpublication484v2.pdf

1.3.4. NPDES Compliance Inspection Manual, Chapter 6 – Flow Measurement, U.S. Environmental Protection Agency (U.S. EPA), Office of Water Enforcement,

Publication Number 305-K-17-001, January 2017, 918 pp. https://www.epa.gov/compliance/compliance-inspection-manual-national-pollutant-discharge-elimination-system

1.4. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.

1.5. Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this MRP.

1.6. Unless otherwise specified by this MRP, all monitoring shall be conducted according to test procedures established at 40 CFR part 136, Guidelines Establishing Test Procedures for Analysis of Pollutants. All analyses shall be conducted using the lowest practical quantitation limit achievable using the specified methodology. Where effluent limitations are set below the lowest achievable quantitation limits, pollutants not detected at the lowest practical quantitation limits will be considered in compliance with effluent limitations. Analysis for toxic pollutants listed by the California Toxics Rule shall also adhere to guidance and requirements contained in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (2005) (SIP).

1.7. Monitoring and sampling periods are defined as follows unless otherwise specified in this MRP:

Daily: Midnight through 11:59 PM, or any 24-hour period that reasonably represents a calendar day for purposes of sampling.

Weekly: Sunday through Saturday (Note: For weekly monitoring and sampling periods that start in one monthly reporting period but end in the next, the Discharger may report the weekly data in the monthly monitoring report containing the last day of the weekly period.)

Monthly: 1st day of calendar month through last day of calendar month.

Annually: January 1st through December 31st

2. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations as described in Table E-1 to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	Effluent discharged from Quarry Lake (Quarry Storage Reservoir) before its contact with receiving water. All flows leaving the facility and discharged to the Pajaro River must be mixed with Quarry Lake. Latitude: 36.93º N, Longitude: 121.6161º W.
---	RSW-001	In the Pajaro River approximately 10,000 feet upstream of Discharge Point 001 where water samples reflect water quality before the addition of effluent to the receiving water. This is the same location as the USGS Chittenden Stream Gauge. Latitude: 36.900192 º N, Longitude: 121.597677 º W.
---	RSW-002	In the Pajaro River, approximately 10,000 feet downstream of Discharge Point 001, where a representative sample that indicates the impact of effluent on receiving water. This is the same location as the Rogge Lane Bridge. Latitude: 36.894169 º N, Longitude: 121.643922 º W.

The North latitude and West longitude information in Table E-1 are approximate for administrative purposes.

3. INFLUENT MONITORING REQUIREMENTS – NOT APPLICABLE

4. EFFLUENT MONITORING REQUIREMENTS

4.1. Monitoring Location EFF-001

4.1.1. The Discharger shall monitor effluent discharged at Monitoring Location EFF-001 as specified in Table E-2. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level.

Table E-2. Effluent Monitoring Requirements at EFF-001

Parameter	Units	Sample Type	Quarry Lake Minimum Sampling Frequency
Flow	MGD	Measured	1/Day
Temperature[3]	ºF	Grab	1/Hour[1]
pH[3]	standard units	Grab	1/Week[2]
Oil and Grease	mg/L	Grab	1/Week[2]
Dissolved Oxygen	mg/L	Grab	1/Week[2]
Total Suspended Solids (TSS)	mg/L	Grab	1/Week[2]
Turbidity	NTUs	Grab	1/Week[2]
Suspended Sediment[4]	mg/L	Grab	1/Week[2]
Copper, Total Recoverable	µg/L	Grab	1/Week[2]
Mercury, Total Recoverable	µg/L	Grab	1/Week[2]
Selenium, Total Recoverable	µg/L	Grab	1/Week[2]
Bis (2-Ethylhexyl) Phthalate	µg/L	Grab	1/Week[2]
Nitrobenzene	µg/L	Grab	1/Week[2]
Aluminum, Total Recoverable	µg/L	Grab	1/Week[2]
Nitrate, Total (as N)	mg/L	Grab	1/Week[2]
Orthophosphate (as P)	mg/L	Grab	1/Week[2]
Total Ammonia Nitrogen (as N)[3]	mg/L	Grab	1/Week[2]
Un-ionized Ammonia (as N)[3]	mg/L	Calculated	1/Week[2]
Iron, Total Recoverable	µg/L	Grab	1/Week[2]
Molybdenum	µg/L	Grab	1/Week[2]
Total Dissolved Solids (TDS)	mg/L	Grab	1/Week[2]
Sulfate[5]	mg/L	Grab	1/Week[2]
Sodium[5]	mg/L	Grab	1/Week[2]
Color	Color units	Grab	1/Week[2]
Odor	Presence /Absence	Grab	1/Week[2]
Floating Material[6]	Presence /Absence	Visual	1/Week[2]
Escherichia coli	MPN/100 mL	Grab	1/Week[2]
Chloride	µg/L	Grab	1/Year

Parameter	Units	Sample Type	Quarry Lake Minimum Sampling Frequency
Boron	µg/L	Grab	1/Year
Methylene blue activated substances (MBAS)	mg/L	Grab	1/Year
Radium-228	pCi/L	Grab	1/Year
Gross Alpha particle activity (excluding radon and uranium)	pCi/L	Grab	1/Year
Uranium	pCi/L	Grab	1/Year
Beta/photon emitters	Millirem/year	Grab	1/Year
Strontium-90	pCi/L	Grab	1/Year
Tritium	pCi/L	Grab	1/Year
Hardness (as $CaCO_3$)	mg/L	Grab	1/Year
Chronic Toxicity[7]	Pass/Fail	Grab	1/Month[7]
CTR Pollutants [8] [9]	µg/L	Grab	1/Year
Title 22 Pollutants [10] [11]	µg/L	Grab	1/Year
Chlorpyrifos	µg/L	Grab	Once every 5 years[12]
Diazinon	µg/L	Grab	Once every 5 years [12]

[1] Hourly during the discharge. Upon approval of the Executive Officer, sampling may be reduced to one time sampling during discharges as supported by applicable data showing that the effluent temperature is consistently at or below the receiving water temperature and will not be likely to cause excursions above the prescribed limits.

[2] Monitor for these pollutants at the following frequency depending on the number of days of discharge during a discharge event:

- For days 1-7 of discharge, sample weekly,
- For days 8-14 of discharge, sample a second time following a weekly interval,
- After day 14 of discharge, ensure that both weekly samples were collected as described above and begin sampling at monthly intervals thereafter.
- During monthly intervals of sampling, the Discharger must sample at least once for every calendar month that there is a discharge in that month.

[3] Temperature and pH are to be measured at the same time as the total ammonia sample is collected. Results shall be used to calculate and report un-ionized ammonia (as N) concentrations.

[4] Analysis for suspended sediment concentration shall be performed in accordance with American Society for Testing and Materials (ASTM) Method D3977-97B [Standard test methods for determining sediment concentration in water samples (ASTM Designation: D-3977-97)]

[5] Results reported as an annual average and based on a 12-month running mean. To calculate the 12-month running mean for the current month, the Discharger will only use months that discharge occurred in the previous 12 months in the calculation.

[6] Visual observation of floating material will be handwritten in a logbook and include date, time, observer and report the presence or absence of any floating materials including floating material, visible films, sheens or coatings. Include a description of what was observed.

[7] The Discharger shall conduct at least one chronic aquatic toxicity test every calendar month during which there is at least 15 days of discharge. Chronic toxicity monitoring shall be conducted coincident with receiving water toxicity monitoring. Upon the effective date of the Order, the Discharger shall use *Ceriodaphnia dubia* as the most sensitive species for routine chronic toxicity monitoring. Following the results of the species sensitivity screening in accordance with MRP Section 5.1.7 and email notification to the Central Coast Water Board, the most sensitive species will be used for routine sampling for the remainder of the permit term.

[8] Those 126 pollutants listed in the California Toxics Rule (CTR) at 40 CFR 131.38

[9] Analyses, compliance determination, and reporting for these pollutants shall adhere to applicable provisions of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP). The Discharger shall instruct its analytical laboratory to establish calibration standards so that the Minimum Levels (MLs) presented in Appendix 4 of the SIP are the low est calibration standards. The Discharger and its analytical laboratory shall select MLs which are below applicable water quality criteria of the CTR; and when applicable water quality criteria are below all MLs, the Discharger and its analytical laboratory shall select the lowest ML.

[10] Analytical methods shall adhere to the Detection Limits for Purposes of Reporting (DLRs) established by Title 22 of the California Code of Regulations, Division 4, Chapter 15, section 64432 (inorganics) and section 64445.1 (organics).

[11] The Title 22 pollutants are those pollutants for which the Department of Public Health has established Maximum Contaminant Levels (MCLs) at Title 22, Division 4, Chapter 15, sections 64431 (inorganic chemicals) and 64444 (organic chemicals) of the California Code of Regulations.

[12] Once every five years following permit effective date.

5. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

5.1. Chronic Toxicity Monitoring Requirements – Monitoring Location EFF-001

5.1.1. **Routine Chronic Toxicity Monitoring Frequency.** The Discharger shall conduct at least one chronic aquatic toxicity test every calendar month during which there is at least 15 days of discharge. Initiation of the routine monitoring test shall be at a time that would allow any required Median Monthly Effluent Limitation (MMEL) compliance tests to be initiated within the same calendar month as the routine monitoring test.

For routine chronic toxicity monitoring, the Discharger shall conduct at least one chronic toxicity test using the most sensitive species each calendar month during which there is at least 15 days of discharge. For the purposes of chronic toxicity, the calendar month starts from the initiation of routine monitoring. The Discharger shall ensure there is sufficient time to perform the MMEL compliance testing

within the defined calendar month, should the initial toxicity test result in a "Fail". If the Discharger is unable to sample within the calendar month due to the availability of test organisms, contract laboratory scheduling issues, or some other reason outside of the Discharger's control, the Discharger shall immediately notify the Central Coast Water Board in writing. If the Central Coast Water Board agrees that the failure to sample within the calendar month was unavoidable, the Central Coast Water Board will specify an alternative sampling window for the monitoring period.

The Discharger may request to reduce the monitoring frequency from once per calendar month to once per calendar quarter if all of the following conditions are met: 1) the toxicity requirements in this permit have been followed; and 2) there were no violations of the MMEL or Maximum Daily Effluent Limitation (MDEL) for chronic toxicity within the last five years. If a chronic toxicity test results in a "Fail" at the IWC during reduced monitoring, the frequency is automatically increased back to once per month for a period of five years.

5.1.2. **Discharge In-stream Waste Concentration (IWC).** The IWC for this discharge is 100 percent effluent.

5.1.3. **Most Sensitive Species.** Based on results of the species sensitivity screening results from the previous permit term, the Water Board has determined that the most sensitive species was *Ceriodaphnia dubia*. Attachment F provides a discussion on Central Coast Water Board staff's determination of the most sensitive species. The Discharger shall conduct routine chronic toxicity testing using *Ceriodaphnia dubia* at EFF-001 until separate species sensitivity screening results are determined for EFF-001.

In addition to routine chronic toxicity sampling, the Discharger shall conduct a Chronic Species Sensitivity Screening in accordance with MRP Section 5.1.7 of EFF-001 at Discharge Point 001 to determine the most sensitive species. Once the most sensitive species at EFF-001 has been determined, the Discharger shall notify the Central Coast Water Board by email with summary of species sensitivity screening results, lab reports, and determination of most sensitive species.

Prior to the determination of the most sensitive species for EFF-001, and during routine chronic toxicity sampling of EFF-001, the Discharger will test for *Ceriodaphnia dubia* at EFF-001.

5.1.4. **Sample Volume and Holding Time.** The total sample volume shall be determined by the specific toxicity test method used. Sufficient sample volume of the effluent shall be collected to perform the required toxicity test. All toxicity tests shall be conducted as soon as possible following sample collection. No more than 36 hours shall elapse before the conclusion of sample collection and test initiation.

5.1.5. **Chronic Freshwater Species and Test Methods.** The Discharger shall conduct chronic toxicity tests on effluent samples at the discharge IWC for the discharge in accordance with species and test methods in *Short-term Methods for*

Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (EPA-821-R-02-013, 2002; Table IA, 40 CFR part 136). Approved tests methods for chronic toxicity are listed in Table E-3 below. In no case shall these species be substituted with another test species unless written authorization from the Central Coast Water Board is received.

Table E-3. Approved Tests for Chronic Toxicity – Freshwater

Species	Effect	Test Duration (days)	Test Method
Fathead Minnow (*Pimephales promelas*)	Larval Survival and Growth	7	Larval Survival and Growth Test Method 1000.0
Water Flea (*Ceriodaphnia dubia*)	Survival and Reproduction	6 to 8 days	Survival and Reproduction Test Method 1002.0
Green Alga (*Selenastrum capricornutum*)	Growth	4 days	Growth Test Method 1003.0

5.1.6. **Median Monthly Effluent Limitation (MMEL) Compliance Monitoring.** If a chronic toxicity test conducted during routine monitoring results in a "Fail" at the IWC, the Discharger shall conduct a maximum of two chronic toxicity MMEL compliance tests. The MMEL compliance tests shall be initiated within the same calendar month that the first routine chronic toxicity test was initiated that resulted in a "Fail" at the IWC. If the first chronic toxicity MMEL compliance test results in a "Fail" at the IWC, then the second chronic toxicity MMEL compliance test is not required.

5.1.7. **Chronic Species Sensitivity Screening.** The Discharger shall conduct two species sensitivity screening tests in each quarter in which there is expected to be at least 15 days of discharge. A total of 4 sets of testing shall be used to determine the most sensitive species. Species sensitivity screening will be required of the effluent (EFF-001). For each set of species sensitivity screenings, the Discharger shall collect a single effluent sample to initiate and concurrently conduct three toxicity tests using the fish, invertebrate, and alga species referenced in Table E-3 above. This sample shall also be analyzed for the parameter(s) required on a weekly frequency in Table E-2, during that given month. This means that the species sensitivity screening sampling event will use the same sample that is used to analyze all other the other parameters required on a weekly (then monthly depending on the number of discharge days) basis. As allowed under the test method for the *Ceriodaphnia dubia* and the *Pimephales promelas*, a second and third sample shall be collected for use as test solution renewal water as the seven-day toxicity test progresses. Samples for the species sensitivity screening shall be analyzed using the TST approach.

After the fourth set of species sensitivity screening, the species that exhibits the highest "Percent Effect" at the discharge IWC shall be used for routine monitoring

during the remainder of the permit term. If the percent effect is less than or equal to zero percent effect for each species, or all percent effect values are the same during the species sensitivity screening test, the Discharger shall either use the species that was most sensitive during the previous permit term for routine monitoring or repeat the species sensitivity screening for all species to confirm the results of the first screening before selecting the most sensitive species to use for routine monitoring. If two consecutive species sensitivity screening tests demonstrate that the percent effect for all species exhibit less than or equal to zero percent, the Discharger may select the species to be used for routine monitoring during the permit term.

During the calendar month, toxicity tests used to determine the most sensitive test species shall be reported as effluent compliance monitoring results for the MDEL and MMEL for chronic toxicity.

5.1.8. **Quality Assurance and Additional Requirements.** Quality assurance measures, instructions, and other recommendations and requirements are found in the test methods manual referenced above. Additional requirements are specified below.

5.1.8.1. The discharge is subject to determination of “Pass” or “Fail” and “Percent (%) Effect” for chronic toxicity tests using the TST approach described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R10-003, 2010), Appendix A, Figure A-1, and Table A-1 and Appendix B, Table B-1. The null hypothesis (Ho) for the TST approach is: Mean discharge IWC response ≤ 0.75 × Mean control response. A test result that rejects this null hypothesis is reported as “Pass”. A test result that does not reject this null hypothesis is reported as “Fail”. This is a t-test (formally Student’s t-test), a statistical analysis comparing two sets of replicate observations in the case of WET, only two test concentrations (i.e., a control and IWC). The purpose of this statistical test is to determine if the means of the two sets of observations are different (i.e., if the IWC or receiving water concentration differs from the control (the test result is “Pass” or “Fail”). The Welch’s t-test employed by the TST statistical approach is an adaptation of Student’s t-test and is used with two samples having unequal variances. The relative “Percent Effect” at the discharge IWC is defined and reported as: ((Mean control response - Mean discharge IWC response) ÷ Mean control response) × 100.

5.1.8.2. The MDEL for chronic toxicity is exceeded and a violation will be flagged when a toxicity test during routine monitoring results in “Fail” for the sub-lethal endpoint in accordance with the TST approach and the “Percent Effect” is greater than or equal to 50 percent for the survival endpoint or the sub-lethal endpoint if there is no survival endpoint.

5.1.8.3. The MMEL for chronic toxicity is exceeded and a violation will be flagged when two or more toxicity tests in a calendar month result in a “Fail” in accordance with the TST approach for any endpoint.

5.1.8.4. If the effluent toxicity test does not meet all TAC specified in the referenced test method, *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA-821-R-02-013, 2002) then the Discharger must resample and re-test within 14 days.

5.1.8.5. Dilution water and control water, including brine controls, shall be laboratory water prepared and used as specified in the test methods manual. If dilution water and control water is different from test organism culture water, then a second control using culture water shall also be used.

5.1.8.6. Monthly reference toxicant testing is sufficient if in accordance *with Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA-821-R-02-013, 2002). All reference toxicant test results should be reviewed and reported using the effects concentration at 25 percent (EC25).

5.1.9. **Notification.** The Discharger shall notify the Central Coast Water Board of a violation of a toxicity MDEL or MMEL as soon as the Discharger learns of the violation, but no later than 24 hours of the Discharger receiving the monitoring results. The notification shall describe actions the Discharger has taken or will take to investigate and correct the cause(s) of toxicity.

5.1.10. **Routine Reporting.** The SMR shall include a full laboratory report for each chronic toxicity test. This report shall be prepared using the format and content of the test methods manual in section 10 of *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA-821-R-02-013, 2002), Report Preparation, and shall include:

5.1.10.1. The valid toxicity test results for the TST statistical approach, reported as “Pass” or “Fail” and “Percent Effect” at the chronic toxicity IWC for the discharge. All toxicity test results (whether identified as valid or otherwise) conducted during the calendar month shall be reported on the SMR due date specified in Table E-5.

5.1.10.2. Summary water quality measurements for each toxicity test (e.g., pH, dissolved oxygen, temperature, conductivity, hardness, salinity, chlorine, ammonia).

5.1.10.3. The statistical analysis used in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010) Appendix A, Figure A-1 and Table A-1, and Appendix B, Table B-1.

5.1.10.4. Statistical program (e.g., TST calculator, CETIS, etc.) output results, including graphical plots, for each toxicity test.

5.1.10.5. Tabular data and graphical plots clearly showing the laboratory’s performance for the reference toxicant for the previous 20 tests and the laboratory’s performance for the control mean, control standard deviation, and control coefficient of variation for the previous 12-month period.

5.1.10.6. Any additional quality assurance/quality control (QA/QC) documentation or any additional chronic toxicity-related information, upon written request from the Central Coast Water Board.

5.2. **Accelerated Monitoring Requirements**

5.2.1. When the chronic toxicity effluent limitation is exceeded during regular toxicity monitoring, and the testing meets all TAC, the Discharger shall initiate accelerated monitoring to confirm the effluent toxicity.

5.2.2. The Discharger shall implement an accelerated monitoring frequency consisting of performing three toxicity tests in a six-week period following the first failed test results.

5.2.3. If implementation of the generic Toxicity Reduction Evaluation (TRE) Work Plan indicates the source of the exceedance of the effluent limitation or toxicity trigger (for instance, a temporary plant upset), then only one additional test is necessary. If exceedance of the effluent limitation or toxicity trigger is detected in this test, the Discharger will continue with accelerated monitoring requirements or implement the Toxicity Identification and Toxicity Reduction Evaluations.

5.2.4. If none of the three tests indicated exceedance of the effluent limitation or toxicity trigger, then the Discharger may return to the normal testing frequency.

5.3. **Toxicity Identification Evaluations (TIE) and Toxicity Reduction Evaluation (TRE) Process**

5.3.1. A TIE shall be triggered if testing from the accelerated monitoring frequency indicates any of the following:

5.3.1.1. Two or more MDEL or MMEL violations within a single calendar month or within two successive calendar months.

5.3.1.2. The TIE shall be initiated within 15 days following failure of the second accelerated monitoring test.

5.3.1.3. If a TIE is triggered prior to the completion of the accelerated testing, the accelerated testing schedule may be terminated, or used as necessary in performing the TIE.

5.3.2. The TIE shall be conducted to identify and evaluate toxicity in accordance with procedures recommended by the U.S. EPA, which include the following:

5.3.2.1. *Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I,* (U.S. EPA, 1992a);

5.3.2.2. *Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures, Second Edition* (U.S. EPA, 1991a);

5.3.2.3. *Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Sampling Exhibiting Acute and Chronic Toxicity* (U.S. EPA, 1993a); and

5.3.2.4. *Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (U.S. EPA, 1993b).

5.3.3. As part of the TIE investigation, the Discharger shall be required to implement its TRE Work Plan. The Discharger shall take all reasonable steps to control toxicity once the source of the toxicity is identified. A failure to conduct required toxicity tests or a TRE within a designated period shall result in appropriate enforcement action. Recommended guidance in conducting a TRE includes the following:

5.3.3.1. *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants*, August 1999, EPA/833B-99/002; and

5.3.3.2. *Clarifications Regarding Toxicity Reduction and Identification Evaluations in the National Pollutant Discharge Elimination System Program* dated March 27, 2001, U.S. EPA Office of Wastewater Management, Office of Regulatory Enforcement.

5.3.4. The Central Coast Water Board may also require the Discharger conduct a TRE if other information indicates toxicity (e.g., results of additional monitoring, results of monitoring at a higher concentration than the IWC, fish kills, intermittent recurring toxicity), or if there is no effluent available to complete routine monitoring, a MMET test or a MMEL Compliance Test.

6. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE

7. RECYCLING MONITORING REQUIREMENTS – NOT APPLICABLE

8. RECEIVING WATER MONITORING REQUIREMENTS

8.1. Monitoring Location RSW-001 and RSW-002

Table E-4. Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow (only at RSW-001)	MGD	Measured	1/Hour[1]
Temperature[3]	°F	Field Measurement	1/Hour[1]
pH[3]	standard units	Field Measurement	1/Month[2]
Oil and Grease	mg/L	Field Measurement	1/Month[2]
Visual Observations	---	Field Observation	1/Month[2]
Dissolved Oxygen	mg/L	Grab	1/Month[2]
Total Suspended Solids (TSS)	mg/L	Grab	1/Month[2]
Turbidity	NTU	Grab	1/Month[2]

Parameter	Units	Sample Type	Minimum Sampling Frequency
Suspended Sediments[4]	mg/L	Grab	1/Month[2]
Copper, Total Recoverable	µg/L	Grab	1/Month[2]
Mercury, Total Recoverable	µg/L	Grab	1/Month[2]
Selenium, Total Recoverable	µg/L	Grab	1/Month[2]
Bis (2-Ethylhexyl) Phthalate	µg/L	Grab	1/Month[2]
Nitrobenzene	µg/L	Grab	1/Month[2]
Aluminum, Total Recoverable	µg/L	Grab	1/Month[2]
Nitrate, Total (as N)	mg/L	Grab	1/Month[2]
Orthophosphate (as P)	mg/L	Grab	1/Month[2]
Total Ammonia Nitrogen (as N) [3]	mg/L	Grab	1/Month[2]
Un-ionized Ammonia[3] (as N)	mg/L	Grab	1/Month[2]
Iron, Total Recoverable	µg/L	Grab	1/Month[2]
Molybdenum, Total Recoverable	µg/L	Grab	1/Month[2]
Total Dissolved Solids (TDS)	mg/L	Grab	1/Month[2]
Sulfate[5]	mg/L	Grab	1/Month[2]
Sodium[5]	mg/L	Grab	1/Month[2]
Color	Color units	Grab	1/Month[2]
Odor	Presence/Absence	Grab	1/Month[2]
Floating Material[6]	Presence/Absence	Visual	1/Month[2]
Escherichia coli	MPN/100 mL	Grab	1/Month[2]
Chloride[5]	mg/L	Grab	1/Year
Boron[5]	mg/L	Grab	1/Year
Methylene blue activated substances (MBAS)	mg/L	Grab	1/Year
Radium-228	pCi/L	Grab	1/Year
Gross Alpha particle activity (excluding radon and uranium)	pCi/L	Grab	1/Year
Uranium	pCi/L	Grab	1/Year
Beta/photon emitters	Millirem/year	Grab	1/Year
Strontium-90	pCi/L	Grab	1/Year
Tritium	pCi/L	Grab	1/Year
Hardness (as $CaCO_3$)	mg/L	Grab	1/Year
CTR Priority Pollutants[7] [8]	µg/L	Grab	1/Year

Parameter	Units	Sample Type	Minimum Sampling Frequency
Title 22 Pollutants[9] [10]	µg/L	Grab	1/Year
Chlorpyrifos	µg/L	Grab	Once every five years[11]
Diazinon	µg/L	Grab	Once every five years[11]

[1] Hourly during the discharge. Upon approval of the Executive Officer, sampling may be reduced to one time sampling during discharges as supported by applicable data showing that the effluent temperature is consistently at or below the receiving water temperature and will not be likely to cause excursions above the prescribed limits

[2] These monthly monitoring requirements shall be conducted only during periods of discharge to the Pajaro River (i.e., in each calendar month that a discharge occurs, monthly monitoring requirements must be conducted).

[3] Temperature and pH are to be measured at the same time as the total ammonia sample is collected. Results shall be used to calculate and report un-ionized ammonia (as N) concentrations.

[4] Analysis for suspended sediment concentration shall be performed in accordance with American Society for Testing and Materials (ASTM) Method D3977-97B [Standard test methods for determining sediment concentration in water samples (ASTM Designation: D-3977-97)]

[5] Results reported as an annual average and based on a 12-month running mean. To calculate the 12-month running mean for the current month, the Discharger will only use months that discharge occurred in the previous 12 months in the calculation.

[6] Visual observation of floating material will be handwritten in a logbook and include date, time, observer and report the presence or absence of any floating materials including floating material, visible films, sheens or coatings. Include a description of what was observed.

[7] Those 126 pollutants listed in the California Toxics Rule (CTR) at 40 CFR 131.38

[8] Analyses, compliance determination, and reporting for these pollutants shall adhere to applicable provisions of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP). The Discharger shall instruct its analytical laboratory to establish calibration standards so that the Minimum Levels (MLs) presented in Appendix 4 of the SIP are the low est calibration standards. The Discharger and its analytical laboratory shall select MLs which are below applicable water quality criteria of the CTR; and when applicable water quality criteria are below all MLs, the Discharger and its analytical laboratory shall select the lowest ML.

[9] Analytical methods shall adhere to the Detection Limits for Purposes of Reporting (DLRs) established by Title 22 of the California Code of Regulations, Division 4, Chapter 15, section 64432 (inorganics) and section 64445.1 (organics).

[10] The Title 22 pollutants are those pollutants for which the Department of Public Health has established Maximum Contaminant Levels (MCLs) at Title 22, Division

Parameter	Units	Sample Type	Minimum Sampling Frequency

4, Chapter 15, sections 64431 (inorganic chemicals) and 64444 (organic chemicals) of the California Code of Regulations.

[11] Once every five years following permit effective date.

9. OTHER MONITORING REQUIREMENTS – NOT APPLICABLE

10. REPORTING REQUIREMENTS

10.1. General Monitoring and Reporting Requirements

The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.

10.2. Self-Monitoring Reports (SMRs)

10.2.1. The Discharger shall electronically submit SMRs using the State Water Board's California Integrated Water Quality System (CIWQS) Program website (http://www.waterboards.ca.gov/water_issues/programs/ciwqs). The CIWQS website will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.

10.2.2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections 3-9. The Discharger shall submit SMRs including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMRs are to include all new monitoring results obtained since the last SMR was submitted. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.

10.2.3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-5. Monitoring Periods and Reporting Schedule

SMR Name	Permit Section for Monitoring and Sampling Data Included in Report	SMR Submittal Frequency	SMR Due Date
NPDES Monitoring Report – Continuous, Daily, Weekly, Monthly	MRP Sections 4 (Effluent) and 5 (Whole Effluent Toxicity)	Monthly	First day of second calendar month following period of sampling

SMR Name	Permit Section for Monitoring and Sampling Data Included in Report	SMR Submittal Frequency	SMR Due Date
Updated Toxicity Reduction Evaluation (TRE) Work Plan	Permit Section 6.3.2.1.1	Once	90 days following permit effective date
NPDES Monitoring Report – Annually	MRP Sections 4 (Effluent) and 8.1 (Receiving Water), 9.5	Annually	February 15th, the year following
Summary Report	Attachment D, Standard Provision, 8.4.8 (page D-16)	Annually	February 15th, the year following
Pollutant Minimization Program Annual Report	Permit Section 6.3.3.1 (Pollutant Minimization Program)	Annually	February 15th, the following year
Erosion and Sediment Control Annual Summary Report	Permit Section 6.3.4.2 (Erosion and Sediment Control)	Annually	February 15th, the year following
Chronic Species Sensitivity Screening Results	MRP Section 5.1.7 (Chronic Species Sensitivity Screening)	Once	June 15, 2028
Temperature Investigation Report	Permit Section 6.3.2.2 (Source Identification Study)	Once	180 days prior to permit expiration date
Climate Change Adaptation Report	Permit Section 6.3.2.3 (Climate Change Adaptation Report)	Every five years	With submittal of ROWD and every five years thereafter
ROWD Application	Permit renewal application	Once per permit term	180 days prior to permit expiration date

10.2.4. **Reporting Protocols.** The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR part 136. The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

10.2.4.1. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

10.2.4.2. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported. For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ. The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (± a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

10.2.4.3. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.

10.2.4.4. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

10.2.5. **Compliance Determination.** Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined above and Attachment A of this Order. For purposes of reporting and administrative enforcement by the Central Coast Water Board and State Water Board, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).

10.2.6. **Multiple Sample Data.** When determining compliance with an average monthly effluent limitation (AMEL), average weekly effluent limitation (AWEL), or maximum daily effluent limitation for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

10.2.6.1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

10.2.6.2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set

has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

10.2.7. The Discharger shall submit SMRs in accordance with the following requirements:

10.2.7.1. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.

10.2.7.2. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the waste discharge requirements; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

10.2.7.3. The Discharger shall electronically self-report all violations of the waste-discharge requirements using the CIWQS self-reported violations function.

10.3. Discharge Monitoring Reports (DMRs)

10.3.1. DMRs are U.S. EPA reporting requirements. The Discharger shall electronically certify and submit DMRs together with SMRs using Electronic Self-Monitoring Reports module eSMR 2.5 or any upgraded version. Electronic DMR submittal shall be in addition to electronic SMR submittal. Information about electronic DMR submittal is available at the DMR website at: (http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring).

10.4. Other Reports

10.4.1. The Discharger shall report the results of any special monitoring, TREs, or other data or information required by Special Provisions – 6.3 of the Order. The Discharger shall submit reports with the first monthly SMR scheduled to be submitted on or immediately following the report due date.

10.4.2 **Temperature Investigation Report**

With the submittal of the Report of Waste Discharge (ROWD), the Discharger shall submit a Temperature Investigation Report, subject to the approval of the Executive Officer, that includes the following:

10.4.2.1 Concurrent sampling of both temperature (degrees Fahrenheit) and flow (MGD) in the effluent, upstream receiving water, and downstream receiving water.

10.4.2.2 An analysis to determine whether the discharge has the reasonable potential to cause the downstream receiving water temperature to increase by more than five degrees Fahrenheit above natural receiving water temperature.

10.4.2.3 If analysis shows that there is a reasonable potential to cause or contribute to such an increase, the Discharger must investigate and propose operational and best management procedures to mitigate this.

10.4.3 **Climate Change Adaptation Report**

10.4.3.1 Climate Change Adaptation Status – Identify a status any reports that address Facility climate change adaptation planning and or implementation. Submit copies of document(s) to CIWQS as attachments.

10.4.3.2 Hazards and Vulnerabilities- Identify hazards and vulnerabilities at the Facility, including all associated infrastructure (e.g., treatment facilities, conveyances to the discharge, and discharge structure). Include an analysis of how these hazards and vulnerabilities may have impacts downstream in the Pajaro River. Include an analysis of the following hazards and vulnerabilities, at a minimum:

10.4.3.2.1 Precipitation pattern changes including drought (decreased influent quantity and potential impact to effluent quality) and peak events (flooding and increased influent quantity) and how this may impact water management at the Facility including discharge volumes, discharge frequency, or others.

10.4.3.2.2 Temperature fluctuations and extremes and how that may impact effluent quality.

10.4.3.3 Resiliency Actions – For the anticipated life of the Facility, identify actions that build facility and operational resilience to identified hazards and vulnerabilities, accounting for options that minimize resource impacts and minimize impacts to downstream beneficial uses.

10.4.3.4 Adaptation Strategy – Develop a report that includes a strategy to complete Resiliency Actions, including prioritization, schedule and milestones, and financial planning.

10.4.4 **Pollutant Minimization Program**

The Discharger shall develop and conduct a Pollutant Minimization Program (PMP) as further described below, when there is evidence that a priority pollutant and any pollutant with an effluent limitation is present in the effluent above an effluent limitation. Examples of evidence of this include sample results reported as DNQ when the effluent limitation is less than the MDL, sample results from analytical methods more sensitive than those methods required by this Order, presence of whole effluent toxicity, health advisories for fish consumption, results of benthic or aquatic organism tissue sampling.

Specifically, the Discharger shall conduct the PMP when a priority pollutant and any pollutant with an effluent limitation is present in the effluent above an effluent limitation and either:

10.4.5.1 A sample result is reported as DNQ and the effluent limitation is less than the reporting RL; or

10.4.5.2. A sample result is reported as ND and the effluent limitation is less than the MDL, using definitions described in Attachment A and reporting protocols described in MRP section 10.2.4.

10.4.5.3 The PMP shall include, but not be limited to, the following actions and submittals acceptable to the Central Coast Water Board Executive Officer:

10.4.5.3.1. An annual review and semi-annual monitoring of potential sources of the reportable priority pollutant(s) and any pollutant with an effluent limitation, which may include fish tissue monitoring and other bio-uptake sampling;

10.4.5.3.2. Quarterly monitoring for the reportable priority pollutant(s) and any pollutant with an effluent limitation in the influent to the treatment system;

10.4.5.3.3. Submittal of a control strategy (e.g. pilot project(s), source identification studies, special studies, best management practice(s), water management strategies, and may include others) designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutant(s) and pollutants with an effluent limitation in the effluent at or below the effluent limitation;

10.4.5.3.3.1. The Discharger will notify the Central Coast Water Board caseworker by email at least 60 days in advance of any planned application or use of any chemical and will include a proposed method of application, application concentration and volume, and proposed plan and methodology of monitoring the effluent for applied chemical.

10.4.5.3.4. Implementation of appropriate cost-effective control measures for the reportable priority pollutants(s) and pollutants with effluent limitations, consistent with the control strategy; and

10.4.5.3.5. By February 15 every year, a written annual status report that shall be sent to the Central Coast Water Board including:

10.4.5.3.5.1. All PMP monitoring results for the previous year including all lab sheets;

10.4.5.3.5.2. A list of potential sources of the reportable priority pollutants(s) and pollutants with effluent limitations;

10.4.5.3.5.3. A summary of all actions undertaken pursuant to the control strategy. Examples of actions can include but are not limited to best management practices, treatment actions, or proposed detailed studies to address pollutant sources, possible treatment upgrades, or mixing zone and dilution credit analysis. The Discharger will use the steps outlined in section 1.4.2 Mixing Zone and Dilution Credits of the 2005 State Board *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (SIP) if the Discharger proposes to conduct this type of study.

10.4.5.3.5.4. The Discharger will describe the effectiveness of a control strategy from the previous year and whether or not the Discharger will continue to utilize that specific control strategy.

10.4.5.3.5.5 A description of actions to be taken in the following year.

10.4.6. Erosion and Sediment Control

In accordance with Standard Provision Section 6.3.4.2 of the Order, the Discharger shall certify by October 1 of each year that necessary measures have been taken, and pollution control equipment and systems are in proper condition to comply with the terms of the Order during the impending rainy season.

ATTACHMENT F – FACT SHEET

TABLE OF TABLES

ATTACHMENT F – FACT SHEET

As described in section 2.2 of this Order, the California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) incorporates this Fact Sheet as findings of the Central Coast Water Board supporting the issuance of this Order. This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as "not applicable" have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as "not applicable" are fully applicable to this Discharger.

1. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

Table F-1. Facility Information

WDID	2 352000001
Discharger	Granite Rock Company
Name of Facility	Arthur R. Wilson Quarry
Facility Address	1900 Quarry Road Aromas, CA 95004 San Benito County
Facility Contact, Title and Phone	Reed Carter, Director of Environmental Compliance and Systems (831) 768-2140 rcarter@graniterock.com
Authorized Person to Sign and Submit Reports	Same as above
Mailing Address	350 Technology Drive, Watsonville, CA 95076
Billing Address	Same as mailing
Type of Facility	Granite Quarry and Processing NAICS Codes: 212313, 324121, and 484110 SIC Codes; 1423, 2951, and 4212
Major or Minor Facility	Minor
Threat to Water Quality	3
Complexity	C

Pretreatment Program	None
Recycling Requirements	None
Facility Permitted Flow	9.0 million gallons per day (MGD)
Facility Design Flow	9.0 MGD
Watershed	Pajaro River Watershed
Receiving Water	Pajaro River
Receiving Water Type	Inland Surface Water

1.1. Granite Rock Company (hereinafter Discharger) is the owner and operator of Arthur R. Wilson Quarry (hereinafter Facility), a granite quarry and processing facility.

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

1.2. The Facility discharges treated process water and stormwater to the Pajaro River, a water of the United States, within Pajaro River Watershed. The Discharger was previously regulated by Order R3-2017-0027 and National Pollutant Discharge Elimination System (NPDES) Permit CA0005274, adopted on December 1, 2017 with an expiration date of November 20, 2022. Order R3-2017-0027 was not renewed prior to the expiration date and has been on an administrative extension. Attachment B provides a map of the area around the Facility. Attachment C provides a flow schematic of the Facility.

1.3. The Discharger filed a report of waste discharge and submitted an application for reissuance of its waste discharge requirements (WDRs) and NPDES permit on June 3, 2022. A site visit was conducted on December 19, 2022, to observe operations and collect additional data to develop permit limitations and requirements for waste discharge. Following the discussions with the Discharger at the site visit about desired permit updates, supplemental information was requested from the Discharger. The Discharger submitted the requested supplemental information on May 20, 2024.

1.4. Regulations at 40 CFR section 122.46 limit the duration of NPDES permits to a fixed term not to exceed five years. However, pursuant to California Code of Regulations, title 23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Discharger complies with all federal NPDES requirements for continuation of expired permits.

2. FACILITY DESCRIPTION

2.1. Description of Wastewater Treatment and Controls

The Discharger mines, processes, and stockpiles granite rock aggregates, which are used as basic construction materials and as feed materials in on-site and off-

site asphalt and concrete manufacturing plants. The primary use of water at the Facility is to clean rock and aggregate to remove fines.

There are two distinct areas at the Facility where process water and stormwater are collected and discharged through Discharge Point 001, which is regulated by this Order. These two areas are referred to as the Upper Deck and the Quarry Pit, also known as the Lower Hole. The Quarry Pit is located at approximately 120 feet below sea level and contains two settling ponds known as the “-120” pond and the “0 elevation” pond. Combined, these two ponds are referred to as the Lower Hole Ponds. The Upper Deck is located at approximately 125 feet above sea level and is where the majority of the rock crushing, processing, and cleaning occurs. The settling pond known as Quarry Lake (Quarry Storage Reservoir) is also located on the Upper Deck. The Upper Deck is also where the majority of process water is generated, treated, and utilized. Water collected in the Lower Hole Ponds in the Quarry Pit is comprised primarily of contact stormwater runoff from active rock face and is eventually pumped up to Quarry Lake when the Lower Hole Ponds are at their capacity. The Discharger uses ammonium nitrate in its rock blasting process which may impact water quality in contact stormwater captured in the Lower Hole Ponds.

Blasted rock that is harvested from the Quarry Pit is conveyed to the Upper Deck and must be processed in the Secondary Plant and/or the Premium Sand Plant prior to stockpiling. Depending on the desired end product, this material may go through a number of processes, including scalping tanks, wet screens, and sand classifiers. Many of these steps require the use of wash water, which is pumped from Quarry Lake, up to the Water Tank, and eventually back down to the Secondary Plant or the Premium Sand Plant where it is used to wash product. This water is part of an internal recycling loop, and therefore must be treated to remove fines and suspended materials prior to either re-use throughout the Facility or discharge through Discharge Point 001.

Treatment of process water at the Facility consists of fines[2] removal and settling ponds. In order to accomplish fines removal, process water is pumped or drained into the “Thickener Tank”, where a polymer (Hyperfloc 309) is introduced to encourage the flocculation of particulates in the water. After the Thickener Tank, water is sent to the Water Reduction Plant where a belt press separates water from solids. The removed solid material is stockpiled and sold as product while the water is sent to Quarry Lake where settling occurs.

Water intakes and inputs to the system include rainfall (including stormwater runoff), treated process water, supplemental groundwater from an on-site well named Orchard Well, and contact stormwater pumped up from the Lower Hole Ponds. These waters are collected in the Facility's Quarry Lake for settling and re-use. Water losses from Quarry Lake include water lost due to evaporation, water

[2] At this Facility, fines are a blend of finely crushed granite that is “1/4 inch minus” or aggregate sized 1/4 inch and smaller.

used for dust control, water consumed during processing, and water used in hoses and bathrooms at various locations throughout the Facility.

The Discharger manages Quarry Lake to retain the majority of storm events to reduce discharges. When a storm event or series of storm events overwhelm the capacity of water storage at the Facility, water is pumped from Quarry Lake and discharged through Discharge Point 001 to the Pajaro River. This means that in general, due to the nature of the closed loop system, the Discharger will only need to discharge when storm events fill Quarry Lake and or the Lower Hole Ponds to their capacity. Table F-2 summarizes historical discharges from Quarry Lake to EFF-001 from 2017 through 2025.

Table F-2. Historical Discharge Information from EFF-001

Year	Discharge Start and End Dates	Number of Days of Discharge	Wet or Dry Season
2017	No discharge	0	-
2018	No discharge	0	-
2019-2020	12/2/2019 - 1/2/2020	31	Wet
2021	1/27/2021 - 2/2/2021	6	Wet
2021-2022	12/15/2021 - 2/2/2022	49	Wet
2022-2023	12/12/2022 - 4/4/2023	113	Wet
2024	1/2/2024 - 4/17/2024	106	Wet
2025	2/11/2025 - 4/16/2025	64	Wet

Other portions of the quarry are covered under the IGP permit due to the nature of the stormwater captured in those areas. Discharges from Quarry Lake and any stormwater captured in the Lower Hole Ponds are not covered by the IGP.

2.2. Discharge Points and Receiving Waters

Discharges to the Pajaro River occur at Discharge Point No. 001 (36.93º N Latitude, 121.6161º W Longitude) from the Quarry Lake, where water is pumped from the surface of the reservoir to a concrete reinforced bank that serves to dissipate energy and minimize erosion during discharge events. Discharges typically occur in the wet season after it rains, when water accumulation exceeds the storage capacity of the Facility.

The receiving water monitoring locations have been undated from the previous order at the request of the Discharger due to safety hazards and access issues at the previous receiving water monitoring locations.

2.3. Summary of Existing Requirements and SMR Data

Effluent limitations contained in the existing Order for discharges from Discharge Point 001 (Monitoring Location EFF-001) and representative monitoring data from December 1, 2017 to May 31, 2025 are as follows:

Table F-3. Historic Effluent Limitations and Monitoring Data

Parameter	Units	Average Monthly Effluent Limit	Average Weekly Effluent Limit	Maximum Daily Effluent Limit	Highest Average Monthly Discharge Reported	Highest Average Weekly Discharge Reported	Highest Daily Discharge Reported
Flow	MGD	9.0	---	---	2.02	---	7.17[1]
pH	standard units	7.0 – 8.3 at all times			6.5 – 8.25[2]		
Total Suspended Solids (TSS)	mg/L	50	---	---	27	---	---
Total Dissolved Solids	mg/L	1000	---	---	2,610	---	---
Turbidity	NTU	---	---	50	---	---	28
Chronic Toxicity	% survival	---	---	Pass[3]	---	---	10
Suspended Sediments	mg/L	[4]			25.5	---	25.5
Copper, Total Recoverable	µg/L	12	---	24	16	---	16
Mercury, Total Recoverable	µg/L	0.50	---	0.10	ND[5]	---	ND[5]
Selenium, Total Recoverable	µg/L	10	---	20	6.8	---	6.8
Cyanide, Total	µg/L	4.3	---	8.5	0.72	---	0.89
Bis(2-Ethylhexyl) Phthalate	µg/L	1.8	---	3.6	3.2	---	3.3
Aluminum, Total Recoverable	µg/L	1,000	---	5,000	1,500	---	1,500
Iron, Total Recoverable	µg/L	1,000	---	---	850	---	940
Molybdenum, Total Recoverable	µg/L	10	---	---	16.7	---	16.7
Ammonia Nitrogen, Total (as N)	mg/L	0.025	---	---	---	---	---
Nitrate Nitrogen, Total (as N), Dry Weather[6]	mg/L	3.9	---	---	---	---	---

Parameter	Units	Average Monthly Effluent Limit	Average Weekly Effluent Limit	Maximum Daily Effluent Limit	Highest Average Monthly Discharge Reported	Highest Average Weekly Discharge Reported	Highest Daily Discharge Reported
Nitrate Nitrogen, Total (as N), Wet Weather[7]	mg/L	8.0	---	---	10	---	---
Orthophosphate (as P), Dry Weather[6]	mg/L	0.14	---	---	---	---	---
Orthophosphate (as P), Wet Weather[7]	mg/L	0.3	---	---	---	---	---

[1] Reported as maximum daily. Flow occurred in December 2019.
[2] The numbers represent the range of lowest to highest reported values.
[3] The limitation for chronic toxicity was “Pass” or “P” and the percent effect for the survival endpoint could not be greater than or equal to 50 percent as described in Section 5.8. of the Monitoring and Reporting Program (MRP) of the previous order.
[4] The following shall apply for the suspended sediments limitation:

- For a discharge duration of 1 day (24 hours) or less, the suspended sediments concentration (SSC) cannot exceed 1,807 mg/L.
- For a discharge duration of 2 days (48 hours), the SSC cannot exceed 665 mg/L for both days.
- For a discharge duration of 2 to 14 days (48 to 336 hours), the SSC cannot exceed 244 mg/L for each day.
- For a discharge duration of 14 to 49 days (336 to 1,176 hours), the SSC cannot exceed 90 mg/L for each day.
- For a discharge duration of greater than 49 days (1,176 hours), the SSC cannot exceed 90 mg/L for each day.

[5] ND = less than 0.08 mg/L. Not detected results indicate sample results which are less than the laboratory’s MDL.
[6] May 1- October 31
[7] November 1- April 30
[8]Value is above the reporting limit of 23 mg/L.

No monitoring data is available in Table F-3 for total ammonia nitrogen (as N) and orthophosphate (as P) due to sampling requirements missing from the MRP in the previous order. This oversight has been corrected and sampling for these constituents is included in the Order.

2.4. Compliance Summary

The following sections summarize the compliance history of the Facility over the previous permit term. Effluent violations and monitoring and reporting deficiencies are discussed in detail.

2.4.1 Effluent Violations. The following discussion is a summary of the violations that occurred during the term and administrative extension of Order No. R3-2017-0027. During the time period from December 1, 2017, to May 31, 2025, the Discharger incurred effluent violations related to total recoverable aluminum, bis (2-ethylhexyl phthalate, total recoverable copper, total recoverable iron, molybdenum, total nitrate (as N), pH, and total dissolved solids (TDS). Organized by constituent, the number of violations, violation type, reported value range and monitoring period occurrence(s) are provided in Table F-4. These are effluent violations discharged from EFF-001.

Table F-4. Compliance Summary from December 1, 2017 through May 31, 2025

Constituent	Number of Violations	Violation Type	Reported Value Range	Permit Limitation	Units	Monitoring Period Occurrence(s)
Aluminum, Total Recoverable	7	Monthly Average (Mean)	1,100 - 3,400	1,000	µg/L	Jan 2021 - Apr 2025
Bis (2-Ethylhexyl) Phthalate	2	Monthly Average (Mean)	2.1 - 3.25	1.8	µg/L	Dec 2021 – Jan 2022
Copper, Total Recoverable	2	Monthly Average (Mean)	16 - 31	12	µg/L	Mar 2023 - Apr 2025
Copper, Total Recoverable	1	Daily Maximum	31	24	µg/L	Apr 2025
Iron, Total Recoverable	3	Monthly Average (Mean)	1,300 - 2,500	1,000	µg/L	Jan 2023 - Apr 2025
Molybdenum, Total Recoverable	13	Monthly Average (Mean)	11.0 - 17.1	10	µg/L	Dec 2019 - Apr 2025
Nitrate, Total (as N)	1	Monthly Average (Mean)	10	8	mg/L	Jan 2022
pH	1	Instantaneous Minimum	6.5	7	S.U.	Jan 2021
Total Dissolved Solids (TDS)	15	Monthly Average (Mean)	1,240 - 5,700	1,000	mg/L	Dec 2019 - April 2025

2.4.2 Monitoring and Reporting. During the duration of the previous permit term, the Discharger did not consistently monitor for some constituents that were required by the monitoring and reporting program. Table F-5 summarizes the constituents that were not monitored as required.

Table F-5. Monitoring and Reporting Deficiencies from December 1, 2017 through May 31, 2025

Constituent	Monitoring Frequency	Basis
Suspended Sediment Concentration	Weekly/Monthly	Effluent limitation and TMDL
Chromium III	1/Permit Term	California Toxics Rule
Chromium VI	1/Permit Term	California Toxics Rule
Asbestos	1/Permit Term	California Toxics Rule
Benzidine	1/Permit Term	California Toxics Rule
Perchlorate	1/Permit Term	Title 22 – CA Primary MCL
cis-1,2-Dichloroethylene (aka cis-1,2-Dichloroethene)	1/Permit Term	Title 22 – CA Primary MCL
Trichlorofluoromethane	1/Permit Term	Title 22 – CA Primary MCL
1,2,3-Trichloropropane	1/Permit Term	Title 22 – CA Primary MCL

2.4.2.1 In February 2026, Central Coast Water Board staff discovered that suspended sediment concentration was not being monitoring or reported properly and communicated with the Discharger to update their monitoring and reporting program. As of February 2026, the Discharger contracted with a lab and began monitoring for suspended sediment concentration and have been reporting it correctly in monthly SMR submittals.

2.4.3. **Unauthorized Discharge**. During the previous permit term, the Discharger received a Notice of Violation (NOV) dated September 24, 2019. This NOV included an unauthorized discharge violation due to discharging directly from the Lower Hole Ponds through Discharge Point 001 (EFF-001). To provide clarity, this Order includes updated operation maps, updated Facility operations information in the Fact Sheet, and includes a discharge prohibition from discharging directly from Lower Hole Ponds to the Pajaro River.

2.5. Planned Changes

The Discharger does not have planned changes to implement during the upcoming permit term. However, Attachment E of this Order requires the Discharger to conduct investigations and studies that may inform the need for control strategies, measures, operational changes, or treatment options, etc. to improve effluent water quality prior to discharge.

3. APPLICABLE PLANS, POLICIES, AND REGULATIONS

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

3.1. Legal Authorities

This Order serves as WDRs pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as an NPDES permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 1 subject to the WDRs in this Order.

3.2. California Environmental Quality Act (CEQA)

Under California Water Code section 13389, this action to adopt an NPDES permit for an existing facility is exempt from the California Environmental Quality Act (CEQA) provisions in Public Resources Code, division 13, chapter 3 (commencing with section 21100). With respect to the recycling specifications and groundwater limitations, this action is exempt from the provisions of CEQA pursuant to title 14, California Code of Regulations, section 15301, class 1 exemption for permitting of existing facilities with no expansion of existing use.

3.3. State and Federal Laws, Regulations, Policies, and Plans

3.3.1. **Water Quality Control Plan.** The Central Coast Water Board adopted its *Water Quality Control Plan for the Central Coastal Basin* (Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Requirements in this Order implement the Basin Plan. In addition, the Basin Plan implements State Water Board Resolution 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Beneficial uses established by the Basin Plan applicable to Pajaro River are as follows:

Table F-6. Basin Plan Beneficial Uses for the Pajaro River

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Pajaro River	Municipal and Domestic Supply (MUN) Agricultural Supply (AGR) Industrial Supply (IND) Ground Water Recharge (GWR) Water Contact (REC-1) Non-Contact Recreation (REC-2) Wildlife Habitat (WILD) Cold Freshwater Habitat (COLD) Warm Freshwater Habitat (WARM) Migration of Aquatic Organisms (MIGR) Fish Spawning (SPWN) Freshwater Replenishment (FRSH) Commercial and Sport Fishing (COMM)

Groundwater throughout the Central Coast Region has designated beneficial uses of agricultural water supply, municipal and domestic water supply, and industrial use. Requirements of this Order implement the Basin Plan.

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

3.3.2.1. **Revised Selenium criteria.** In December 2024, U.S. EPA promulgated a revised CTR selenium criterion for California freshwater receiving waters in *Final Aquatic Life and Aquatic Dependent Wildlife Selenium Water Quality Criterion for Freshwaters of California*, EPA-822-R-24-014 (Final Freshwater Selenium WQC). The revised criteria took effect on January 16, 2025.

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

priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.

3.3.4. **Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan).** The ISWEBE Plan includes several parts and sections that have been adopted by the State Water Board over time. The applicable parts and sections are discussed below.

Part 1: Trash Provisions. On April 7, 2015, the State Water Board adopted ISWEBE Plan Part 1: *Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California.* The Trash Provisions do the following: (1) establish a narrative water quality objective for trash, (2) describe how to apply the objective, (3) establish a prohibition on the discharge of trash, (4) provide implementation requirements for permitted storm water and other discharges, (5) set a time schedule for compliance, and (6) provide a framework for monitoring and reporting requirements. The objective is to provide statewide consistency for the Water Boards' regulatory approach to protect aquatic life and public health beneficial uses, and reduce environmental issues associated with trash in state waters, while focusing limited resources on high trash generating areas.

Part 2: Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions. On May 2, 2017, the State Water Board adopted ISWEBE Plan Part 2: *Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions*. With ISWEBE Plan Part 2's approval, the State Water Board approved one new narrative and four new numeric mercury water quality objectives to apply to those inland surface waters, enclosed bays, and estuaries of the state that have any of the following beneficial use designations: COMM, CUL, T-SUB, WILD, MAR, RARE, WARM, COLD, EST, or SAL. The provisions of ISWEBE Plan Part 2 are to be implemented through NPDES permits and WDRs, among other actions the Regional Water Boards may take.

Part 3: Bacteria Provisions and a Water Quality Standards Variance Policy. On August 7, 2018, the State Water Board adopted ISWEBE Plan Part 3: *Bacteria Provisions and a Water Quality Standards Variance Policy,* which establishes water quality objectives for reasonable protection of people that recreate within all surface waters, enclosed bays, and estuaries of the state that have the water contact recreation beneficial use (REC-1). The provisions of ISWEBE Plan Part 3 are to be implemented through NPDES permits and WDRs, among other actions the Regional Water Boards may take.

Toxicity Provisions. On December 1, 2020, the State Water Board adopted State Policy for Water Quality Control: Toxicity Provisions (Toxicity Provisions) which established statewide numeric water quality objectives for both acute and chronic toxicity, using the TST, and a program of implementation to control toxicity. On October 5, 2021, the State Water Board adopted a resolution confirming that the Toxicity Provisions were adopted as a State Policy for Water Quality Control, for all inland surface waters, enclosed bays, estuaries, and coastal lagoons of the state, regardless of their status as waters of the United

States. The Toxicity Provisions establish a uniform regulatory approach to provide consistent protection of aquatic life beneficial uses and protect aquatic habitats and life from the effects of known and unknown toxicants. The Toxicity Provisions were approved by OAL on April 25, 2022, and by U.S.EPA on May 1, 2023.

On December 14, 2023, the State Water Board applied for U.S. EPA Region IX review and approval of a limited-use alternative test procedure (ATP), for the use of one-effluent concentration when conducting whole effluent toxicity (WET) testing, pursuant to 40 Code of Federal Regulations section 136.5 (Aug. 28, 2017). The application is specific to acute or chronic WET tests in Table 1 of the application when using the Test of Significant Toxicity (TST) statistical approach (U.S. EPA, 2010) for analyzing the data. The application is being sought for all dischargers or facilities in the State of California and their associated laboratories. The ATP application is still pending with U.S. EPA.

The use of the TST have been the subject of litigation. In December 2024, the Second District Court of Appeal upheld the use of the TST in an NPDES permit in the case *Camarillo Sanitary District v. California Regional Water Quality Control Board* - Los Angeles Region.

A separate legal challenge to the State Water Board's adoption of the Toxicity Provisions originated in Fresno County Superior Court on July 18, 2022, through a petition for writ of mandate filed by Camarillo Sanitary District, City of Simi Valley, City of Thousand Oaks, Central Valley Clean Water Association, and Clean Water SoCal (formerly known as Southern California Alliance of Publicly Owned Treatment Works) (Petitioners). One of the claims was that the Toxicity Provisions was inconsistent with the Clean Water Act. On October 9, 2023, the superior court denied the petition in its entirety.

On December 19, 2023, three of the Petitioners filed a notice of appeal of the Fresno Superior Court's decision upholding the Toxicity Provisions. On August 5, 2025, the Fifth District Court of Appeal issued a published opinion holding that the TST statistical approach, which is an integral component of the Toxicity Provisions, cannot be utilized in NPDES permitting to evaluate WET data because the TST is not an approved method under 40 Code of Federal Regulations Part 136. The Court of Appeal did not, however, disturb the Toxicity Provisions' use of the TST as a part of its water quality objectives. The State Water Board prevailed on all other claims in the litigation. The Court of Appeal's decision became final on September 4, 2025.

On September 15, 2025, the State Water Board filed a petition for review of the Fifth Circuit Court of Appeal's decision with the California Supreme Court. On November 12, 2025, the California Supreme Court granted review. The issues to be briefed and argued are limited to the issues raised in the State Water Board's petition for review.

Pending the California Supreme Court's review, the opinion of the Fifth Circuit Court of Appeal is not binding on the Water Boards. However, the opinion may be cited, not only for its persuasive value, but also for the limited purpose of establishing the existence of a conflict in authority.

In accordance with Water Code sections 13146 and 13247, the Regional Board must fully implement the water quality objectives and their implementation procedures in the Toxicity Provisions. The numeric water quality objectives for chronic and acute toxicity established by the Toxicity Provisions, which are based on the TST, were approved by U.S. EPA and remain in effect. As such, the numeric water quality objectives continue to serve as the applicable federal water quality standards in California.

The Water Boards must also continue to comply with federal Clean Water Act NPDES regulations for determining reasonable potential and establishing applicable water quality-based effluent limitations (WQBELs). NPDES regulations (40 CFR § 122.44(d)(1)(vii)(A)) require that all WQBELs be derived from and comply with all applicable water quality standards. Moreover, although the Toxicity Provisions left in place narrative water quality objectives for aquatic toxicity in regional water board water quality control plans (basin plans), the Toxicity Provisions did supersede basin plan provisions and portions of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP) for implementing narrative water quality objectives. As such, there are currently no basin plan or SIP procedures in effect for implementing narrative water quality objectives to determine reasonable potential as required by 40 CFR § 122.44(d)(1)(ii). As a result, the Regional Board must fully implement all of the Toxicity Provisions.

This Order implements the Mercury, Bacteria and Toxicity Provisions. This Order replaces the previous order's fecal coliform prohibition to bacteria limits for *E. coli* and updates chronic toxicity testing requirements to use the TST approach.

3.3.5. **Human Right to Water.** In compliance with Water Code section 106.3, it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels implemented by the Basin Plan that are designed to protect human health and ensure that water is safe for domestic use.

3.3.6. **Antidegradation Policy.** Federal regulation 40 CFR section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution 68-16 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California"). Resolution 68-16 is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. Resolution 68 16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Central Coast Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 CFR section 131.12 and State Water Board Resolution 68-16.

3.3.7. **Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 CFR section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed.

3.3.8. **Endangered Species Act Requirements.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code, §§ 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. §§ 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state, including protecting rare, threatened, or endangered species. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

3.4. Impaired Water Bodies on the CWA section 303(d) List

CWA section 303(d) requires states to identify and make a list of specific water bodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources. For all CWA section 303(d) listed water bodies and pollutants, the Central Coast Water Board must develop and implement total maximum daily loads (TMDLs) that specify waste load allocations (WLAs) for point sources and load allocations (LAs) for non-point sources.

The U.S. EPA approved the State's 2020-2022 303(d) list of impaired water bodies on May 11, 2022. The 2020-2022 303(d) list identifies Pajaro River as impaired for benthic community effects, boron, chlordane, chloride, chlorpyrifos, chromium, DDD (Dichlorodiphenyldichloroethane), DDE (Dichlorodiphenyldichloroethylene), DDT (Dichlorodiphenyltrichloroethane), dieldrin, *Escherichia* coli (E. coli), imidacloprid, manganese, nickel, nitrate, oxyfluorfen, dissolved oxygen, PCBs (Polychlorinated biphenyls), pH, sedimentation/siltation, selenium, sodium, toxicity, and turbidity.

The Central Coast Water Board developed TMDLs for the Pajaro River for chlorpyrifos and diazinon, fecal coliform, nitrogen compounds and orthophosphate, and sediment. There are no immediate plans for the Central Coast Water Board to develop TMDLs for boron, chlordane, chloride, dieldrin, dissolved oxygen, PCBs, pH, sodium, and turbidity at this time. This Order provides an analysis of TMDLs in the Pajaro River and implements the requirements of these TMDLs, where applicable. See Attachment F sections 3.4.1 through 3.4.4 and section 4.3.5. for discussions of these TMDLs.

3.4.1 **Chlorpyrifos and Diazinon TMDL**. On July 11, 2013, the Central Coast Water Board adopted Resolution R3-2013-0011, amending the Basin Plan to implement a TMDL for chlorpyrifos and diazinon in the Pajaro River watershed, including the Pajaro River. The TMDL was approved by U.S. EPA on November 12,

2013, and is now in effect. This Fact Sheet includes an analysis and discussion of the applicability of this TMDL to this Facility.

3.4.2. **Fecal Coliform TMDL**. On March 20, 2009, the Central Coast Water Board adopted resolution R3-2010-0017, amending the Basin Plan to implement a TMDL for fecal coliform in the Pajaro River watershed including the Pajaro River. The TMDL was approved by U.S. EPA on August 3, 2010, and is now in effect. This Fact Sheet includes an analysis and discussion of the applicability of this TMDL to this Facility.

3.4.3. **Nutrients (Nitrogen Compounds and Orthophosphate) TMDLs**. On July 30, 2015, the Central Coast Water Board adopted resolution R3-2015-0004, amending the Basin Plan to implement a TMDL for nutrients, specifically for total nitrogen (not applicable to Pajaro River), un-ionized ammonia, nitrate, and orthophosphate in the Pajaro River Basin, including the Pajaro River. The TMDL was approved by the U.S. EPA on October 6, 2016. TMDL resolution R3-2015-0004 supersedes and replaces the TMDL resolution R3-2005-013, entitled “Pajaro River and Llagas Creek Total Maximum Daily Load for Nitrate”. This Fact Sheet includes analysis and discussion of the applicability of this TMDL to this Facility.

3.4.4. **Sediment TMDL**. On December 2, 2005, the Central Coast Water Board adopted resolution R3-2005-0132, amending the Basin Plan to implement a TMDL for sediment in the Pajaro River Basin including the Pajaro River. The TMDL was approved by the U.S. EPA on May 3, 2007. The TMDL is fully approved and effective. Consistent with the TMDL, effluent limitations implementing the TMDL for the Facility have been retained from the previous permit and reflect the maximum allowable suspended solids concentrations (SSC) over varying durations (exposure periods).

3.5. Other Plans, Polices and Regulations

3.5.1. **State Water Board Order 2014-0057-DWQ, NPDES General Permit CAS000001, *Waste Discharge Requirements for Stormwater Associated with Industrial Activities Excluding Construction Activities* (Industrial General Permit)**. The Industrial General Permit, adopted April 1, 2014, amended August 4, 2015, and November 6, 2018, and effective July 1, 2015, is applicable to POTWs with a design capacity greater than 1.0 MGD. The purpose of the Industrial General Order is to regulate stormwater discharges associated with industrial activities. Although this Order permits any stormwater that has commingled with industrial process water to discharge into the Pajaro River, the Discharger has enrolled in and is regulated by the Industrial General Permit for stormwater that otherwise discharges from the Facility.

3.5.2. **Environmental Justice and Advancing Racial Equity.** When issuing or reissuing individual waste discharge requirements or waivers of waste discharge requirements that regulate an activity or a facility that may impact a disadvantaged or tribal community, and that includes a time schedule in accordance with subdivision (c) of Section 13263 for achieving an applicable water quality objective, an alternative compliance path that allows time to come

into compliance with water quality objectives, or a water quality variance, the Central Coast Water Board shall make a finding on potential environmental justice, tribal impact, and racial equity considerations. (Water Code § 13149.2, effective Jan. 1, 2023). Water Code section 189.7 requires the Central Coast Water Board to conduct outreach in disadvantaged and/or tribal communities when adopting individual waste discharge requirements. In accordance with the Water Boards' efforts to advance racial equity, the Central Coast Water Board is also committed to developing and implementing policies and programs to advance racial equity and environmental justice so that race can no longer be used to predict life outcomes, and outcomes for all groups are improved.

Upon review of readily available information, the Central Coast Water Board finds that this Order regulates a discharge that does not disproportionately impact the water quality of an economically disadvantaged community or a tribal community. Similarly, this Order does not include a time schedule, alternative compliance path, or variance. Therefore, Water Code section 13149.2 does not apply to this permit reissuance. Nevertheless, the Central Coast Water Board has conducted outreach consistent with Water Code section 189.7 by reaching out to surrounding communities and tribal communities about this Order. Additionally, the Board has considered any environmental justice concerns within the Board's authority, in accordance with the Water Boards' efforts to advance racial equity. The Order requires the Permittee to meet water quality standards to protect public health and the environment, thereby benefiting all persons and communities within the Region.

4. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: 40 CFR. section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 CFR section 122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water. When numeric water quality objectives have not been established, but a discharge has the reasonable potential to cause or contribute to exceedances of water quality standards described at 40 CFR section 122.44 (d), then 1) water quality based effluent limitations (WQBELS) may be established using a calculated water quality criterion derived from a proposed state criterion or an explicit State policy or regulation interpreting its narrative criterion, 2) WQBELs may be established on a case-by-case basis using U.S. EPA criteria guidance published under CWA Section 304 (a), or 3) WQBELs may be established using an indicator parameter for the pollutant of concern.

Several specific factors affecting the development of limitations and requirements in this Order are discussed below.

4.1. Discharge Prohibitions

4.1.1. Discharge Prohibitions Retained

4.1.1.1. Discharge Prohibition 3.1. (No discharge at a location or in a manner except as described by the Order). The Order authorizes a single, specific point of discharge to surface waters, and the limitations and conditions established by the Order are based on specific information provided by the Discharger and determined by the Central Coast Water Board through site visits, monitoring reports, and other information. Discharges to surface waters at locations not contemplated by this Order or discharges of a character not contemplated by this Order are therefore viewed as inconsistent with CWA section 402's prohibition against discharges of pollutants except in compliance with the CWA permit requirements, effluent limitations, and other enumerated provisions. This prohibition is retained from the previous permit.

4.1.1.2. Discharge Prohibition 3.2. (The discharge of any waste not specifically regulated by this Permit is prohibited). Because limitations and conditions of the Order have been prepared based on specific information provided by the Discharger and specific wastes described by the Discharger, the limitations and conditions of the Order do not adequately address waste streams not contemplated during drafting of the Order. To prevent the discharge of such waste streams that may be inadequately regulated, the Order prohibits the discharge of any waste that was not described by the Central Coast Water Board during the process of permit reissuance.

4.1.1.3. Discharge Prohibition 3.3. (Overflows and bypasses prohibited). The discharge of untreated or partially treated process water from the Discharger's collection, treatment, or disposal facilities represents an unauthorized bypass pursuant to 40 CFR 122.41 (m) or an unauthorized discharge, which poses a threat to human health and/or aquatic life, and therefore, is explicitly prohibited by the Order.

4.1.1.4. Discharge Prohibition 3.4 and 3.5. (Discharge flow limitations and discharge flow restrictions). These prohibitions were added to previous orders to address potential concerns regarding downstream flooding and are retained in this Order.

4.1.3 Discharge Prohibitions Added

4.1.3.1 Discharge Prohibition 3.6. (Discharges directly to Pajaro River from Lower Hole Ponds is prohibited). The discharge of untreated or partially treated stormwater, process water, or any waste from the Lower Hole Ponds directly to Pajaro River without first being discharged to Quarry Lake represents an unauthorized bypass pursuant to 40 CFR 122.41 (m) or an unauthorized discharge, which poses a threat to human health and/or aquatic life, and therefore, is explicitly prohibited by the Order. This prohibition was added to clarify language from the previous order.

4.1.3.2 Discharge Prohibition 3.7. (Discharge of floating material, solids, liquids, foams, and scum is prohibited). The discharge of floating material, including

solids, liquids, foams and scum from Discharge Point 001 is prohibited. This prohibition is added to this Order to be consistent with the Basin Plan's narrative objective for floating material.

4.1.3.3 Discharge Prohibition 3.8. (Discharge of radionuclides in excess of MCLs for radioactivity presented in title 22 California Coade of Regulations, division 4, chapter 15, article 5, sections 64442 and 64443 is prohibited.) The discharge of radionuclides from Discharge Point 001 is prohibited. This prohibition is added to this Order to be consistent with the Basin Plan's narrative objective for radioactivity.

4.1.3.4 Discharge Prohibition 3.9. (Discharge of trash to surface waters of the State or deposition of trash where it may be discharged into surface waters of the State is prohibited.) The discharge of trash to the Pajaro River is prohibited. This prohibition is added to this Order to be consistent with ISWEBE Part 1.

4.1.4 Discharge Prohibitions Removed

4.1.4.1 Former Discharge Prohibition III.D. (No adverse impacts to beneficial uses or threatened or endangered species). This discharge prohibition was not retained from the previous order following the U.S. Supreme Court decision *City and County of San Francisco, California v. Environmental Protection Agency* (2025) 145 S.Ct. 704. A detailed discussion of this Supreme Court decision and the removal of certain prohibitions and/or receiving water limitations is set forth in Fact Sheet Section 5.1.

4.1.4.2 Former Discharge Prohibition III.E. (Creation of a condition of pollution, contamination, or nuisance, as defined by Section 13050 of the CWC, is prohibited). This discharge prohibition was not retained from the previous order following the U.S. Supreme Court decision *City and County of San Francisco, California v. Environmental Protection Agency* (2025) 145 S.Ct. 704. A detailed discussion of this Supreme Court decision and the removal of certain prohibitions and/or receiving water limitations is set forth in Fact Sheet Section 5.1.

4.1.4.3 Former Discharge Prohibition III.F (The discharge shall not cause or contribute to downstream flooding within the Pajaro River.) This discharge prohibition was not retained from the previous order following U.S. Supreme Court decision *City and County of San Francisco, California v. Environmental Protection Agency* (2025) 145 S.Ct. 704. A detailed discussion of this Supreme Court decision and the removal of certain prohibitions and/or receiving water limitations is set forth in Fact Sheet Section 5.1. Discharge Prohibitions 3.4 and 3.5 in this Order are likely sufficient to prevent downstream flooding in the Pajaro.

4.1.4.4 Former Discharge Prohibition III.I. (Discharge of fecal coliform bacteria originating from human sources at Discharge Point 001 to the Pajaro River is prohibited). This discharge prohibition was not retained in this Order because this is not a water quality objective included in the Fecal Coliform TMDL for the

Pajaro River, nor was this Facility assigned a waste load allocation in the TMDL. While this Order contemplates the Fecal Coliform TMDL for the Pajaro River for this Facility, the Central Coast Water Board finds that *Escherichia coli (e. coli)* to be a more appropriate indicator of indicator of fecal contamination, consistent with the Bacteria Provisions, thus this Order establishes effluent limitations for *e. coli* in lieu of fecal coliform.

4.2. Technology-Based Effluent Limitations

4.2.1. **Scope and Authority**

Section 301(b) of the CWA and implementing U.S. EPA permit regulations at 40 C.F.R. section 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Effluent Limitations Guidelines and Standards (ELGs) for the Mineral Mining and Processing Category in 40 CFR Part 436 and limitations from the previous order.

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

4.2.1.1. Best practicable treatment control technology (BPT) represents the average of the best existing performance by well-operated facilities within an industrial category or subcategory. BPT standards apply to toxic, conventional, and non-conventional pollutants.

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

4.2.1.3. Best conventional pollutant control technology (BCT) represents the control from existing industrial point sources of conventional pollutants including BOD, TSS, fecal coliform, pH, and oil and grease. The BCT standard is established after considering a two-part reasonableness test. The first test compares the relationship between the costs of attaining a reduction in effluent discharge and the resulting benefits. The second test examines the cost and level of reduction of pollutants from the discharge from publicly owned treatment works to the cost and level of reduction of such pollutants from a class or category of industrial sources. Effluent limitations must be reasonable under both tests.

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

The CWA requires U.S. EPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BAT, BCT, and NSPS. Section 402(a)(1) of the CWA and 40 CFR section 125.3 authorize the use of best

professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis where ELGs are not available for certain industrial categories and/or pollutants of concern. Where BPJ is used, the Central Coast Water Board must consider specific factors outlined in 40 CFR section 125.3.

4.2.2. **Applicable Technology-Based Effluent Limitations**

Effluent limitations, guidelines and standards for discharges from this Facility are covered under the Mineral Mining and Processing Point Source Category, Subpart B - Crushed Stone Subcategory (40 CFR 436.22). The following effluent limitations, representing the degree of effluent reduction attainable by the application of BPT, for discharges from the Facility shall not exceed the following limitations:

Table F-7. Effluent Limitations Guidelines (ELGs)

Effluent Characteristic	Units	Effluent Limitations	
		Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
pH	standard units	Within the range of 6.0 to 9.0	

Water quality-based effluent limitations for pH discussed in Attachment F Section 4.4.3 are more stringent than the applicable ELGs, and have been established in the Order.

Starting with a previous permit, order R3-2010-0025, additional technology-based effluent limitations for turbidity and TSS were established using BPJ and retained in previous order R3-2017-0027. Consistent with State and federal anti-backsliding requirements, these limitations have been retained in this Order.

Table F-8. Additional Technology-Based Effluent Limitations Retained from Previous Order

Parameter	Units	Effluent Limitations	
		Average Monthly	Maximum Daily
Turbidity	NTUs	--	50
Total Suspended Solids	mg/L	50	--

4.3. Water Quality-Based Effluent Limitations (WQBELs)

4.3.1. **Scope and Authority**

CWA Section 301(b) and 40 CFR section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44(d)(1)(i) of 40 CFR requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) U.S. EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in section 122.44(d)(1)(vi).

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

4.3.2. **Applicable Beneficial Uses and Water Quality Criteria and Objectives**

Beneficial uses described by the 2024 Basin Plan for Pajaro River are presented in section 3.3.1 of this Fact Sheet. Water quality criteria applicable to this receiving water are established by the CTR, the NTR, applicable State Water Board plans and policies, and by the Basin Plan.

4.3.3. **Determining the Need for WQBELs**

NPDES regulations at 40 CFR section 122.44(d) require effluent limitations to control all pollutants which are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard.

The SIP, statewide policy that became effective on May 22, 2000, establishes procedures to implement water quality criteria from the CTR and for priority, toxic pollutant objectives established in the Basin Plan. The implementation procedures of the SIP include methods to determine reasonable potential (for pollutants to cause or contribute to excursions above State water quality standards) and to establish numeric effluent limitations, if necessary, for those pollutants which show reasonable potential.

The SIP Section 1.3 requires the Central Coast Water Board to use all available, valid, relevant, and representative receiving water and effluent data and information to conduct a reasonable potential analysis (RPA). The Central Coast Water Board analyzed the Discharger's data for not only priority pollutants, but also included title 22 pollutants, Basin Plan water quality objectives, and Pajaro River TMDLs as well as the nature of the discharge to determine if the discharge

has reasonable potential to exceed water quality standards. The RPA is based on effluent and receiving water data retrieved from CIWQS from the period of December 2017 to May 2025.

Some freshwater water quality criteria for metals are hardness dependent; i.e., as hardness decreases, the toxicity of certain metals increases, and the applicable water quality criteria become correspondingly more stringent. The RPA uses the lowest observed hardness in the receiving water and the effluent with the maximum value allowed to be used of 400 mg/L while maintaining a Water Effect Ratio value of 1. During the R3-2017-0027 permit term, the Discharger sampled for hardness in the effluent and the receiving water. A summary of hardness data collected by the Discharger is provided in Table F-9, below. Based on the hardness data collected by the Discharger, a receiving water hardness of 400 mg/L and an effluent hardness of 400 mg/L were used to calculate applicable hardness dependent mentals criteria.

Table F-9. Effluent and Receiving Water Hardness Results

Sample Date	Upstream Receiving Water Hardness as CaCO3 (mg/L) at RSW-001	Effluent Hardness as CaCO3 (mg/L) at EFF-001	Downstream Receiving Water Hardness as CaCO3 (mg/L) at RSW-002
2/2/2021	490	412	470
1/17/2022	494	419	494
12/16/2022	485	-	-
12/27/2022	980	467	666
1/29/2024	452	427	445

To conduct the reasonable potential analysis, the Central Coast Water Board identified the maximum observed effluent (MEC) and background (B) concentrations for each priority, toxic pollutant from receiving water and effluent data provided by the Discharger and compared this data to the most stringent applicable water quality criterion (C) for each pollutant from the CTR, title 22, the 2024 Basin Plan, and Pajaro River TMDLs. Section 1.3 of the SIP establishes the following triggers for a finding of reasonable potential.

4.3.3.1. **Trigger 1.** If the MEC is greater than C, there is reasonable potential, and an effluent limitation is required.

4.3.3.2. **Trigger 2.** If B is greater than C, and the pollutant is detected in effluent (MEC > ND), there is reasonable potential, and an effluent limitation is required.

4.3.3.3. **Trigger 3.** After reviewing other available and relevant information, a permit writer may decide that a WQBEL is required. Such additional information may include, but is not limited to: the facility type, the discharge type, solids loading analyses, lack of dilution, history of compliance problems, potential toxic impact of the discharge, fish tissue residue data, water quality and beneficial uses of

the receiving water, CWA 303(d) listing for the pollutant, and the presence of endangered or threatened species or their critical habitat.

For total recoverable mercury in particular, Part 2 of the SIP revised the above methodology, pursuant to State Water Board Resolution 2017-0027, *Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California-Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions* (Mercury Provisions).To determine the most stringent water quality objective for total recoverable mercury, the Central Coast Water Board used the methodology described in the following section 4.3.3.4 through 4.3.3.7.

4.3.3.4. **Most stringent water quality objective.** The RPA is to use a water column concentration from the Mercury Provisions Table 1 based on the receiving water body type and beneficial use(s) to identify the most stringent mercury water quality objective. For the Pajaro, the applicable water column concentration is 0.012 ug/L total mercury. This water column concentration is to be used as the “C” value in the RPA for mercury. This change in methodology changes the water quality objective of 0.05 µg/L in the previous orders to 0.012 µg/L in this Order.

4.3.3.5. **Maximum Effluent Concentration.** Instead of using the highest observed mercury effluent concentration, the MEC is to be determined as an arithmetic mean of all mercury samples during a calendar year. For this RPA, the all mercury samples were non-detect or DNQ meaning that the RPA was inconclusive. During the previous permit term, The Discharger collected effluent mercury samples on a once per week basis.

4.3.3.6. **Maximum ambient background concentration.** Instead of using the highest observed mercury concentration in the upstream receiving water (referred to as “B”), the value of B is to be determined as an arithmetic mean of all mercury samples during a calendar year. The ambient background in the Pajaro River was 0.15 ng/L.

4.3.3.7. **Determination.** A mercury WQBEL is not required unless the MEC is greater than C. However, if B is greater than C and mercury is detected in the effluent, effluent monitoring is required. A mercury WQBEL is required for this discharge because the MEC (i.e., the highest calendar year average concentration with using one half the mercury detection limits when non-detect) was greater than C and there was no B data available. Therefore, according to Part 2 of the SIP, a mercury effluent limitation is required. Weekly monitoring for mercury will be retained from the previous order.

The following table summarizes the RPA for each priority, title 22, or Basin Plan pollutant for which data was available from March 1, 2018 through May 31, 2025 and sets forth the basis upon which WQBELs are included in this Order.

Table F-10. Summary of RPA Results

CTR #	Parameter	Units	n[1]	MEC[2]	Background	Most Stringent Criteria	RPA Result[3]	Basis for Criteria[4]
Priority Pollutants - California Toxics Rule (CTR)								
1	Antimony, Total	µg/L	2	<0.5	0.55	6	No	CA Primary MCL
2	Arsenic, Total	µg/L	2	0.66	5.2	10	No	CA Primary MCL
3	Beryllium, Total	µg/L	2	<0.25	<0.25	4	No	CA Primary MCL
4	Cadmium, Total	µg/L	2	<0.25	<0.25	7.31	No	CTR - Freshwater Aquatic CCC
5a	Chromium (III)	µg/L	No data	No data	No data	644	Ud	CTR - Hardness dependent
5b	Chromium (VI)	µg/L	No data	No data	No data	10	Ud	CA Primary MCL
6	**Copper, Total**	µg/L	23	31	45.8	30.5	**Yes**	CTR - Freshwater Aquatic CCC
7	Lead, Total	µg/L	2	<0.5	3	18.6	No	CTR - Freshwater Aquatic CCC
8	Mercury, Total	ng/L	21	DNQ	0.15	12	Ud	Mercury Provisions
9	Nickel, Total	µg/L	22	69.7	92.8	100	No	CTR - Freshwater Aquatic CCC
10	**Selenium, Total**	µg/L	2	6.8	1.1	3.1	**Yes**	CTR - Freshwater Aquatic CCC
11	Silver, Total	µg/L	2	<0.5	<0.5	44.0	No	CTR - Freshwater Aquatic CCC
12	Thallium, Total	µg/L	2	1.2	<0.2	1.7	No	CTR - Human Health W&O
13	Zinc, Total	µg/L	2	9.1	24	388	No	CTR - Human Health W&O
14	Cyanide	µg/L	19	1.1	<0.013	5.2	No	CTR - Freshwater Aquatic CCC
15	Asbestos	MFL	No data	No data	<5.1	7.0	Ud	CTR - Human Health W&O
16	2,3,7,8 TCDD (Dioxin)	µg/L	2	<1.1	<1.4	$1.3x10^{-8}$	Ud	CTR - Human Health W&O
17	Acrolein	µg/L	2	<2.5	<2.5	320	No	CTR - Human Health W&O
18	Acrylonitrile	µg/L	2	<1.0	<1.0	0.056	Ud	CTR - Human Health W&O
19	Benzene	µg/L	2	<0.5	<2.5	1.0	No	CA Primary MCL
20	Bromoform	µg/L	2	<1.0	<4.0	4.3	No	CTR - Human Health W&O
21	Carbon Tetrachloride	µg/L	2	<0.5	<2.5	0.25	Ud	CTR - Human Health W&O
22	Chlorobenzene	µg/L	2	<0.5	<2.5	70	No	CA Primary MCL

CTR #	Parameter	Units	n[1]	MEC[2]	Background	Most Stringent Criteria	RPA Result[3]	Basis for Criteria[4]
23	Chlorodibromomethane (aka Dibromochloromethane)	µg/L	2	<0.5	<2.5	0.41	Ud	CTR - Human Health W&O
24	Chloroethane	µg/L	2	<1.0	<4.0	No Criteria	Uc	No Criteria
25	2-Chloroethylvinyl ether	µg/L	2	<1.0	<1.0	No Criteria	Uc	No Criteria
26	Chloroform	µg/L	2	<1.0	<2.5	60	No	NAWQC - Human Health W&O
27	Dichlorobromomethane	µg/L	2	<0.5	<2.5	0.56	No	CTR - Human Health W&O
28	1,1-Dichloroethane	µg/L	2	<0.5	<2.5	5	No	CA Primary MCL
29	1,2-Dichloroethane	µg/L	2	<0.5	<2.5	0.38	Ud	CTR - Human Health W&O
30	1,1-Dichloroethylene	µg/L	2	<0.5	<2.5	0.057	Ud	CTR - Human Health W&O
31	1,2-Dichloropropane	µg/L	2	<0.5	<2.5	0.52	No	CTR - Human Health W&O
32	1,3-Dichloropropylene (aka 1,3-Dichloropropene)	µg/L	1	<0.5	<2.5	0.5	No	CA Primary MCL
33	Ethylbenzene	µg/L	2	<0.5	<2.5	300	No	CA Primary MCL
34	Methyl Bromide (aka Bromomethane)	µg/L	2	<1.0	<2.5	48	No	CTR - Human Health W&O
35	Methyl Chloride (aka Chloromethane)	µg/L	2	<1.0	<2.5	No Criteria	Uc	No Criteria
36	Methylene Chloride	µg/L	2	<5.0	<8.8	4.7	Ud	CTR - Human Health W&O
37	1,1,2,2-Tetrachloroethane	µg/L	2	<0.5	<2.5	0.17	Ud	CTR - Human Health W&O
38	Tetrachloroethylene (PCE) (aka Tetrachloroethene)	µg/L	2	<0.5	<2.5	0.8	No	CTR - Human Health W&O
39	Toluene	µg/L	2	<0.5	<2.5	150	No	CA Primary MCL
40	1,2-Trans-Dichloroethylene (aka Trans-1,2-Dichloroethene)	µg/L	1	<2.5	<2.5	10	No	CA Primary MCL
41	1,1,1-Trichloroethane	µg/L	2	<0.5	<2.5	200	No	CA Primary MCL
42	1,1,2-Trichloroethane	µg/L	2	<0.5	<2.5	0.6	No	CTR - Human Health W&O
43	Trichloroethylene TCE (aka Tetrachloroethene)	µg/L	2	<0.5	<2.5	2.7	No	CTR - Human Health W&O
44	Vinyl Chloride	µg/L	2	<0.5	<2.5	0.5	No	CA Primary MCL
45	2-Chlorophenol	µg/L	1	<2.1	<1.9	120	No	CTR - Human Health W&O

CTR #	Parameter	Units	n[1]	MEC[2]	Background	Most Stringent Criteria	RPA Result[3]	Basis for Criteria[4]
46	2,4-Dichlorophenol	µg/L	1	<5.2	<4.8	93	No	CTR - Human Health W&O
47	2,4-Dimethylphenol	µg/L	1	<10	<9.7	540	No	CTR - Human Health W&O
48	4,6-Dinitro-2-methylphenol (aka 2-Methyl-4,6-Dinitrophenol aka 4,6-Dinitro-2-methylphenol)	µg/L	1	<10	<9.7	13.4	No	CTR - Human Health W&O
49	2,4-Dinitrophenol	µg/L	1	<21	<19	70	No	CTR - Human Health W&O
50	2-Nitrophenol	µg/L	1	<2.1	<1.9	No Criteria	Uc	No Criteria
51	4-Nitrophenol	µg/L	1	<10	<9.7	No Criteria	Uc	No Criteria
52	3-Methyl-4-Chlorophenol (aka P-chloro-m-resol aka 4-Chloro-3-methylphenol)	µg/L	1	<0.9	<0.9	500	No	NAWQC - Human Health W&O
53	Pentachlorophenol	µg/L	1	<10	<9.7	0.28	Ud	CTR - Human Health W&O
54	Phenol	µg/L	1	<5.2	<4.8	21,000	No	CTR - Human Health W&O
55	2,4,6-Trichlorophenol	µg/L	1	<10	<9.7	2.1	Ud	CTR - Human Health W&O
56	Acenaphthene	µg/L	1	<2.6	<2.4	1,200	No	CTR - Human Health W&O
57	Acenaphthylene	µg/L	1	<5.2	<4.8	No Criteria	No	No Criteria
58	Anthracene	µg/L	1	<2.1	<1.9	9,600	No	CTR - Human Health W&O
59	Benzidine	µg/L	No data	No data	No data	0.00012	Ud	CTR - Human Health W&O
60	Benzo(a)Anthracene	µg/L	1	<4.1	<3.9	0.0044	Ud	CTR - Human Health W&O
61	Benzo(a)Pyrene	µg/L	1	<3.1	<2.9	0.0044	Ud	CTR - Human Health W&O
62	Benzo(b)Fluoranthene	µg/L	1	<2.6	<2.4	0.0044	Ud	CTR - Human Health W&O
63	Benzo(ghi)Perylene	µg/L	1	<2.6	<2.4	No Criteria	No	No Criteria
64	Benzo(k)Fluoranthene	µg/L	1	<2.1	<1.9	0.0044	Ud	CTR - Human Health W&O
65	Bis (2-Chloroethoxy) Methane	µg/L	1	<5.2	<4.8	No Criteria	No	No Criteria

CTR #	Parameter	Units	n[1]	MEC[2]	Background	Most Stringent Criteria	RPA Result[3]	Basis for Criteria[4]
66	Bis (2-Chloroethyl) Ether	µg/L	1	<1.6	<1.4	0.031	Ud	CTR - Human Health W&O
67	Bis (2-Chloroisopropyl) Ether	µg/L	1	<2.6	<2.4	1,400	No	CTR - Human Health W&O
68	**Bis (2-Ethylhexyl) Phthalate (aka Di(2-ethylhexyl)phthalate)**	µg/L	21	3.3	0.864	1.8	**Yes**	CTR - Human Health W&O
69	4-Bromophenyl Phenyl Ether	µg/L	1	<2.1	<1.9	0.00003	Ud	NAWQC - Human Health W&O
70	Butylbenzyl Phthalate	µg/L	1	<5.2	<4.8	3,000	No	CTR - Human Health W&O
71	2-Chloronaphthalene	µg/L	1	<2.1	<1.9	1,700	No	CTR - Human Health W&O
72	4-Chlorophenyl Phenyl Ether	µg/L	1	<2.6	<2.4	No Criteria	No	No Criteria
73	Chrysene	µg/L	1	<4.1	<3.9	0.0044	Ud	CTR - Human Health W&O
74	Dibenzo(a,h)Anthracene	µg/L	1	<3.1	<2.9	0.0044	Ud	CTR - Human Health W&O
75	1,2-Dichlorobenzene	µg/L	2	<0.5	<2.5	600	No	CA Primary MCL
76	1,3-Dichlorobenzene	µg/L	2	<0.5	<1.9	400	No	CTR - Human Health W&O
77	1,4-Dichlorobenzene	µg/L	2	<0.5	<2.5	5	No	CA Primary MCL
78	3,3-Dichlorobenzidine	µg/L	1	<7.3	<6.8	0.04	Ud	CTR - Human Health W&O
79	Diethyl Phthalate	µg/L	1	<5.2	<4.8	23,000	No	CTR - Human Health W&O
80	Dimethyl Phthalate	µg/L	1	<4.1	<3.9	313,000	No	CTR - Human Health W&O
81	Di-n-Butyl Phthalate	µg/L	1	<10	<9.7	2,700	No	CTR - Human Health W&O
82	2,4-Dinitrotoluene	µg/L	1	<5.2	<4.8	0.11	Ud	CTR - Human Health W&O
83	2,6-Dinitrotoluene	µg/L	1	<5.2	<4.8	No Criteria	No	No Criteria
84	Di-n-Octyl Phthalate	µg/L	1	<5.2	<4.8	No Criteria	No	No Criteria
85	1,2-Diphenylhydrazine	µg/L	1	<10	<9.7	0.04	Ud	CTR - Human Health W&O
86	Fluoranthene	µg/L	1	<5.2	<4.8	300	No	CTR - Human Health W&O
87	Fluorene	µg/L	1	<2.1	<9.1	1,300	No	CTR - Human Health W&O

CTR #	Parameter	Units	n[1]	MEC[2]	Background	Most Stringent Criteria	RPA Result[3]	Basis for Criteria[4]
88	Hexachlorobenzene	µg/L	1	<1.6	<9.7	0.00075	Ud	CTR - Human Health W&O
89	Hexachlorobutadiene	µg/L	2	<1.0	<4.8	0.44	Ud	CTR - Human Health W&O
90	Hexachlorocyclopentadiene	µg/L	1	<11	<11	50	No	CA Primary MCL
91	Hexachloroethane	µg/L	1	<5.2	<4.8	1.9	Ud	CTR - Human Health W&O
92	Indeno(1,2,3-cd)Pyrene	µg/L	1	<10	<9.7	0.0044	Ud	CTR - Human Health W&O
93	Isophorone	µg/L	1	<1.6	<1.4	8.4	No	CTR - Human Health W&O
94	Naphthalene	µg/L	1	<2.6	<2.4	No Criteria	No	No Criteria
95	**Nitrobenzene**	µg/L	2	64	<2.9	17	**Yes**	CTR - Human Health W&O
96	N-Nitrosodimethylamine	µg/L	1	<3.1	<2.9	0.00069	Ud	CTR - Human Health W&O
97	N-Nitrosodi-n-Propylamine	µg/L	1	<5.2	<4.8	0.005	Ud	CTR - Human Health W&O
98	N-Nitrosodiphenylamine	µg/L	1	<5.2	<4.8	5	Ud	CTR - Human Health W&O
99	Phenanthrene	µg/L	1	<5.2	<4.8	No Criteria	No	No Criteria
100	Pyrene	µg/L	1	<5.2	<4.8	960	No	CTR - Human Health W&O
101	1,2,4-Trichlorobenzene	µg/L	2	<1.0	<4.0	5	No	CA Primary MCL
102	Aldrin	µg/L	2	<0.01	<0.01	0.00013	Ud	CTR - Human Health W&O
103	alpha-BHC (Benzene hexachloride)	µg/L	2	<0.01	<0.01	0.0039	Ud	CTR - Human Health W&O
104	beta-BHC (Benzene hexachloride)	µg/L	2	<0.025	No data	0.014	Ud	CTR - Human Health W&O
105	gamma-BHC (Benzene hexachloride aka Lindane)	µg/L	1	<0.063	No data	0.019	Ud	CTR - Human Health W&O
106	delta-BHC	µg/L	2	<0.01	<0.01	No Criteria	No	No Criteria
107	Chlordane	µg/L	2	<0.063	<0.13	0.00057	Ud	CTR - Human Health W&O
108	4,4'-DDT	µg/L	2	<0.024	<0.023	0.00059	Ud	CTR - Human Health W&O
109	4,4'-DDE	µg/L	2	<0.01	0.032	0.00059	Ud	CTR - Human Health W&O

CTR #	Parameter	Units	n[1]	MEC[2]	Background	Most Stringent Criteria	RPA Result[3]	Basis for Criteria[4]
110	4,4'-DDD	µg/L	2	<0.015	<0.015	0.00083	Ud	CTR - Human Health W&O
111	Dieldrin	µg/L	2	<0.01	<0.01	0.00014	Ud	CTR - Human Health W&O
112	alpha-Endosulfan	µg/L	2	<0.01	<0.01	0.056	No	CTR - Freshwater Aquatic CCC
113	beta-Endosulfan	µg/L	2	<0.014	<0.014	0.056	No	CTR - Freshwater Aquatic CCC
114	Endosulfan Sulfate	µg/L	2	<0.022	<0.022	110	No	CTR - Human Health W&O
115	Endrin	µg/L	2	<0.011	<0.011	0.036	No	CTR - Freshwater Aquatic CCC
116	Endrin Aldehyde	µg/L	2	<0.017	<0.016	0.76	No	CTR - Human Health W&O
117	Heptachlor	µg/L	2	<0.01	<0.1	0.00021	Ud	CTR - Human Health W&O
118	Heptachlor Epoxide	µg/L	2	<0.01	<0.01	0.0001	Ud	CTR - Human Health W&O
119-125	PCBs Sum	µg/L	2	<0.071	<0.036	0.00017	Ud	CTR - Human Health W&O
126	Toxaphene	µg/L	2	<0.4	<0.4	0.0002	Ud	CTR - Freshwater Aquatic CCC
Non-Priority Pollutants								
	California Drinking Water Quality Objectives, Title 22 Primary or Secondary Standards Maximum Contaminant Levels (MCLs)							
	Aluminum	µg/L	23	3400	31000	1000	**Yes**	CA Primary MCL
	Barium	µg/L	2	39	94	1000	No	CA Primary MCL
	Chromium, Total	µg/L	2	1.8	9	50	No	CA Primary MCL
	Fluoride	µg/L	2	<1.0	<4.0	2	No	CA Primary MCL
	Nitrite, Total (as N)	mg/L	1	<1.0	<0.25	1	No	CA Primary MCL
	Perchlorate	µg/L	No data	No data	No data	6	Ud	CA Primary MCL
	cis-1,2-Dichloroethylene (aka cis-1,2-Dichloroethene)	µg/L	No data	No data	No data	6	Ud	CA Primary MCL
	Methyl-tert-butyl ether (MTBE)	µg/L	2	<0.5	<2.5	5	No	CA Secondary MCL
	Styrene	µg/L	2	<0.5	<2.5	100	No	CA Primary MCL
	Trichlorofluoromethane	µg/L	No data	No data	No data	150	Ud	CA Primary MCL
	1,1,2-Trichloro-1,2,2-Trifluoroethane	µg/L	1	<0.5	<5.0	1,200	No	CA Primary MCL
	Xylenes[3]	µg/L	2	<0.5	<5.0	1,750	No	CA Primary MCL

CTR #	Parameter	Units	n[1]	MEC[2]	Background	Most Stringent Criteria	RPA Result[3]	Basis for Criteria[4]
	Alachlor	µg/L	1	<0.032	<0.032	2	No	CA Primary MCL
	Atrazine	µg/L	1	<0.021	<0.021	1	No	CA Primary MCL
	Bentazon	µg/L	1	<0.094	<0.094	18	No	CA Primary MCL
	Carbofuran	µg/L	1	<0.25	<0.25	18	No	CA Primary MCL
	2,4-D	µg/L	1	<0.35	<0.35	70	No	CA Primary MCL
	Dalapon	µg/L	2	<0.94	<0.94	200	No	CA Primary MCL
	Dibromochloropropane (aka 1,2-Dibromo-3-Chloropropane)	µg/L	1	<5.0	<5.0	0.2	Ud	CA Primary MCL
	Di(2-ethylhexyl)adipate	µg/L	1	<0.58	<0.58	400	No	CA Primary MCL
	Dinoseb	µg/L	2	<0.14	<0.14	7	No	CA Primary MCL
	Diquat	µg/L	1	<0.4	<0.14	20	No	CA Primary MCL
	Endothal	µg/L	1	<6.3	<6.3	100	No	CA Primary MCL
	Ethylene Dibromide (aka 1,2-Dibromoethane)	µg/L	1	<2.5	<2.5	0.05	Ud	CA Primary MCL
	Glyphosate	µg/L	1	<5.0	<5.0	700	No	CA Primary MCL
	Methoxychlor	µg/L	2	<0.029	<0.029	30	No	CA Primary MCL
	Molinate	µg/L	1	<0.037	<0.037	20	No	CA Primary MCL
	Oxamyl	µg/L	1	<0.37	<0.37	50	No	CA Primary MCL
	Picloram	µg/L	2	<0.073	<0.073	500	No	CA Primary MCL
	Simazine	µg/L	1	<0.034	<0.034	4	No	CA Primary MCL
	Thiobencarb	µg/L	1	<0.11	<0.11	1	No	CA Secondary MCL
	1,2,3-Trichloropropane	µg/L	No data	No data	No data	0.005	Ud	CA Primary MCL
	2,4,5-TP (Silvex)	µg/L	1	<0.057	<0.057	50	No	CA Primary MCL
	Methylene blue activated substances (MBAS) (aka foaming agents)	mg/L	1	<0.05	No data	0.5	No	CA Secondary MCL
	Water Quality Objectives for Agricultural Water Use, Table 3-2 Central Coast Region 2024 Basin Plan							
	Cobalt	µg/L	No data	No data	No data	50	Ud	BP
	Iron, Total Recoverable	µg/L	22	2500	40000	1000	**Yes**	BP
	Lithium	µg/L	No data	No data	No data	2500	Ud	BP
	Manganese, Total Recoverable	µg/L	1	43	140	200	No	BP
	Molybdenum, Total Recoverable	µg/L	22	17.1	4.22	10	**Yes**	BP
	Vanadium	µg/L	No data	No data	No data	100	Ud	BP
	Mean Surface Water Quality Objectives Pajaro River at Chittenden, Table 3-5 Central Coast Board 2024 Basin Plan							

CTR #	Parameter	Units	n[1]	MEC[2]	Background	Most Stringent Criteria	RPA Result[3]	Basis for Criteria[4]
	Total Dissolved Solids	mg/L	20	5700	5500	1000	**Yes**	BP
	Chloride (as Cl)	mg/L	22	100	140	250	No	BP
	Sulfate (as SO4)	mg/L	22	2060	335	250	**Yes**	BP
	Boron (as B)	mg/L	21	0.25	0.74	1	No	BP
	Sodium (as Na)	mg/L	21	510	150	200	**Yes**	BP

[1] Number of data points available for the RPA.

[2] If there is a detected value, the highest reported value is summarized in the table. If there are no detected values, if available, the lowest MDL is summarized in the table.

[3] RPA Results:
= Yes, if MEC > WQO/WQC, or B > WQO/WQC and MEC is detected;
= No, if MEC and B are < WQO/WQC or all effluent data are undetected;
= Uc, Undetermined, if no criteria have been promulgated; or
= Ud, Undetermined and inconclusive, either 1) because of the lack of data, or 2) due to a flagged laboratory result reported as detected, but not quantified (DNQ).

[4] Basis of Most Stringent Criteria:

- CTR - California Toxics Rule, CFR 131.38
- CTR - Human Health W&O – Human health criterion for the consumption of water and water and organisms
- CTR Freshwater Aquatic CCC – Freshwater aquatic life criterion continuous concentration (CCC) equals the highest concentration of a pollutant to which aquatic life can be exposed for an extended period of time (4 days) without deleterious effects.
- CA Primary MCL – California Primary Maximum Contaminant Level
- CA Secondary - California Secondary Maximum Contaminant Level
- EPA Primary MCL - EPA Primary Maximum Contaminant Level
- EPA Secondary MCL - EPA Secondary Maximum Contaminant Level
- NAWQC - National Ambient Water Quality Criteria
- BP - Central Coast Regional Board 2024 Basin Plan
- SWRCB 2017-0027 - Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions.

4.3.4. **WQBEL Calculations**

This Order contains WQBELs for several priority toxic pollutants which demonstrate reasonable potential: total recoverable copper, total recoverable mercury, total recoverable selenium, bis(2-ethylhexyl)phthalate, and nitrobenzene. The SIP describes the procedure for calculating effluent limitations for priority toxic pollutants.

The limitations are conservative because no mixing zone is provided and sampling must occur only when the discharge from Quarry Lake occurs, typically during periods of high rainfall when substantial dilution will occur.

Step 1: For each water quality criterion/objective, an effluent concentration allowance (ECA) is calculated from the following equation to account for dilution and background levels of each pollutant.

$ECA = C + D (C – B)$, when $C > B$, and

$ECA = C$ when $C \leq B$,

Where,

C = the applicable water quality criterion (adjusted for receiving water hardness and expressed as total recoverable metal, if applicable).

D = the dilution credit (here D = 0, as the Central Coast Water Board has no information with which to justify credit for dilution).

B = the background concentration

As discussed above, for this Order, dilution was not allowed; therefore:

ECA = C

For **total recoverable copper**, the applicable water quality criteria are:

$ECA_{Acute} = 51.68$ µg/L

$ECA_{Chronic} = 30.5$ µg/L

$ECA_{Human\ Health} = 1300$ µg/L

Step 2: For each ECA based on an aquatic life criterion, the long-term average discharge condition (LTA) is determined by multiplying the ECA times a factor (multiplier), which adjusts the ECA to account for effluent variability. The multiplier varies depending on the coefficient of variation (CV) of the data set and whether it is an acute or chronic criterion/objective. Table 1 of the SIP provides pre-calculated values for the multipliers based on the value of the CV. When the data set contains less than 10 sample results, or 80 percent or more of the data are reported as non-detect (ND), the CV is set equal to 0.6. Derivation of the multipliers is presented in Section 1.4 of the SIP.

$LTA_{acute} = ECA_{acute} \times Multiplier_{acute\ 99}$

$LTA_{chronic} = ECA_{chronic} \times Multiplier_{chronic\ 99}$

Typically, historic effluent data is used to develop the acute and chronic LTA using equations provided in Section 1.4, Step 3 of the SIP (Table 1 of the SIP also provides this data up to three decimals).

For **total recoverable copper**, acute and chronic LTA values are:

$LTA_{acute} = 10.54$

$LTA_{chronic}$= 11.34

Step 3: WQBELs, including an AMEL and a MDEL are calculated using the most limiting (the lowest) LTA. The LTA is multiplied times a factor that accounts for averaging periods and exceedance frequencies of the effluent limitations, and for the AMEL, the effluent monitoring frequency. Here, the sampling frequency is set equal to 1 (n = 1). The 99th percentile occurrence probability was used to determine the MDEL multiplier and a 95th percentile occurrence probability was used to determine the AMEL multiplier. Table 2 of the SIP presents the MDEL and AMEL multipliers as a function of the CV. When the data set contains less than 10 sample results, or when 80 percent or more of the data set is reported as non-detect (ND), the CV is set equal to 0.6. Otherwise, the CV is calculated as the standard deviation divided by the mean.

No. of Samples	No. of Samples Per Month (n)	CV
23	1	1.0

Step 4: Calculate the WQBELs by multiplying the LTA by a factor (multiplier). WQBELs are expressed as AMEL and MDEL. The multiplier is a statistically based factor that adjusts the LTA for the averaging periods and exceedance frequencies of the criteria/objectives and the effluent limitations. The value of the multiplier varies depending on the probability basis, the coefficient of variation (CV) of the data set, the number of samples (for AMEL) and whether it is a monthly or daily limit. Table 2 of the SIP provides pre-calculated values for the multipliers based on the value of the CV and the number of samples. Equations to develop the multipliers in place of using values in the tables are provided in Section 1.4, Step 5 of the SIP and will not be repeated here.

$AMEL_{aquatic\ life}$ = LTA x $AMEL_{multiplier\ 95}$

$MDEL_{aquatic\ life}$ = LTA x $MDEL_{multiplier\ 99}$

AMEL multipliers are based on a 95th percentile occurrence probability, and the MDEL multipliers are based on the 99th percentile occurrence probability. If the number of samples is less than four (4), the default number of samples to be used is four (4). Equations provided in Section 1.4, Step 5 of the SIP are used to develop the AMEL and MDEL for aquatic life using (Table 2 of the SIP also provides this data up to two decimals).

For **total recoverable copper**, the acute freshwater aquatic life AMEL and MDEL are:

$AMEL_{Acute}$= 20.6 µg/L

$MDEL_{Acute}$ = 51.7 µg/L

For **total recoverable copper**, the chronic freshwater aquatic life AMEL and MDEL are:

$AMEL_{Chronic}$ = 22.2 µg/L

$MDEL_{Chronic}$ = 55.7 µg/L

Calculation of human health calculation of AMEL and MDEL:

Step 5: For the ECA based on human health criterion, set the AMEL equal to the $ECA_{human\ health}$.

$AMEL_{human\ health} = ECA_{human\ health}$

For **total recoverable copper,** the AMEL is:

$AMEL_{human\ health}$ = 1,300 µg/L

Step 6: Calculate the MDEL for human health by multiplying the AMEL by the ratio of the $Multiplier_{MDEL}$ to the $Multiplier_{AMEL}$. Table 2 of the SIP provides pre-calculated ratios to be used in this calculation based on the CV and the number of samples.

$MDEL_{human\ health} = AMEL_{human\ health}$ x ($Multiplier_{MDEL}$ / $Multiplier_{AMEL}$)

For **total recoverable copper** the following data were used to develop the $MDEL_{human\ health}$:

No. of Samples Per Month	CV	$Multiplier_{MDEL\ 99}$	$Multiplier_{AMEL\ 95}$	Ratio
1	1.0	4.90	1.95	2.52

$MDEL_{human\ health}$ = 1,300 µg/L x 2.52 = 3,266 µg/L

Step 7: Select the lower of the AMEL and MDEL based on freshwater aquatic life acute, freshwater aquatic life chronic, and human health as the water-quality based effluent limit for the Order.

For the total recoverable copper calculation example described above, the AMELs and the MDELs for each applicable criteria is summarized in Table F-11.

Table F-11. Summary of calculated AMEL and MDEL based on applicable criteria

Criteria	Average Monthly Effluent Limit (AMEL)	Maximum Daily Effluent Limit (MDEL)
Freshwater Aquatic Life - Acute	20.6 µg/L	51.7 µg/L
Freshwater Aquatic Life - Chronic	22.2 µg/L	55.7 µg/L
Human Health	1,300 µg/L	3,266 µg/L

For total recoverable copper, the acute freshwater aquatic life criteria would result in the most string effluent limitations (AMEL and MDEL). However in this Order, the effluent limitations for total recoverable copper are retained from the previous order as described in the next section.

4.3.4.1. **Constituents with Reasonable Potential**

4.3.4.1.1. **Copper.** The previous order contained an AMEL of 12 µg/L and an MDEL of 24 µg/L for total recoverable copper. The RPA used to develop the effluent limits in this Order used effluent data from December 2017 through May 2025 and showed that there was a reasonable potential for the discharge to exceed the CTR Freshwater Aquatic Life criterion continuous concentration criteria for total recoverable copper, and therefore effluent limitations are retained from the previous order. Determination of the water quality criteria for total recoverable copper uses effluent and receiving water hardness values. Using the effluent limitation calculations established in the SIP, and available hardness data, an AMEL of 20.6 µg/L and an MDEL of 51.7 µg/L were calculated. These values are less stringent than the previous order, therefore this Order retains the effluent limitations from the previous order, consistent with the antibacksliding provisions of the CWA. Effluent and receiving water monitoring and reporting requirements have also been retained for total recoverable copper.

4.3.4.1.2. **Selenium**. The previous order contained an AMEL of 10 µg/L and an MDEL of 20 µg/L for total recoverable selenium which were based on the CTR criteria for total recoverable selenium for freshwater aquatic life protection of 5.0 µg/L as a 4-day average (chronic) and 20 µg/L as a 1-hour average (acute). In December 2024, U.S. EPA promulgated a revised CTR selenium criterion for California freshwater receiving waters that took effect on January 16, 2025. The criterion applicable to lotic (flowing) freshwaters for chronic effect on aquatic life is now a monthly average exposure 3.1 µg/L. The freshwater aquatic life acute criteria remains 20 µg/L. The RPA used to develop the effluent limits in this Order is based on analysis of effluent data from December 2017 through May 2025 and showed that there was a reasonable potential for the discharge to exceed the CTR Freshwater Aquatic Life criterion continuous concentration criteria for total recoverable selenium, and therefore effluent limitations are retained from the previous order. For this Order, the AMEL is equal to 3.1 µg/L because the criterion is based on a monthly average. The effluent limitation calculations established in the SIP were used to calculate the MDEL of 6.2 µg/L that has been established in this order. The AMEL and MDEL are more stringent in this Order because of the revised CTR selenium criterion. Effluent and receiving water monitoring and reporting requirements have also been retained for total recoverable selenium.

4.3.4.1.3. **Bis (2-Ethylhexyl) Phthalate.** The previous order contained an AMEL of 1.8 µg/L and an MDEL of 3.6 µg/L for total bis (2-ethylhexyl) phthalate. The RPA used to develop the effluent limits in this Order is based on analysis of effluent data from December 2017 through May 2025 and showed that there was a reasonable potential for the discharge to exceed the CTR Human Health Water and Organisms criteria for bis (2-ethylhexyl) phthalate, and therefore these effluent limitations are retained from the previous order. Using the effluent limitation calculations in the SIP, an AMEL of 1.8 µg/L is established in this Order. The SIP effluent limit calculations would result in an MDEL of 4.12 µg/L which is less stringent than the existing permit. Therefore an MDEL

of 3.6 µg/L for total bis (2-ethylhexyl) phthalate has been retained in this Order. Effluent and receiving water monitoring and reporting requirements have also been retained for bis (2-ethylhexyl) phthalate.

4.3.4.1.4. **Nitrobenzene.** The previous order did not contain an effluent limit for nitrobenzene. The RPA based on analysis of effluent data from December 2017 through May 2025 showed that there was a reasonable potential for the discharge to exceed the CTR Human Health Water and Organisms criteria for nitrobenzene, and therefore effluent limitations are established in this Order. Using the effluent limitation calculations established in the SIP, an AMEL of 17 µg/L and an MDEL of 34.2 µg/L have been established in this permit. Effluent and receiving water monitoring and reporting requirements have also been established in this Order.

4.3.4.1.5. **Aluminum**. The previous order contained an AMEL of 1000 µg/L and an MDEL of 5000 µg/L for aluminum.

These limits are based on the water quality objectives in the Basin Plan, which contains the same AMEL and MDEL objectives of 1000 µg/L and 5000 µg/L, respectively. The RPA based on analysis of effluent data from December 2017 through May 2025 showed that there was a reasonable potential for the discharge to exceed the aluminum criteria, and therefore these effluent limitations are retained from the previous order. Effluent and receiving water monitoring and reporting requirements have also been retained for aluminum.

4.3.4.1.6. **Iron.** The previous order contained an average monthly effluent limit for total recoverable iron of 1000 µg/L. This effluent limit was based on the U.S. EPA National Ambient Water Quality objective for freshwater aquatic life criterion continuous concentration (NAWQC Freshwater CCC) for total recoverable iron of 1000 µg/L. The Basin Plan has a water quality objective of 5000 µg/L for agricultural use (irrigation supply) for total recoverable iron. The RPA, based on analysis of effluent data from December 2017 through May 2025, showed that there was a reasonable potential for the effluent to exceed the total recoverable iron criteria of 1000 µg/L NAWQC Freshwater CCC. An effluent limitation of 1000 µg/L is equivalent to the most stringent water quality objective from the NAWQC Freshwater CCC and has been retained in this permit. Effluent and receiving water monitoring and reporting requirements have also been retained for total recoverable iron.

4.3.4.1.7. **Molybdenum.** The previous order contained an average monthly effluent limit of 10 µg/L for total recoverable molybdenum. The Basin Plan has a water quality objective of 10 µg/L for agricultural use (irrigation supply) for total recoverable molybdenum. The RPA based on analysis of effluent data from December 2017 through May 2025 showed that there was a reasonable potential for the effluent to exceed the molybdenum criteria of 10 µg/L from the Basin Plan. An effluent limitation of 10 µg/L is equivalent to the most stringent water quality objective in the Basin Plan and has been retained in this Order. Effluent and receiving water monitoring and reporting requirements have also been retained for molybdenum.

4.3.4.1.8. **Total Dissolved Solids.** The previous order contained an average monthly effluent limit of 1000 mg/L based on the mean surface water quality objectives in the Pajaro River at Chittenden in the Basin Plan. The RPA based on analysis of effluent

data from December 2017 through May 2025 showed that there was a reasonable potential for the discharge to cause an exceedance of the total dissolved solids criteria of 1,000 mg/L in the Basin Plan. Therefore, the average monthly effluent limit of 1,000 mg/L for total dissolved solids is retained in this Order. Effluent and receiving water monitoring and reporting requirements have also been retained for total dissolved solids.

4.3.4.1.9. **Sulfate.** The previous order did not contain an effluent limit for sulfate (as SO_4). The Basin Plan contains a mean surface water quality objective in the Pajaro River at Chittenden of 250 mg/L for sulfate (as SO_4). The RPA based on analysis of effluent data from December 2017 through May 2025 showed that there was a reasonable potential for the discharge to cause an exceedance of the sulfate criteria of 250 mg/L in the Basin Plan. An annual average effluent limit of 250 mg/L for sulfate (as SO_4) has been established in this Order to reflect the Basin Plan mean surface water quality objectives in the Pajaro River at Chittenden. Effluent and receiving water monitoring and reporting requirements have also been established for sulfate.

4.3.4.1.10. **Sodium.** The previous order did not contain an effluent limit for sodium (as Na). The Basin Plan contains a mean surface water quality objective in the Pajaro River at Chittenden of 200 mg/L for sodium (as Na). The RPA based on analysis of effluent data from December 2017 through May 2025 showed that there was a reasonable potential for the discharge to cause an exceedance of the sodium (as Na) criteria of 200 mg/L in the Basin Plan. An annual average effluent limit of 200 mg/L for sodium (as Na) has been established in this Order to reflect the Basin Plan mean surface water quality objectives in the Pajaro River at Chittenden. Effluent and receiving water monitoring and reporting requirements have also been established for sodium.

4.3.4.2 **Constituents with Inconclusive Reasonable Potential**

As detailed in

Table F-10, constituents that were analyzed and received an undetermined (Uc or Ud) in the “RPA result” column were considered to have an inconclusive reasonable potential to cause or contribute to an exceedance of a water quality objective. There are several reasons that could lead to this outcome including no criteria being promulgated, lack of effluent or receiving water data, or data being flagged by the testing laboratory preventing results from being quantified (DNQ). The majority of constituents that received a Uc or Ud result will not be discussed here because it is clear that criteria or data are missing. The exception is total recoverable mercury because the effluent data provided by the discharger had an estimated (DNQ) result which requires a detailed discussion.

4.3.4.2.1 **Mercury.** The previous order contained an AMEL of 0.05 µg/L and an MDEL of 0.10 µg/L for total recoverable mercury. As discussed in Fact Sheet section 3.3.6, updated water quality objectives for total recoverable mercury were adopted in 2017 with the Mercury Provisions. The Pajaro River is designated for several beneficial uses including Commercial and Sport Fishing (COMM) and Wildlife Habitat (WILD). For a flowing water body with COMM and WILD, the water column concentration (C) value of 12 ng/L is the value used as the most stringent water quality criteria for total recoverable mercury. The RPA used to develop the effluent limits in this Order uses receiving water

and effluent data from December 2017 through May 2025. During this timeframe, 22 effluent samples were collected for total recoverable mercury with 21 samples receiving a result of non-detect and one sample with an estimated result of 36 ng/L that included a “J” flag qualifier reported by the laboratory. A “J” flagged qualifier indicates a value between the method detection limit (MDL) and practical quantitation limit (PQL), meaning the reported concentration should be considered as estimated rather the quantitative. In other words, this sample result is considered to be detected, but not quantified (DNQ) which resulted in an “inconclusive” outcome for the RPA for total recoverable mercury. Therefore effluent limitations for total recoverable mercury must be retained from the previous order because there was insufficient data available to determine make a conclusion in the RPA. However, the value of the effluent limitations must be updated based on the updated water quality objective. Using the effluent limitation calculations established in the SIP and the Mercury Provisions, an AMEL of 0.012 µg/L and an MDEL of 0.024 µg/L have been updated in this permit. Effluent and receiving water monitoring and reporting requirements have also been retained for total recoverable mercury.

4.3.4.3 **Constituents with No Reasonable Potential**

As detailed in

Table F-10, constituents that were analyzed and received a “No” in the “RPA Result” column did not have a reasonable potential to cause or contribute to an excursion above the 126 U.S. EPA priority toxic pollutants, title 22 MCLs, or any numeric water quality objectives included in any State Water Board plans or the Basin Plan. WQBELs are not included in this Order for constituents that do not demonstrate reasonable potential to cause or contribute to an instream excursion of an applicable water quality objective; however monitoring for priority toxic and title 22 pollutants is established in this Order.

Most constituents with no reasonable potential are not discussed in this Order. This section provides a discussion on the constituent with no reasonable potential for which an effluent limitation has not been retained from the previous order.

4.3.4.3.1 **Cyanide**. The previous order contained effluent limits for cyanide with an AMEL of 4.3 µg/L and an MDEL of 8.5 µg/L. The most stringent water quality objective for cyanide is 5.2 µg/L from the CTR Freshwater Aquatic Life criterion continuous concentration. The RPA used effluent data from December 2017 through May 2025 that was analyzed using the correct test method and found that there was not reasonable potential to cause or contribute to an in-stream excursion above the CTR Freshwater Aquatic Life criterion continuous concentration, and the effluent limitation for cyanide has not been retained in this Order. Removal of this effluent limitation is in accordance with federal anti-backsliding regulations. Additional discussion is included in section 4.4.1 Anti-Backsliding Requirements and section 4.4.2 Antidegradation Policies of this fact sheet. Effluent monitoring and reporting of cyanide will be retained in this Order with the intent that data will be available for the reasonable potential analysis in the next permit reissuance.

4.3.5. **Basin Plan, TMDLs, and ISWEBE Provisions**

4.3.5.1 **Basin Plan - Un-ionized Ammonia**. The Basin Plan includes a water quality objective for un-ionized ammonia (NH3) of 0.025 mg/L. The previous order did not establish an effluent limitation for un-ionized ammonia and instead had an effluent limitation for total ammonia nitrogen (as N). In general, unionized ammonia (NH_3) is the form most toxic to aquatic biota, therefore an effluent limitation for total ammonia nitrogen (as N) does not satisfy the TMDL for un-ionized ammonia. The un-ionized ammonia concentration (NH_3) is a calculated value based on the total ammonia nitrogen (as N) concentration, pH, and temperature. The effluent limitation of 0.025 mg/L or un-ionized ammonia (NH_3) is equivalent to the most stringent water quality objective in the Basin Plan and has been established in this permit. The Discharger did not sample for either ammonia or un-ionized ammonia during the previous permit term. This Order establishes concurrent monitoring for total ammonia nitrogen (as N), pH, and temperature in the effluent (EFF-001) and the receiving water (RSW-001 and RSW-002) and requires the concentration of un-ionized ammonia to be calculated and reported.

4.3.5.2 **Total Maximum Daily Loads (TMDLs)**

As previously discussed in Attachment F sections 3.4.2 through 3.4.4, there are TMDLs for chlorpyrifos and diazinon, fecal coliform, nutrients (nitrogen compounds and orthophosphate), and sediment for the Pajaro River. This section provides an analysis of these TMDLs as they relate to this Facility and includes monitoring and or effluent limitations where applicable.

4.3.5.2.1 **Chlorpyrifos and Diazinon.** On July 11, 2013, the Central Coast Water Board adopted Resolution R3-2013-0011, amending the Basin Plan to implement a TMDL for chlorpyrifos and diazinon in the Pajaro River watershed, including the Pajaro River. The TMDL was approved by U.S. EPA on November 12, 2013, and is now in effect. The TMDL finds that discharges of chlorpyrifos and diazinon from irrigated agriculture caused exceedances of the water quality objectives for toxicity and pesticides and assigns load allocations to dischargers. Because chlorpyrifos and diazinon are pesticides that would typically come from agricultural sources, the TMDL specifies that the requirements for discharges from irrigated lands regulated under agricultural orders, currently will result in achieving the TMDL and that no other regulatory mechanism is required to implement and achieve the TMDL. Typically, if a TMDL does not assign a waste load allocation (WLA) to a specific point source, the WLA is assumed to be zero, and no discharge of the pollutant is allowed. However, the TMDL specifically states that “no other regulatory mechanism is required to implement and achieve these TMDLs;” thus it is clear that the implementation of a WLA of zero within NPDES permits for point sources is not intended. The previous order did not contain effluent limitations for chlorpyrifos and diazinon and required the Discharger to sample the effluent for both chlorpyrifos and diazinon at least once per discharge event. The Discharger sampled the effluent at Discharge Point 001 for chlorpyrifos and diazinon with sample results from March 22, 2018 through March 11, 2025 for each discharge event to the Pajaro River shown in Table F- 12, below.

Table F- 12. Monitoring Results for Chlorpyrifos and Diazinon from EFF-001

Sample Date	Chlorpyrifos Sample Result (µg/L)	Diazinon Sample Result (µg/L)
03/22/2018	Not sampled	ND
12/03/2019	ND	ND
02/02/2021	ND	ND
12/16/2021	ND	ND
12/16/2022	ND	ND
01/04/2024	ND	ND
02/12/2025	ND	ND
02/18/2025	ND	ND
03/11/2025	ND	ND

Note: ND = Not detected at the reporting limit or method detection limit

All sample results were non-detect (ND) for chlorpyrifos and diazinon. In 2015, California Department of Pesticide Regulation (DPR) designated chlorpyrifos as a "restricted material" and following on a 2019 settlement agreement between DPR and pesticide manufacturers, all sales of chlorpyrifos products to California growers ended on February 6, 2020. In conjunction with the settlement agreement, California growers were no longer allowed to possess or use chlorpyrifos products after December 31, 2020. Regarding diazinon, US EPA banned all indoor and outdoor residential use of diazinon by December 31, 2004. In addition, US EPA restrict agricultural use of diazinon to specific crops. There are no agricultural operations at this Facility.

Based on the analysis of the applicability of this TMDL, the Central Coast Water Board concludes that this Facility is not a contributing source of chlorpyrifos and diazinon to the Pajaro River. This analysis supports the exclusion of effluent limitations. Because the Pajaro River is listed for chlorpyrifos and diazinon, this order will retain screening for these pollutants, but will reduce the monitoring frequency in the effluent and receiving water to once every five years

4.3.5.2.2 **Fecal Coliform Bacteria TMDL**. On March 20, 2009, the Central Coast Water Board adopted Resolution R3-2009-0008, amending the Basin Plan to implement a TMDL for fecal coliform in the Pajaro River watershed, including the Pajaro River. The TMDL was approved by the State Water Board on April 20, 2010, the Office of Administrative Law on July 12, 2010, and by U.S. EPA on August 3, 2010. The TMDL is fully approved and effective. The TMDL does not assign a waste load allocation (WLA) to the Discharger, thus the applicable WLA is assumed to be zero. The previous order implemented this WLA as a discharge prohibition for the discharge of fecal coliform bacteria originating from human sources at Discharge Point 001 to the Pajaro River. In the previous order, the Discharger was required to monitor for fecal coliform from Discharge Point 001 (EFF-001). The previous order did not include requirements to monitor the receiving water for fecal coliform. Table F- 13 shows fecal coliform monitoring results from March 22, 2018 through February 12, 2025 at Discharge Point 001 (EFF-001) and in both the upstream and downstream receiving water.

Table F- 13. Monitoring Results for Fecal Coliform

Sample Date	Upstream Receiving Water (MPN/100 mL)	Discharge Point 001 (MPN/100 mL)	Downstream Receiving Water (MPN/100 mL)
03/22/2018	Not sampled	13	Not sampled
12/03/2019	1600	170	900
02/02/2021	240	2400	110
12/16/2021	Not sampled	11	Not sampled
12/16/2022	Not sampled	110	Not sampled
01/04/2024	Not sampled	350	Not sampled
02/12/2025	Not sampled	1730	Not sampled

While this Facility does not have any municipal waste inputs into their process water treatment system, the monitoring data of Discharge Point 001 shows the presence of fecal coliform in their discharged effluent. To note, this data does not show that this Facility is discharging fecal coliform from human sources. The Central Coast Water Board finds that this monitoring data demonstrates the need for a bacteria effluent limitations and routine monitoring of the effluent and receiving water.

Based on an analysis of the applicability of this TMDL to the Facility and monitoring data, the Central Coast Water Board has chosen to remove the discharge prohibition for fecal coliform originating from human sources and instead include a bacteria effluent limitation that is consistent with the Bacteria Provisions that were updated in 2018. An effluent limitation for *Escherichia coli* has been established in this Order. *E. coli* provides a more precise measure of fecal coliform contamination compared to the broad category of fecal coliforms. In addition*, E. coli* is a better indicator of health risks in recreation water (REC-1 beneficial use). This Order removes the discharge prohibition for the discharge of fecal coliform bacteria originating from human sources via Discharge Point 001. This Order also removes effluent and receiving water monitoring for fecal coliform and instead establishes monitoring for *E. coli* in the effluent and the receiving water.

4.3.5.2.3 **Nutrients TMDL - Nitrate.** As previously discussed, resolution R3-2015-0004 titled *Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in Streams of the Pajaro River Bain* (Nutrients TMDL) is approved and fully effective. The previous order established two effluent limitations for total nitrate (as nitrogen) for the Facility and used the following reasoning:

"*The TMDL identifies sources of nutrients from irrigated agriculture, municipal NPDES permitted storm water system discharges, industrial and construction NPDES permitted storm water sources, livestock waste associated with grazing lands and rural residential areas, golf courses. For industrial NPDES permitted storm water sources WLAs are assigned to enrollees of the Industrial Storm Water General Permit. No WLAs are assigned to individual NPDES permitted storm water discharges; however, it is reasonable to extend the requirements for General Permit enrollees to individual permittees*."

The previous order used the same WLAs assigned to discharges under the Industrial General Permit, creating the effluent limitation for total nitrate (as N) that vary by a dry (May 1-October 31) and wet (November 1 - April 3) season. The effluent limitations for total nitrite (as nitrogen) based on the dry and wet season are retained in this Order. The total nitrate (as N) effluent limit is 3.9 mg/L for the dry season and 8.0 mg/L for the wet season. This Order retains monitoring for nitrate in the effluent (EFF-001) and the receiving water (RSW-001 and RSW-002).

4.3.5.2.4 **Nutrients TMDL - Orthophosphate**. As discussed above in Fact Sheet section 4.3.5.2.3, the previous order found it reasonable to extend the Nutrients TMDL waste load allocation requirements for General Permit enrollees to individual permittees. Two effluent limitations for orthophosphate (as phosphate) were established for the Facility in the previous order that vary by a dry (May 1 - October 31) and wet (November 1 - April 3) season. This Order retains the orthophosphate (as P) effluent limit of 0.14 mg/L for the dry season and 0.3 mg/L for the wet season. The previous order did not include orthophosphate (as P) monitoring requirements in the effluent or the receiving water. The Discharger did not sample for orthophosphate in the effluent or the receiving water during the previous permit term. This Order establishes monitoring for orthophosphate in the effluent (EFF-001) and receiving water (RSW-001 and RSW-002).

4.3.5.2.5 **Suspended Sediments TMDL.** On December 2, 2005, the Central Coast Water Board adopted Resolution R3-2005-0132, amending the Basin Plan to implement a TMDL for sediment in the Pajaro River watershed, including the Pajaro River. The TMDL was approved by U.S. EPA on May 3, 2007, and is now in effect.

The TMDL specifies that the key regulatory mechanisms for implementation include NPDES permits for stormwater discharges, waste discharge requirements for sand and gravel mining operations, waivers of waste discharge requirements for irrigated agriculture and timber harvest activities, and individual or cooperative nonpoint source pollution control programs for all other discharge types. Additionally, TMDL section 7.4, Implementation and Tracking and TMDL Evaluation, specifies implementation within NPDES stormwater permits for MS4 municipalities, but is silent on NPDES discharges for non-stormwater discharges. Non-stormwater point sources are not identified as contributors to the impairment. Typically, if a TMDL does not provide a waste load allocation (WLA) to a specific point source, the WLA is assumed to be zero, and no discharge of the pollutant is allowable. However, the TMDL specifies the regulatory mechanisms to implement and achieve the TMDL and does not specify implementation via NPDES permits for non-stormwater discharges which leaves the decision for implementation at the discretion of Central Coast Water Board Staff based on best professional judgement.

To be consistent with the TMDL, order R3-2010-0025 first established an effluent limitation for suspended sediment concentration. During the duration of the previous order R3-2017-0027, the Discharger did not consistently sample for suspended sediment concentration due to a misunderstanding between suspended materials sampling types. Central Coast Water Board staff has had discussions with the Discharger to correct this sampling error. Both effluent limitations and monitoring of the effluent for suspended sediment concentration are retained in this Order. The Pollutant

Minimization Program is added to this Order to prompt the Discharger to investigate the sources of suspended sediment concentration in the Facility if there are exceedances.

4.3.5.3 **ISWEBE**. Since the adoption of the previous order, two additional adopted plan provisions were incorporated into the State Board Water Quality Control Plan for Inland Surface Waters, Enclosed Bayes and Estuaries of California (ISWEBE) during the prior permit term. The Mercury Provisions were adopted in 2017, and the Bacteria Provisions were adopted in 2018.

4.3.5.3.1. **Mercury Provisions**. As discussed in Fact Sheet section 3.3.6, on May 2, 2017, the State Water Resources Control Board adopted Resolution 2017-0027, which approved Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions. Resolution 2017-0027 provides a consistent regulatory approach throughout the state by setting mercury limits to protect the beneficial uses associated with the consumption of fish by both people and wildlife. As described in Fact Sheet section 4.3.3.2.1, the Central Coast Water Board used the applicable updated water quality objective of 12 ng/L for the Pajaro River. The results of Reasonable Potential Analysis were inconclusive and the effluent limitation for total recoverable mercury was retained in this Order. Additionally this Order requires monitoring for total recoverable mercury in the effluent EFF-001, and the receiving water.

4.3.5.3.2. **Bacteria Provisions**. On August 7, 2018, the State Water Board adopted Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Bacteria Provisions and the Water Quality Standards Variance Policy (Bacteria Provisions). The previous order contained a discharge prohibition for fecal coliform. This discharge prohibition was removed and not retained in this Order because the bacteria water quality objectives established in the updated Bacteria Provisions supersede any numeric water quality objective for bacteria for the REC-1 beneficial use contained in a water quality control plan before the effective date of the Bacteria Provisions. Therefore, this Order removes the prohibition for discharging fecal coliform because this Order establishes effluent limitations for *Escherichia coli* consistent with the updated Bacteria Provisions. Monitoring for *Escherichia coli* in the effluent and the receiving water has also been established in this Order to assess the Facility's impact to beneficial uses.

4.3.6. **Whole Effluent Toxicity (WET)**

Aquatic toxicity is the adverse response of aquatic organisms from exposure to chemical or physical agents, or their synergistic effects in effluent or ambient water. Acute aquatic toxicity refers to adverse response (typically lethality) from a short-term exposure. Chronic aquatic toxicity generally refers to longer exposure duration and measures of both lethal and sub-lethal adverse response. WET testing protects receiving waters from the aggregate toxic effect of a mixture of pollutants that may be present in effluent.

The Basin Plan establishes a narrative WQO which states that all waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life. Survival of aquatic organisms in surface waters subjected to a waste discharge or other

controllable water quality conditions shall not be less than that for the same waterbody in areas unaffected by the waste discharge or for another control water. The WET approach allows for protection of the narrative "no toxics in toxic amounts" criterion while implementing numeric criteria for toxicity.

For compliance with the Basin Plan's narrative toxicity objective and the Toxicity Provisions, this Order requires the Discharger to conduct WET testing for acute and chronic toxicity in accordance with the Test of Significant Toxicity (TST) statistical approach, as specified in section 5 of the MRP (Attachment E).

4.3.6.1. **Test of Significant Toxicity (TST)**

In 2010, U.S. EPA endorsed the TST statistical hypothesis testing approach, described in the National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1, as an improved hypothesis-testing tool to evaluate data from U.S EPA's toxicity test methods. The TST hypothesis testing approach more reliably identifies toxicity—in relation to the chronic (0.25 or more) and acute (0.20 or more) mean responses of regulatory management concern—than the No Observed Effect Concentration (NOEC) hypothesis-testing approach previously used.

On December 1, 2020, the State Water Board adopted Resolution No. 2020-0044, establishing the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries (ISWEBE Plan), and adopting statewide numeric WQOs for both acute and chronic toxicity and a program of implementation to control toxicity, which are collectively known as the Toxicity Provisions. The Toxicity Provisions, which were revised on October 5, 2021, standardized the regulation of aquatic toxicity for all non-oceanic surface waters.3 U.S. EPA's Test of Significant Toxicity Design, or TST, approach is an essential component of the Toxicity Provisions as it forms the basis for utilizing numeric WQOs and acts as the primary means of determining compliance with WET effluent limitations. This Order requires application of the TST approach for statistical analysis of WET data.

4.3.6.1.1. **Test of Significant Toxicity Design**

The TST null hypothesis (Ho) for acute toxicity is: "mean discharge IWC response ≤0.80 × mean control response", where 0.80 is the regulatory management decision (RMD). The TST null hypothesis (Ho) for chronic toxicity is: "mean discharge IWC response ≤0.75 × mean control response", where 0.75 is the RMD. The null hypotheses for acute and chronic toxicity described in the TST are assigned as numeric WQOs for acute and chronic toxicity in sections II.C.1 and II.C.2 of the Toxicity Provisions. A test result that rejects the null hypothesis is reported as "Pass". A test result that does not reject this null hypothesis is reported as "Fail". The TST approach is a t-test (formally Student's t-test), a statistical analysis comparing two sets of replicate observations—in the case of WET tests, only two test concentrations (i.e., a control and IWC). The purpose of this statistical test is to determine if the means of the two sets of observations are different

[3] The Toxicity Provisions were approved by the Office of Administrative Law on April 25, 2022, and by U.S. EPA on May 1, 2023.

(i.e., if the IWC or receiving water concentration differs from the control (the test result is "Pass" or "Fail")). The Welch's t-test employed by the TST statistical approach is an adaptation of Student's t-test and is used with two samples having unequal variances.

The MDEL for chronic toxicity is exceeded when a chronic toxicity test, analyzed using the TST statistical approach, results in "Fail" for the sub-lethal endpoint and the "Percent Effect" is ≥0.50 for the survival endpoint or the sub-lethal endpoint if there is no survival endpoint. The MMEL for chronic toxicity is exceeded and a violation will be flagged when two or more toxicity tests initiated in a calendar month result in a "Fail" in accordance with the TST approach for any endpoint.

The MDEL and MMEL for chronic toxicity are set at the IWC for the discharge and expressed in units of the TST statistical approach ("Pass" or "Fail"; "Percent Effect"). All NPDES effluent monitoring for the chronic toxicity effluent limitations shall be reported using the 100 percent effluent concentration and negative control, expressed in units of the TST. The TST hypothesis (Ho) (see above) is statistically analyzed using the IWC and a negative control. Effluent toxicity tests shall be run using a multi-concentration test design when required by *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA-821-R-02-013, 2002).

Compliance with the toxicity limitation is demonstrated by rejecting the null hypothesis and reporting "Pass". When the toxicity test results in a "Fail" the Discharger must initiate accelerated monitoring as specified in section 5.2 of the MRP. After accelerated monitoring, if conditions of chronic toxicity are found to persist, the Discharger will be required to conduct a TRE, as described in section 5.3 of the MRP.

See section 3.2.3 of the Toxicity Provisions for a detailed step-by-step description of the TST statistical method.

4.3.6.2. **WET Reasonable Potential Analysis (RPA)**

To determine the need for chronic toxicity effluent limitations, the Central Coast Water Board conducted an RPA using the TST approach. In conducting the RPA, the Central Coast Water Board considered and evaluated all chronic toxicity data generated during the previous permit term since the data is representative of the actual effluent quality from the Facility. Reasonable potential exists if any of the acute or chronic toxicity tests result in a "Fail" or if the percent effect at the IWC is greater than 10 percent. The IWC for Discharge Point 001 is 100 percent effluent.

The Discharger conducted 5 chronic toxicity tests for each species from February 2021 through February 2025 as shown in Table F- 14, below. Analysis using the TST approach concluded that the Discharger failed zero chronic toxicity test. The percent effect was greater than 10 percent on two occasions: Quarter 4, 2024 for the fathead minnow growth endpoint and Quarter 1, 2025 for the *Ceriodaphnia dubia* reproduction endpoint.

These chronic toxicity test results were used to conclude that the discharge has reasonable potential to cause or contribute to an exceedance of chronic toxicity WQOs and that the discharge is subject to chronic toxicity effluent limitations. Therefore, based

on the determination of the RPA and in accordance with the Toxicity Provisions, this Order establishes MDEL and MMEL effluent limitations for chronic toxicity.

Table F- 14. Summary of Chronic Toxicity Test Results at EFF-001

Sample Date	Test Initiation Date	Test Species	Test Endpoint	%Effect @ IWC	TST Result
Quarter 1 - 2021					
2/2/2021	2/3/2021	*Ceriodaphnia dubia*	% Survival	-11.10%	Pass
2/2/2021	2/3/2021	*Ceriodaphnia dubia*	Reproduction	-55.30%	Pass
2/2/2021	2/3/2021	Fathead minnow	% Survival	1.14%	Pass
2/2/2021	2/3/2021	Fathead minnow	Growth	-24.30%	Pass
2/2/2021	2/3/2021	*Selenastrum capricornutum*	Growth	-20.80%	Pass
Quarter 1 - 2022					
1/17/2022	1/18/2022	*Ceriodaphnia dubia*	% Survival	0.00%	Pass
1/17/2022	1/18/2022	*Ceriodaphnia dubia*	Reproduction	-12.57%	Pass
1/17/2022	1/18/2022	Fathead minnow	% Survival	1.83%	Pass
1/17/2022	1/18/2022	Fathead minnow	Growth	2.62%	Pass
1/17/2022	1/18/2022	*Selenastrum capricornutum*	Cell Density	0.79%	Pass
Quarter 4 - 2022					
12/27/2022	1/4/2023	*Ceriodaphnia dubia*	% Survival	10.00%	Pass
12/27/2022	1/4/2023	*Ceriodaphnia dubia*	Reproduction	9.57%	Pass
12/27/2022	1/4/2023	Fathead minnow	% Survival	2.50%	Pass
12/27/2022	1/4/2023	Fathead minnow	Growth	11.20%	Pass
12/27/2022	1/4/2023	*Selenastrum capricornutum*	Cell Density	7.39%	Pass
Quarter 1 - 2024					
1/29/2024	2/1/2024	*Ceriodaphnia dubia*	% Survival	0.00%	Pass
1/29/2024	2/1/2024	*Ceriodaphnia dubia*	Reproduction	-3.53%	Pass
1/29/2024	2/1/2024	Fathead minnow	% Survival	5.13%	Pass
1/29/2024	2/1/2024	Fathead minnow	Growth	6.25%	Pass
1/29/2024	2/1/2024	*Selenastrum capricornutum*	Cell Density	-21.45%	Pass
Quarter 1 - 2025					
2/18/2025	2/26/2025	*Ceriodaphnia dubia*	% Survival	0.00%	Pass
2/18/2025	2/26/2025	*Ceriodaphnia dubia*	Reproduction	19.06%	Pass
2/18/2025	2/26/2025	Fathead minnow	% Survival	0.00%	Pass
2/18/2025	2/26/2025	Fathead minnow	Growth	-3.78%	Pass
2/18/2025	2/26/2025	*Selenastrum capricornutum*	Cell Density	-20.30%	Pass

4.3.6.3. **Chronic Toxicity Most Sensitive Species Determination**

The permitting authority has the discretion to choose the approach for selecting the most sensitive species from the species sensitivity screening (e.g., species exhibiting highest percent effect, species with the most number of "fails" etc.). However, the permitting authority shall select the species in the species sensitivity screening exhibiting the highest percent effect at the IWC as the approach for selecting the most sensitive species, unless the permitting authority identifies the basis for selecting a different approach in the Fact Sheet.

For this Order, Central Coast Water Board staff reviewed the species sensitivity screening results provided by the Discharger and determined that the most sensitive species is *Ceriodaphnia dubia*. The Discharger will use *Ceriodaphnia dubia* as the most sensitive species for chronic toxicity testing and will update the species accordingly, if necessary, based on results of the species sensitivity screen requirement described in Attachment E.

Chronic Toxicity Maximum Daily Effluent Limitation (MDEL). No chronic aquatic toxicity test shall result in a "Fail" at the Instream Waste Concentration (IWC) for the sub-lethal endpoint measured in the test AND a percent effect for the survival endpoint greater than or equal to 50 percent.

4.4. Final Effluent Limitation Considerations

4.4.1. Anti-Backsliding Requirements

Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 CFR 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous order. An effluent limitation for cyanide has not been retained from the previous order because current data analysis shows no reasonable potential. The elimination of this WQBEL is consistent with the exception to the CWA's anti-backsliding requirements expressed at §402 (0)(2)(B)(i) of the CWA, which allows a reissued permit to include less stringent limitations when information is available that was not available at the time of permit issuance (other than revised regulations, guidance, or test methods), and that would have justified the application of a less stringent effluent limitation at the time of permit issuance. The removal of the limitation of cyanide is based on new data, which was generated during the term of previous order, and which demonstrates no reasonable potential for discharges from the Facility to cause or contribute to exceedances of applicable WQOs for this pollutant. Therefore, effluent limitations for cyanide from the previous order are not retained in this Order.

In section 5.1 of the Order and section 5 of the Fact Sheet, this Order removes generalized receiving water limitations contained in the Discharger's prior waste discharge requirements. Removal of receiving water limits is not subject to the

anti-backsliding rules, which apply to effluent limitations only. Even if the anti-backsliding rules applied, however, the removal of these requirements is consistent with the U.S. Supreme Court's holding in City and County of San Francisco, California v. Environmental Protection Agency (2025) 145 S.Ct. 704. Moreover, as discussed in section 3 and section 4.1 of the Order, and in the Fact Sheet, the Central Coast Water Board has included additional requirements, such as new effluent and receiving water monitoring for MBAS (discussed Fact Sheet section 5.1.1.16), and new prohibitions (discussed Fact Sheet section 4.1) to ensure the discharge complies with Clean Water Act section 301(b)(1)(C) (33 U.S.C. § 1311(b)(1)(C)). Similarly, the Order retains monitoring from the previous permit in the receiving water (see, MRP and Fact Sheet section 5.1) and reopener provisions to ensure that appropriate data is gathered and that any additional effluent limitations can be added, if necessary. As a result, the discharge does not authorize violations of water quality standards, and the removal of the generalized receiving water limitation does not authorize the additional discharge of pollutants or authorize the violation of water quality standards. The Order does not, therefore, authorize either backsliding or further degradation of water quality.

4.4.2. **Antidegradation Policies**

40 CFR section 131.12 requires that state water quality standards include an antidegradation policy consistent with the federal antidegradation policy. On October 28, 1968, the State Water Board established California's antidegradation policy when it adopted Resolution Number 68-16, Statement of Policy with Respect to Maintaining the Quality of the Waters of the State. Resolution Number 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The State Water Board has, in State Water Board Order Number 86-17 and an October 7, 1987 guidance memorandum, interpreted Resolution Number 68-16 to be fully consistent with the federal antidegradation policy contained in 40 CFR section 131.12. Similarly, CWA section 303(d)(4)(B) and 40 CFR section 131.12 require that all permitting actions be consistent with the federal antidegradation policy. Together, the state and federal antidegradation policies are designed to ensure that a water body will not be degraded resulting from the permitted discharge. The Central Coast Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies.

The renewal of this NPDES permit is consistent with the anti-degradation policy because it is not expected to allow degradation of receiving water quality. No reduction in the existing level of wastewater treatment is anticipated. In addition, the renewal of the NPDES permit will not lower the surface water quality because the conditions in this Order are at least as stringent as the previous permit except for limits described in section 4.4.1 of the Fact Sheet. Specifically, the removal of the final effluent limitation for cyanide is consistent with the antidegradation policy because the discharge did not exhibit reasonable potential to exceed the water quality objective, and it is not expected to degrade the water quality of the receiving water. Effluent and receiving water monitoring for this pollutant continue

to be required under this Order to ensure effluent and receiving water concentrations do not exceed the objective.

4.4.3. **Stringency of Requirements for Individual Pollutants**

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based effluent limitations consist of restrictions on pH, TSS and turbidity. Restrictions on pH, TSS and turbidity are discussed in Fact Sheet Section 4.2 Technology-Based Effluent Limitations. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. In addition, this Order contains effluent limitations more stringent than the minimum, federal technology-based requirements that are necessary to meet water quality standards. For pH, TSS and turbidity, both technology-based effluent limitations and water quality-based effluent limitations are applicable. The more stringent of these effluent limitations are implemented by this Order. These limitations are not more stringent than required by the CWA.

Water quality-based effluent limitations have been derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR 131.38. The procedures for calculating the individual water quality-based effluent limitations for priority pollutants are based on the CTR implemented by the SIP, which was approved by U.S. EPA on May 18, 2000. Any water quality objectives and beneficial uses submitted to U.S. EPA prior to May 30, 2000, but not approved by U.S. EPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to 40 CFR 131.21(c)(1). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

4.4.4. **Summary of Final Effluent Limitations**

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001 as described in the attached Monitoring and Reporting Program (MRP) (Attachment E).

Table F-15. Final Effluent Limitations at Discharge Point 001 (EFF-001)

Parameter	Units	Average Monthly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	Monthly Median	Annual Average
pH	standard units	-	-	7.0	8.3	-	-
Total Suspended Solids (TSS)	mg/L	50	-	-	-	-	-
Turbidity	NTUs	-	50	-	-	-	-
Suspended Sediments	mg/L	[1]					
Copper, Total Recoverable	µg/L	12	24	-	-	-	-
Mercury, Total Recoverable	µg/L	0.012	0.024	-	-	-	-
Selenium, Total Recoverable	µg/L	3.1	6.2	-	-	-	-
Bis (2-Ethylhexyl) Phthalate[2]	µg/L	1.8	3.6	-	-	-	-
Nitrobenzene	µg/L	17	34.2	-	-	-	-
Aluminum, Total Recoverable	µg/L	1000	5000	-	-	-	-
Nitrate, Total (as N), Dry Weather [3]	mg/L	3.9	-	-	-	-	-
Nitrate, Total (as N), Wet Weather[4]	mg/L	8.0	-	-	-	-	-
Orthophosphate (as P), Dry Weather[3]	mg/L	0.14	-	-	-	-	-
Orthophosphate (as P), Wet Weather[4]	mg/L	0.3	-	-	-	-	-
Un-ionized Ammonia (as N)	mg/L	0.025	-	-	-	-	-
Iron, Total Recoverable	µg/L	1000	-	-	-	-	-
Molybdenum, Total Recoverable	µg/L	10	-	-	-	-	-
Total Dissolved Solids	mg/L	1000	-	-	-	-	-
Sulfate (as SO_4)	mg/L	-	-	-	-	-	250[5]

Parameter	Units	Average Monthly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	Monthly Median	Annual Average
Sodium (as Na)	mg/L	-	-	-	-	-	200[5]
Escherichia coli (*E. coli*)	MPN/100 mL	[6]					
Chronic Toxicity	"Pass/Fail" and Percent Effect	-	"Pass" and Percent Effect <50[7]	-	-	[8]	-

[1] The following shall apply for the suspended sediments limitation:
- For a discharge duration of 1 day (24 hours) or less, the suspended sediments concentration (SSC) cannot exceed 1,807 mg/L.
- For a discharge duration of 2 days (48 hours), the SSC cannot exceed 665 mg/L for both days.
- For a discharge duration of 2 to 14 days (48 to 336 hours), the SSC cannot exceed 244 mg/L for each day.
- For a discharge duration of 14 to 49 days (336 to 1,176 hours), the SSC cannot exceed 90 mg/L for each day.
- For a discharge duration of greater than 49 days (1,176 hours), the SSC cannot exceed 90 mg/L for each day.

[2] The synonym for (2-Ethylhexyl) Phthalate is di(2-ethylhexyl)phthalate.

[3] May 1- October 31

[4] November 1- April 30

[5] Based on a 12-month running mean. To calculate the 12-month running mean for the current month, the Discharger will only use months that discharge occurred in the previous 12 months in the calculation.

[6] *Escherichia Coli* (*E. coli*):
- *E. coli* concentrations in the effluent shall not exceed 100 Most Probable Number (MPN)/100mL, as a 6-week rolling geometric mean; and
- *E. coli* concentrations in the effluent shall not exceed 320 MPN/100 mL in more than 10 percent of samples collected in a calendar month, calculated in a static manner.

[7] The Maximum Daily Effluent Limitation (MDEL) is exceeded if a chronic toxicity test using the most sensitive species results in a "Fail" at the in-stream waste concentration (IWC) for the sub-lethal endpoint measured in the test and a "Percent Effect" greater than or equal to 50 percent for the survival endpoint.

[8] The Median Monthly Effluent Limitation (MMEL) is exceeded when two or more chronic toxicity tests using the most sensitive species initiated in a calendar month

result in a “Fail” at the IWC for any endpoint (see section 5 of the MRP-Attachment E).

4.5. Interim Effluent Limitations – NOT APPLICABLE

4.6. Land Discharge Specifications – NOT APPLICABLE

4.7. Recycling Specifications – NOT APPLICABLE

5. RATIONALE FOR RECEIVING WATER LIMITATIONS

5.1. Surface Water

5.1.1 Receiving Water Limitations

Order R3-2017-0027 contained receiving water limitations in Permit Section V.A - Surface Water Limitations. These 23 receiving water limitations in the previous order were based on water quality objectives contained in the Basin Plan. This Order removes generalized receiving water limitations contained in the Discharger’s prior waste discharge requirements that made the Discharger responsible for the quality of the water in the body of water into which the permittee discharges pollutants, without specifying specific requirements (e.g., effluent limitations) or other actions the Discharger must take that apply at or before the discharge point. The Central Coast Water Board took this action to address the U.S. Supreme Court’s decision in *City and County of San Francisco vs. U.S. Environmental Protection Agency* (2025) 145 S.Ct. 704 (*CCSF),* holding that NPDES permits issued by the U.S. EPA may not include end result requirements—provisions that do not spell out what a permittee must do or refrain from doing; rather, they make a permittee responsible for the quality of the water in the body of water into which the permittee discharges pollutants.[4] The Central Coast Water Board reviewed the remaining permit requirements and concluded that additional requirements were necessary to ensure the discharge satisfies the requirements of Clean Water Act section 301(b)(1)(C), namely, that the permit include any more stringent limitation, including those necessary to meet water quality standards.

Should monitoring data indicate the need for additional pollutant controls or provisions, prohibitions, and/or effluent limitations, this NPDES permit contains a general re-opener provision that allows the Central Coast Water Board to amend the permit to include them to ensure receiving water quality objectives are met. Finally, as an additional assurance, this Order prohibits operational changes that would significantly impact the character of the waste discharge.

[4] While the Board removed generalized receiving water limitations in furtherance of the U.S. Supreme Court’s decision interpreting the Clean Water Act’s NPDES requirements, the Board may decide in the future to include similar requirements as a matter of state authority.

Below is a summary of the specific considerations for the removal of receiving water limitations and evaluations of monitoring requirements, effluent limitations, and prohibitions not otherwise discussed in this section.

5.1.1.1 **Color**. The previous order contained a numeric surface water limitation for color based on the Basin Plan's receiving water quality objectives for color that stated:

"Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses. Coloration attributable to materials of waste origin shall not be greater than 15 units or 10 percent above natural background color, whichever is greater."

The title 22 secondary Maximum Contaminant Levels (MCL) for color is 15 units. According to Appendix 64481-B, Typical Origins of Contaminants with Secondary MCL's, the major origin of color in drinking water is naturally-occurring organic materials. The color of water can be influenced by suspended and dissolved particles. Water body coloration can be attributed to several natural and artificial causes, including elevated organic activity with algal growth and the presence of soluble minerals[5]. Effluent limits have been established for this Facility (the effluent is not being used for drinking water) for substances that may cause or contribute discoloration including dissolved metals, organic compounds, total suspended solids, and nutrients. Based on the data available and the nature of the discharge it is likely that this water quality objective will be achieved without additional requirements. To ensure that this is the case and to ensure that water quality is protected, additional monitoring is required. This Order retains monitoring of the effluent and receiving water for color and adds visual monitoring for color and other potential nuisance conditions to support future reasonable potential analysis.

5.1.1.2 **Taste and odor**. The previous order contained a narrative surface water limitation for taste or odor-producing substances based on the Basin Plan's receiving water quality objectives that stated:

"Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, that cause nuisance, or that adversely affect beneficial uses."

The title 22 secondary MCL for odor is 3 units. According to Appendix 64481-B, Typical Origins of Contaminants with Secondary MCL's, the major origin of odor in drinking water is naturally-occurring organic materials. No taste or odor data from the Facility exists to perform a reasonable potential analysis for the effluent. However, the nature of the effluent indicates that it is unlikely this water quality objective will be violated (and this effluent is not used for drinking water), and no effluent limitations are included in this Order. This Order adds

[5] State Water Board Color of Water Fact Sheet 3.1.5.9, https://www.waterboards.ca.gov/water_issues/programs/swamp/docs/cwt/guidance/3159.pdf

monitoring of the receiving water and effluent for odor to support future reasonable potential analysis.

5.1.1.3 **Floating material**. The previous order contained a narrative surface water limitation for floating materials that stated:

"*Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses*."

This surface water limitation is based on a quality objective from the Basin Plan. This is now incorporated into this Order as a prohibition: The discharge of floating material, including solids, liquids, foams, and scum at Discharge Point 001 to the Pajaro River is prohibited. To ensure that this is the case and to ensure water quality is protected, additional monitoring is required. This Order adds effluent monitoring for oil and grease and visual observation and monitoring of the receiving water and effluent for floating materials including floating material, visible films, sheens or coating. This Order can be reopened if necessary to add effluent limitations.

5.1.1.4 **Suspended material**. The previous order contained a narrative receiving water limitation for suspended material that stated:

"*Waters shall not contain suspended material in concentrations that cause nuisance or adversely affects beneficial uses."*

This limitation is taken directly from the Basin Plan's water quality objectives. Suspended materials can affect water quality by reducing water clarity and light penetration. Contamination from these substances can potentially impact both aquatic and human health and potentially adversely impact beneficial uses[6]. This Order retains monitoring and effluent limits for total suspended solids (TSS), turbidity, suspended sediments, and nutrients. As a result, it is likely that this water quality objective will be achieved without the need for additional requirements.

5.1.1.5 **Settleable material**. The previous order contained receiving water limitations relative to narrative water quality objectives in the Basin Plan for settleable substances that stated:

"*Waters shall not contain settleable material in concentrations that result in deposition of material that causes nuisance or adversely affects beneficial uses."*

These constituents can affect water quality by adversely impacting beneficial uses, such as by smothering aquatic habitats, carrying pollutants, harming aquatic organisms, and impacting recreational use.[7] To ensure water quality is

[6] State Water Board Turbidity Fact Sheet 3.1.5.9, https://www.waterboards.ca.gov/water_issues/programs/swamp/docs/cwt/guidance/3150en.pdf
[7] State Water Board Sediment Fact Sheet 3.6.1.0, https://www.waterboards.ca.gov/water_issues/programs/swamp/docs/cwt/guidance/3610.pdf

protected, this Order retains settleable solids effluent monitoring, a settleable solids effluent limit, and adds visual monitoring of receiving waters for deposition.

5.1.1.6 **Oils, greases and waxes**. The previous order contained receiving water limitations relative to narrative water quality objectives in the Basin Plan for oils, greases, and waxes that stated:

"W*aters shall not contain oils, greases, waxes, or other similar materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses."*

Due to the nature of the contact stormwater and groundwater utilized at the Facility in its processes as well as the nature of the Facility processes, it is unlikely that process wastewater that this Facility produces will contain oils, greases, and waxes that are typical in municipal wastewater. This order retains effluent monitoring for oil and grease and adds monitoring for oil and grease in the receiving water to address the removal of this receiving water limitation.

5.1.1.7 **Biostimulatory substances**. The Basin Plan contains a biostimulatory narrative water quality objective (WQO) that has been incorporated into previous orders as a receiving water limitation stated:

"*Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses."*

Nutrients such as nitrogen and phosphorus can cause harmful algal blooms (HABs) and biostimulation. HABs and biostimulation in turn, have detrimental effects on a variety of human health and aquatic life beneficial uses. This Order retains effluent limitations for nitrate, orthophosphate, and un-ionized ammonia to ensure that this effluent is protective of this Basin Plan water quality objective in addition to implementing the Nutrients TMDL. This Order also retains effluent monitoring for these constituents.

5.1.1.8 **Suspended sediments**. The previous order contained receiving water limitations relative to narrative water quality objectives in the Basin Plan for suspended sediments. The previous order stated:

"The suspended sediment load and suspended sediment discharge rate to surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses."

Suspended sediments can affect water quality by reducing water clarity, carrying pollutants, and settling and smothering aquatic habitats[6]. To ensure water quality is protected, this Order retains settleable solids effluent monitoring, a settleable solids effluent limit, and adds visual monitoring of receiving waters for deposition. Consistent with the Sediments TMDL, effluent limitations have been retained that reflect the maximum allowable suspended solids concentrations (SSC) over varying durations (exposure) periods.

5.1.1.9 **Turbidity**. The Basin Plan includes numeric turbidity water quality objectives that are based on existing turbidity in the receiving waters. The previous order stated:

"Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increase in turbidity attributable to controllable water quality factors shall not exceed the following limits: a. Where natural turbidity is between 0 and 50 Jackson Turbidity Units (JTU), increases shall not exceed 20 percent. b. Where natural turbidity is between 50 and 100 JTU, increases shall not exceed 10 JTU. c. Where natural turbidity is greater than 100 JTU, increases shall not exceed 10 percent."

Turbidity reduces light penetration, stresses aquatic life, and impairs uses such as habitat support, recreation, and drinking water supply[6]. Numeric turbidity receiving water limits were incorporated into the previous order as both receiving water limitations and effluent limitations. This Order retains monitoring requirements and effluent limitations for turbidity to protecting beneficial uses.

5.1.1.10 **pH**. The previous order contained pH receiving water limitations from water quality objectives in the Basin Plan, monitoring requirements, and effluent limitations that stated. The pH receiving water limitation stated:

"*The pH value shall not be depressed below 7.0 nor raised above 8.3. The change in normal ambient pH levels shall not exceed 0.5 in fresh water*."

Although the REC-1 beneficial use water quality objective range for pH is 6.5 to 8.3, the COLD beneficial use water quality objective is more protective because the range in pH is narrower. This Order retains monitoring requirements and effluent limits for pH to protect the COLD beneficial use.

5.1.1.11 **Dissolved oxygen**. The Basin Plan contains dissolved oxygen numeric water quality objectives that have been incorporated into previous orders as receiving water limitations. The previous order stated:

"*Dissolved oxygen concentrations in receiving waters shall not be reduced below 7.0 mg/L at any time."*

The most common causes of dissolved oxygen depression in water can result from increases in water temperature, algal blooms, and organic waste[8]. This Order retains monitoring and effluent limits for nutrients (nitrate and orthophosphate) which if in excess could support algal blooms. No data exists to perform a reasonable potential analysis for Discharge Point 001. Monitoring of dissolved oxygen in the effluent has been added and receiving water monitoring has been retained. This Order can be reopened if necessary to add effluent limitations.

[8] State Water Board *Dissolved Oxygen Fact Sheet* 3.1.1.0, https://www.waterboards.ca.gov/water_issues/programs/swamp/docs/cwt/guidance/3110en.pdf

5.1.1.12 **Temperature**. The previous order included a numeric receiving water limitation for temperature that stated:

"*At no time or place shall the temperature be increased by more than 5°F above natural receiving water temperature. At no time shall the discharge cause Pajaro River temperature to exceed 68°F in October or November and 57°F in December through April. If the background Pajaro River temperature exceeds 68°F in October or November and 57°F in December through April, then the discharge shall not cause any observable increase in background temperature*.".

This first portion of the receiving water limitation is taken directly from the Basin Plan Cold Fresh Water Habitat (COLD) water quality objective of "*At no time or place shall the temperature be increased by more than 5°F above natural receiving water temperature*". To numerically interpret this narrative for the cold fresh water beneficial use, the following *Inland Fishes of California* reference by Peter B. Moyle was used for to temperature: "*The optimum range for growth and completion of most life stages of rainbow trout is 13-21 degrees Celsius*." The previous order incorporated this temperature range, varied by season, with the inclusion of the aforementioned receiving water limitation with temperature expressed in Fahrenheit.

During the previous permit term, the Discharger sampled for temperature at the effluent (EFF-001), upstream receiving water (RSW-001), and downstream receiving water (RSW-002), but a reasonable potential analysis of this data is indeterminate. This Order includes a special temperature investigation study discussed in Permit section 6.3.2.3, to be conducted by the Discharger to determine whether or not there is a reasonable potential for the effluent temperature at Discharge Point 001 to cause or contribute to an increase in temperature in the receiving water. If there is reasonable potential for the discharge to cause or contribute to temperature impairment, the results of the study will be used to develop a temperature effluent limitation.

5.1.1.13 **Toxic substances**. The Basin Plan contains a narrative water quality objective for toxicity that has been incorporated into previous orders as a receiving water limitation. The previous order contained a narrative receiving water limitation pertaining to toxic substances that stated:

"*All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life. Survival of aquatic life in surface waters subjected to a waste discharge or other controllable water quality conditions shall not be less than that for the same water body in areas unaffected by the waste discharge.*"

The previous order contained chronic toxicity effluent limitations and monitoring requirements. This Order incorporates the language and requirements from the statewide Toxicity Provisions. This Order includes chronic toxicity effluent limitations and requires monitoring of chronic whole effluent toxicity.

5.1.1.14 **Un-ionized ammonia**. The Basin Plan contains a numeric water quality objective for un-ionized ammonia (NH3 as N) that was incorporated into previous orders as a receiving water limitation that stated:

"*The discharge of wastes shall not cause concentrations of unionized ammonia (NH3) to exceed 0.025 mg/L (as N) in the receiving water*."

The previous order also included an effluent limitation for total ammonia nitrogen. This Order updates the effluent limitation from total ammonia nitrogen to un-ionized ammonia (NH3 as nitrogen). Un-ionized ammonia is the portion of total ammonia that is most toxic to aquatic life and is consistent with the Basin Plan water quality objective and the Nutrients TMDL. Receiving water monitoring and effluent monitoring are also included in this Order.

5.1.1.15 **Pesticide or combination of pesticides**. The previous order contained a narrative receiving water limitation for pesticides, taken from a Basin Plan water quality objective, that stated:

"*No individual pesticide or combination of pesticides shall reach concentrations that adversely affect the beneficial uses of the receiving water. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life. For waters where existing concentrations are presently nondetectable or where beneficial uses would be impaired by concentrations in excess of nondetectable levels, total identifiable chlorinated hydrocarbon pesticides shall not be present at concentrations detectable within the accuracy of analytical methods as prescribed in Standard Methods for the Examination of Water and Wastewater, latest edition, or other equivalent methods approved by the Executive Officer."*

This Order includes updated chronic toxicity effluent limitations and effluent and receiving water monitoring. Additionally, this Order continues the toxicity reduction requirements and toxicity identification requirements contained in the previous order that are triggered when there is an exceedance of the chronic toxicity effluent limitation. As part of the WQBEL evaluation, an RPA was conducted on the CTR pollutants, many of which are pesticides. There is no reasonable potential based on existing data for the pesticides that were analyzed. This Order retains effluent and receiving water monitoring for several pesticides to support future reasonable potential analysis, and if necessary, this Order can be reopened to add effluent limitations.

5.1.1.16 **Organic substances: for phenol, methylene blue activated substances (MBAS), total phenols, PCBs, phthalate esters**. The previous order included numeric receiving water limitations for phenol, methylene blue activated substances, total phenols, polychlorinated biphenyls (PCBs), and phthalate esters. The previous order included the following language and table:
"*Waters shall not contain organic substances in concentrations greater than the following:*

Table F- 16 Basin Plan Organic Substances Water Quality Objectives

Parameter	Water Quality Objective
Phenol	1.0 µg/L
Methylene Blue Activated Substances	0.2 mg/L
Total Phenols	0.1 mg/L
PCBs	0.3 µg/L
Phthalate Esters	0.002 µg/L

An RPA was completed for phenol, MBAS, total phenols, PCBs and phthalate esters and either no or undetermined reasonable potential was found for these organic substances based on available data. This Order retains effluent and receiving water monitoring requirements for organic priority pollutants from the California Toxics Rule, which includes phenol, PCBs, and phthalate esters. This Order adds effluent and receiving water monitoring for MBAS. This Order can be reopened if necessary to add effluent limitations.

5.1.1.17 **Radionuclides**. The Basin Plan has narrative water quality objectives for radionuclides that were incorporated into the previous order as receiving water limitations. The previous order stated:

"*Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life or result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal, or aquatic life. In no circumstance shall receiving waters contain concentrations of radionuclides in excess of the maximum contaminant levels (MCLs) for radioactivity presented in Table 4 of Title 22 California Code of Regulations, Division 4, Chapter 15."*

To protect beneficial uses, this Order adds effluent monitoring of radionuclides as presented in title 22 California Code of Regulations, division 4, chapter 15, article 5, section 64442 and 64443.

5.1.1.18 **Title 22 Primary Maximum Contaminant Levels (MCLs)**. The Basin Plan contains numeric receiving water objectives to protect municipal (drinking water) beneficial uses that were incorporated into the previous order as receiving water limits. The previous order stated:

"*Receiving waters shall not contain concentrations of chemical constituents in excess of the primary maximum contaminant levels (MCLs) specified for drinking water in Table 64431-A (Primary MCLs for Inorganic Chemicals) and Table 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, Chapter 15.*"

The previous order included effluent monitoring of these pollutants, and the pollutants were included in the reasonable potential analysis. There was a reasonable potential for aluminum to exceed the California primary MCL and effluent limitations have been retained in this Order. None of the remaining pollutants were found to have reasonable potential. However, this Order retains the effluent and receiving water monitoring requirements to protect the

municipal beneficial use of surface water. The Order can be reopened if necessary to add effluent limitations.

5.1.1.19 **Fecal coliform**. The previous order contained a numeric receiving water limitation for fecal coliform that stated:

"*Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 400 per 100 mL*.".

This was based on the REC-1 water quality objective in a previous edition of the Basin Plan. The previous order also included a discharge prohibition for fecal coliform bacteria originating from human sources. There was not an effluent limitation for fecal coliform. As explained above in Fact Sheet sections 3.3.6, 3.4.2, and 4.3.5.3.2, the State Water Board's Bacteria Provisions establish water quality objectives to protect the REC-1 beneficial use. This Order removes the prohibition for discharging fecal coliform originating from human sources and instead establishes effluent limitations for *Escherichia coli* consistent with the Bacteria Provisions.

5.1.1.20 **Irrigation and livestock watering**. The previous order contained the following numeric receiving water language regarding irrigation and livestock watering:

"*Waters used for irrigation and livestock watering shall not contain chemical constituents in excess of those levels specified for irrigation and livestock watering in Section III, Table 3-4 of the Basin Plan*."

Basin Plan Table 3-2 (formerly Table 3-4) contains water quality objectives for twenty-one (21) constituents. Some of these constituents are priority toxic pollutants in the CTR and some have MCLs in title 22. The six (6) remaining constituents that do not fall under those categories are cobalt, total recoverable iron, lithium, total recoverable manganese, total recoverable molybdenum, and vanadium. A reasonable potential analysis was conducted on all twenty-one (21) constituents listed in Basin Plan Table 3-2. Where reasonable potential was found, for example for iron and molybdenum, effluent limitations were included in this Order. This Order includes effluent and receiving water monitoring requirements to inform future reasonable potential analysis.

5.1.1.21 **Agricultural beneficial uses**. The previous order contained the following numeric receiving water language:

"*Receiving waters shall not contain concentrations of chemical constituents in amounts that adversely affect the agricultural beneficial use. (Interpretation of adverse effect shall be derived from guidelines of the University of California Agricultural Extension Service presented in Section III, Table 3-3 of the Basin Plan.)"*

Basin Plan Table 3-1 (formerly Table 3-3) contains irrigation water quality guidelines based on possible effects of constituents on crops and/or soils. This order does not contemplate the following parameters and constituents in this table: salinity, permeability, sodium adsorption ratio, ammonium (NH_4-N), or

bicarbonate (HCO_3). However, a reasonable potential analysis was conducted for the following parameters specified in the table: chloride, boron, sodium, and nitrate. Based on the results of the reasonable potential analysis, effluent limitations for sodium have been added to this Order. Nitrate effluent limitations are retained in this Order based on the Nutrients TMDL. Effluent and receiving water monitoring are required in this Order for chloride, boron, sodium and nitrate.

5.1.1.22 **Hardness-dependent metals**. The previous order contained the following numeric receiving water language and table with hardness dependent metal criteria:

"The following concentrations of metals shall not be exceeded for the protection of aquatic life."

Table F- 17. Basin Plan Hardness Dependent Metal Criteria

Parameter	Receiving Water Hardness (mg/L) > 100 mg/L $CaCO_3$	Receiving Water Hardness (mg/L) < 100 mg/L $CaCO_3$
Cadmium	0.03	0.004
Chromium	0.05	0.05
Copper	0.03	0.01
Lead	0.03	0.03
Mercury	0.0002	0.0002
Nickel	0.4	0.1
Zinc	0.2	0.004

Table F- 17 is a copy of the table from the previous order and is the same as Table 3-3 in the Basin Plan and pertains to toxic metal concentrations not to be exceeded in aquatic life habitats. NPDES permit writers are required to use the California Toxics Rule (CTR) criteria when conducting the reasonable potential analysis for all of the hardness dependent metals (same as those listed in Table F- 17). Based on of the results of the reasonable potential analysis using CTR criteria, this Order retains effluent limitations for total recoverable copper and mercury. Effluent and receiving water monitoring for all hardness dependent metals is retained in this Order, to facilitate future reasonable potential analysis, and this Order can be reopened to add effluent limitations if necessary.

5.1.1.23 **Pajaro River at Chittenden surface water quality objectives**. The previous order contained the following numeric receiving water language and table with surface water quality objectives:

"The following surface water quality objectives for the Pajaro River at Chittenden, established by Table 3-7 of the Basin Plan, shall not be exceeded."

Table F- 18. Basin Plan Surface Water Quality Objectives for the Pajaro River at Chittenden

TDS	Chloride	Sulfate	Boron	Sodium
1,000 mg/L	250 mg/L Cl	250 mg/L SO_4	1.0 mg/L B	200 mg/L Na

The water quality objectives listed in Table F- 18 were included in the reasonable potential analysis carried out in the development of this Order. An effluent limitation for total dissolved solids (TDS) has been retained in the Order. Effluent limitations for sulfate and sodium have added to this Order. Effluent and receiving water monitoring are required for all constituents listed in Table F-18 to inform future reasonable potential analysis.

5.2. Groundwater – NOT APPLICABLE

6. RATIONALE FOR PROVISIONS

6.1. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR section 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR section 122.42, are provided in Attachment D. The Discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Sections 122.41(a)(1) and (b) through (n) of 40 CFR establish conditions that apply to all state-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Section 123.25(a)(12) of 40 CFR allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 CFR section 123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR sections 122.41(j)(5) and (k)(2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

6.1.1 Central Coast Standard Provisions 8.3.1 and 8.7.14 were updated from the previous order for clarity and consistency between the language in the standard provisions and the language in the compliance determination section of the Order.

6.2. Special Provisions

6.2.1. **Reopener Provisions**

The Order may be modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include appropriate conditions or limits based on newly available information, or to implement any new State water quality objectives that are approved by the U.S. EPA. As effluent is further characterized through additional monitoring, and if a need for additional effluent limitations becomes

apparent after additional effluent characterization, the Order will be reopened to incorporate such limitations.

This Order may be reopened for modification to include an effluent limitation if monitoring establishes that the discharge causes, has the reasonable potential to cause, or contributes to an excursion above a water quality objective.

6.2.2. **Special Studies and Additional Monitoring Requirements**

6.2.2.1 **Whole Effluent Toxicity (WET).** The Basin Plan states, "All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life. Compliance with this objective will be determined by use of indicator organisms, analyses of species diversity, population density, growth anomalies, toxicity bioassays of appropriate duration, or other appropriate methods as specified by the Regional Water Board." The Basin Plan further states, "Survival of aquatic life in surface waters subjected to a waste discharge or other controllable water quality condition, shall not be less than that for the same waterbody in areas unaffected by the waste discharge…" and that effluent limitations based upon acute bioassays of effluent will be prescribed where appropriate. This permit establishes chronic monitoring requirements and chronic toxicity effluent limitations in accordance with the Toxicity Provisions, which incorporates the narrative objectives of the Basin Plan. As noted in the Toxicity Provisions, a chronic toxicity test is generally protective of both chronic and acute aquatic toxicity. Additionally, if a chronic toxicity effluent limitation is exceeded, the Order specifies follow-up actions in the form of the toxicity reduction evaluation and toxicity identification evaluation to determine the source of the toxicity.

6.2.2.2 **Temperature Investigation Report.** As described in Fact Sheet Section 5.1.1.12, the receiving water limitation for temperature has been removed. During the previous permit term, the Discharger sampled for temperature at the effluent (EFF-001), upstream receiving water (RSW-001), and downstream receiving water (RSW-002), but a reasonable potential analysis of this data is indeterminate. A temperature investigation report to be conducted by the Discharger will assess whether or not there is a reasonable potential for the effluent temperature at Discharge Point 001 to cause or contribute to an increase in temperature in the receiving water. The Central Coast Water Board will review the temperature investigation report and use it to inform temperature sampling or effluent limitations in the next permit iteration.

6.2.2.3 **Climate Change Adaptation Implementation Progress Report**

On March 7, 2017, the State Water Board adopted a resolution in recognition of the challenges posed by climate change that requires a proactive approach to climate change in all State Water Board actions, including drinking water regulation, water quality protection, and financial assistance (Resolution 2017-0012). The resolution lays the foundation for a response to climate change that is integrated into all State Water Board actions, by giving direction to the State Water Board divisions and encouraging coordination with the regional water

quality control boards. This Order requires the Discharger to implement and submit a Climate Change Adaptation Report. The Central Coast Water Board is addressing the threats of climate change and flooding by including provisions in new and reissued orders that ensure climate change mitigation and adaptation strategies are implemented. There is widespread scientific consensus that climate change is occurring and will continue at an accelerating rate into the future. Extreme weather events, including drought, high-intensity precipitation, flooding, and extreme heat have occurred through much of California in recent years and are projected to increase in frequency, extent, or intensity due to climate change.

On November 7, 2022, the Central Coast Water Board sent the *Climate Change Readiness Assessment* questionnaire to each individual NPDES wastewater facility in the Central Coast region to gather information about each facility's understanding of their climate vulnerabilities and assess their capacity to mitigate and adapt to climate hazards. Upon data collection, Central Coast Water Board staff developed a codebook to standardize and translate the qualitative survey response into three quantitative scores. The scores measure each facility's adaptive capacity (preparedness) for climate adaptation, vulnerability to climate hazards, and overall readiness to respond to hazards.

Based on responses and information provided by the Discharger in the questionnaire, the Facility received the following scores:

Preparedness/Adaptive Capacity Score. An adaptive capacity (preparedness) score is based on the dischargers' reported and perceived adaptive capacity of the Facility to prepare for climate threats and hazards. In this case, adaptive capacity refers to a facility's ability to source and use funding, data, resources, and staffing to respond to and comply with new climate adaptation permit requirements and carry out any identified climate adaptation projects. This Facility received a score of 13 out of 33, where a maximum score of 33 for inland facilities indicates high preparedness/adaptive capacity. This means that this facility has a medium adaptive capacity. Dischargers in this medium adaptive capacity category received an average score compared to other respondents. This indicates that the respondent perceives their adaptive capacity to be appropriate to address their climate-related threats and hazards or that the respondent has taken sufficient adaptation and mitigation measures to prepare for climate change.

Vulnerability Score. A vulnerability score is an indication of dischargers' reported and perceived exposure to various climate-related threats and hazards. This Facility received a score of 13 out of 35, where a score of 35 indicates high vulnerability. This means that this facility has low vulnerability score. Dischargers in the low vulnerability category received a score below 75% of respondents. This indicates that the respondent perceives their vulnerability to climate-related threats and hazards to be low or that the respondent has taken adaptation and mitigation measures that have significantly reduced their vulnerability.

Readiness Score. The climate readiness score is produced by subtracting the discharger's vulnerability score from their adaptive capacity score. Resulting climate readiness scores are either positive, negative or 0. This Facility received a score of 0, indicating a medium readiness score. Dischargers in this category received an adaptive capacity score that is similar to their vulnerability score. This indicates that the respondent has a moderate-to-low vulnerability, or the respondent has taken sufficient adaptation and mitigation measures to prepare for climate related threats and hazards that are equal to their vulnerability.

Climate change has the potential to impact discharging facilities through inundation, storm impacts, and erosion, increasing the risk of accidental discharge that results in discharge permit violations. These events can have significant implications for wastewater and industrial treatment and operations, such as increased corrosion, deposition of solids, infiltration, overflows, inundation of facilities, impairment of treatment processes, and disruption of power or electrical components. Due to the long-term nature of these risks, there is a need to avoid piecemeal or reactionary adaptation and instead undertake proactive, long-term planning with consideration of various adaptation strategies that both keep facilities safe, maintain safe discharging practices, and avoid impacts to resources.

The *Climate Change Readiness Assessment: Results & Findings, 2023, Central Coast Water Board* report recommends regulations to be developed through a phased approach, where permit requirements correspond to the level of adaptive capacity and vulnerability of an individual facility. Based on the Discharger's adaptive capacity, vulnerability, and readiness scores, this Order includes a Climate Change Adaptation Report submittal with required deliverable described in section 6.3.2.3 of the permit.

6.2.3. **Best Management Practices and Pollution Prevention**

6.2.3.1. **Pollutant Minimization Program.** The Discharger is required to minimize the discharge of pollutants consistent with the requirements of section 2.4.5.1 of the SIP. The goal of the Pollutant Minimization Program is to reduce all potential sources of a priority pollutants and pollutants with effluent limitations through pollutant minimization strategies to maintain the effluent concentration at or below water quality-based effluent limitations.

The inclusion of this requirement is necessary to prompt the Discharger to determine and address the sources of pollutants that have routinely exceed effluent limitation. The Discharger is required to propose, implement and report on practices that the Discharger has taken to address source control. The Central Coast Water Board will review the information provided by the Discharger to inform the next permit iteration.

6.2.4. **Construction, Operation, and Maintenance Specifications**

6.2.4.1**. Erosion and Sediment Control**

The requirement to inspect, install, and have in proper operational condition all erosion and sediment control systems necessary to ensure compliance with this Order is retained from Order R3-2017-0027.

6.2.5. **Special Provisions for Publicly-Owned Treatment Works (POTWs) – NOT APPLICABLE**

6.2.6. **Other Special Provisions**

6.2.6.1. **Discharges of Storm Water**

This Order applies to discharges of treated process water and storm water from Discharge Point 001. All other storm water runoff from the Arthur R. Wilson Quarry can be discharged only in accordance with the requirements of the State Water Resources Control Board's Water Quality Order 2014-0057-DWQ, NPDES General Permit CAS000001, General Permit for Storm Water Discharges Associated with Industrial Activities.

6.2.7. **Compliance Schedules – NOT APPLICABLE**

7. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

CWA section 308 and 40 CFR sections 122.41(h), (j)-(l), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code section 13383 authorizes the Central Coast Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements related to discharges to navigable waters or publicly owned treatment works. Water Code section 13267 further authorizes the Central Coast Water Board to establish such requirements related to discharges of waste to any waters of the state within its region. Attachment E, the MRP, establishes monitoring, reporting, and recordkeeping requirements that implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility to ensure compliance with Order requirements to ensure protection of water quality and beneficial uses. The burden, including costs, of these requirements bears a reasonable relationship to the need for and benefits to be obtained through the provision of these reports.

7.1. Influent Monitoring – NOT APPLICABLE

7.2. Effluent Monitoring

Effluent monitoring is necessary to determine compliance with effluent limitations and evaluate compliance with applicable water quality objectives and criteria. Effluent monitoring requirements have been retained from the previous order for Discharge Point 001, with some exceptions. Effluent monitoring for fecal coliform has been removed and replaced with *E. coli* monitoring to be consistent with the updated Bacteria Provisions. Effluent monitoring frequency has been increased in this Order to monthly for those pollutants with a reasonable potential to cause or contribute to an exceedance of a water quality standards and for which effluent limitations were established: mercury, chlorodibromomethane, chloroform, dichlorobromomethane, methylene chloride, pentachlorophenol, nitrite (as N), un-

ionized ammonia, MBAS, total dissolved solids, sulfate, chloride, and sodium. Chronic toxicity monitoring has increased to monthly to reflect the requirements of the updated Toxicity Provisions. Monitoring for dissolved oxygen has been established in this permit to be able to conduct a reasonable potential analysis with monitoring data. A quarterly effluent monitoring requirement has been established for hardness to assist with the next permit's reasonable potential analysis. An annual effluent monitoring frequency has been established for results of the reasonable potential analysis and the Basin Plan objectives.

7.3. Whole Effluent Toxicity Testing Requirements

WET limitations protect receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. Acute toxicity testing measures mortality in 100 percent effluent over a short test period and chronic toxicity testing is conducted over a longer period of time and may measure mortality, reproduction, and/or growth. The previous order required acute toxicity testing and an acute toxicity limitation. Acute toxicity testing is not sufficient for determining compliance with the Basin Plan's narrative toxicity objective, because long term effects are not measured. Testing for chronic toxicity is more conservative; therefore this Order retains a chronic toxicity limitation implementing the TST method as outlined in 4.3.6 of this Fact Sheet, in lieu of an acute toxicity limitation.

7.4. Receiving Water Monitoring

7.4.1. **Surface Water**

Surface water receiving water monitoring requirements are necessary to evaluate compliance with water quality objectives and the protection of beneficial uses. Receiving water monitoring requirements are retained from the previous order.

7.4.2. **Groundwater**

Consistent with the previous permit, groundwater monitoring requirements have not been included.

7.5. Other Monitoring Requirements

7.5.1. **Discharge Monitoring Report-Quality Assurance (DMR-QA) Study Program**

Under the authority of section 308 of the CWA (33 U.S.C. § 1318), U.S. EPA requires major and selected minor dischargers under the NPDES Program to participate in the annual DMR-QA Study Program. The DMR-QA Study evaluates the analytical ability of laboratories that routinely perform or support self-monitoring analyses required by NPDES permits. There are two options to satisfy the requirements of the DMR-QA Study Program: (1) The Discharger can obtain and analyze a DMR-QA sample as part of the DMR-QA Study; or (2) Per the waiver issued by U.S. EPA to the State Water Board, the Discharger can submit the results of the most recent Water Pollution Performance Evaluation Study from its own laboratories or its contract laboratories. A Water Pollution Performance Evaluation Study is similar to the DMR-QA Study. Thus, it also evaluates a laboratory's ability to analyze wastewater samples to produce quality data that

ensure the integrity of the NPDES Program. The Discharger shall ensure that the results of the DMR-QA Study or the results of the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Board. The State Water Board's Quality Assurance Program Officer will send the DMR-QA Study results or the results of the most recent Water Pollution Performance Evaluation Study to U.S. EPA's DMR-QA Coordinator and Quality Assurance Manager.

8. PUBLIC PARTICIPATION

The Central Coast Water Board has considered the issuance of WDRs that will serve as an NPDES permit for Arthur R. Wilson Quarry. As a step in the WDR adoption process, the Central Coast Water Board staff has developed tentative WDRs and has encouraged public participation in the WDR adoption process.

8.1. Notification of Interested Parties

On June 25, 2026, the Central Coast Water Board sent a letter to California Native American Tribes in San Benito, Monterey, and Santa Cruz counties that invited the Tribes to provide input on the permitting process and offered the Tribes opportunities to request consultation with the Central Coast Water Board.

On June 26, 2026, the Central Coast Water Board notified the Discharger and interested agencies and persons of its intent to reissue this Order for the discharge and provided an opportunity to submit written comments and recommendations through direct emails to known interested persons. Notification was also provided via a posting on the Central Coast Water Board's website on June 26, 2026.

The public had access to the agenda and any changes in dates and locations through the Central Coast Water Board's website at: http://www.waterboards.ca.gov/centralcoast/

8.2. Written Comments

Interested persons were invited to submit written comments concerning tentative WDRs as provided through the notification process. Comments were due either in person or by mail to the Executive Office at the Central Coast Water Board at:

Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

To be fully responded to by staff and considered by the Central Coast Water Board, the written comments were due at the Central Coast Water Board office by **July 26, 2026**.

8.3. Public Hearing

The Central Coast Water Board held a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: **August 20-21, 2026**
Time: **TBD**
Location: **City of Salinas**
City Hall Building
200 Lincoln Avenue
Salinas, CA 93901

Interested persons were invited to attend. At the public hearing, the Central Coast Water Board heard testimony pertinent to the discharge, WDRs, and permit. For accuracy of the record, important testimony was requested in writing.

8.4. Reconsideration of Waste Discharge Requirements

Any person aggrieved by this action of the Central Coast Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., within 30 calendar days of the date of adoption of this Order at the following address, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100
Or by email at waterqualitypetitions@waterboards.ca.gov

For instructions on how to file a water quality petition for review, see: (http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml)

8.5. Information and Copying

The Report of Waste Discharge, other supporting documents, and comments received are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Central Coast Water Board by calling (805) 549-3147.

8.6. Register of Interested Persons

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

8.7. Additional Information

Requests for additional information or questions regarding this Order should be directed to Sarah Crable at sarah.crable@waterboards.ca.gov or (805) 549-3706.