CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

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Los Angeles Regional Water Quality Control Board
(https://www.waterboards.ca.gov/losangeles)

WATER QUALITY ORDER R4-2026-0121
NPDES NUMBER CA0000809, CI NUMBER 6108

WASTE DISCHARGE REQUIREMENTS FOR EQUILON ENTERPRISES LLC DBA SHELL OIL PRODUCTS US SHELL OIL PRODUCTS US-CARSON DISTRIBUTION FACILITY

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

Table 1. Discharger Information

Discharger:	Equilon Enterprises LLC dba Shell Oil Products US
Name of Facility:	Shell Oil Products US-Carson Distribution Facility
Facility Address:	20945 South Wilmington Avenue Carson, CA 90810 Los Angeles County

Table 2. Discharge Location

Discharge Point	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
001	33.845603°	-118.267536°	Dominguez Channel Estuary

Table 3. Administrative Information

This Order was adopted on:	**March 26, 2026**
This Order shall become effective on:	**May 1, 2026**
This Order shall expire on:	**April 30, 2031**
The Discharger shall file a Report of Waste Discharge (ROWD) as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a NPDES permit no later than:	**180 days prior to the Order expiration date**
The United States Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board have classified this discharge as follows:	**Major**

I, **Susana Arredondo**, 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, Los Angeles Region, on **the date indicated above**.

Jenny Newman

Digitally signed by Jenny Newman
Date: 2026.04.20 11:05:32 -07'00'

for Susana Arredondo, Executive Officer

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1. FACILITY INFORMATION

Information describing the Shell Oil Products US-Carson Distribution Facility (Facility) is summarized in Table 1 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, Los Angeles Region (Los Angeles 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 United States Environmental Protection Agency (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 2 subject to the WDRs in this Order.

2.2. **Background and Rationale for Requirements.** The Los Angeles Water Board developed the requirements in this Order based on information submitted as part of the application and through the Discharger's monitoring and reporting program along with 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 E and G are also incorporated into this Order.

2.3. **Notification of Interested Parties.** The Los Angeles 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.

2.4. **Consideration of Public Comment.** The Los Angeles 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.

THEREFORE, IT IS HEREBY ORDERED that Order No. R4-2018-0154 is terminated upon the effective date of this Order 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 Los Angeles Water Board from taking enforcement action for violations of the previous Order.

3. DISCHARGE PROHIBITIONS

3.1. The discharge of waste at Discharge Point 001 shall not exceed 5 million gallons per day (MGD) of treated stormwater runoff as described in the Fact Sheet (Attachment F)

and shall occur only as a result of storm events. The discharge of wastes from accidental spills or other sources is prohibited.

3.2. The discharge of waste at a location other than specifically described in this Order is prohibited.

3.3. Discharges of water, materials, thermal wastes, elevated temperature wastes, toxic wastes, deleterious substances, or wastes other than those authorized by this Order, to a storm drain system, the Dominguez Channel Estuary, or other waters of the United States, are prohibited.

3.4. The discharge of oil or any residuary product of petroleum to waters of the United States, except in accordance with waste discharge requirements or other provisions of Division 7 of the Water Code, is prohibited.

3.5. The discharge of any radiological, chemical, or biological warfare agent into the waters of the United States is prohibited under Water Code section 13375.

3.6. The discharge of trash to surface waters of the State or the deposition of trash where it may be discharged into surface waters of the State is prohibited.

4. EFFLUENT LIMITATIONS AND DISCHARGE PROHIBITIONS

4.1. Effluent Limitations

4.1.1. Final Effluent Limitations – Discharge Point 001

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.

Table 4. Final Effluent Limitations at Discharge Point 001

Parameter	Units	Maximum Daily	Notes
Biochemical Oxygen Demand 5-day @ 20ºC (BOD)	mg/L	30	---
BOD	pounds per day (lbs/day)	1251	a
Chronic Toxicity	Pass or Fail, % Effect (TST)	Pass or % Effect <50	b
Enterococci	CFU/100 mL or MPN/100 mL	110	c
Oil and Grease	mg/L	15	---
Oil and Grease	lbs/day	626	a
pH	standard units	6.5 to 8.5	d
Settleable Solids	ml/L	0.3	---
Sulfides	mg/L	0.1	---
Sulfides	lbs/day	4.2	a
Temperature	degrees Fahrenheit (°F)	86	e
Total Petroleum Hydrocarbons (TPH)	µg/L	100	f

Parameter	Units	Maximum Daily	Notes
TPH	lbs/day	4.2	a
Total Suspended Solids (TSS)	mg/L	75	---
TSS	lbs/day	3128	a
Turbidity	NTU	75	---
Ammonia (as N)	milligram per liter (mg/L)	0.233	---
Benzene	µg/L	21	---
Benzene	lbs/day	0.88	a
Benzo(a)anthracene	µg/L	0.098	---
Benzo(a)anthracene	lbs/day	0.0041	a
Benzo(a)pyrene	µg/L	0.098	---
Benzo(a)pyrene	lbs/day	0.0041	a
Cadmium, Total Recoverable	µg/L	15	
Cadmium, Total Recoverable	lbs/day	0.62	
Chlordane	µg/L	0.0012	---
Chlordane	lbs/day	4.9×10^{-5}	a
Chrysene	µg/L	0.098	---
Chrysene	lbs/day	0.0041	a
Copper, Total Recoverable	µg/L	5.8	---
Copper, Total Recoverable	lbs/day	0.242	a
Dieldrin	µg/L	0.00028	---
Dieldrin	lbs/day	1.2×10^{-5}	a
Ethylbenzene	µg/L	21	
Ethylbenzene	lbs/day	0.88	
Lead, Total Recoverable	µg/L	14	---
Lead, Total Recoverable	lbs/day	0.58	a
Mercury, Total Recoverable	µg/L	0.30	g
Nickel, Total Recoverable	µg/L	14	---
Nickel, Total Recoverable	lbs/day	0.58	a
PCBs, Total	µg/L	0.00034	h
PCBs, Total	lbs/day	1.4×10^{-5}	a
Phenols, Total	µg/L	1,000	---
Phenols, Total	lbs/day	41.7	a
Pyrene	µg/L	22,068	---
Pyrene	lbs/day	920	a
Toluene	µg/L	21	---
Toluene	lbs/day	0.88	a
Xylenes	µg/L	21	---
Xylenes	lbs/day	0.88	a
Zinc, Total Recoverable	µg/L	95	---
Zinc, Total Recoverable	lbs/day	3.96	a
4,4’-DDT	µg/L	0.0012	---
4,4’-DDT	lbs/day	4.9×10^{-5}	a

Footnotes for Table 4

a. Mass based limitations applicable to Discharge Point 001 are based on the permitted discharge flow of 5 MGD and are calculated as follows:
Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day.

b. The maximum daily effluent limitation (MDEL) for chronic toxicity shall be reported as "Pass" or "Fail" and "% Effect". The MDEL is exceeded when a toxicity test results in a "Fail," and the percent effect is greater than or equal to 0.50.

c. A statistical threshold value (STV) of 110 CFU/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner. The results for enterococci in CFU/100 mL (membrane filtration method) and MPN/100 mL (multiple tube fermentation method) shall be considered functionally equivalent in terms of compliance with effluent limitations.

d. The effluent limitations for pH are 6.5 as an Instantaneous Minimum and 8.5 as an Instantaneous Maximum.

e. The effluent limitation for temperature is 86°F as an Instantaneous Maximum.

f. TPH equals the sum of TPH gasoline (C_4-C_{12}) and TPH diesel (C_{13}-C_{22}), and TPH oil (C_{23+}).

g. The value is a benchmark. A "benchmark" is a technology-based level that is used to evaluate the performance of best management practices (BMPs) with regard to the removal of pollutants present in the discharge. A benchmark for mercury is established based on the numeric action level for total mercury established in the Mercury Provisions for stormwater discharges from industrial activities. A benchmark is not enforceable water quality objectives or effluent limits. Exceedance of a benchmark triggers additional monitoring of mercury in the effluent. If the benchmark exceedance persists more than three times, the Discharger shall evaluate the BMPs and submit a plan to control the mercury exceedance.

h. Total PCBs (polychlorinated biphenyls) means the sum of chlorinated biphenyls whose analytical characteristics resembles those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260.

End of Footnotes for Table 4

4.1.2. Final Concentration-Based Sediment Waste Load Allocations – Discharge Point 001.

The following concentration-based sediment waste load allocations (WLAs) for cadmium and bioaccumulative compounds (chlordane and dieldrin) are associated with the Dominguez Channel Estuary in the *Dominguez Channel and Greater Los Angeles and Long Beach Harbors Waters Toxic Pollutants TMDL* (Harbor Toxics TMDL). The Discharger shall maintain compliance with the following effluent sediment limitations at Discharge Point 001 as described in the attached MRP (Attachment E).

Table 5. Final Concentration-Based Sediment Waste Load Allocations – Discharge Point 001

Pollutant	Marine Sediment Limitations, Final Concentration-Based Sediment WLAs	Units
Cadmium, Total Recoverable	1.2	mg/kg dry sediment
Chlordane	0.5	µg/kg dry sediment
Dieldrin	0.02	µg/kg dry sediment

Compliance with the final concentration-based sediment WLAs for cadmium, chlordane, and dieldrin may be demonstrated by any one of the following means:

1. Final sediment allocation is met in the effluent.
   a. The Discharger must collect sufficient effluent sample volume to provide an adequate amount of effluent sediments (suspended solids) for sediment analyses. The analytical result of the effluent sediment may be used for the direct comparison with sediment allocation of cadmium, chlordane, and dieldrin.
   b. Where there is insufficient yield of suspended sediment from stormwater samples to perform the analysis in section 4.1.2.1.a. use of the suspended sediment concentration (SSC) method described in footnote a of Table E-3 may be used.
2. The qualitative sediment condition of Unimpacted or Likely Unimpacted via the interpretation and integration of multiple lines of evidence to protect benthic community impacts as defined in the Sediment Quality Provisions of the Water Quality Control Plan for Enclosed Bays and Estuaries of California (Sediment Quality Provisions) is met.
3. Sediment numeric targets in Table 5 are met in bed sediments over a 3-year averaging period.

Compliance with the final concentration-based sediment WLAs for chlordane and dieldrin may also be demonstrated by the following:

4. Fish tissue targets of 5.6 µg/kg wet fish tissue for chlordane and 0.46 µg/kg wet fish tissue for dieldrin is met in species resident to the TMDL waterbodies. Demonstrate that the sediment quality condition protective of fish tissue is achieved per the Sediment Quality Provisions, as amended to address contaminants in resident fish and wildlife.

4.1.3. **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:

a. The Discharger must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of stormwater to storm drain systems or other water courses under their jurisdiction; including applicable requirements in municipal stormwater management programs developed to comply with NPDES permits issued by the Los Angeles Water Board to local agencies.

b. The Discharger shall comply with all applicable effluent limitations, national standards of performance, toxic effluent standards, and all federal regulations established pursuant to sections 301, 302, 303(d), 304, 306, 307, 316, 318, 405, and 423 of the federal CWA and amendments thereto.

c. These requirements do not exempt the operator of the waste disposal facility from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize this waste disposal facility, and they leave unaffected any further restraints on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.

d. Oil or oily material, chemicals, refuse, or other wastes that constitute a condition of pollution or nuisance shall not be stored or deposited in areas where they may be picked up by rainfall and carried off of the property and/or discharged to surface waters. Any such spill of such materials shall be contained and removed immediately.

e. A copy of these waste discharge requirements shall be maintained at the discharge facility so as to be available at all times to operating personnel.

f. If there is any storage of hazardous or toxic materials or hydrocarbons at this facility and if the facility is not manned at all times, a 24-hour emergency response telephone number shall be prominently posted where it can easily be read from the outside.

g. The Discharger shall file with the Los Angeles Water Board a report of waste discharge at least 120 days before making any material change or proposed change in the character, location or volume of the discharge.

h. The Discharger shall notify the Los Angeles Water Board as soon as they know or have reason to believe that they have begun or expect to begin to use or manufacture intermediate or final product or byproduct of any toxic pollutant that was not reported on their application.

i. In the event of any change in name, ownership, or control of these waste disposal facilities, the Discharger shall notify this Los Angeles Water Board of such change and shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Los Angeles Water Board.

j. The discharge of any waste resulting from the combustion of toxic or hazardous wastes to any waste stream that ultimately discharges to waters of the United States is prohibited, unless specifically authorized elsewhere in this permit.

k. The Discharger shall notify the Executive Officer in writing no later than 6 months prior to the planned discharge of any chemical, other than the products previously reported to the Executive Officer, which may be toxic to aquatic life. Such notification shall include:

   i. Name and general composition of the chemical,
   ii. Frequency of use,
   iii. Quantities to be used,
   iv. Proposed discharge concentrations, and
   v. U.S. EPA registration number, if applicable.

l. 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.

m. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition or effluent limitation of this Order, the Discharger shall notify the Manager of the Watershed Regulatory Section at the Los Angeles Water Board by telephone at (213) 576-6616 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Los Angeles 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. The written notification shall also be submitted via email with reference to CI-6108 to losangeles@waterboards.ca.gov. Other noncompliance requires written notification as above at the time of the normal monitoring report.

n. The Discharger shall make diligent, protective efforts to reduce Facility infrastructure vulnerability to current and future impacts resulting from climate change, including but not limited to extreme wet weather events, flooding, storm surges, and projected sea level rise when the facility is located near the ocean or discharges to the ocean.

o. Nothing in this Order shall be construed to preclude the institution of any legal action or relieve the Discharger from any responsibilities, liabilities or penalties established pursuant to any applicable state law or regulation under authority preserved by section 311 of the CWA, related to oil and hazardous substances liability.

p. The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.

6.2. Monitoring and Reporting Program (MRP) Requirements

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E.

6.3. Special Provisions

6.3.1. Reopener Provisions

a. This Order may be modified, revoked and reissued, or terminated for cause, including, but not limited to:

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

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

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

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

b. If more stringent applicable water quality standards are promulgated or approved pursuant to section 303 of the federal CWA, and amendments thereto, the Los Angeles Water Board may revise and modify this Order in accordance with such more stringent standards.

c. This Order may be reopened and modified in accordance with the provisions set forth in title 40 Code of Federal Regulations (CFR), parts 122 and 124 to include requirements for the implementation of the watershed protection management approach or to include new minimum levels (MLs).

d. This Order may be modified, revoked, reissued, or terminated in accordance with the provisions of 40 CFR, sections 122.44, 122.62, 122.63, 122.64, 125.62, and 125.64. 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.

e. The Los Angeles Water Board may modify or revoke and reissue this Order if present or future investigations demonstrate that the discharge(s) governed by this Order have or will have a reasonable potential to cause or contribute to adverse impacts on water quality or beneficial uses of the receiving waters.

f. 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, whole effluent toxicity testing, monitoring of internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.

g. This Order may be reopened and modified to the extent necessary, to be consistent with new or revised state-wide plans, new laws, or new regulations.

h. 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.

6.3.2. Special Studies, Technical Reports and Additional Monitoring Requirements

a. **Updated Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan**

The Discharger shall submit to the Los Angeles Water Board an updated Initial Investigation TRE workplan **within 90 days** of the effective date of this permit. This plan shall describe the steps the Discharger intends to follow in the event that toxicity is detected. See section 5.6 of the Monitoring and Reporting Program (Attachment E) for an overview of Toxicity Reduction Evaluation (TRE) requirements.

b. **Harbor Toxics TMDL Water Column, Sediment, and Fish Tissue Monitoring for Responsible Parties in the Dominguez Channel, Torrance Lateral, and Dominguez Channel Estuary.**

As defined in the Harbor Toxics TMDL, the Discharger is categorized as an "irregular discharger" and is responsible for adhering to the concentration-based Waste Load Allocations (WLAs) specified in the TMDL. To fulfill these requirements, the Discharger developed a site-specific Monitoring and Reporting Plan (Monitoring Plan) and a Quality Assurance Project Plan (QAPP) during Order R4-2018-0154 to monitor water column, sediment, and fish tissue at the Dominguez Channel Estuary. These plans were submitted to the Los Angeles Water Board on December 19, 2019. The submitted plans are designed to comply with the "TMDL Element - Monitoring Plan" provisions outlined in Chapter 7, Section 7-40 of the Water Quality Control Plan for the Los Angeles Region (Basin Plan).

The Discharger shall implement the site-specific Monitoring Plan and QAPP when a discharge from the Facility occurs. If any changes are made to the site-specific Monitoring Plan and QAPP, the Discharger shall notify the Los Angeles Water Board within 90 days of the modification of the and resubmit the plans to the Los Angeles Water Board for Executive Officer approval. If the Discharger decides to join a group already formed; the Discharger shall notify the Los Angeles Water Board within 90 days of the effective date of the Order. Documentation of Discharger’s participation and responsibilities shall be provided with the notification. The Monitoring Plan shall include water column, sediment, and fish tissue monitoring. The Discharger shall submit the annual monitoring report to the Los Angeles Water Board by the specified date in the Monitoring Plan. In addition to the annual monitoring report, the Discharger shall include an annual statement that indicates compliance and non-compliance with effluent limitations in Tables 4 and 5 that implement applicable waste load allocations. At a minimum, monitoring be conducted at the location and for the constituents listed in the sections below for the water column, total suspended solids, and bed sediments. The exact locations of monitoring sites shall be specified in the Monitoring Plan.

At a minimum, monitoring shall include the following components:

i. **Water Column Monitoring.** Water samples and total suspended solids (TSS) samples shall be monitored three times per year, during two wet weather events and one dry weather event. The first large storm event of the season shall be one of the wet weather monitoring events. Water samples and total suspended solid samples shall be analyzed for a suite of compounds including, at a minimum, metals, including lead, zinc, copper, DDT, PCBs, Benzo[a] anthracene, Benzo[a]pyrene, Chrysene, Phenanthrene, and Pyrene. Sampling shall be designed to collected sufficient volumes of suspended solids to allow for analysis of the pollutants in the bulk sediment.

In addition, temperature, dissolved oxygen, pH, electrical conductivity, and water flow shall be monitored during each sampling event.

ii. **Sediment Monitoring.** Sediment samples shall be collected in the Dominguez Channel Estuary.

Sediment quality objective evaluation as specified in the State Water Quality Control Plan for Enclosed Bays and Estuaries –Sediment Quality Provisions (SQP) shall continue to be performed every five years, preferably in coordination with the Biological Baseline and Bight regional monitoring programs. Sampling and analysis for the full chemical suite, two toxicity tests and four benthic indices as specified in SQP shall be conducted and evaluated. If moderate toxicity as defined in the SQP is observed, results shall be highlighted in annual reports and further analysis and evaluation to determine causes and remedies shall be required in accordance with the Executive Officer approved monitoring plan. Locations for sediment triad assessment and the methodology for combining results from sampling locations to determine sediment conditions shall be specified in the Monitoring Plan.

iii. **Fish Tissue Monitoring.** Fish tissue samples shall be collected every two years from the Dominguez Channel Estuary and analyzed for chlordane, dieldrin, toxaphene, DDT, and PCBs. The target species in the Dominguez Channel Estuary shall be selected based on residency, local abundance and fish size at the time of field collection. Tissues analyzed shall be based on the most common preparation for the selected fish species.

iv. **Sampling and Analysis Plan.** The Monitoring Plan shall be implemented based on methods or metrics described in the SQP, and the U.S. EPA or American Society for Testing and Materials (ASTM). The plan shall include a list of chemical analytes for the water column and sediment.

v. **Quality Assurance Project Plan.** The QAPP shall describe the project objectives and organization, functional activities, and quality assurance/quality control protocols for the water and sediment monitoring. The QAPP shall include protocols for sample collection, standard analytical procedures, and laboratory certification. The details of the Harbor Toxics TMDL Water and Sediment Monitoring Plan, including sampling locations and all methods, shall be specified in the Monitoring Plans. All samples shall be

collected in accordance with Surface Water Ambient Monitoring Program (SWAMP) protocols.

6.3.3. Best Management Practices and Pollution Prevention

The Discharger shall submit to the Los Angeles Water Board, **within 90 days** of the effective date of this Order, updated versions of the following:

a. **Stormwater Pollution Prevention Plan (SWPPP).** An updated SWPPP that describes site-specific management practices for minimizing contamination of stormwater runoff and for preventing contaminated stormwater runoff and trash from being discharged directly to the waters of the State. The SWPPP shall cover all areas of the Facility and shall include an updated drainage map for the Facility. The Discharger shall identify on a map of appropriate scale the areas that contribute runoff to the permitted discharge point; describe the activities in each area and the potential for contamination of stormwater runoff and the discharge of trash or hazardous waste/material; and address the feasibility of containment and/or treatment of stormwater. In addition, the SWPPP shall address and include best management practices procedures that the Discharger will implement to prohibit the discharge of trash from the Facility through Discharge Point 001. The SWPPP shall be developed in accordance with the requirements in Attachment G.

b. **Best Management Practices Plan (BMPP).** An updated BMPP will be implemented to reduce the discharge of pollutants to the receiving water. The BMPP shall include site-specific plans and procedures implemented and/or to be implemented to prevent hazardous waste/material and trash from being discharged to the waters of the State. Further, the Discharger shall ensure that the stormwater discharges from the Facility would neither cause nor contribute to any exceedance of water quality standards and objectives, nor create conditions of nuisance in the receiving waster, and that unauthorized discharges (i.e. spills) to the receiving water have been effectively prohibited. In particular, a risk assessment of each area identified by the Discharger shall be performed to determine the potential for hazardous or toxic waste/material and trash discharge to surface waters.

c. **Spill Contingency Plan (SCP).** An updated SCP for the Facility shall include a technical report on the preventative (failsafe) and contingency (cleanup) plans for controlling accidental discharges and for minimizing the effect of such events. The SCP may be substituted with an updated version of the Discharger's existing Spill Prevention Control and Countermeasure (SPCC) Plan.

The BMPP and the SCP (SPCC) may be included as a component of the SWPPP with a description of best management practices (BMPs) and measures for controlling accidental discharges are required for the Facility. Each plan shall cover all areas of the Facility and shall include an updated drainage map for the Facility. The Discharger shall identify on a map of appropriate scale the areas that contribute runoff to the permitted discharge point; describe the activities in each area and the potential for contamination of stormwater runoff and the discharge of hazardous waste/material; and address the feasibility of containment and/or treatment of stormwater.

The Discharger shall implement the SWPPP, BMPP, and SCP within 10 days of the approval by the Executive Officer or no later than 90 days after submission to the Los

Angeles Water Board, whichever comes first. The plans shall be reviewed annually and at the same time. Updated information shall be submitted to the Los Angeles Water Board within 30 days of revisions.

6.3.4. Construction, Operation and Maintenance Specifications

The Discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this order.

6.3.5. Climate Change Effects Vulnerability Assessment and Mitigation Plan

The Discharger shall develop a Climate Change Effects Vulnerability Assessment and Mitigation Plan (Climate Change Plan) to assess and manage climate change-related effects that may impact the facility's operation, water supplies, water quality, and beneficial uses. The Discharger shall consider the impacts of climate change as they affect the operation of the facility due to flooding, sea level rise, wildfires, or other climate-related changes. The Climate Change Plan shall also discuss any projected changes to pollutant concentrations in the stormwater and/or receiving water. The Climate Change Plan is **due 12 months** after the effective date of this Order.

6.3.6. Other Special Provisions – Not Applicable

6.3.7. Compliance Schedules – Not Applicable

7. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in section 4 of this Order will be determined as specified below:

7.1. Single-Constituent Effluent Limitation

If the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (see Reporting Requirement 1.10. of the MRP), then the Discharger is out of compliance.

7.2. Effluent Limitations Expressed as a Sum of Several Constituents

If the sum of the individual pollutant concentrations is greater than the effluent limitation, then the Discharger is out of compliance. In calculating the sum of the concentrations of a group of pollutants, consider constituents reported as ND or DNQ to have concentrations equal to zero, provided that the applicable ML is used.

7.3. Effluent Limitations Expressed as a Median

In determining compliance with a median limitation, the analytical results in a set of data will be arranged in order of magnitude (either increasing or decreasing order); and

7.3.1. If the number of measurements (n) is odd, then the median will be calculated as $= X_{(n+1)/2}$; or,

7.3.2. If the number of measurements (n) is even, then the median will be calculated as $= [X_{n/2} + X_{(n/2)+1}]/2$, i.e. the midpoint between the n/2 and n/2+1 data points.

7.4. Multiple Sample Data

When determining compliance with an MDEL 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:

a. 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.

b. 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.

7.5. Maximum Daily Effluent Limitations (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.

7.6. Instantaneous Minimum Effluent Limitation

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, a violation will be flagged, and the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

7.7. Instantaneous Maximum Effluent Limitation

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, a violation will be flagged, and the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

7.8. Chronic Toxicity

The discharge is subject to determination of “Pass” or “Fail” and “Percent Effect” 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, Table A-1, and Appendix B, Table B-1 and the procedures described in the *State Policy for Water Quality Control: Toxicity Provisions*.

Attainment of the water quality objective is demonstrated by conducting chronic aquatic toxicity testing as described in Section III.B.2 of the Toxicity Provisions and rejecting the

null hypothesis in accordance with the TST statistical approach described in Section III.B.3. of the Toxicity Provisions.

Under Section II.C.1. of the Toxicity Provisions, the chronic aquatic toxicity water quality objective is expressed as a null hypothesis. The null hypothesis (H_0) for the TST statistical approach is: Mean discharge In-stream Waste Concentration (IWC) response ≤0.75 × Mean control response. 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 relative "Percent Effect" at the discharge IWC is defined and reported as:

((Mean control response - Mean discharge IWC response) ÷ Mean control response)) × 100.

This is a t-test (formally Student's t-Test), a statistical analysis comparing two sets of replicate observations - in the case of Whole Effluent Toxicity (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 MDEL for chronic toxicity is exceeded and a violation will be flagged when a chronic toxicity test, analyzed using the TST statistical approach, results in "Fail" and the "Percent Effect" is ≥0.50.

The chronic toxicity MDEL is set at the IWC for the discharge (100% effluent) and expressed in units of the TST statistical approach ("Pass" or "Fail", "Percent Effect"). All NPDES effluent compliance monitoring for the chronic toxicity MDEL shall be reported using only the 100% effluent concentration and negative control, expressed in units of the TST. The TST hypothesis (H_0) (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 West Coast Marine and Estuarine Organisms (EPA/600/R-95/136, 1995*). The Los Angeles Water Board's review of reported toxicity test results will include review of concentration-response patterns as appropriate (see Fact Sheet discussion at 4.3.5.). As described in the bioassay laboratory audit correspondence from the State Water Resources Control Board dated August 7, 2014, and from the U.S. EPA dated December 24, 2013, the Percent Minimum Significant Difference (PMSD) criteria only apply to compliance reporting for the No Observable Effect Concentration (NOEC) and the sublethal statistical endpoints of the NOEC, and therefore are not used to interpret TST results. Standard Operating Procedures used by the toxicity testing laboratory to identify and report valid, invalid, anomalous, or inconclusive effluent (and receiving water) toxicity test measurement results from the TST statistical approach must be consistent with Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms (EPA/600/R-95/136, 1995). The Los Angeles Water Board will make a final determination as to whether a toxicity test result is valid, and may consult with the Discharger, the U.S. EPA, the State Water Board's Quality Assurance Officer, or the State Water Board's Environmental

Laboratory Accreditation Program (ELAP) as needed. The Los Angeles Water Board may consider the results of any TIE/TRE studies in an enforcement action.

7.9. Mass and Concentration Limitations

Compliance with mass effluent limitations and concentration effluent limitations for the same parameter shall be determined separately. When the concentration for a parameter in a sample is reported as ND or DNQ, the corresponding mass emission rate determined using that sample concentration shall also be reported as ND or DNQ.

7.10. Bacterial Standards and Analysis

The geometric mean used for determining compliance with bacterial standards is calculated with the following equation:

$$\text{Geometric Mean} = (C_1 \times C_2 \times \ldots \times C_3)^{1/n}$$

Where n is the number of days samples were collected during the period and C is the concentration of bacteria (MPN/100 mL or CFU/100 mL) found on each day of sampling. For bacterial analyses, sample dilutions should be performed so the expected range of values is bracketed (for example, with multiple tube fermentation method or membrane filtration method, 2 to 16,000 per 100 mL for total coliform, at a minimum, and 1 to 1000 per 100 mL for enterococci). The detection methods used for each analysis shall be reported with the results of the analyses.

Detection methods used for enterococci shall be those presented in Table 1A of 40 CFR part 136 (last revised April 26, 2024), unless alternate methods have been approved by U.S. EPA pursuant to 40 CFR part 136, or improved methods have been determined by the Executive Officer and/or U.S. EPA.

ATTACHMENT A – DEFINITIONS

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:
Arithmetic mean = μ = the sum of the measured ambient water concentrations, and n is the number of samples.

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

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.

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

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.

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 1 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.

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 waste load-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.

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
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.

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

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).

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.

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 the median = $X_{(n+1)/2}$. If n is even, then the median = $(X_{n/2} + X_{(n/2)+1})/2$ (i.e., the midpoint between the n/2 and n/2+1).

Method Detection Limit (MDL)
MDL is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in 40 CFR part 136, Attachment B, revised as of July 3, 1999.

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.

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

PAHs (polynuclear aromatic hydrocarbons)
The sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene, 1,12-benzoperylene, benzo[a]pyrene, chrysene, dibenzo[ah]anthracene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene and pyrene.

PCBs (polychlorinated biphenyls) as Aroclors
The sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260.

PCBs (polychlorinated biphenyls) as Congeners
The sum of the following 41 individually quantified PCB congeners or mixtures of isomers of a single congeners in a co-elution: PCB- 18, 28, 37, 44, 49, 52, 66, 70, 74, 77, 81, 87, 99, 101, 105, 110, 114, 118, 119, 123, 126, 128, 138, 149, 151, 153, 156, 157, 158, 167, 168, 169, 170, 177, 180, 183, 187, 189, 194, 201, and 206.

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

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) 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 where there is evidence that beneficial uses are being impacted. The Los Angeles 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 Los Angeles Water Board.

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 Los Angeles 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.

Significant Storm Event
A continuous discharge of stormwater for a minimum of one hour, or the intermittent discharge of stormwater for a minimum of three hours in a 12-hour period.

Source of Drinking Water
Any water designated as municipal or domestic supply (MUN) in a Los Angeles Water Board Basin Plan.

Standard Deviation (σ)
Standard Deviation is a measure of variability that is calculated as follows: Standard Deviation $(\alpha) = \sum(x-\mu)^2/(n-1)^{0.5}$, where: x is the observed value; μ is the arithmetic mean of the observed values; and n is the number of samples.

Statistical Threshold Value (STV)
The STV for the bacteria water quality objectives is a set value that approximates the 90th percentile of the water quality distribution of a bacterial population.

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 conducted 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.)

Trash
All improperly discarded solid material from any production, manufacturing, or processing operation including, but not limited to, products, product packaging, or containers constructed of plastic, steel, aluminum, glass, paper, or other synthetic or natural material.

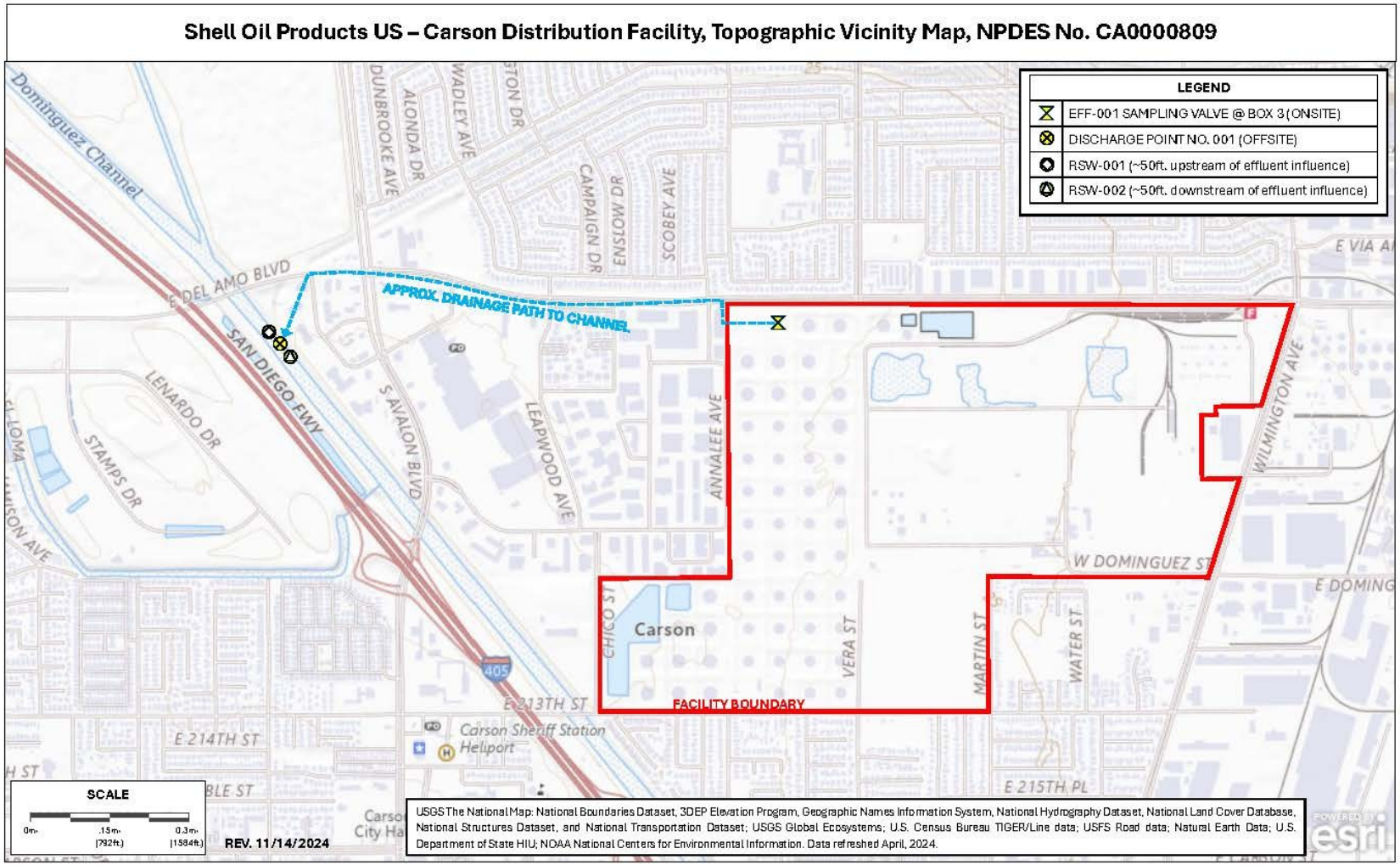
Wet Weather
As per the Harbor Toxics TMDL, wet weather conditions apply to any day when the maximum daily flow measured at a location within the Dominguez Channel is equal to or greater than 62.7 cubic feet per second (cfs).

ACRONYMS AND ABBREVIATIONS

AMEL	Average Monthly Effluent Limit
B	Background Concentration
BAT	Best Available Technology Economically Achievable
Basin Plan	Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties
BCT	Best Conventional Pollutant Control Technology
BMP	Best Management Practices
BMPP	Best Management Practices Plan
BPJ	Best Professional Judgment
BOD	Biochemical Oxygen Demand 5-day @ 20°C
BPT	Best Practicable Treatment Control Technology
C	Water Quality Objective
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CFU	Colony Forming Units
CTR	California Toxics Rule
CV	Coefficient of Variation
CWA	Clean Water Act
CWC	California Water Code
Discharger	Equilon Enterprises LLC dba Shell Oil Products US
DMR	Discharge Monitoring Report
DNQ	Detected But Not Quantified
E	Existing Order
ELAP	State Water Resources Control Board, Drinking Water Division, Environmental Laboratory Accreditation Program
ELG	Effluent Limitations, Guidelines and Standards
Facility	Shell Oil Products US-Carson Distribution Facility
gpd	gallons per day
IC	Inhibition Coefficient
IWC	In-stream Waste Concentration
LA	Load Allocations
LOEC	Lowest Observed Effect Concentration
Los Angeles Water Board	California Regional Water Quality Control Board, Los Angeles Region
µg/L	micrograms per Liter
mg/L	milligrams per Liter
MDEL	Maximum Daily Effluent Limitation
MMEL	Median Monthly Effluent Limitation
MEC	Maximum Effluent Concentration
MGD	Million Gallons Per Day
ML	Minimum Level
MPN	Most Probable Number
MRP	Monitoring and Reporting Program
ND	Not Detected

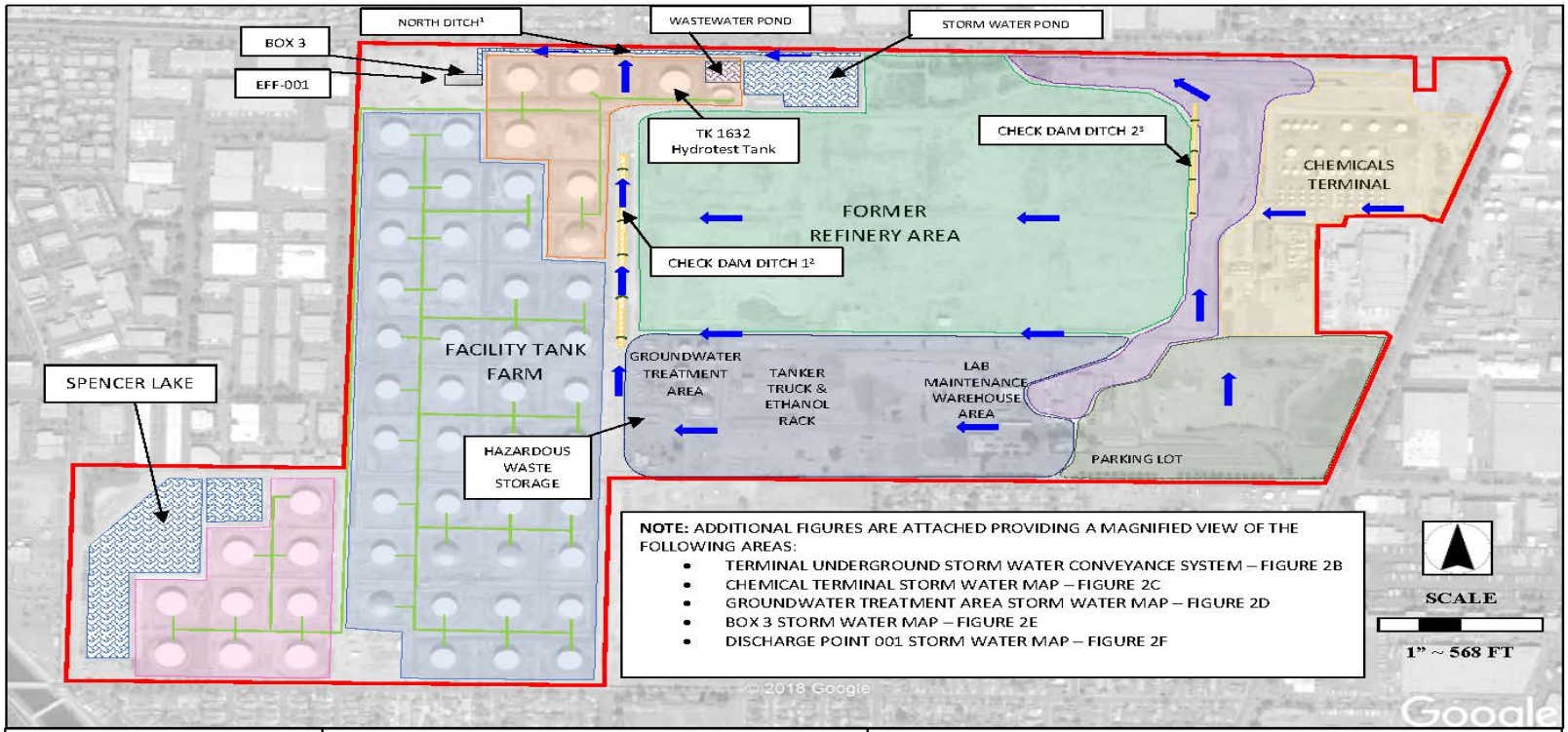
NOEC	No Observable Effect Concentration
NPDES	National Pollutant Discharge Elimination System
NSPS	New Source Performance Standards
NTR	National Toxics Rule
OAL	Office of Administrative Law
Ocean Plan	Water Quality Control Plan for Ocean Waters of California
PCBs	Polychlorinated Biphenyls
PMEL	Proposed Maximum Daily Effluent Limitation
PMP	Pollutant Minimization Plan
POTW	Publicly Owned Treatment Works
QA	Quality Assurance
QA/QC	Quality Assurance/Quality Control
RL	Reporting Limit
RPA	Reasonable Potential Analysis
SCP	Spill Contingency Plan
SIP	State Implementation Policy (Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California)
SMR	Self-Monitoring Reports
SPCC	Spill Prevention Control and Countermeasures Plan
State Water Board	California State Water Resources Control Board
SWAMP	Stormwater Ambient Monitoring Program
SWPPP	Stormwater Pollution Prevention Plan
TAC	Test Acceptability Criteria
TEF	Toxicity equivalency factors
Thermal Plan	Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California
TIE	Toxicity Identification Evaluation
TMDL	Total Maximum Daily Load
TOC	Total Organic Carbon
TR	Total Recoverable
TRE	Toxicity Reduction Evaluation
TSD	Technical Support Document
TST	Test of Significant Toxicity
TSS	Total Suspended Solid
TUc	Chronic Toxicity Unit
U.S. EPA	United States Environmental Protection Agency
WDR	Waste Discharge Requirements
WET	Whole Effluent Toxicity
WLA	Wasteload Allocations
WQBELs	Water Quality-Based Effluent Limitations
WQS	Water Quality Standards
%	Percent

ATTACHMENT B – SITE VICINITY MAP



ATTACHMENT B – SITE MAP

CARSON DISTRIBUTION FACILITY
FIGURE 2A – TERMINAL STORM WATER MAP
ABOVEGROUND FLOW AND STORAGE



Carson Distribution Facility
Figure 3
Facility Storm Water Map
20945 S. Wilmington Ave.
Carson, CA 90810

Last Revised: 11/14/2024

LEGEND

- SURFACE FLOW
- IMPOUNDMENT AREAS
- TANK FARM COMBINED PROCESS/STORM WATER
- FACILITY BOUNDARY
- CHECK DAM DITCH¹
- FACILITY SUB SURFACE DRAINAGEA AREAS

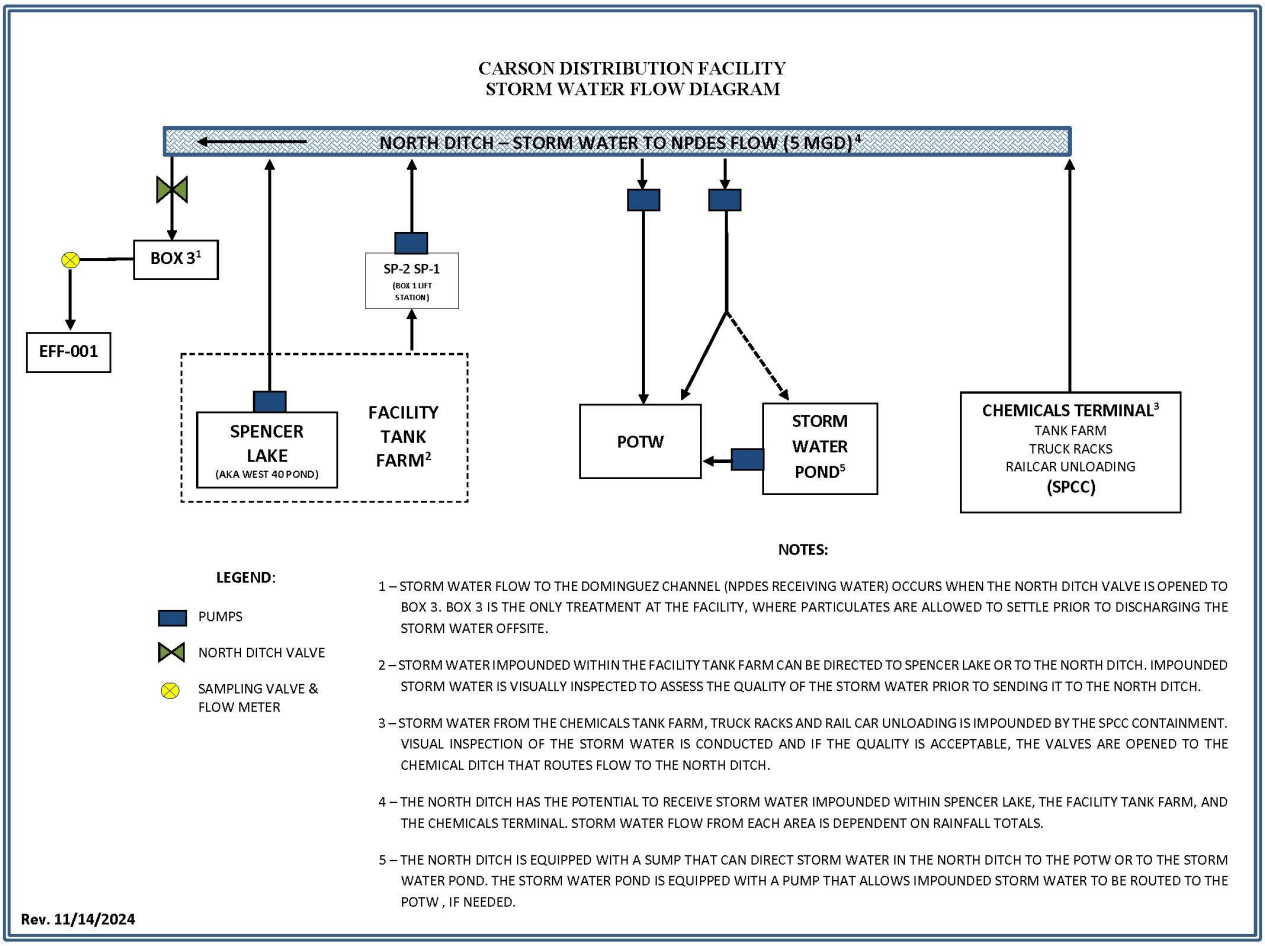
FOOTNOTES

1 – STORM WATER FROM DIFFERENT SUB DRAINAGE ZONES AND IMPOUNDMENT AREAS THROUGHOUT THE FACILITY ARE DIRECTED TO THE NORTH DITCH, WHERE THE WATER CAN BE ROUTED TO FACILITY IMPOUNDMENT AREAS OR DISCHARGED FROM THE FACILITY VIA THE PUBLICLY OWNED TREATMENT WORKS (POTW) OR VIA BOX 3 TO THE NPDES PERMITTED DISCHARGE POINT 001.

2 - THE CHECK DAM DITCH COLLECTS SURFACE FLOW FROM THE DEPICTED DRAINAGE AREAS. THE CHECK DAM POINTS ARE SPACED ~ 100 FEET APART

3 – THE CHECK DAM DITCH COLLECTS SURFACE FLOW FROM THE DEPICTED DRAINAGE AREAS. THE CHECK DAM POINTS ARE SPACED ~250 FEET APART.

ATTACHMENT C – FLOW SCHEMATIC



NOTES:

1 – STORM WATER FLOW TO THE DOMINGUEZ CHANNEL (NPDES RECEIVING WATER) OCCURS WHEN THE NORTH DITCH VALVE IS OPENED TO BOX 3. BOX 3 IS THE ONLY TREATMENT AT THE FACILITY, WHERE PARTICULATES ARE ALLOWED TO SETTLE PRIOR TO DISCHARGING THE STORM WATER OFFSITE.

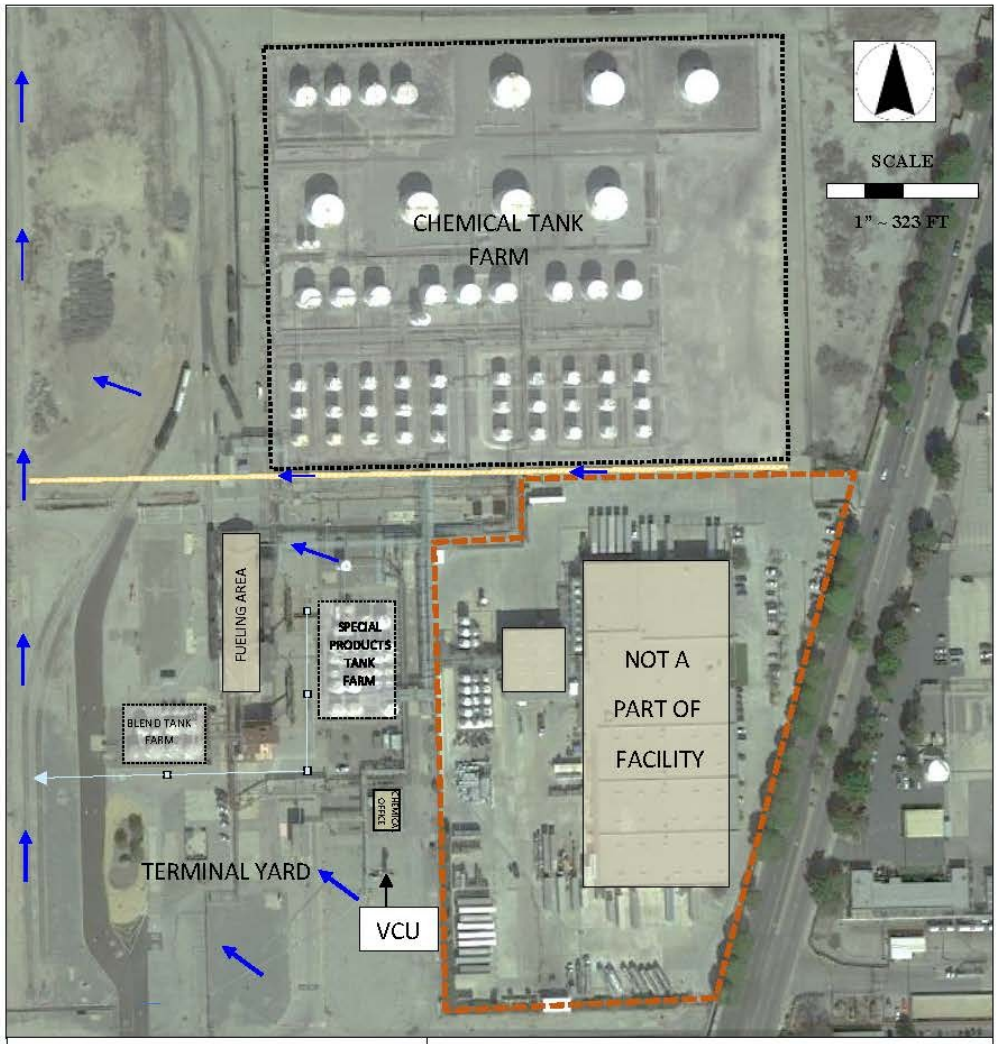
2 – STORM WATER IMPOUNDED WITHIN THE FACILITY TANK FARM CAN BE DIRECTED TO SPENCER LAKE OR TO THE NORTH DITCH. IMPOUNDED STORM WATER IS VISUALLY INSPECTED TO ASSESS THE QUALITY OF THE STORM WATER PRIOR TO SENDING IT TO THE NORTH DITCH.

3 – STORM WATER FROM THE CHEMICALS TANK FARM, TRUCK RACKS AND RAIL CAR UNLOADING IS IMPOUNDED BY THE SPCC CONTAINMENT. VISUAL INSPECTION OF THE STORM WATER IS CONDUCTED AND IF THE QUALITY IS ACCEPTABLE, THE VALVES ARE OPENED TO THE CHEMICAL DITCH THAT ROUTES FLOW TO THE NORTH DITCH.

4 – THE NORTH DITCH HAS THE POTENTIAL TO RECEIVE STORM WATER IMPOUNDED WITHIN SPENCER LAKE, THE FACILITY TANK FARM, AND THE CHEMICALS TERMINAL. STORM WATER FLOW FROM EACH AREA IS DEPENDENT ON RAINFALL TOTALS.

5 – THE NORTH DITCH IS EQUIPPED WITH A SUMP THAT CAN DIRECT STORM WATER IN THE NORTH DITCH TO THE POTW OR TO THE STORM WATER POND. THE STORM WATER POND IS EQUIPPED WITH A PUMP THAT ALLOWS IMPOUNDED STORM WATER TO BE ROUTED TO THE POTW , IF NEEDED.

CARSON DISTRIBUTION FACILITY
FIGURE 2C - CHEMICAL TERMINAL STORM WATER MAP



LEGEND:

- SURFACE FLOW DIRECTION
- TERMINAL BUILDINGS
- NOT A PART OF THE FACILITY
- CHEMICAL DITCH [1]
- STORM DRAIN
- SUBSURFACE PIPING [2]
- TANK FARM BOUNDARIES

FOOTNOTES:

1 – STORM WATER IMPOUNDED WITHIN THE CHEMICAL TANK FARM IS NORMALLY ALLOWED TO DISSIPATE BY EVAPORATION OR PERCOLATION. IMPOUNDED STORM WATER CAN BE GRAVITY FED TO THE CHEMICALS STORM WATER DITCH BY OPENING AND CLOSING OF VALVES IN THE DIKED TANK FARM AREAS. WATER IN THE CHEMICALS STORM WATER DITCH IS THEN SENT TO THE NORTH DITCH VIA THE DITCH RUNNING ALONGSIDE THE CHEMICAL TERMINAL'S WEST BOUNDARY.

2 – STORM WATER THAT ACCUMULATES WITHIN THE SOUTHWEST AREA OF THE CHEMICAL TERMINAL SHEET FLOWS INTO THE YARD DRAINS. THE YARD DRAINS ARE PIPED UNDERGROUND TO THE CHEMICAL TERMINAL'S WEST BOUNDARY DITCH, WHICH FLOWS TO THE NORTH DITCH.

Last Revised: 8/25/2022

ATTACHMENT D – STANDARD PROVISIONS

1. STANDARD PROVISIONS – PERMIT COMPLIANCE

1.1. Duty to Comply

1.1.1. The Discharger must comply with all 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. (Title 40 of the Code of Federal Regulations (40 CFR) § 122.41(a); California Water Code (CWC), §§ 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 Los Angeles 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)(B); 40 CFR § 122.41(i); CWC, §§ 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)(B)(i); 40 CFR § 122.41(i)(1); CWC, §§ 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)(B)(ii); 40 CFR § 122.41(i)(2); CWC, §§ 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)(B)(ii); 40 CFR § 122.41(i)(3); CWC, §§ 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)(B); 40 CFR § 122.41(i)(4); CWC, §§ 13267, 13383.)

1.7. **Bypass**

1.7.1. Definitions

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

b. “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 Los Angeles Water Board may take enforcement action against a Discharger for bypass, unless (40 CFR § 122.41(m)(4)(i)):

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

b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering 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

c. The Discharger submitted notice to the Los Angeles 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 Los Angeles Water Board may approve an anticipated bypass, after considering its adverse effects, if the Los Angeles 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

a. 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. As of December 21, 2028, 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).)

b. Unanticipated bypass. The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting 5.5 below (24-hour notice). As of December 21, 2028, 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)):

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

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

c. 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

d. 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 Los Angeles Water Board. The Los Angeles 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 Los Angeles Water Board Executive Officer at any time. (40 CFR § 122.41(j)(2).)

4.2. **Records of monitoring information shall include:**

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

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

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

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

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

f. 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)):**

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

b. 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 Los Angeles Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Los Angeles 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 Los Angeles Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 CFR § 122.41(h); CWC, §§ 13267, 13383.)

5.2. **Signatory and Certification Requirements**

5.2.1. All applications, reports, or information submitted to the Los Angeles 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 Los Angeles 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:

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

b. 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

c. The written authorization is submitted to the Los Angeles 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 Los Angeles 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 CFR § 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 CFR § 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 Los Angeles Water Board or State Water Board. As of December 21, 2028, 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 Los Angeles Water Board or State Water Board. (40 CFR § 122.41(l)(4)(ii).)

5.3.4. Calculations for all limitations, which require an 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, 2028, all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events 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 Los Angeles 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:

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

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

5.5.3. The Los Angeles 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 Los Angeles 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).)

5.6.3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 CFR§ 122.41(l)(1)(iii).)

5.7. **Anticipated Noncompliance**

The Discharger shall give advance notice to the Los Angeles Water Board of any planned changes to 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 Los Angeles 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 Los Angeles 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 Los Angeles 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 known 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 U.S. EPA, the Los Angeles Water Board, or State Water Board for violating section 301, 302, 306, 307, 308, 318, or 405 of this 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 Los Angeles 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 section 122.42(a)(1)):

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

b. 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 section 122.42(a)(1)(ii));

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

d. The level established by the Los Angeles Water Board in accordance with section 122.44(f). (40 CFR section 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 section 122.42(a)(2)):

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

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

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

d. The level established by the Los Angeles Water Board in accordance with section 122.44(f). (40 CFR section 122.42(a)(2)(iv).)

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP) NO. 5244

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 section 13383 also authorizes the Los Angeles Water Board to establish monitoring, 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. An effluent sampling station shall be established for the point of discharge (Discharge Point 001) and shall be located where representative samples of that effluent can be obtained.

1.2. Effluent samples shall be taken downstream of any addition to treatment works and prior to mixing with the receiving waters.

1.3. The Los Angeles Water Board shall be notified in writing of any change in the sampling stations once established or in the methods for determining the quantities of pollutants in the individual waste streams**.**

1.4. Pollutants shall be analyzed using the analytical methods described in 40 CFR parts 136.3, 136.4, and 136.5 (revised August 28, 2017); or where no methods are specified for a given pollutant, by methods approved by this Los Angeles Water Board or the State Water Resources Control Board (State Water Board).

1.5. **Laboratory Certification.** Laboratories analyzing monitoring samples shall be certified by the State Water Board, Drinking Water Division, Environmental Laboratory Accreditation Program (ELAP) in accordance with the provision of Water Code section 13176, and must include quality assurance/quality control data with their reports. A copy of the laboratory certification shall be provided each time a new certification and/or renewal of the certification is obtained from ELAP.

1.6. Pollutants shall be analyzed within allowable holding time limits as specified in 40 CFR section 136.3. All QA/QC items must be run on the same dates the samples were analyzed, and the results shall be reported in the Los Angeles Water Board format, when it becomes available, and submitted with the laboratory reports. Proper chain of custody procedures must be followed, and a copy of the chain of custody shall be submitted with the report.

1.7. For any analyses performed for which no procedure is specified in the United States Environmental Protection Agency (U.S. EPA) guidelines or in the MRP, the constituent or parameter analyzed, and the method or procedure used must be specified in the monitoring report.

1.8. Each monitoring report must affirm in writing that "*all analyses were conducted at a laboratory certified for such analyses by the State Water Board or approved by the Executive Officer and in accordance with current U.S. EPA guideline procedures or as specified in this MRP*".

1.9. The monitoring reports shall specify the analytical method used, the Method Detection Limit (MDL), and the Minimum Level (ML) for each pollutant. For the

purpose of reporting compliance with numerical limitations, and performance goals, analytical data shall be reported by one of the following methods, as appropriate:

a. An actual numerical value for sample results greater than or equal to the ML; or

b. "*Detected, but Not Quantified (DNQ)*" if results are greater than or equal to the laboratory's MDL but less than the ML; or,

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

Analytical data reported as "less than" for the purpose of reporting compliance with permit limitations shall be the same or lower than the permit limit(s) established for the given parameter.

Current MLs are those published by the State Water Board in the *Policy for the Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, February 24, 2005.

1.10. The MLs employed for effluent analyses to determine compliance with effluent limitation shall be lower than the effluent limitations established in this Order for a given parameter as per the 40 CFR parts 122 and 136; *Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting*. If the ML value is not below the effluent limitations, then the lowest ML value and its associated analytical method shall be selected for compliance purposes. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test and associated laboratory QA/QC procedures.

1.11. The MLs employed for effluent analyses not associated with determining compliance with effluent limitations in this Order shall be lower than the lowest applicable water quality objective, for a given parameter as per the 40 CFR parts 122 and 136; *Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting*. Water quality objectives for parameters may be found in Chapter 3 of the Basin Plan and the CTR (40 CFR section 131.38). If the ML value is not below the water quality objective, then the lowest ML value and its associated analytical method shall be selected for compliance purposes. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test, the associated laboratory QA/QC procedures, reporting levels (RLs), and method detection limits (MDLs).

1.12. The Los Angeles Water Board, in consultation with the State Water Board Quality Assurance Program, shall establish a ML that is not contained in Appendix 4 of the SIP to be included in the Discharger's permit in any of the following situations:

a. When the pollutant under consideration is not included in Appendix 4 of the SIP;

b. When the Discharger and Los Angeles Water Board agree to include in the permit a test method that is more sensitive than that specified in part 136 (revised August 28, 2017);

c. When the Discharger agrees to use an ML that is lower than that listed in Appendix 4 of the SIP;

d. When the Discharger demonstrates that the calibration standard matrix is sufficiently different from that used to establish the ML in Appendix 4 of the SIP, and proposes an appropriate ML for their matrix; or,

e. When the Discharger uses a method whose quantification practices are not consistent with the definition of an ML. Examples of such methods are the U.S. EPA-approved method 1613 for dioxins and furans, method 1624 for volatile organic substances, and method 1625 for semi-volatile organic substances. In such cases, the Discharger, the Los Angeles Water Board, and the State Water Board shall agree on a lowest quantifiable limit and that limit will substitute for the ML for reporting and compliance determination purposes.

1.13. Field analyses with short sample holding times such as pH, total residual chlorine, and temperature, may be performed using properly calibrated and maintained portable instruments by trained personnel acting on the Discharger's behalf, using methods in accordance with 40 CFR part 136. All field instruments must be calibrated according to the manufacturer's instructions. A manual containing the standard operating procedures for all field analyses, including records of personnel proficiency training, instruments calibration and maintenance, and quality control procedures shall be maintained onsite, and shall be available for inspection by Los Angeles Water Board staff. Information including instrument calibration, time of sample collection, time of analysis, name of analyst, quality assurance/quality control data, and measurement values shall be clearly documented during each field analysis and submitted to the Los Angeles Water Board as part of the corresponding regular monitoring report.

1.14. All analyses shall be accompanied by the chain of custody, including but not limited to data and time of sampling, sample identification, and name of person who performed sampling, date of analysis, name of person who performed analysis, QA/QC data, method detection limits, analytical methods, copy of laboratory certification, and a perjury statement executed by the person responsible for the laboratory.

1.15. The Discharger shall have, and implement, an acceptable written quality assurance (QA) plan for laboratory analyses. Unless otherwise specified in the analytical method, duplicate samples must be analyzed at a frequency of 5% (1 in 20 samples) with at least one if there are fewer than 20 samples in a batch. A batch is defined as a single analytical run encompassing no more than 24 hours from start to finish. A similar frequency shall be maintained for analyzing spiked samples.

1.16. When requested by the Los Angeles Water Board or U.S. EPA, the Discharger will participate in the NPDES discharge monitoring report QA performance study. The Discharger must have a success rate equal to or greater than 80%.

1.17. For parameters with both average monthly and maximum daily limits, specified, and monitored less than four times a month, the following applies: If an analytical result is greater than the average monthly limit, the Discharger shall collect four additional samples at approximately equal intervals during the month, until compliance with the average monthly limit has been demonstrated. All five analytical results shall be reported in the monitoring report for that month, or 45 days after results for the

additional samples were received, whichever is later. In the event of noncompliance with an average monthly effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the average monthly effluent limitation has been demonstrated. The Discharger shall provide for the approval of the Executive Officer a program to ensure future compliance with the average monthly limit.

1.18. In the event wastes are transported to a different disposal site during the reporting period, the following shall be reported in the monitoring report:

- Types of wastes and quantity of each type;
- Name and address for each hauler of wastes (or method of transport if other than by hauling); and
- Location of the final point(s) of disposal for each type of waste.

If no waste is transported off-site during the reporting period, a statement to that effect shall be submitted.

1.19. Each monitoring report shall state whether or not there was any change in the discharge as described in the Order during the reporting period.

2. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order (latitude and longitude information in Table E-1 is approximate for administrative purposes).

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	At the sampling valve at the approximate location: Latitude: 33.845603° Longitude: -118.267536°
---	RSW-001	The receiving water monitoring is conducted in the Dominguez Channel Estuary *upstream* from the outfall at the approximate location: Latitude: 33.845745° Longitude: -118.267688°
---	RSW-002	At a location approximately 50 feet *downstream* from the effluent discharge location of the Dominguez Channel Estuary at the approximate location: Latitude: 33.845518° Longitude: -118.267487°

Discharge Point No. 001 is at an off-site location. Monitoring Location EFF-001 is located on-site prior to the Facility's discharge entering the storm drain.

3. INFLUENT MONITORING REQUIREMENTS – Not Applicable

4. EFFLUENT MONITORING REQUIREMENTS

4.1. Water Sample Monitoring at Monitoring Locations EFF-001

The Discharger shall monitor stormwater at Monitoring Locations EFF-001 as follows. 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 at Monitoring Location EFF-001

Parameter	Units	Sample Type	Minimum Sampling Frequency	Notes
Flow	MGD	Meter	1/Discharge Event	a
BOD	mg/L	Grab	1/Discharge Event	b and c
Chronic Toxicity	Pass or Fail and % Effect	Grab	1/Year	b, c, and d
Enterococci	CFU/100 mL or MPN/100 mL	Grab	1/Discharge Event	b and c
Oil and Grease	mg/L	Grab	1/Discharge Event	b and c
pH	standard units	Grab	1/Discharge Event	b and c
Phosphorus (total)	mg/L	Grab	1/Discharge Event	b and c
Settleable Solids	mg/L	Grab	1/Discharge Event	b and c
Sulfides	mg/L	Grab	1/Discharge Event	b and c
Temperature	°F	Grab	1/Discharge Event	b and c
TPH	µg/L	Grab	1/Discharge Event	b, c, and e
TSS	mg/L	Grab	1/Discharge Event	b and c
Turbidity	NTU	Grab	1/Discharge Event	b and c
Acenapthene	µg/L	Grab	1/Discharge Event	b and c
Ammonia (as N)	mg/L	Meter	1/Discharge Event	b and c
Anthracene	µg/L	Grab	1/Discharge Event	b and c
Antimony, Total Recoverable	µg/L	Grab	1/Year	b and c
Benzene	µg/L	Grab	1/Discharge Event	b and c
Benzo(a)anthracene	µg/L	Grab	1/Discharge Event	b and c
Benzo(a)pyrene	µg/L	Grab	1/Discharge Event	b and c
Beryllium, Total Recoverable	µg/L	Grab	1/Year	b and c
Cadmium, Total Recoverable	µg/L	Grab	1/Discharge Event	b and c
Chlordane	µg/L	Grab	1/Discharge Event	b and c
Chromium (III), Total Recoverable	µg/L	Grab	1/Year	b and c
Chromium (VI), Total Recoverable	µg/L	Grab	1/Year	b and c

Parameter	Units	Sample Type	Minimum Sampling Frequency	Notes
Chrysene	µg/L	Grab	1/Discharge Event	b and c
Copper, Total Recoverable	µg/L	Grab	1/Discharge Event	b and c
Dibenzo(a,h)anthracene	µg/L	Grab	1/Discharge Event	b and c
Dieldrin	µg/L	Grab	1/Discharge Event	b and c
Diisopropyl Ether (DIPE)	µg/L	Grab	1/Year	b and c
Dissolved Oxygen	mg/L	Grab	1/Discharge Event	b and c
Ethylbenzene	µg/L	Grab	1/Discharge Event	b and c
Ethylene Dibromide (EDB)	µg/L	Grab	1/Year	b and c
Fluoranthene	µg/L	Grab	1/Discharge Event	b and c
Fluorene	µg/L	Grab	1/Discharge Event	b and c
Indeno(1,2,3-cd)pyrene	µg/L	Grab	1/Discharge Event	b and c
Lead, Total Recoverable	µg/L	Grab	1/Discharge Event	b and c
Mercury, Total Recoverable	µg/L	Grab	1/Discharge Event	b, c, and f
Methyl Tert-butyl Ether (MTBE)	µg/L	Grab	1/Discharge Event	b and c
Nickel, Total Recoverable	µg/L	Grab	1/Discharge Event	b and c
Nitrate Nitrogen (NO_3-N)	mg/L	Grab	1/Discharge Event	b and c
Nitrite Nitrogen (NO_2-N)	mg/L	Grab	1/Discharge Event	b and c
Nitrate plus Nitrite (as N)	mg/L	Calculated	1/Discharge Event	b and c
Nitrogen, Total Kjeldahl Nitrogen (TKN)	mg/L	Grab	1/Discharge Event	b and c
Nitrogen, Total	mg/L	Calculated	1/Discharge Event	b and c
PCBs, Total	µg/L	Grab	1/Discharge Event	b, c, and g
Phenols, Total	µg/L	Grab	1/Discharge Event	b and c
Pyrene	µg/L	Grab	1/Discharge Event	b and c
Silver, Total Recoverable	µg/L	Grab	1/Discharge Event	b and c
Thallium, Total Recoverable	µg/L	Grab	1/Year	b and c
Tert-amyl Methyl Ether	µg/L	Grab	1/Year	b and c
Toluene	µg/L	Grab	1/Discharge Event	b and c
Xylenes	µg/L	Grab	1/Discharge Event	b and c
Zinc, Total Recoverable	µg/L	Grab	1/Discharge Event	b and c
4,4'-DDT	µg/L	Grab	1/Discharge Event	b and c
TCDD Equivalents	µg/L	Grab	1/Year	b, c, h, and i
Remaining Priority Pollutants	µg/L	Grab	1/Year	b, c, h, and j

Footnotes for Table E-2

a. In the event of a discharge, flow shall be monitored continuously and reported for the duration of the discharge event.

b. During periods of extended discharge, no more than one sample per week (or a 7-day period) needs to be taken. Sampling shall be performed during the first hour of discharge. If, for safety reasons, a sample cannot be obtained during the first hour of discharge, a sample shall be obtained at the first safe opportunity, and the reason for the delay shall be included in the report. If there is no discharge to surface waters, then no monitoring is required. In the corresponding monitoring report, the Discharger will indicate under statement of perjury that no effluent was discharged to surface water during the reporting period.

c. Pollutants shall be analyzed using the analytical methods described in 40 CFR part 136; for priority pollutants, the methods must meet the lowest MLs specified in Appendix 4 of the SIP. Where no methods are specified for a given pollutant, the methods must be approved by the Los Angeles Water Board or the State Water Board. If more than one analytical test method is listed for a given parameter, the Discharger must select a sufficiently sensitive method from the listed methods and corresponding ML necessary to demonstrate compliance with applicable effluent limitations.

d. The maximum daily effluent limitation (MDEL) for chronic toxicity shall be reported as “Pass” or “Fail” and “% Effect”. The MDEL is exceeded when a toxicity test results in a “Fail,” and the percent effect is greater than or equal to 0.50.

e. For TPH as Gasoline (C_4-C_{12}) use U.S. EPA Method 503.1 or 8015B. For TPH as Diesel (C_{13}-C_{22}) and TPH as Kerosene (C_{23+}) use U.S. EPA Method 503.1 or 8015B, or 8270.

f. U.S. EPA Method 1631E, per 40 CFR part 136, with a quantification level lower than 0.5 ng/L, shall be used to analyze total mercury. If an alternative method with an equivalent or more sensitive method detection limit is approved in 40 CFR part 136, the Discharger may use that method in lieu of U.S. EPA Method 1631E.

g. Total PCBs (polychlorinated biphenyls) means the sum of chlorinated biphenyls whose analytical characteristics resembles those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260. PCBs as aroclors shall be analyzed using U.S. EPA method 608.3. Upon U.S. EPA approval of the revised Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDL (Harbor Toxics TMDL) (Resolution No. R22-005), PCBs monitoring shall also be required for 44 congeners using recommended EPA methods 8270 and 1668 or equivalent method and shall be reported with a target reporting limit of 10 to 20 pg/L.

h. Monitoring is only required during years in which discharge occurs. Annual samples shall be collected during the first discharge of the year. If there is no discharge to surface waters, the Discharger will indicate in the corresponding monitoring report, under statement of perjury that no effluent was discharged to surface water during the reporting period.

i. TCDD equivalents shall be calculated using the following formula, where the MLs and the toxicity equivalency factors (TEFs) are as listed in the Table below. The Discharger shall report all measured values of individual congeners, including data qualifiers. When calculating TCDD equivalents, the Discharger shall set congener concentrations below the MLs to zero. U.S. EPA method 1613 may be used to analyze dioxin and furan congeners.

$$\text{Dioxin-TEQ (TCDD equivalents)} = \sum(Cx \times TEFx)$$

where: Cx = concentration of dioxin or furan congener x

TEFx= TEF for congener x

Congeners	Minimum Levels (pg/L)	Toxicity Equivalence Factor (TEF)
2,3,7,8 - tetra CDD	10	1.0
1,2,3,7,8 - penta CDD	50	1.0
1,2,3,4,7,8 - hexa CDD	50	0.1
1,2,3,6,7,8 - hexa CDD	50	0.1
1,2,3,7,8,9 - hexa CDD	50	0.1
1,2,3,4,6,7,8 - hepta CDD	50	0.01
Octa CDD	100	0.0003
2,3,7,8 - tetra CDF	10	0.1
1,2,3,7,8 - penta CDF	50	0.03
2,3,4,7,8 - penta CDF	50	0.3
1,2,3,4,7,8 - hexa CDF	50	0.1
1,2,3,6,7,8 - hexa CDF	50	0.1
1,2,3,7,8,9 - hexa CDF	50	0.1
2,3,4,6,7,8 - hexa CDF	50	0.1
1,2,3,4,6,7,8 - hepta CDFs	50	0.01
1,2,3,4,7,8,9 - hepta CDFs	50	0.01
Octa CDF	100	0.0003

j. Priority Pollutants are those constituents referred to in 40 CFR part 131 or the California Toxics Rule.

End of Footnotes for Table E-2

4.2. Effluent Sediment Monitoring at Monitoring Location EFF-001

Effluent sediment monitoring is only required when a discharge from the Facility occurs and effluent sampling is used for compliance determination with the final concentration-based sediment WLAs for the Harbor Toxics TMDL as discussed in section 4.1.2 of this Order. The Discharger must sample the discharge at the discharge point following final treatment, prior to the discharge entering the receiving water. The Discharger must collect sufficient effluent sample volume to provide an adequate amount of effluent sediments (suspended solids) for sediment analyses. Where there is insufficient yield of suspended sediment from stormwater samples to perform the analysis, use of the suspended sediment concentration (SSC) method described in footnote a below may be used.

Table E-3. Effluent Sediment Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Notes
Cadmium, Total Recoverable	mg/kg	Grab	1/Year	a and b
Chlordane	µg/kg	Grab	1/Year	a and b
Dieldrin	µg/kg	Grab	1/Year	a and b

Footnotes for Table E-3

a. For each parameter, provide the measured concentration in both the total (C_T) and dissolved (C_D) fractions of the stormwater sample. Methods used to measure the total and dissolved

fractions must comply with the analytical methods specified in 40 CFR 136. The concentration of constituents in the suspended sediment will be calculated as the difference between the total fraction concentration and the dissolved fraction concentration.

$$C_A = C_T - C_D$$

C_T = Concentration of analyte in total fraction, µg/L

C_D = Concentration of analyte in dissolved fraction, µg/L

C_A = Concentration of analyte in suspended sediment fraction, µg/L

A separate analysis of suspended sediment concentration (SSC) using American Society for Testing and Materials (ASTM) D3977-97 (19) Test Method B-Filtration or U.S. EPA equivalent method (such as Standard Method (SM) 2540), shall be performed to determine the net weight of sediment and net sample volume parameters necessary for unit conversion.

The following equation should be used to convert C_A, µg/L, to C_S, mg/kg:

$$C_S = (C_A/SSC) \times 1{,}000$$

C_A = Concentration of analyte in suspended sediment fraction, µg/L

C_S = Concentration of analyte in suspended sediment fraction, mg/kg

SSC = Suspended sediment concentration, measured by ASTM D3977-97 (19), mg/L

When using the above formulas, the following values shall be included with the report: C_S, C_T, C_D, and SSC.

b. Pollutants shall be analyzed in accordance with U.S. EPA or ASTM methodologies where such methods exist. Where no U.S. EPA or ASTM methods exist, the State Board or Los Angeles Water Board shall approve the use of other methods. Analytical tests shall be conducted by laboratories certified by the State Water Board's Division of Drinking Water Environmental Laboratory Accreditation Program (ELAP) in accordance with California Water Code section 13176.

End of Footnotes for Table E-3

5. CHRONIC WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

5.1. Discharge In-stream Waste Concentration (IWC) for Chronic Toxicity

The chronic toxicity IWC for this discharge is 100 percent effluent.

5.2. Sample Volume and Holding Time

The total sample volume shall be determined by the specific toxicity test method used. Sufficient sample volume shall be collected to perform the required toxicity test. Sufficient sample volume shall also be collected for subsequent Toxicity Identification Evaluation (TIE) studies, if necessary, at each sampling event. 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.

5.3. Chronic Marine and Estuarine Species and Test Methods

If effluent samples are collected from outfalls discharging to receiving waters with salinity ≥1 ppth, the Discharger shall conduct the following chronic toxicity tests on

effluent samples—at the in-stream waste concentration 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 West Coast Marine and Estuarine Organisms* (EPA/600/R-95/136, 1995). Artificial sea salts shall be used to increase sample salinity. In no case shall these species be substituted with another test species unless written authorization from the Executive Officer is received.

- A static renewal toxicity test with the topsmelt, *Atherinops affinis* (Larval Survival and Growth Test Method 1006.0).
- A static non-renewal toxicity test with the purple sea urchin, *Strongylocentrotus purpuratus*, or the sand dollar, *Dendraster excentricus* (Fertilization Test Method 1008.0), or a static non-renewal toxicity test with the red abalone, *Haliotis rufescens* (Larval Development Test Method).
- A static non-renewal toxicity test with the giant kelp, *Macrocystis pyrifera* (Germination and Germ-Tube Growth Test Method 1009.0).

5.4. Species Sensitivity Screening

Species sensitivity screening shall be conducted during this Order's first required sample collection or when the Facility discharges. The Discharger shall collect a single effluent sample and concurrently conduct three toxicity tests, using the fish, an invertebrate, and the alga species as referenced in the above section. The sample shall also be analyzed for the parameters required for the discharge. The species that exhibit the highest "Percent Effect" at the discharge IWC during species sensitivity screening shall be used for routine monitoring during the permit cycle.

Rescreening is required at least once per five (5) years. The Discharger shall rescreen with the three species listed above and continue to monitor with the most sensitive species. If the first suite of rescreening tests demonstrates that the same species is the most sensitive, then the rescreening does not need to include more than one suite of tests. If a different species is the most sensitive, or if there is ambiguity, then the Discharger shall proceed with suites of screening tests using enough collected effluent for a minimum of three, but not to exceed five suites.

5.5. Quality Assurance and Additional Requirements

Quality Assurance measures, instructions, and other recommendations and requirements are found in the test methods manuals previously referenced. Additional requirements are specified below.

5.5.1. The discharge is subject to determination of "Pass" or "Fail" and "Percent Effect" from a single-effluent concentration chronic toxicity test at the discharge IWC using the Test of Significant Toxicity (TST) 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. The null hypothesis (H_0) 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". The relative "Percent Effect" at the discharge

IWC is defined and reported as: ((Mean control response Mean discharge IWC response) ÷ Mean control response) × 100. 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.

5.5.2. If the effluent toxicity test does not meet all test acceptability criteria (TAC) specified in the referenced test method, then the Discharger must re-sample and re-test at the subsequent discharge event.

5.5.3. Reference toxicant tests and effluent toxicity tests shall be conducted using the same test conditions (e.g., same test duration, etc.). Monthly reference toxicant testing is sufficient.

5.5.4. All reference toxicant test results should be reviewed and reported according to EPA guidance on the evaluation of concentration-response relationships found in *Method Guidance and Recommendations for Whole Effluent Toxicity (WET) Testing* (40 CFR part 136) (EPA 821-B-00-004, 2000).

5.5.5. The Discharger shall perform toxicity tests on final effluent samples. Chlorine and ammonia shall not be removed from the effluent sample prior to toxicity testing, unless explicitly authorized under this section of the Monitoring and Reporting Program and the rationale is explained in the Fact Sheet (Attachment F).

5.6. Preparation of an Initial Investigation TRE Work Plan

The Discharger shall prepare and submit a copy of the Discharger's initial investigation TRE work plan to the Executive Officer of the Los Angeles Water Board for approval within 90 days of the effective date of this permit. If the Executive Officer does not disapprove the work plan within 60 days, the work plan shall become effective. The Discharger shall use *U.S. EPA manual U.S. EPA/833B-99/002* (municipal) or its most current version or U.S. EPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations (EPA/600/2-88/070, April 1989*) as guidance. This work plan shall describe the steps that the Discharger intends to follow if toxicity is detected. At a minimum, the work plan shall include:

- A description of the investigation and evaluation techniques that will be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency.
- A description of the Facility's methods of maximizing in-house treatment efficiency and good housekeeping practices, and a list of all chemicals used in the operation of the Facility.
- If a Toxicity Identification Evaluation (TIE) is necessary, an indication of the person who would conduct the TIEs (i.e., an in-house expert or an outside contractor).

5.7. Toxicity Reduction Evaluation and Toxicity Identification Evaluation Process

5.7.1. **Preparation and Implementation of a Detailed TRE Work Plan**. The Discharger shall immediately initiate a TRE using, according to the type of treatment facility, U.S. EPA manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA/833B-99/002, 1999) or U.S. EPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations (*EPA/600/2-88/070, April 1989) and, within 30 days, submit to the Executive Officer a Detailed TRE Work Plan, which shall follow the TRE Work Plan revised as appropriate for this toxicity event. It shall include the following information, and comply with additional conditions set by the Executive Officer:

- Further actions by the Discharger to investigate, identify, and correct the causes of toxicity.
- Actions the Discharger will take to mitigate the effects of the discharge and prevent the recurrence of toxicity.
- A schedule for these actions, progress reports, and the final report

5.7.2. **Toxicity Identification Evaluation (TIE) Implementation.** If a chronic toxicity test shows “Fail and % Effect value ≥ 50”, the Discharger may initiate a TIE as part of a TRE to identify the causes of toxicity using the same species and test method and, as guidance, U.S. EPA manuals: *Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures* (EPA/600/6-91/003, 1991); *Chronic TIE Manual: Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I* (EPA/600/6-91/005F, 1992); *Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/080, 1993); *Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/081, 1993); and *Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document* (EPA/600/R-96-054, 1996). The TIE should be conducted on the species demonstrating the most sensitive toxicity response.

5.7.3. Many recommended TRE elements parallel required or recommended efforts for source control, pollution prevention, and stormwater control programs. TRE efforts should be coordinated with such efforts. As toxic substances are identified or characterized, the Discharger shall continue the TRE by determining the sources and evaluating alternative strategies for reducing or eliminating the substances from the discharge. All reasonable steps shall be taken to reduce toxicity to levels consistent with toxicity evaluation parameters.

5.7.4. The Discharger shall conduct routine effluent monitoring for the duration of the TRE process.

5.7.5. The Los Angeles Water Board recognizes that toxicity may be episodic and identification of causes and reduction of sources of toxicity may not be successful in all cases. The TRE may end at any stage if monitoring finds there is no longer toxicity.

5.7.6. The Board may consider the results of any TRE/TIE studies in an enforcement action.

5.8. Reporting

The Self-Monitoring Report (SMR) shall include a full laboratory report for each toxicity test. This report shall be prepared using the format and content of the test methods manual chapter, "Report Preparation", including:

a. 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.

b. A summary of water quality measurements for each toxicity test (e.g., pH, dissolved oxygen, temperature, conductivity, hardness, salinity, chlorine, ammonia).

c. 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, Table A-1, and Appendix B, Table B-1.

d. TRE/TIE results. The Executive Officer shall be notified no later than 30 days from completion of each aspect of TRE/TIE analyses. Prior to the completion of the final TRE/TIE report, the Discharger shall provide status updates in the monthly monitoring reports, indicating which TRE/TIE steps are underway and which steps have been completed.

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

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

g. Any additional QA/QC documentation or any additional chronic toxicity-related information, upon request from the Los Angeles Water Board Executive Officer.

6. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE

7. RECYCLING MONITORING REQUIREMENTS – NOT APPLICABLE

8. RECEIVING WATER MONITORING REQUIREMENTS

8.1. Receiving Water Sampling Location RSW-001 and RSW-002

Receiving water sampling shall be conducted at the same time as the effluent monitoring when there is discharge to surface water. The Discharger shall monitor the receiving water at Monitoring Location RSW-001and RSW-002 as follows:

Table E-4. Receiving Water Monitoring Requirements – RSW-001 and RSW-002

Parameter	Units	Sample Type	Minimum Sampling Frequency	Notes
Ammonia (as N)	mg/L	Grab	1/Year	a and b
Dissolved Oxygen	mg/L	Grab	1/Year	a and b
Enterococci	MPN/100 mL or CFU/100 mL	Grab	1/Year	a and c
Nitrate Nitrogen (NO_3-N)	mg/L	Grab	1/Year	a and b
Nitrite Nitrogen (NO_2-N)	mg/L	Grab	1/Year	a and b
Nitrate plus Nitrite (as N)	mg/L	Calculated	1/Year	a and b
Nitrogen, Total Kjeldahl Nitrogen (TKN)	mg/L	Grab	1/Year	a and b
Nitrogen, Total	mg/L	Calculated	1/Year	a and b
pH	standard units	Grab	1/Year	a and b
Phosphorus (total)	mg/L	Grab	1/Year	a and b
Salinity	ppth	Grab	1/Year	a and b
Temperature	ºF	Grab	1/Year	a and b
Turbidity	NTU	Grab	1/Year	a and b
Priority Pollutants	µg/L	Grab	1/Year	a, b, and d

Footnotes to Table E-4

a. Pollutants shall be analyzed using the analytical methods described in 40 CFR part 136; for priority pollutants, the methods must meet the lowest MLs specified in Appendix 4 of the SIP. Where no methods are specified for a given pollutant, the methods must be approved by the Los Angeles Water Board or the State Water Board. If more than one analytical test method is listed for a given parameter, the Discharger must select a sufficiently sensitive method from the listed methods and corresponding ML necessary to demonstrate compliance with applicable effluent limitations. If, for safety reasons, a sample cannot be obtained during the first hour of discharge, a sample shall be obtained at the first safe opportunity, and the reason for the delay shall be included in the report.

b. Receiving water ammonia (and related nitrogen compounds), pH, salinity, and temperature must be collected at the same time the effluent samples are collected for Priority Pollutants analysis.

c. Detection methods used for Enterococci shall be those presented in Table 1A of 40 CFR part 136, unless alternate methods have been approved by U.S. EPA pursuant to part 136 or improved methods have been determined by the Executive Officer and/or U.S. EPA.

d. Priority Pollutants are those constituents referred to in 40 CFR part 131 or the California Toxics Rule.

End of Footnotes to Table E-4

8.2. Groundwater Monitoring – Not Applicable

9. OTHER MONITORING REQUIREMENTS

9.1. Rainfall Monitoring

The Discharger shall measure and record the rainfall on each day of the month or submit the data obtained from the nearest city/county operated rain gauge monitoring

station. The location of the rain gauge utilized and the distance from the Facility and any other information shall be included in the monitoring report for that month.

9.2. Visual Observation

The Discharger shall make visual observations of all stormwater discharge locations during at least one storm event per month that produces a significant discharge of stormwater. Observations shall note the presence of floating and suspended materials, oil and grease, discoloration, turbidity, and odor at the stormwater discharge locations. A “significant stormwater discharge” is a continuous discharge of stormwater for a minimum of one hour, or the intermittent discharge of stormwater for a minimum of 3 hours in a 12-hour period.

9.3. Harbor Toxics TMDL Monitoring Requirements

The Monitoring Program includes water column monitoring, sediment monitoring, and fish tissue monitoring at monitoring stations in the Dominguez Channel Estuary as required in the Harbor Toxics TMDL. The Discharger shall implement the site-specific plan that was submitted, once it is approved, or join a regional monitoring group already formed in order to comply with this requirement. Details on these requirements are provided in section 6.3.2.b of this Order.

10. REPORTING REQUIREMENTS

10.1. General Monitoring and Reporting Requirements

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

10.1.2. If there is no discharge during any reporting period, the Discharger shall indicate under penalty of perjury in the corresponding monitoring report that no effluent was discharged to surface water during the reporting period.

10.1.3. If the Discharger monitors (other than for process/operational control, startup, research, or equipment testing) any influent, effluent, or receiving water constituent more frequently than required by this Order using approved analytical methods, the results of those analyses shall be included in the monitoring report. These results shall be reflected in the calculation of the average (or median) used in demonstrating compliance with this Order/Permit.

10.1.4. Each monitoring report shall contain a separate section titled “Summary of Non-Compliance” which discusses the compliance record and corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.

10.1.5. The Discharger shall inform the Los Angeles Water Board well in advance of any proposed construction activity that could potentially affect compliance with applicable requirements.

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 Web site:

https://www.waterboards.ca.gov/ciwqs/index.html

The CIWQS Web site 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 through 9. The Discharger shall submit quarterly 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

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
1/Discharge Event	Permit Effective Date	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 15 August 15 November 15 February 15
1/Year	Permit Effective Date	January 1 through December 31	Submit with corresponding quarterly SMR for February 15

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:

a. 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).

b. 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.

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

d. 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 Los Angeles 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) or maximum daily effluent limitations (MDEL) 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:

a. 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.

b. 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.

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

a. 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.

b. 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.

10.3. Discharge Monitoring Reports (DMRs)

The Discharger shall electronically certify and submit Discharge Monitoring Reports (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:

https://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring

10.4. Other Reports

10.4.1. Within 90 days of the effective date of this permit, the Discharger is required to submit the following to the Los Angeles Water Board:

a. Initial Investigation TRE workplan.

b. Updated SWPPP

c. Updated BMPP

d. Updated Spill Control Plan (SCP) or SPCC Plan

The SWPPP, BMPP, and SCP shall be reviewed at a minimum once per year and updated as needed to ensure all actual or potential sources of trash and pollutants discharged from the Facility are addressed. All changes or revisions to the SWPPP, BMPP, and SCP shall be submitted to the Los Angeles Water Board within 30 days of revisions.

10.4.2. Within 90 days of this Order's effective date, the Discharger must submit to the Los Angeles Water Board notification of whether the Discharger will participate with an organized group of Responsible Parties to complete the regional monitoring required by the Harbor Toxics TMDL for the Los Angeles River Watershed as included in Section 6.3.2.b. of the Waste Discharge Requirements of this Order, or if the Discharger will continue to implement the site-specific plan, once approved. The Discharger has six months after the approval to implement the plan.

10.4.3. According to the Harbor Toxics TMDL, the Discharger shall submit an annual monitoring/implementation report to the Los Angeles Water Board. The report shall describe the measures implemented and the progress achieved toward meeting the assigned WLAs. The annual report shall be received by the Los Angeles Water Board by the specified date in the proposed Monitoring Plan.

10.4.4. Within 12 months from the effective date of this Order, the Discharger is required to submit a Climate Change Effects Vulnerability Assessment and Mitigation Plan (Climate Change Plan) to assess and manage climate change

related-effects associated with the facility operation, water supplies, collection system, water quality and beneficial uses.

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

As described in section 2.2 of this Order, the Los Angeles Water Board incorporates this Fact Sheet as findings of the Los Angeles 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	4B192238004
Discharger	Equilon Enterprises LLC dba Shell Oil Products US
Name of Facility	Shell Oil Products US-Carson Distribution Facility
Facility Address	20945 South Wilmington Avenue, Carson, CA 90810
Facility Contact, Title and Phone	Christopher Sherman, Environmental Advisor, (310) 816-6025
Authorized Person to Sign and Submit Reports	Nader Soliman, Terminal Manager, (310) 816-2098
Mailing Address	20945 South Wilmington Avenue, Carson, CA 90810
Billing Address	20945 South Wilmington Avenue, Carson, CA 90810
Type of Facility	Refined Petroleum Pipeline/Bulk Station and Terminal
Major or Minor Facility	Major
Threat to Water Quality	2
Complexity	B
Pretreatment Program	Not applicable (N/A)
Recycling Requirements	N/A
Facility Permitted Flow	5.0 million gallons per day (MGD)
Facility Design Flow	N/A
Watershed	Dominguez Channel Watershed
Receiving Water	Dominguez Channel Estuary
Receiving Water Type	Inland Surface Water, Estuary

1.1. Equilon Enterprises LLC dba Shell Oil Products US (Discharger) is the owner and operator of the Shell Oil Products US-Carson Distribution Facility (Facility), a bulk liquid storage and distribution facility for petroleum (SIC Code 4613 and 5171). 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 stormwater runoff to the Dominguez Channel Estuary, a water of the United States. The Discharger was previously regulated by Order R4-2018-0154, which was adopted on November 8, 2018. Order R4-2018-0154 expired on December 31, 2023.

1.3. Federal regulations at 40 Code of Federal Regulations (CFR) section 122.46 limit the duration of National Pollutant Discharge Elimination System (NPDES) permits to a fixed term not to exceed five years. However, pursuant to 40 CFR section 122.6(d)(1) and 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.

1.4. The Discharger filed a Report of Waste Discharge (ROWD) and submitted an application for the reissuance of its Waste Discharge Requirements (WDRs) and NPDES permit on May 26, 2023. The application was deemed complete on November 16, 2023. A site visit was conducted on November 7, 2024, to observe facility operations and collect additional data for developing permit limitations and conditions. The terms and conditions of Order R4-2018-0154 remain in effect until superseded by the new WDR and NPDES permit adopted under this Order. Attachment B provides a map of the Facility and its discharge point. Attachment C includes the Facility's flow schematic.

2. FACILITY DESCRIPTION

The Discharger owns and operates a fuel pipeline transfer station on a 437.4-acre property, formerly the site of the Shell Refinery, Dominguez Section. The Facility primarily receives fuel products via pipeline, stores them in tanks, and redistributes them through pipelines. The Facility includes truck loading racks for ethanol and biodiesel, as well as a clean natural gas station. The primary storage area, referred to as the “Fuels Terminal,” contains 57 tanks used for storing gasoline, diesel, jet fuel, and ethanol. Each tank is enclosed by berms with earthen bottoms and sides constructed from earth, gunite, or asphalt. The Facility also features a secondary storage area, known as the “Chemical Terminal,” which contains 105 smaller tanks, of which 35–40 are actively used for storing biodiesel, hydrocarbon solvents, and oxygenated products. The Chemical Terminal area also includes truck and railcar racks for product loading.

2.1. Description of Wastewater and Treatment or Controls

The entire site drains toward the north, with stormwater managed on-site through evaporation or percolation. During normal operations, stormwater is retained within bermed areas or pumped to other storage locations, including the Stormwater Pond, Spencer Lake, and the North Ditch. Below is a description of each general holding area:

Stormwater Pond. The Stormwater Pond serves as the primary exchange point for stormwater runoff. Located in the northern area of the Facility, it has a capacity of approximately 10 million gallons. Stormwater may be directed to or from the Fuels Terminal, Spencer Lake, and the North Ditch.

Spencer Lake. Spencer Lake is a 33-million-gallon retention basin adjacent to the Fuels Terminal, divided into two sections by a Facility road. Stormwater from the

Fuels Terminal bermed areas is pumped into Spencer Lake and typically impounded for evaporation or percolation. Stormwater can also be transferred between Spencer Lake and the Stormwater Pond.

North Ditch. The North Ditch is a concrete-lined channel along the northern border of the Facility with a capacity to hold 1.5 million gallons. It receives stormwater from the Chemical Terminal and non-process areas via earthen ditches. Stormwater may be pumped to or from the North Ditch and the Stormwater Pond. The North Ditch terminates at Box 3 on the western end.

Box 3. Box 3 is a stormwater exchange vault that can receive water from the North Ditch, Stormwater Pond, Fuels Terminal, and Spencer Lake (via the Stormwater Pond). At Box 3, stormwater passes through an American Petroleum Institute Oil/Water Separator and flows over a weir into an underground drain leading to the Dominguez Channel Estuary. The equipment at Box 3 includes a flow meter and sampling valve.

A significant portion in the center of the Facility consists of unpaved, vacant land. Several earthen berms, some topped with sandbags, have been constructed in the central vacant space to contain extra stormwater from non-process areas, including buildings, roads, and vacant land. Stormwater from these areas may also be directed to the North Ditch through earthen ditches.

Stormwater is typically retained on-site for evaporation or percolation. However, the Discharger is permitted to release stormwater to the Los Angeles County Sanitation Districts (LACSD) Publicly Owned Treatment Work (POTW) sewer system under Industrial Wastewater Discharge Permit (IWDP) No. 014939. During storm conditions, the Discharger is limited to specific discharge rates of 225,000 gallons per day. During large storm events, stormwater volumes may exceed both the Facility's storage capacity and the permitted discharge rates to the LACSD. In such cases, excess stormwater is discharged to the Dominguez Channel Estuary via Box 3. The Facility discharged to the Estuary in February and April 2024 due to unprecedented atmospheric rivers in the Los Angeles region. Prior to 2024, the Facility had not had a discharge event since December 2010.

All industrial process wastewater at the site is discharged to the sanitary LACSD sewer. The Discharger has installed on-site infrastructure to ensure the separation of process wastewater and stormwater and has a separate permit for infrequent discharges of potable water used to conduct structural integrity, known as hydrostatic testing, of pipelines at the Facility. The Facility's discharge permits for other waste streams include:

- LACSD Industrial Wastewater Discharge Permit (IWDP) No. 014939: Discharge Line A (014939A) is for non-stormwater waste streams, such as treated groundwater and contact stormwater, to the POTW. Discharge Line B (014939B) is for stormwater discharges to the POTW.
- General NPDES Permit No. CAG674001 (Order No. R4-2019-0052): The Discharger is enrolled under this permit for hydrostatic test water discharges. These discharges to the Dominguez Channel Estuary occur infrequently and are scheduled to avoid commingling with stormwater discharges.

This Order only regulates stormwater discharges to the Estuary from Box 3 when on-site storage and permitted flows to the LACSD are exceeded. This Order does not apply to process wastewater, treated groundwater, contact stormwater, and hydrostatic test water discharges regulated under IWDP No. 014939A or General NPDES Permit No. CAG674001.

2.2. Discharge Points and the Receiving Water

Stormwater may be discharged to surface water at the following discharge point:

Discharge Point 001: Up to 5.0 MGD of stormwater to the Dominguez Channel Estuary, with approximate coordinates: Latitude 33.845603°, Longitude -118.267536°.

2.3. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Effluent limitations contained in Order R4-2018-0154 from Discharge Point 001 and the representative monitoring data, collected from 2019 to 2024, are as follows:

Table F-2. Historic Effluent Limitations and Monitoring Data for EFF-001

Parameter	Units	Maximum Daily	Highest Daily Discharge
Biochemical Oxygen Demand 5-day @ 20ºC (BOD)	mg/L	30	1.49
Chronic Toxicity	Pass or Fail, % Effect (TST)	Pass or % Effect <50	Pass
Enterococci	CFU/100 mL or MPN/100 mL	110	1100
Oil and Grease	mg/L	15	8.79
pH	standard units	6.5 to 8.5	8.8
Settleable Solids	ml/L	0.3	DNQ < 0.1
Sulfides	mg/L	0.1	DNQ < 0.0166
Temperature	°F	86	71
Total Petroleum Hydrocarbons (TPH)	µg/L	100	150
Total Suspended Solids (TSS)	mg/L	75	79.2
Turbidity	NTU	75	60
Ammonia (as N)	mg/L	0.233	0.202
Benzene	µg/L	21	3.2
Benzo(a)anthracene	µg/L	0.098	ND < 0.058
Benzo(a)pyrene	µg/L	0.098	ND < 0.072
Cadmium, Total Recoverable	µg/L	15	DNQ < 0.138
Chlordane	µg/L	0.0012	ND < 0.037
Chrysene	µg/L	0.098	DNQ < 0.086
Copper, Total Recoverable	µg/L	6.1	14.3
Dieldrin	µg/L	0.00028	ND < 0.0019
Ethylbenzene	µg/L	21	2.6
Lead, Total Recoverable	µg/L	14	33.1
Mercury, Total Recoverable	µg/L	0.10	ND < 0.124

Parameter	Units	Maximum Daily	Highest Daily Discharge
Nickel, Total Recoverable	µg/L	14	4.81
PCBs, Total	µg/L	0.00034	0.00044
Phenols, Total	µg/L	1,000	ND < 0.25
Pyrene	µg/L	22,068	DNQ < 0.098
Toluene	µg/L	21	8.7
Xylenes	µg/L	21	10
Zinc, Total Recoverable	µg/L	140	67.5
4,4'-DDT	µg/L	0.0012	ND < 0.0024

2.4. Compliance Summary

A review of effluent monitoring data submitted during the permit term in Order R4-2018-0154 indicates that the Discharger violated the following effluent limitations:

Table F-3. Summary of Compliance Violations

Location	Date of Violation	Violation Type	Pollutant	Units	Effluent Limitation	Reported Value
EFF-001	02/05/2024	Maximum Daily	Hydrocarbons	µg/L	100	173
EFF-001	02/05/2024	Maximum Daily	Copper	µg/L	6.1	14.3
EFF-001	02/05/2024	Maximum Daily	TSS	mg/L	75	79.2
EFF-001	02/05/2024	Maximum Daily	Lead	µg/L	14	33.1
EFF-001	02/05/2024	Single Sample Maximum	Enterococci	MPN/ 100 mL	104	1100
EFF-001	02/05/2024	Single Sample Maximum	Fecal Coliform	MPN/ 100 mL	400	430
EFF-001	02/05/2024	Maximum Daily	PCBs	µg/L	0.00034	0.000802
EFF-001	02/06/2024	Maximum Daily	Lead	µg/L	14	19.6
EFF-001	02/06/2024	Instantaneous Minimum	pH	standard units	6.5	6.0
EFF-001	02/06/2024	Single Sample Maximum	Enterococci	MPN/ 100 mL	104	410
EFF-001	02/06/2024	Maximum Daily	Copper	µg/L	6.1	10.3
EFF-001	02/07/2024	Maximum Daily	Copper	µg/L	6.1	8.04
EFF-001	02/07/2024	Instantaneous Maximum	pH	standard units	8.5	8.8
EFF-001	02/08/2024	Maximum Daily	Lead	µg/L	14	16

Location	Date of Violation	Violation Type	Pollutant	Units	Effluent Limitation	Reported Value
EFF-001	02/08/2024	Instantaneous Maximum	pH	standard units	8.5	8.8
EFF-001	02/08/2024	Maximum Daily	Copper	µg/L	6.1	9.67
EFF-001	02/09/2024	Maximum Daily	Copper	µg/L	6.1	7.77
EFF-001	02/12/2024	Maximum Daily	Copper	µg/L	6.1	7.73
EFF-001	02/12/2024	Maximum Daily	Hydrocarbons	µg/L	100	109
EFF-001	02/12/2024	Instantaneous Maximum	pH	standard units	8.5	8.8
EFF-001	02/13/2024	Maximum Daily	Copper	µg/L	6.1	7.4
EFF-001	02/13/2024	Maximum Daily	Hydrocarbons	µg/L	100	270
EFF-001	04/01/2024	Maximum Daily	Lead	µg/L	14	18.9
EFF-001	04/01/2024	Maximum Daily	Hydrocarbons	µg/L	100	150
EFF-001	04/01/2024	Maximum Daily	Copper	µg/L	6.1	9.57

These violations were a result of the limited functional capacity of the Stormwater Pond during a heavy rain year. During the 2023-2024 storm season, the sidewall of the Stormwater Pond was found to be structurally unstable. To repair the Stormwater Pond, it needed to be emptied and structurally reinforced. The need for repair of the Stormwater Pond had been identified during a routine inspection prior to the onset of the 2023/2024 storm season, and the Discharger was in the process of developing a scope of work for the necessary maintenance and repairs when these violations were incurred. Prior to 2024, the Facility had not discharged since 2010.

In response to the discharge event in 2024, the Facility completed a comprehensive assessment to reinforce and supplement stormwater containment infrastructure throughout the property. This includes areas such as Spencer Lake, the Stormwater Pond, North Ditch, Box 3, the tank farm areas, and various bermed locations within the Facility. Improvements completed include: (1) installing multiple new 3-inch air-driven pumps on permanent concrete pads to increase pumping capacity and improve transfer of stormwater between ditches and containment areas; (2) adding new underground piping to improve connectivity between drainage ditches and the central containment pond so that stormwater can be redirected more effectively during heavy rainfall; (3) rebuilding and reinforcing the containment pond walls using onsite materials and sandbags; (4) installing additional pumps and piping to move water from nearby ditches into a smaller bermed area to provide additional surge capacity; and (5) integrating this upgraded drainage network with the existing water-transfer line to allow more flexibility in routing of stormwater when needed. These improvements were implemented to

prevent similar issues in future storm seasons and ensure compliance with permit requirements.

On September 25, 2024, the Los Angeles Water Board issued Settlement Offer No. R4-2024-0317 for effluent limitation violations for the period from 1st Quarter 2024 to the 2nd Quarter 2024, in the amount of $63,000. The alleged violations included exceedances of applicable Enterococci, Fecal Coliform, Total Suspended Solids, Total Petroleum Hydrocarbons, Copper, Lead, PCBs and pH effluent limitations. The Discharger has completed payment for the full violation amount of $63,000 on August 1, 2025.

Deficient monitoring occurred during the First and Second Quarter of 2024. The NPDES permit requires receiving water monitoring at locations RSW-001 and RSW-002 to coincide with effluent discharge monitoring. However, no receiving water monitoring was performed. The Discharger cited safety and accessibility concerns due to extreme rainfall from regional atmospheric rivers, which rendered the flood control channel unsafe to access. The NPDES Permit provides for sampling to be conducted "… or at the first safe opportunity." to allow for safety concerns during extreme weather conditions. This was discussed with the Discharger for future implementation of the monitoring program.

2.5. Planned Changes

The Discharger does not anticipate any changes to the Facility's daily operations during the term of this Order. However, following the discharge event, the Facility is conducting a comprehensive assessment to reinforce and enhance stormwater containment infrastructure across the property. Additionally, the ongoing implementation of best management practices (BMPs) will continue, focusing on improving the quality of any potential future discharges.

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 (CWC) (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 CWC (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 2 subject to the WDRs in this Order.

3.2. California Environmental Quality Act (CEQA)

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of the Public Resources Code.

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

3.3.1. **Water Quality Control Plan.** The Water Quality Control Plan for the Los Angeles Region (Basin Plan) designates beneficial uses, establishes water quality objectives (WQOs), 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. Beneficial uses applicable to the Dominguez Channel Estuary are as follows:

Table F-4. Basin Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Dominguez Channel Estuary	Existing: Commercial and Sport Fishing (COMM); Estuarine Habitat (EST); Marine Habitat (MAR); Wildlife Habitat (WILD); Preservation of Rare, Threatened, or Endangered species (RARE); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and/or Early Development (SPWN), Water Contact Recreation (REC-1); Non-contact Water Recreation (REC-2) Potential: Navigation (NAV).

3.3.2. **Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 CFR section 122.44(l) 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. This Order complies with the anti-backsliding provisions as discussed in finding 4.4.1. of this Fact Sheet.

3.3.3. **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 Los Angeles 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 as discussed in finding 4.4.2. of this Fact Sheet.

3.3.4. **Bacteria Provisions**. On August 7, 2018, the State Water Board adopted bacteria provisions and a water quality variance policy as (1) *Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays and Estuaries of California*; and (2) an amendment to the Water Quality Control Plan for Ocean Waters of California (collectively referred to as the Bacteria Provisions) through

Resolution No. 2018-0038. The goals of the Bacteria Provisions are to (1) establish a beneficial use definition of limited water contact recreation (LREC-1); (2) establish statewide numeric water quality objectives for bacteria to protect primary contact recreation (REC-1) beneficial use; (3) include implementation elements; and (4) create a water quality standards variance framework under provisions established by the U.S. EPA. The regulatory action was approved by the Office of Administrative Law (OAL) on February 4, 2019, and subsequently approved by the U.S. EPA on March 22, 2019, making the Bacteria Provisions effective. The Bacteria Provisions were incorporated into Chapter 3 of the Basin Plan via Los Angeles Water Board Resolution No. R20-001.

This Order establishes effluent limitations to protect those beneficial uses consistent with the Bacteria Provisions. The Dominguez Channel Estuary is designated with a REC-1 beneficial use.

The Bacteria Provisions include water quality objectives for Enterococci for waters with REC-1 beneficial use where the salinity is greater than 1 ppth more than 5 percent of the time during the calendar year. Because the Bacteria Provisions do not include water quality objectives for total coliform and fecal coliform for inland surface waters, including estuaries, this Order removes the effluent limitations for total coliform and fecal coliform. The Bacteria Provisions incorporate water quality objectives based on both a six-week rolling geometric mean value calculated weekly and a statistical threshold value (STV) calculated once per month. The STV is a set value that approximates the 90th percentile of the water quality distribution of a bacterial population. Since the Discharger is an irregular discharger, this Order incorporates a maximum daily effluent limitation equivalent to the STV. The STV is 110 CFU/100 mL.

3.3.5. **Enclosed Bays and Estuaries Policy.** The *Water Quality Control Policy for the Enclosed Bays and Estuaries of California* (Enclosed Bay and Estuaries Policy), adopted by the State Water Board through Resolution No. 95-84 on November 16, 1995. The Enclosed Bay and Estuaries Policy states that:

"It is the policy of the State Water Board that the discharge of municipal wastewaters and industrial process waters (exclusive of cooling water discharges) to enclosed bays and estuaries, other than the San Francisco Bay-Delta system, shall be phased out at the earliest practicable date. Exceptions to this provision may be granted by a Regional Water Board only when the Regional Water Board finds that the wastewater in question would consistently be treated and discharged in such a manner that it would enhance the quality of receiving waters above that which would occur in the absence of the discharge."

The Facility discharges into the Dominguez Channel Estuary. The discharge from the Facility is limited to only stormwater, therefore, the discharge is not considered to be “industrial process waters”. In addition, discharges from the Facility only occur during large storm events, when the accumulated stormwater exceeds the capacity to discharge through the sanitary sewer and exceeds the storage capacity of their stormwater retention ponds and basins. In the event of an extreme storm event necessitating a discharge, this Order contains provisions necessary to protect all beneficial uses of the receiving water.

3.3.6. **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.CA. §§ 1531 to 1544). This Order requires compliance with effluent 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.

3.3.7. **Mercury Provisions.** The State Water Board adopted "*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*" (hereinafter Mercury Provisions) through Resolution No. 2017-0027, which was approved by OAL on June 28, 2017, and became effective upon U.S. EPA approval on July 14, 2017. The Mercury Provisions are implemented through NPDES permits issued pursuant to CWA section 402, waste discharge requirements, or waivers of waste discharge requirements. The Mercury Provisions include specific implementation provisions for individual non-stormwater discharges including municipal wastewater and industrial discharges, stormwater discharges from municipal separate storm sewer systems and industrial activities, mine site remediation discharges, dredging activities, wetland projects, and nonpoint source discharges.

The implementation provisions for stormwater discharges regulated under general and individual NPDES stormwater permits do not include specific requirements for industrial stormwater discharges covered by an individual permit. However, the Mercury Provisions specify that the State Water Board shall revise its NPDES General Permit for Storm Water Discharges Associated with Industrial Activities (Industrial General Permit) to include a numeric action level of 300 ng/L for total mercury. Since this Order regulates stormwater associated with industrial activities at the Facility, the Los Angeles Water Board determined that incorporating a numeric action level of 300 ng/L for mercury as a benchmark aligns with the intent of the Mercury Provisions. Furthermore, this benchmark is appropriate based on the Los Angeles Water Board's best professional judgment, as the Facility provides on-site storage to treat suspended solids, employs best management practices (BMPs) to minimize discharges, and has consistently reported non-detect levels of mercury during the previous permit term, with a detection limit of 124 ng/L.

Accordingly, this Order implements the Mercury Provisions by establishing a benchmark of 300 ng/L (0.30 µg/L) for mercury. This benchmark replaces the effluent limitation for mercury in the previous permit and complies with the anti-backsliding and antidegradation provisions of the Clean Water Act, as discussed in Sections 4.4.1 and 4.4.2 of this Fact Sheet.

This Order also requires monitoring for mercury with a new detection limit of 0.5 ng/L, which the Mercury Provisions specify as a quantification limit for the water samples.

3.3.8. **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 last amended on January 16, 2025. These rules contain federal water quality criteria for priority pollutants. This Order implements the NTR and CTR.

3.3.9. **Sediment Quality.** The State Water Board adopted the *Water Quality Control Plan for Enclosed Bays and Estuaries – Part 1, Sediment Quality Objectives* on September 16, 2008 through Resolution No. 2008-0079, and it became effective on August 25, 2009. This plan has been subsequently amended, most recently through State Water Board Resolution No. 2018-0028, and is now known as the Sediment Quality Provisions (Sediment Quality Provisions). The Sediment Quality Provisions established sediment quality objectives for benthic community protection and human health and related implementation provisions for specifically defined sediments and discharges in most bays and estuaries. The 2018 amendments to the Sediment Quality Provisions updated the implementation provisions for assessing the human health sediment quality provisions but do not apply to receiving waters for which a TMDL had been adopted to address the bioaccumulation of pesticides or polychlorinated biphenyls (PCBs) in estuaries unless and until the TMDL is reconsidered and approves the application of the Sediment Quality Provisions. The Los Angeles Water Board's Harbor Toxics TMDL, adopted in 2012, (Chapter 7, Page 7-489) addresses bioaccumulation of toxic substances, including pesticides and PCBs. The Habor Toxics TMDL was updated in 2022, to incorporate the human health implementation provisions in the 2018, Sediment Quality Provisions (Resolution R22-005) and is awaiting approval by the Office of Administrative Law and US EPA. This Order does not prospectively incorporate the human health implementation provisions in the revised TMDL because this Order applies the sediment WLAs for bioaccumulative pollutants (chlordane and dieldrin) and cadmium directly to the effluent (Table 5 of Order) as discussed in section 3.4. below.

3.3.10. **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 Los Angeles 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. The SIP generally does not apply to discharges composed only of stormwater. However, consistent with State Board Order 2006-0012 (In the

Matter of the Petition of Boeing Company), the Los Angeles Water Board has determined it is appropriate to apply the SIP because of the nature of the activities conducted at the Facility. Therefore, the requirements of this Order implement the SIP.

3.3.11. **Thermal Plan.** The State Water Board adopted the *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California* (Thermal Plan) on January 7, 1971, and amended this plan on September 18, 1975. This plan contains temperature objectives for coastal and interstate waters and enclosed bays and estuaries of California.

For estuaries, provision 5.A.(1) of Thermal Plan includes the following specific water quality objectives for this type of discharge:

a. The maximum temperature shall not exceed the natural receiving water temperature by more than 20°F.

b. Elevated temperature waste discharges either individually or combined with other discharges shall not create a zone, defined by water temperatures of more than 1°F above natural receiving water temperature, which exceeds 25 percent of the cross-sectional area of a main river channel at any point.

c. No discharge shall cause a surface water temperature to rise greater than 4°F above the natural temperature of the receiving waters at any time or place.

d. Additional limitations shall be imposed when necessary to assure protection of beneficial uses.

Consistent with the Thermal Plan, Los Angeles Water Board staff prepared a study entitled, T*emperature and Dissolved Oxygen Impacts on Biota in Tidal Estuaries and Enclosed Bays in the Los Angeles Region* (White Paper) that evaluated the optimum temperatures for steelhead, topsmelt, ghost shrimp, brown rock crab, jackknife clam, and blue mussel, which are the typical aquatic life species present in tidal estuaries and enclosed bays in the Los Angeles Region. A maximum effluent temperature limitation of 86°F was determined to be appropriate for protection of aquatic life. This Order includes the effluent limitation of 86°F consistent with the Thermal Plan requirement to protect the aquatic life beneficial uses, including but not limited to EST, MAR, and WILD.

3.3.12. **Toxicity Provisions.** Beginning in May 2013, the Los Angeles Water Board began implementing, in NPDES permits for POTWs and industrial facilities, numeric water quality objectives for both acute and chronic toxicity, using the Test of Significant Toxicity (TST), and a program of implementation to control toxicity. As explained later in the Fact Sheet, this approach is a preferred statistical method because it provides greater confidence in results classifying in-stream waste concentrations as toxic or non-toxic, and it is supported by U.S. EPA. This methodology was used in the last iteration of this Order and is carried over into this Order.

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 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 has been subject of litigation. On 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 were 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.

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 Los Angeles Water 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 Los Angeles Water Board must fully implement all of the Toxicity Provisions.

The Toxicity Provisions do not supersede TMDLs related to aquatic toxicity established prior to the effective date of the Toxicity Provisions. For existing TMDLs, however, the Toxicity Provisions state that its implementation provisions apply in addition to any existing TMDL requirements, unless the regional board determines that its TMDL's requirements are more protective than the Toxicity Provisions (Toxicity Provisions, II.D., p.4). The implementation provisions in Section III of the Toxicity Provisions include elements related to the required test methods, implementation of the instream waste concentration (IWC), species sensitivity screening, reasonable potential, monitoring, effluent limitations expressed as Pass/Fail, use of the Test of Significant Toxicity (TST), and Toxicity Reduction Evaluations (TREs), which are incorporated into the Order. Therefore, the toxicity requirements in this Order are consistent with the Toxicity Provisions.

3.3.13. **Trash Amendments.** The State Water Board adopted the "*Amendment to the Ocean Plan and Part I Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California*" (collectively known as the Trash Amendments) through Resolution 2015-0019, which was approved by OAL on December 2, 2015, and became effective upon U.S. EPA approval on January 12, 2016. The Trash Amendments established a narrative water quality objective and a prohibition on the discharge of trash, to be implemented through permits issued pursuant to CWA section 402(p), waste discharge requirements, or waivers of waste discharge requirements.

The Trash Amendments apply to all surface waters of the State, with the exception of those waters within the jurisdiction of the Los Angeles Water Board where trash or debris Total Maximum Daily Loads (TMDLs) were in effect prior to the effective date of the Trash Provisions. There are currently no Trash TMDLs for the Dominguez Channel Estuary, and therefore the discharges described in this Order are subject to the Trash Amendments. This Order incorporates the requirements of the Trash Amendments through the prohibition of trash discharges. This Order also requires the Discharger to develop and implement a Stormwater Pollution Prevention Plan (SWPPP), which shall include specific BMPs used as stormwater control measures that the Discharger will undertake to prevent the discharge of trash from the Facility into the Dominguez Channel Estuary.

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

The State Water Board adopted the 2024 California Integrated Report based on a compilation of the Los Angeles Water Boards' Integrated Reports. These Integrated Reports contain both the Clean Water Act (CWA) section 305(b) water quality assessment and section 303(d) list of impaired waters. In developing the Integrated Reports, the Water Boards solicit data, information, and comments from the public and other interested persons. On March 26, 2024, the State Water Board approved the CWA Section 303(d) List portion of the State's 2024 Integrated Report (State Water Board Resolution Number 2024-0007). On December 12, 2024, U.S. EPA partially approved California's 2024 Integrated Report. The CWA section 303(d) List can be found at the following link:

https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2024-integrated-report.html

Certain receiving waters in the Dominguez Channel Watershed do not fully support beneficial uses and therefore have been classified as impaired on the 2024 303(d) list and have been scheduled for TMDL development.

The Facility discharges to the Dominguez Channel Estuary (Ends at Vermont Ave) within the Dominguez Channel Watershed. The 2024 State Water Resources Control Board (State Water Board) California 303(d) List includes the classification of the Dominguez Channel Estuary. The pollutants/stressors of concern include indicator bacteria, benzo(a)anthracene, benzo(a)pyrene, chlordane, chlordane (tissue), chrysene, copper, DDT (tissue and sediment), lead, PCBs, phenanthrene, pyrene, toxicity, benthic community effects, dieldrin (tissue), and zinc. The following are summaries of TMDLs applicable to the Dominguez Channel Estuary.

Harbor Toxics TMDL. The Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDL (Harbor Toxics TMDL) is included in Chapter 7-40 of the Basin Plan (Chapter 7, Page 7-489). The Los Angeles Water Board adopted revisions to the Harbor Toxics TMDL on October 13, 2022, under Resolution No. R22-005. These revisions are pending approval by OAL and U.S. EPA. The Harbor Toxics TMDL contains provisions applicable to this discharge. Therefore, this Order contains effluent limitations and monitoring requirements that implement the Harbor Toxics TMDL in effect at the time of permit adoption. This Order also includes language

to prospectively incorporate certain revisions to the Harbor Toxics TMDL adopted in Resolution R22-005. The new requirements (which are limited to the PCBs analytical methods) only go into effect if U.S. EPA approves the revisions of the Harbor Toxics TMDL during this permit term.

Applicable Harbor Toxics TMDL Waste Load Allocations (WLAs)

For the Dominguez Channel Estuary, the Harbor Toxics TMDL includes:

a. Interim sediment concentration-based WLAs (in mg/kg sediment) for copper, lead, zinc, 4,4'-DDT, PAHs (benzo(a)anthracene, benzo(a)pyrene, chrysene, and pyrene), and PCBs.

b. Final water column final concentration-based WLAs (µg/L) for copper, lead, zinc, PAHs, chlordane, 4,4'-DDT, dieldrin, and total PCBs.

c. Final concentration-based sediment WLA (in mg/kg dry sediment) for cadmium

d. Final concentration-based sediment WLAs (in µg/kg dry sediment) for bioaccumulative compounds: chlordane and dieldrin.

e. Provisions for monitoring discharges and/or receiving waters to determine attainment with WLAs.

Implementation of the Harbor Toxics TMDL

The provisions of this Order are consistent with the assumptions and requirements of the WLAs established in the Harbor Toxics TMDL. The TMDL includes provisions that allow up to a 20-year implementation schedule when warranted. This Order requires compliance final WQBELs that implement the final WLAs instead of interim WLAs. Therefore, a compliance schedule allowing the Discharger additional time to comply with the final WLA is not warranted in this Order. The following discusses the implementation of the WLAs for the Harbor Toxics TMDL in this Order.

a. **Final WLAs.** This Order requires WQBELs that are statistically-calculated based on salt water column final concentration-based WLAs (in µg/L, total metal) for copper (3.73), lead (8.52), zinc (85.6), PAHs [benzo(a)anthracene, benzo(a)pyrene, chrysene (0.049), and pyrene (11,000)], chlordane (0.00059), 4,4'-DDT (0.00059), dieldrin (0.00014), and total PCBs (0.00017) in the Dominguez Channel Estuary. The final water column WLAs were translated, consistent with the assumptions and requirements of TMDL WLAs, into WQBELs in this Order.

   The Harbor Toxics TMDL also includes final sediment allocations (in µg/kg dry sediment) for cadmium (1.2), chlordane (0.5), and dieldrin (0.02). A discharge from the Facility only occurs during or after significant storm events. The Facility is an "irregular discharger" as specified in the Harbor Toxics TMDL. For these dischargers, the direct application of sediment allocations to the effluent is problematic because the volume of effluent necessary to collect a sufficient amount of TSS for sediment analysis using conventional analytical methods is very large and would require a level of planning that would be infeasible to implement for an irregular discharge. Therefore, an alternative method, SSC method, to determine compliance with the final concentration-based sediment

waste load allocations is used. The SSC method is described in footnote (a) of Table E-3 of this Order.

b. **Interim WLAs.** The Harbor Toxics TMDL includes interim sediment allocations (in mg/kg sediment) for copper (220.0) lead (510.0), zinc (789.0), DDT (1.727), PAHs (31.60), and PCBs (1.490) at the Dominguez Channel Estuary.

Order No. R4-2018-0154 established interim sediment allocation monitoring thresholds based on the Harbor Toxics TMDL's interim sediment allocations for cadmium, copper, lead, zinc, DDT, PAHs (i.e., benzo(a)anthracene, benzo(a)pyrene, chrysene, or pyrene), and PCBs, and final sediment allocations for cadmium, chlordane, and dieldrin. This Order removes interim WLAs and carries over the final effluent limitations based on the final sediment allocations for cadmium, chlordane, and dieldrin.

Monitoring and Reporting Plan (Monitoring Plan) and Quality Assurance Project Plan (QAPP). In accordance with the Harbor Toxics TMDL, the Discharger is a "responsible party" because it is an "Individual Industrial Permittee". As such, either individually or with a collaborating group, the Discharger is required to develop a Monitoring Plan and QAPP for the water column, sediment, and fish tissue in the Dominguez Channel, Torrance Lateral and Dominguez Channel Estuary. These plans must follow the "TMDL Element - Monitoring Plan" provisions in the Basin Plan, Chapter 7, Section 7-40. The TMDL required that the Monitoring Plan and QAPP shall be submitted 20 months after the effective date of the TMDL (March 23, 2012) for public review and subsequent Executive Officer approval.

During the tenure of Order R4-2018-0154, the Discharger submitted a site-specific Monitoring Plan and QAPP to implement the monitoring and reporting requirements of the Harbor Toxics TMDL. If the Discharger decides to modify these plans, the Discharger is required to notify the Los Angeles Water Board within 90 days of the effective date of the Order and resubmit them to the Los Angeles Water Board within 12 months of the effective date of the Order for public comment, and subsequently, Executive Officer approval.

The Discharger is required to implement the approved Monitoring Plan and QAPP after they are approved by the Executive Officer and after a discharge from the Facility occurs. The compliance monitoring program includes water column, sediment, and fish tissue monitoring. The Discharger is required to submit the annual monitoring report to the Los Angeles Water Board by the specified date in the proposed Monitoring Plan. The annual monitoring report must indicate compliance and non-compliance with applicable WLAs.

3.5. Other Plans, Polices and Regulations

3.5.1. **Climate Change Adaptation and Mitigation**. On March 07, 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 No. 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 Los Angeles Water Board. The Los Angeles Water Board also adopted "A Resolution to Prioritize Actions to Adapt and Mitigate the Impacts of Climate Change on the Los Angeles Region's Water Resources and Associated Beneficial Uses" (Resolution No. R18-004) on May 10, 2018. The resolution summarizes the steps taken so far to address the impacts of climate change within the Los Angeles Water Board's programs and lists a series of steps to move forward. These include the identification of potential regulatory adaptation and mitigation measures that could be implemented on a short-term and long-term basis by each of the Los Angeles Water Board's programs to take into account, and assist in mitigating where possible, the effects of climate change on water resources and associated beneficial uses. This Order contains provisions to require planning and actions to address climate change consistent with the guidance in both the State and Los Angeles Water Boards' resolutions.

The Permittee shall develop a Climate Change Effects Vulnerability Assessment and Management Plan (Climate Change Plan) and submit the Climate Change Plan to the Los Angeles Water Board **no later than 12 months** after the effective date of this Order. The Climate Change Plan shall include an assessment of short and long-term vulnerabilities of the Facility and operations as well as plans to address any Facility vulnerabilities, treatment systems, and outfalls for predicted impacts to ensure that facility operations are not disrupted, compliance with permit conditions is achieved, and receiving waters are not adversely impacted by discharges. Control measures shall include, but are not limited to, emergency procedures, contingency plans, alarm/notification systems, training, backup power and equipment, and the need for planned mitigations to ameliorate climate-induced impacts including, but not limited to receiving water quality and conditions, as well as the impact of rising sea level, wildfires, storm surges, and back-to-back severe storms, which are expected to become more frequent.

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 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 Los Angeles Water Board shall make a finding on potential environmental justice, tribal impact, and racial equity considerations. (Water Code § 13149.2). Water Code section 189.7 requires the Los Angeles Water Board to conduct outreach in affected disadvantaged and/or tribal communities. The Los Angeles 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.

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. The area in the vicinity of the Facility does not meet the criteria of a disadvantaged community as defined in Water Code section 189.7(d)(1). Nevertheless, the area around the Facility has an average pollution burden score of 97, cleanup site score of 98, and a groundwater threat score of 96 on California's Office of Environmental Health Hazard Assessment (OEHHA's) CalEnviroScreen 4.0 tool, which indicates that the surrounding communities are disproportionally burdened by pollution for these indicators, in comparison to the rest of the State. Additionally, the discharge may impact tribal communities. The Los Angeles Water Board has therefore conducted outreach consistent with Water Code section 189.7 by reaching out to surrounding communities and tribal communities about this Order.

The Facility is located in close proximity to existing residential communities, whose residents include seniors and other individuals who are considered sensitive receptors because they may be more vulnerable to environmental stressors than the general population. This Order establishes effluent limitations and monitoring requirements to ensure that any discharge is protective of human health and the environment. Additionally, this Order requires the Discharger to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. Although discharges occur infrequently and under extreme conditions necessitating a discharge, these measures as required under this Order are intended to minimize potential risks to neighboring residential communities.

The discharges regulated under this Order are expected to be rare and under emergency circumstances only. Therefore, the Los Angeles Water Board anticipates that the issuance of this Order will not result in water quality impacts to disadvantaged or tribal communities or raise other environmental justice concerns.

4. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, nonconventional, 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.

The Facility primarily engages in the pipeline transportation of refined petroleum products, such as gasoline and fuel oil, and operates as a bulk petroleum storage and distribution terminal. Pollutants of concern under this Order have been identified based on those regulated in the previous Order No. R4-2018-0154. Pollutants commonly associated with stormwater include BOD, settleable solids, TSS, and turbidity. Stormwater, which may come into contact with raw materials and products used in petroleum storage, can contain pollutants such as oil and grease, pH, ammonia, phenols, TPH, and volatile organic compounds like benzene, ethylbenzene, toluene, xylene, and methyl tertiary butyl ether

(MTBE). Additionally, metals such as cadmium, copper, lead, nickel, and zinc, which were previously detected at levels indicating reasonable potential, continue to be monitored and regulated. These pollutants, previously regulated under Order R4-2018-0154, are carried over in this Order due to their potential to adversely impact water quality and aquatic life in the receiving water.

4.1. Discharge Prohibitions

Discharge Prohibitions in this Order are based on the federal Clean Water Act (CWA), the CFR, the Basin Plan, the CWC, State Water Board's plans and policies, U.S. EPA guidance and regulations, and previous permit provisions. The discharge prohibitions included in this Order are consistent with the requirements set for other dischargers within the Los Angeles Region that are regulated by NPDES permits.

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 CFR 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 Best Professional Judgment (BPJ) in accordance with 40 CFR section 125.3(c), (d).

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

a. 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.

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

c. Best conventional pollutant control technology (BCT) represents the control from existing industrial point sources of conventional pollutants including BOD, TSS, 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.

d. 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 (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 Los Angeles Water Board must consider specific factors outlined in 40 CFR section 125.3.

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

Stormwater discharges from the Facility are not currently regulated under federal ELGs. This Order includes technology-based effluent limitations based on BPJ in accordance with 40 CFR section 125.3. These limitations were originally established in Order No. R4-2018-0154 based on limitations in NPDES permits for similar discharges and are retained in this Order. In setting these limitations, the Los Angeles Water Board considered the factors listed in 40 CFR section 125.3(d). Although these effluent limitations may be more stringent than applicable water quality criteria, they have been included to be consistent with federal anti-backsliding regulations and are retained in this Order.

This Order mandates the Discharger to update and continue to implement the Stormwater Pollution Prevention Plan (SWPPP) and Best Management Practices Plan (BMPP) under section 122.44(k) due to the absence of national ELGs for stormwater runoff from petroleum tank farms. To prevent major oil spills from coming into contact with surface water, this Order requires the Discharger to update and implement a Spill Contingency Plan (SCP). Further discussion of SWPPP, BMPP, and SCP are provided in Section 6.2.3 of this Fact Sheet and Attachment G.

A summary of the technology-based effluent limitations is shown in Table F-5.

Table F-5. Summary of Technology-based Effluent Limitations - Discharge Point 001

Parameter	Units	Maximum Daily Effluent Limitation
BOD	mg/L	30
Benzene	µg/L	21
Ethylbenzene	µg/L	21
Oil and Grease	mg/L	15
Phenols, Total	µg/L	1,000
Settleable Solids	ml/L	0.3
Sulfides	mg/L	0.1
Toluene	µg/L	21
TPH	µg/L	100
TSS	mg/L	75
Turbidity	NTU	75
Xylenes	µg/L	21

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 of determining reasonable potential and calculating WQBELs, when necessary, aims to safeguard the designated uses of the receiving water as outlined in the Basin Plan. It also aims to meet relevant water quality objectives and criteria specified in other state plans, policies, or applicable water quality criteria within the CTR and NTR.

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

The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for water bodies in the Los Angeles region. The beneficial uses applicable to the Dominguez Channel Estuary are summarized in section 3.3.1 of this Fact Sheet. The Basin Plan includes both narrative and numeric water quality objectives applicable to surface water as described below:

a. **Ammonia**. This Order retains the effluent limitations for ammonia to ensure continued compliance with the Basin Plan objectives for ammonia.

b. **Bacteria**. This Order revises effluent limitations for Enterococci to protect the potential contact water recreation (REC-1) beneficial use of the receiving water based on the Bacteria Provisions.

c. **pH**. This Order includes effluent limitations for pH to ensure compliance with the Basin Plan.

d. **Temperature**. The Basin Plan states that temperature objectives for enclosed bays and estuaries are specified in the Thermal Plan. The Thermal Plan includes effluent limitation for estuaries, that the maximum temperature of the effluent shall not exceed the natural receiving water temperature by more than 20°F. This Order includes temperature effluent limitation that is consistent with the Thermal Plan and carries over effluent limitation of 86°F

from the existing Order No. R4-2018-0154 as discussed in Section 3.3.11 of this Fact Sheet.

Priority pollutant water quality criteria for priority pollutants in the CTR are applicable to the Dominguez Channel Estuary. The CTR contains both saltwater and freshwater criteria. Because a distinct separation generally does not exist between freshwater and saltwater aquatic communities, according to section 131.38(c)(3) of the CTR, freshwater criteria apply at locations where salinity remains at or below 1 part per thousand (ppth) at least 95% of the time. Since the discharge occurs within the estuary, the Los Angeles Water Board has determined that freshwater criteria do not apply to the Facility. Instead, both saltwater criteria and human health criteria for the consumption of aquatic organisms are applicable. Effluent limitations are set using the most stringent of these criteria, whether saltwater or human health, to ensure protection of the beneficial uses of the Dominguez Channel Estuary.

The table below summarizes the applicable water quality criteria/objective for priority pollutants reported in detectable concentrations in the discharges through Discharge Point 001 or from the receiving water based on data submitted to the Los Angeles Water Board.

Table F-6. Applicable Water Quality Criteria

CTR No	Constituent	Selected Criteria (µg/L)	CTR Acute Saltwater Criteria (µg/L)	CTR Chronic Saltwater Criteria (µg/L)	CTR Human Health for Consumption of Organisms only (µg/L)	Harbor Toxics TMDL Final Waste Load Allocation (µg/L)	Notes
1	Antimony	4,300	---	---	4,300	---	---
2	Arsenic	36	69	36	---	---	---
4	Cadmium	9.36	42	9.36	---	---	a
5b	Chromium (VI)	50.4	1108	50.4	---	---	a
6	Copper, Total Recoverable	3.73	5.78	3.73	---	3.73	a
7	Lead, Total Recoverable	8.52	221	8.52	---	8.52	a
9	Nickel, Total Recoverable	8.3	75	8.3	4,600	---	a
10	Selenium	71	290	71	Narrative	---	a
13	Zinc, Total Recoverable	85.6	95.1	85.6	---	85.6	a
60	Benzo(a)anthracene	0.049	---	---	---	0.049	b
61	Benzo(a)pyrene	0.049	---	---	---	0.049	b
73	Chrysene	0.049	---	---	---	0.049	b
100	Pyrene	11,000	---	---	---	11,000	b
107	Chlordane	0.00059	---	---	---	0.00059	---
108	4,4'-DDT	0.00059	---	---	---	0.00059	---
111	Dieldrin	0.00014	---	---	---	0.00014	---
119-125	PCBs, Total	0.00017	---	---	---	0.00017	c

Footnotes to Table F-6

a. In the Harbor Toxics TMDL, total concentration-based WLAs for metals are derived from the saltwater dissolved criteria specified in the CTR. These criteria, expressed as the dissolved fraction of the metal in the water column, are calculated using the EPA's Clean Water Act 304(a) guidance values, originally defined in the total recoverable fraction. Conversion factors provided in §131.36(b)(2) are applied to adjust the total recoverable values to dissolved concentrations.

b. Within the Harbor Toxics TMDL, CTR human health criteria were not established for total PAHs. Therefore, the CTR criterion for individual PAHs of 0.049 µg/L is applied individually to benzo(a)anthracene, benzo(a)pyrene, and chrysene. The CTR criterion for pyrene of 11,000 µg/L is assigned as an individual WLA to pyrene.

c. CTR human health criteria for PCBs applies to total PCBs. Total PCBs (polychlorinated biphenyls) means the sum of chlorinated biphenyls whose analytical characteristics resembles those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260. PCBs as aroclors shall be analyzed using U.S. EPA method 608.3. Upon U.S. EPA approval of Harbor Toxic TMDL (Resolution No. R22-005), PCBs monitoring shall also be required for 44 congeners using recommended EPA methods 8270 and 1668 or equivalent method and shall be reported with a target reporting limit of 10 to 20 pg/L.

End of Footnotes to Table F-6

4.3.3. Determining the Need for WQBELs

a. Reasonable Potential Analysis (RPA) Methodology

In accordance with section 1.3 of the SIP, the Los Angeles Water Board conducts a Reasonable Potential Analysis (RPA) for each priority pollutant with an applicable criterion or objective to determine if a WQBEL is required in the permit. If there is an applicable TMDL-based WLA, then WQBELs are developed using these WLAs pursuant to 40 CFR section 122.44(d)(1)(vii)(B). Otherwise, the Los Angeles Water Board analyzes effluent and receiving water data and identifies the maximum observed effluent concentration (MEC) and maximum background concentration (B) in the receiving water for each constituent. To determine reasonable potential, the MEC and the B are then compared with the applicable water quality objectives (C) outlined in the CTR, NTR, as well as the Basin Plan. For all pollutants that have a reasonable potential to cause or contribute to an excursion above a state water quality standard, numeric WQBELs are required.

Section 1.3 of the SIP provides the procedures for determining reasonable potential to exceed applicable water quality criteria and objectives. The SIP specifies three triggers to complete an RPA:

1) Trigger 1 - If the MEC≥C a limit is needed.

2) Trigger 2 - If the background concentration (B) > C and the pollutant is detected in the effluent, a limit is needed.

3) Trigger 3 - If other related information such as CWA 303(d) listing for a pollutant, discharge type, compliance history, etc. indicates that a WQBEL is required.

Sufficient effluent and receiving water data are needed to conduct a complete RPA. If the data is not sufficient, the Discharger will be required to

gather the appropriate data for the Los Angeles Water Board to conduct the RPA. Upon review of the data, and if the Los Angeles Water Board determines that WQBELs are needed to protect the beneficial uses, the permit will be reopened for appropriate modification.

The RPA was performed for the priority pollutants regulated in the CTR for which data are available. The CTR specifies numeric objectives for toxic substances and the SIP includes the procedures used to conduct a reasonable potential analysis (RPA) and to determine the need for effluent limitations for priority pollutants. The USEPA *Technical Support Document For Water Quality-based Toxics Control* (TSD) and the USEPA NPDES Permit Writer's Manual also specify procedures to conduct reasonable potential analyses for pollutants that are not priority pollutants. The TSD RPA may also be used for pollutants that have non-CTR based water quality objectives. The TSD RPA procedure uses non-CTR WQOs, the coefficient of variation, the number of data points collected, and a formula to project an estimated concentration. If the projected concentration exceeds the WQO, then the pollutant has RP to exceed the WQO based on the TSD RPA calculated procedure.

b. **Priority Pollutants with a Total Maximum Daily Load (TMDL)**

The Los Angeles Water Board developed WQBELs for cadmium, copper, lead, zinc, benzo(a)anthracene, benzo(a)pyrene, chrysene, pyrene, chlordane, 4,4-DDT, dieldrin, and total PCBs that have specified WLAs in the Harbor Toxics TMDL. The Los Angeles Water Board developed WQBELs for these pollutants pursuant to 40 CFR section 122.44(d)(1)(vii), which does not require or contemplate a separate reasonable potential analysis during the permitting stage when there is an available WLA for the discharge in a TMDL. Similarly, the SIP in section 1.3 recognizes that a reasonable potential analysis at the permit development stage is not appropriate if a TMDL has been developed.

The RPA was performed using data collected by the Discharger at Monitoring Location EFF-001 from January 1, 2019, through June 30, 2024. This period represents data collected during the term of Order No. R4-2018-0154. Based on the RPA, pollutants that demonstrated reasonable potential at EFF-001 are summarized in the table below.

Table F-7. Summary of Reasonable Potential Analysis – Discharge Point 001

CTR No	Constituent	Applicable Water Quality Criteria (µg/L) (C)	Max Effluent Conc. (µg/L) (MEC)	Maximum Detected Receiving Water Conc. (µg/L) (B)	RPA Result – Need Limit?	Reason
1	Antimony	4,300	15.8	---	No	MEC<C
2	Arsenic	36	1.54	---	No	MEC<C

CTR No	Constituent	Applicable Water Quality Criteria (µg/L) (C)	Max Effluent Conc. (µg/L) (MEC)	Maximum Detected Receiving Water Conc. (µg/L) (B)	RPA Result – Need Limit?	Reason
4	Cadmium	9.4	0.138	---	Yes	Limit based on Other Information
5b	Chromium (VI)	50.4	0.6	---	No	MEC<C
6	Copper, Total Recoverable	3.73	14.3	---	Yes	MEC>=C & TMDL
7	Lead, Total Recoverable	8.52	33.1	---	Yes	MEC>=C & TMDL
9	Nickel, Total Recoverable	8.3	4.81	---	No	Limit based on TMDL
10	Selenium	71	0.964	---	No	MEC<C
13	Zinc, Total Recoverable	85.6	67.5	---	Yes	TMDL
19	Benzene	71	3.2	---	No	TBEL based on BPJ
33	Ethylbenzene	29,000	0.95	---	No	TBEL based on BPJ
39	Toluene	200,000	8.7	---	No	TBEL based on BPJ
60	Benzo(a)anthracene	0.049	< 0.06	---	No	Limit based on TMDL
61	Benzo(a)pyrene	0.049	< 0.075	---	No	Limit based on TMDL
73	Chrysene	0.049	< 0.086	---	No	Limit based on TMDL
100	Pyrene	11,000	0.098	---	Yes	TMDL
107	Chlordane	0.00059	< 0.019	---	Yes	TMDL
108	4,4'-DDT	0.00059	< 0.0012	---	Yes	TMDL
111	Dieldrin	0.00014	< 0.001	---	Yes	TMDL
119-125	PCBs, Total	0.00017	0.00044	---	Yes	MEC>=C & TMDL

4.3.4. WQBEL Calculations

a. If a reasonable potential exists to exceed applicable water quality criteria or objectives, then a WQBEL must be established in accordance with one or more of the three procedures contained in section 1.4 of the SIP. These procedures include:

   i. If applicable and available, use the WLA established as part of a TMDL.

   ii. Use of a steady-state model to derive maximum daily effluent limitations (MDELs) and average monthly effluent limitations (AMELs).

iii. Where sufficient effluent and receiving water data exist, use of a dynamic model, which has been approved by the Los Angeles Water Board.

b. The Harbor Toxics TMDL establishes WLAs for copper, lead, zinc, benzo(a)anthracene, benzo(a)pyrene, chrysene, pyrene, chlordane, 4,4-DDT, dieldrin, and total PCBs. These WQBELs were calculated following the procedures based on the steady-state model outlined in section 1.4 of the SIP. Since the Harbor Toxics TMDL did not assign a concentration-based WLA for cadmium in the water column, a WQBEL for cadmium (15 µg/L) was derived in the previous order, Order R4-2018-0154, using CTR criteria and the SIP procedures. This Order carries over the WQBEL for cadmium to avoid backsliding and to address the impairment for cadmium in sediments.

c. Since many of the streams in the Region have minimal upstream flows, mixing zones and dilution credits are usually not appropriate. No dilution credit is included in this Order.

d. **WQBELs Calculation Example**

Using total recoverable copper as an example, the following demonstrates how WQBELs were established for this Order. The development and calculation of all WQBELs adhere to the process described below, which aligns with the Harbor Toxics TMDL and section 1.4 of the SIP.

<u>Calculation of aquatic life AMEL and MDEL:</u>

Step 1: For each constituent requiring an effluent limit, identify the applicable water quality criteria or objective. For each criterion, determine the effluent concentration allowance (ECA) using the following steady state equation:

$$ECA = C + D(C-B) \quad \text{when } C>B, \text{ and}$$
$$ECA = C \quad \text{when } C \leq B,$$

Where C = The priority pollutant criterion/objective, adjusted if necessary for hardness, pH and translators.
D = The dilution credit
B = The ambient background concentration

As discussed above, this Order does not allow dilution; therefore

$$ECA = C$$

When a WLA has been established through a TMDL for a parameter, the WLA is set equal to the ECA.

For total recoverable copper, the applicable water quality criterion is from the Harbor Toxics TMDL WLA. Thus, for total recoverable copper, the applicable ECA is:

$$ECA = WLA_{\text{Harbor Toxics TMDL (acute aquatic life, copper)}} = 5.78\ \mu g/L$$

$$ECA = WLA_{\text{Harbor Toxics TMDL (chronic aquatic life, copper)}} = 3.73\ \mu g/L$$

Step 2: For each ECA based on aquatic life criterion/objective, determine the long-term average discharge condition (LTA) by multiplying the ECA by a factor (multiplier). The multiplier is a statistically based factor that adjusts the ECA to account for effluent variability. The value of 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. Equations to develop the multipliers in place of using values in the tables are provided in section 1.4, Step 3 of the SIP and will not be repeated here.

$$LTA_{acute} = ECA_{acute} \times Multiplier_{acute99}$$

$$LTA_{chronic} = ECA_{chronic} \times Multiplier_{chronic99}$$

The CV for the data set must be determined before the multipliers can be selected and will vary depending on the number of samples and the standard deviation of a data set. If the data set is less than 10 samples, or at least 80% of the samples in the data set are reported as non-detect, the CV shall be set equal to 0.6. If the data set is greater than 10 samples, and at least 20% of the samples in the data set are reported as detected, the CV shall be equal to the standard deviation of the data set divided by the average of the data set.

For total recoverable copper, because the data set is less than 10 samples, the CV is set equal to 0.6. The corresponding multiplier is as follows:

No. of Samples Per Month	CV	ECA $Multiplier_{acute}$	ECA $Multiplier_{chronic}$
7	0.60	0.321	0.527

$$LTA_{acute\ (copper)} = 5.78\ \mu g/L \times 0.321 = 1.86\ \mu g/L$$

$$LTA_{chronic\ (copper)} = 3.73\ \mu g/L \times 0.527 = 1.97\ \mu g/L$$

Step 3: Select the most limiting (lowest) of the LTA.

For total recoverable copper, the most limiting LTA is LTA_{acute}

$$LTA_{copper} = LTA_{acute\ (copper)} = 1.86\ \mu g/L$$

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 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 precalculated 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.

$$AMEL_{aquatic\ life} = LTA_{copper} \times AMEL_{multiplier95}$$

$$MDEL_{aquatic\ life} = LTA_{copper} \times MDEL_{multiplier99}$$

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).

For total recoverable copper, the following data were used to develop the AMEL and MDEL for effluent limitations using equations provided in section 1.4, Step 5 of the SIP (Table 2 of the SIP also provides this data up to two decimals):

No. of Samples Per Month	CV	$Multiplier_{AMEL95}$	$Multiplier_{MDEL99}$
7	0.60	1.55	3.11

For total recoverable copper:

$$AMEL_{aquatic\ life} = 1.86\ \mu g/L \times 1.55 = 2.88\ \mu g/L$$

$$MDEL_{aquatic\ life} = 1.86\ \mu g/L \times 3.11 = 5.78\ \mu g/L$$

<u>Calculation of human health AMEL and MDEL:</u>

Step 5: For the applicable human health criterion/objective, set the AMEL equal to the $ECA_{human\ health}$.

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

For total recoverable copper, the only applicable water quality criterion is from the Harbor Toxics TMDL WLA. Therefore, no human health for consumption of organism only criterion is applicable.

$$AMEL_{human\ health\ (copper)} = ECA_{human\ health\ (copper)} = \text{Not Available}$$

Step 6: Calculate the MDEL for human health by multiplying the AMEL by the ratio of $Multipler_{MDEL}$ 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.

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

For total recoverable copper, $MDEL_{human\ health}$ is not available.

Step 7: Select the lower of the AMEL and MDEL based on aquatic life and human health criteria as the WQBEL for the Order.

Therefore, the final WQBELs for total recoverable copper:

$$AMEL_{copper} = 2.88\ \mu g/L$$

$$MDEL_{copper} = 5.78\ \mu g/L$$

However, the WQBELs calculated for the Facility discharges to the Dominguez Channel Estuary are during extreme rainfall events only. Such

discharges are intermittent and generally of short duration (less than one week). Therefore, this Order prescribes only MDELs to be protective of beneficial uses.

4.3.5. Whole Effluent Toxicity (WET)

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

The Basin Plan specifies a narrative objective for toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are lethal to or produce other detrimental responses by aquatic organisms. Detrimental responses include, but are not limited to, decreased growth rate, decreased reproductive success of resident or indicator species, and/or significant alterations in population, community ecology, or receiving water biota.

Order No. R4-2018-0154 contained chronic toxicity effluent limitations. The Discharger is subject to determination of “Pass” or “Fail” and “Percent Effect” from a single-effluent concentration chronic toxicity test at the discharge IWC using the Test of Significant Toxicity (TST) statistical 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 and the procedures described in the *State Policy for Water Quality Control: Toxicity Provisions*. Attainment of the water quality objective is demonstrated by conducting chronic aquatic toxicity testing as described in Section III.B.2 of the Toxicity Provisions and rejecting the null hypothesis in accordance with the TST statistical approach described in Section III.B.3. of the Toxicity Provisions.

Under Section II.C.1. of the Toxicity Provisions, the chronic aquatic toxicity water quality objective is expressed as a null hypothesis.

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

H_o: Mean response (IWC in % effluent) ≤ 0.75 mean response (Control).

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 Facility has the potential to discharge several petroleum product-related pollutants, including copper, lead, zinc, and volatile organic compounds, that could result in instances of toxicity that may result in widespread impacts. Therefore, this Order carries over the chronic toxicity effluent limitation from Order R4-2018-0154 to ensure that the beneficial uses of the receiving water are protected.

4.4. Final Effluent Limitation Considerations

4.4.1. Anti-Backsliding Requirements

Sections 402(o) and 303(d)(4) of the Clean Water Act (CWA), along with federal regulations at 40 CFR section 122.44(l), prohibit backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit be at least as stringent as those in the previous permit, with limited exceptions where relaxation of limitations is permitted. All effluent limitations in this Order are at least as stringent as those in the previous Order No. R4-2018-0154, except for the effluent limitations for total coliform, fecal coliform, Enterococci, and mercury, as described below.

<u>Removal of Total Coliform, Fecal Coliform, and the relaxation of Enterococci effluent limitations.</u>

Order R4-2018-0154 included effluent limitations for total coliform, fecal coliform, and Enterococci, based on the Basin Plan. As discussed in Section 3.3.4 of this Fact Sheet, this Order replaces those limitations with effluent limitations derived from the Bacteria Provisions. The Bacteria Provisions establish water quality objectives (WQOs) for Enterococci for waters designated with REC-1 beneficial use where salinity exceeds 1 ppth for more than 5% of the calendar year. Since the Bacteria Provisions do not include WQOs for total coliform and fecal coliform, this Order removes their effluent limitations. Additionally, the maximum daily effluent limitation (MDEL) for Enterococci has been modified to align with the statistical threshold value (STV) defined in the Bacteria Provisions. The STV approximates the 90th percentile of the bacterial population's water quality distribution and is set at 110 CFU/100 mL. This value is slightly less stringent than the previous MDEL of 104 CFU/100 mL for Enterococci. Because the Discharger is categorized as an irregular discharger, this Order incorporates an effluent limitation equivalent to the STV.

CWA Section 402(o)(2)(B)(i) permits the relaxation of effluent limitations when supported by new information. The State Water Board has determined that fecal coliform and total coliform are outdated indicators, as they can produce false positives that do not accurately reflect water quality violations under certain environmental conditions (see, e.g., Section 5.2.1, Bacteria Provisions Staff Report). This Order updates the effluent limitations for bacterial indicators based on the latest scientific understanding, as outlined in the Bacteria Provisions and supporting documents. For revisions to water quality-based effluent limitations using new information, any proposed changes must result in a reduction in pollutants discharged. In this case, over 20 years of data indicate that the Facility’s Stormwater Pond and overflow containment systems have generally been effective in retaining stormwater onsite, preventing discharges to the Dominguez Channel Estuary when the Stormwater Pond is fully operational. Planned maintenance and structural reinforcement of the Stormwater Pond and other stormwater containment infrastructure at the Facility are expected to further reduce or eliminate future discharges, including bacterial pollutants. Therefore,

the removal of the total and fecal coliform effluent limitations and relaxation of the Enterococci limitation is consistent with CWA section 402(o)(2) (B)(i).

Removal of effluent limitations and the establishment of a benchmark level for Mercury-Standard attained

Section 303(d)(4)(B) allows revision of a WQBEL in waters meeting the applicable water quality standard provided the change is consistent with the antidegradation policy. The Dominguez Channel Estuary is an attainment water for mercury. As discussed in section 3.3.7 of this Fact Sheet, this Order removes the existing effluent limitations and establishes a benchmark level for mercury based on the Mercury Provisions. The Mercury Provisions includes a numeric action level of 300 ng/L for total mercury for stormwater discharges associated with industrial activities for general permit. Although the Facility has an individual industrial permit, the Facility discharges stormwater only from the industrial activities, provides on-site storages to treat suspended solids, and implements BMPs to reduce discharges from the Facility. The establishment of a benchmark for mercury based on the numeric action level is the appropriate approach to determine if any further action is necessary. In addition, all monitoring data for mercury reported during the previous permit term showed non-detect with the detection limit of 124 ng/L. Thus, this Order removes the existing mercury effluent limits but establishes a benchmark level of 300 ng/L (0.30 µg/L) using the numeric action level that is included in the Mercury Provisions for stormwater discharges associated with industrial activities.

This approach is consistent with the antidegradation policy because the effluent limitation in the prior permit was based on outdated criteria for mercury in the CTR, which have since been replaced by the Mercury provisions. Nothing in this permit authorizes additional discharges of mercury and, since the Discharger is an irregular discharger that maintains management practices, the cumulative effect of the removal of the effluent limit and establishment of the benchmark level will continue to assure attainment of water quality standards for mercury. Thus, this revision is exempt from the prohibition on backsliding pursuant to 303(d)(4)(B).

4.4.2. Antidegradation Policies

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 the Quality of the Waters of the State (Resolution 68-16). Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings.

The renewal of this Order is consistent with Resolution 68-16 because it is not expected to allow degradation of receiving water quality. The permitted discharge is not a new discharge, and this Order does not provide for an increase in the permitted design flow or allow for a reduction in the level of treatment. The final limitation in this Order, which includes concentration-based and mass-based limitations, holds the Discharger to performance levels that will not cause or

contribute to water quality impairment or degradation of water quality. Therefore, the permitted discharge is consistent with the antidegradation provision of section 131.12 and State Water Board Resolution 68-16.

The removal of the effluent limitations for total coliform and fecal coliform will not allow degradation because the most recent Bacteria Provisions do not include total and fecal coliforms as indicators for this type of receiving water. Additionally, the relaxation of the MDEL for Enterococci also will not cause degradation because this number was based on an alternative way to calculate health risk. This Order still includes effluent limitations for Enterococci based on the Bacteria Provisions. U.S. EPA studies have concluded that Enterococci is the most reliable indicator organism to assess whether the REC-1 beneficial use is being attained for non-marine waters where the salinity is greater than 1 parts per thousand (ppth) more than 5 percent of the time during the calendar year. The numeric limits for Enterococci in the Bacteria Provisions correspond with the risk protection level of 32 illnesses per 1,000 recreators. Likewise, the removal of the effluent limitations for mercury will not allow degradation. The prior effluent limitation for mercury was based on outdated science and has since been replaced by the Mercury Provisions. The discharger did not exceed the effluent limitation for mercury under the prior permit and will implement a benchmark level for mercury that is consistent best practices and implementation methods included in the Mercury Provisions for similar discharges. Nothing in this permit authorizes an increase to the volume of discharges or changes to Facility operations that expected to increase discharges of total coliform, fecal coliform, or mercury. Further, there is a rigorous monitoring program in place in this Order to ensure that any discharges will not degrade any historical or existing receiving water quality. Therefore, the permitted discharge is consistent with 40 CFR section 131.12, the antidegradation provision, and Resolution 68-16.

4.4.3. Mass-based Effluent Limitations

Generally, mass-based effluent limitations ensure that proper treatment, and not dilution, is employed to comply with the final effluent concentration limitations. 40 CFR 122.45(f)(1) requires that all permit limitations, standards or prohibitions be expressed in terms of mass units except under the following conditions: (1) for pH, temperature, radiation or other pollutants that cannot appropriately be expressed by mass limitations; (2) when applicable standards or limitations are expressed in terms of other units of measure; or (3) if in establishing technology-based permit limitation on a case-by-case basis limitations based on mass are infeasible because the mass or pollutant cannot be related to a measure of production. The limitations, however, must ensure that dilution will not be used as a substitute for treatment. This Order includes mass-based effluent limitations, where appropriate, to comply with Section 122.45(f)(1).

Mass-based effluent limitations are established using the following formula:

Mass (lbs/day) = flow rate (MGD) x 8.34 x effluent limitation (mg/L)

Where:

Mass = mass limitation for a pollutant (lbs/day)

Effluent limitation = concentration limit for a pollutant (mg/L)

Flow rate = discharge flow rate (MGD)

Mass-based effluent limitations applicable to Discharge Point 001 are based on a maximum flow of 5 MGD for the Facility.

4.4.4. 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 BOD, oil and grease, TSS, benzene, ethylbenzene, settleable solids, sulfides, toluene, TPH, phenolic compounds, turbidity, and xylenes. Restrictions on these pollutants are discussed in section 4.2.2. of the Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum applicable federal technology-based requirements.

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 applicable to federal water quality standards. To the extent that toxic pollutant WQBELs were derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR section 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. On December 10, 2024, the EPA signed a final rule to revise the current federal CWA and the CTR freshwater selenium water quality criterion applicable to certain waters of California. This new criterion became effective on January 16, 2025.

All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by U.S. EPA prior to May 30, 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 section 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.

4.4.5. Final Effluent Limitations

Table F-8. Summary of Final Effluent Limitations - Discharge Point 001

Parameter	Units	Maximum Daily	Basis	Notes
BOD	mg/L	30	E, BPJ	---
BOD	lbs/day	1251	E, BPJ	a
Chronic Toxicity	Pass or Fail, % Effect (TST)	Pass or % Effect <50	E, BP	b
Enterococci	CFU/100 mL or MPN/100 mL	110	BP	c
Oil and Grease	mg/L	15	E, BPJ	---

Parameter	Units	Maximum Daily	Basis	Notes
Oil and Grease	lbs/day	626	E, BPJ	a
pH	standard units	6.5 to 8.5	E, BP	d
Settleable Solids	ml/L	0.3	E, BPJ	---
Sulfides	mg/L	0.1	E, BPJ	---
Sulfides	lbs/day	4.2	E, BPJ	---
Temperature	degrees Fahrenheit (°F)	86	E, TP	e
TPH	µg/L	100	E, BPJ	f
TPH	lbs/day	4.2	E, BPJ	a
TSS	mg/L	75	E, BPJ	---
TSS	lbs/day	3128	E, BPJ	a
Turbidity	NTU	75	E, BPJ	---
Ammonia (as N)	mg/L	0.233	E, BP	---
Benzene	µg/L	21	E, BPJ	---
Benzene	lbs/day	0.88	E, BPJ	a
Benzo(a)anthracene	µg/L	0.098	E, TMDL	---
Benzo(a)anthracene	lbs/day	0.0041	E, TMDL	a
Benzo(a)pyrene	µg/L	0.098	E, TMDL	---
Benzo(a)pyrene	lbs/day	0.0041	E, TMDL	a
Cadmium, Total Recoverable	µg/L	15	E, TMDL	---
Cadmium, Total Recoverable	lbs/day	0.62	E, TMDL	a
Chlordane	µg/L	0.0012	E, TMDL	---
Chlordane	lbs/day	4.9×10^{-5}	E, TMDL	a
Chrysene	µg/L	0.098	E, TMDL	---
Chrysene	lbs/day	0.0041	E, TMDL	a
Copper, Total Recoverable	µg/L	5.8	TMDL	---
Copper, Total Recoverable	lbs/day	0.242	TMDL	a
Dieldrin	µg/L	0.00028	E, TMDL	---
Dieldrin	lbs/day	1.2×10^{-5}	E, TMDL	a
Ethylbenzene	µg/L	21	E, BPJ	---
Ethylbenzene	lbs/day	0.88	E, BPJ	a
Lead, Total Recoverable	µg/L	14	E, TMDL	---
Lead, Total Recoverable	lbs/day	0.58	E, TMDL	a
Mercury, Total Recoverable	µg/L	0.30	MP	g
Nickel, Total Recoverable	µg/L	14	E	---
Nickel, Total Recoverable	lbs/day	0.58	E	a
PCBs, Total	µg/L	0.00034	E, TMDL	h
PCBs, Total	lbs/day	1.4×10^{-5}	E, TMDL	a
Phenols, Total	µg/L	1,000	E	---
Phenols, Total	lbs/day	41.7	E	a
Pyrene	µg/L	22,068	E, TMDL	---
Pyrene	lbs/day	920	E, TMDL	a

Parameter	Units	Maximum Daily	Basis	Notes
Toluene	µg/L	21	E, BPJ	---
Toluene	lbs/day	0.88	E, BPJ	a
Xylenes	µg/L	21	E, BPJ	---
Xylenes	lbs/day	0.88	E, BPJ	a
Zinc, Total Recoverable	µg/L	95	TMDL	---
Zinc, Total Recoverable	lbs/day	3.96	TMDL	a
4,4'-DDT	µg/L	0.0012	E, TMDL	---
4,4'-DDT	lbs/day	4.9×10^{-5}	E, TMDL	a

Footnotes for Table F-8

BP = Basin Plan; BPJ = Best Professional Judgment; CTR = California Toxics Rule; E = Existing Order; MP=Mercury Provisions; SIP = State Implementation Policy; TMDL = Total Maximum Daily Load (Harbor Toxics); and TP = Thermal Plan.

a. Mass loading limitations applicable to Discharge Point 001 are based on the permitted discharge flow of 5 MGD and are calculated as follows:

   Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day.

b. The maximum daily effluent limitation (MDEL) for chronic toxicity shall be reported as "Pass" or "Fail" and "% Effect". The MDEL is exceeded when a toxicity test results in a "Fail," and the percent effect is greater than or equal to 0.50.

c. A statistical threshold value (STV) of 110 CFU/100 mL or 110 MPN/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner. The results for enterococci in CFU/100 mL (membrane filtration method) and MPN/100 mL (multiple tube fermentation method) shall be considered functionally equivalent in terms of compliance with effluent limitations.

d. The effluent limitations for pH are 6.5 as an Instantaneous minimum and 8.5 as an Instantaneous maximum.

e. The effluent limitation for temperature is 86°F as an Instantaneous Maximum.

f. TPH equals the sum of TPH gasoline (C_4-C_{12}) and TPH diesel (C_{13}-C_{22}), and TPH oil (C_{23+}).

g. The value listed for mercury is established as a benchmark. A "benchmark" is a technology-based level that is used to evaluate the performance of best management practices (BMPs) with regard to the removal of pollutants present in the discharge. A benchmark for mercury is established based on the numeric action level for total mercury established in the Mercury Provisions for stormwater discharges from industrial activities. A benchmark is not enforceable water quality objectives or effluent limits. Exceedance of a benchmark triggers additional monitoring of mercury in the effluent. If the benchmark exceedance persists more than three times, the Discharger shall evaluate the BMPs and submit a plan to control the mercury exceedance.

h. Total PCBs (polychlorinated biphenyls) means the sum of chlorinated biphenyls whose analytical characteristics resembles those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260. PCBs as aroclors shall be analyzed using U.S. EPA method 608.3. Upon U.S. EPA approval of the revised Harbor Toxics TMDL (Resolution No. R22-005), PCBs monitoring shall also be required for 44 congeners using recommended EPA methods 8270 and 1668 or equivalent method and shall be reported with a target reporting limit of 10 to 20 pg/L.

End of Footnotes for Table F-8

Table F-9. Summary of Final Sediment Effluent Limitations - Discharge Point 001

Parameter	Units	Sediment, Final Concentration-Based Allocations	Basis for Limit
Cadmium, Total Recoverable	mg/kg	1.2	E, TMDL
Chlordane	mg/kg	0.5	E, TMDL
Dieldrin	mg/kg	0.02	E, TMDL

Compliance with the final concentration-based sediment allocation for cadmium (by any of the first four means) and chlordane and dieldrin (by any of the five means) may be demonstrated by:

1. Final sediment allocation of cadmium, chlordane, and dieldrin as shown in Table F-6 is met in the effluent. The Discharger may collect sufficient effluent sample volume to provide an adequate amount of effluent sediments (suspended solids) for sediment analyses. The analytical result of the effluent sediment can be used for the direct comparison with the sediment allocations for cadmium, chlordane, and dieldrin.

   Where the analysis of suspended sediments in stormwater samples is required to determine compliance with the established sediment limitations and collection of suspended sediment from stormwater samples with sufficient yields to perform the analysis required is not feasible use the suspended sediment concentration (SSC) method described in footnote (a) of Table E-3 may be used.

2. The qualitative sediment condition of Unimpacted or Likely Unimpacted via the interpretation and integration of multiple lines of evidence as defined in the Sediment.

3. Sediment numeric targets for cadmium, chlordane, and dieldrin is met in bed sediments over a 3-year averaging period.

4. Fish tissue target of 5.6 and 0.46 µg/kg wet weight (µg/kg ww) fish tissue for chlordane and dieldrin, respectively, is met in species resident to the TMDL waterbodies. Demonstrate that the sediment quality condition protective of fish tissue is achieved per the Sediment Quality Provisions, as amended to address contaminants in resident finfish and wildlife.

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

This Order removes generalized receiving water limitations contained in the Discharger's prior waste discharge requirements that served as backstops for unanticipated circumstances or changes to effluent quality that could affect water quality. The receiving water limitations 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 Los Angles Water Board removed the receiving water limitations to be consistent with the U.S. Supreme Court's decision in *City and County of San Francisco, California v. Environmental Protection Agency* (2025) 145 S.Ct. 704, holding that NPDES permits issued by the U.S. EPA may not include end-result requirements, which are 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. [1]

The Los Angeles Water Board determined that the Discharger's compliance with the remaining requirements in the Order will ensure that the discharge satisfies the requirements of Clean Water Act section 301(b)(1)(C) (33 U.S.C. § 1311(b)(1)(C)) that the permit include any more stringent limitation, including those necessary to meet water quality standards. If unanticipated circumstances or changes to effluent quality occur during the permit term, the Los Angeles Water Board may reopen the permit to include any limitations necessary to protect water quality.

The following section provides rationale for removing receiving water limitations and narrative prohibitions included in the previous Order. This Order addresses such factors through alternative requirements that continue to protect the beneficial uses of the receiving water and ensure that the removal of receiving water limitations contained in the Discharger's prior waste discharge requirements does not authorize either backsliding or further degradation of water quality. The removal of this requirement 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. Where necessary to ensure the discharge complies with Clean Water Act section 301(b)(1)(C) (33 U.S.C. § 1311(b)(1)(C)), the Los Angeles Water Board included additional requirements as described in more detail below. As a result, the removal of the receiving water limitation does not authorize the additional discharge of pollutants or a violation of water quality standards and to the extent backsliding or antidegradation requirements even apply, they are met.

5.1.1. Ammonia

Order No. R4-2018-0154 included a receiving water limitation for ammonia based on Los Angeles Water Board Resolution No. 2004-022, which amended the Basin Plan to establish updated ammonia objectives for inland surface waters not characteristic of freshwater, including enclosed bays, estuaries, and wetlands. Specifically, this amendment established a daily maximum concentration of 0.233 mg/L for ammonia (as N) to protect aquatic life beneficial uses.

[1] While the Los Angeles Water 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.

Although monitoring data collected under Order No. R4-2018-0154 indicated that the Facility is in compliance with the ammonia effluent limitation (with the highest recorded value at 0.202 mg/L, which is below the effluent limit of 0.233 mg/L), the effluent concentration remains close to the permitted threshold. Despite there being no reasonable potential, the Los Angeles Water Board is retaining the numeric effluent limitation for ammonia to help ensure ongoing protection of beneficial uses in the receiving water. Elevated ammonia concentrations can indirectly influence microbial decomposition and nitrification, and their continued regulation helps ensure protection of aquatic life. Therefore, this Order also carries over the requirement for effluent and receiving water monitoring for ammonia during discharge events in order to safeguard water quality. The removal of the receiving water limitation for ammonia is not anticipated to result in any additional degradation, and no extra requirements are considered necessary at this time.

5.1.2. Bacteria

Order No. R4-2018-0154 included receiving water limitations for total coliform, fecal coliform, and enterococcus, including both 30-day rolling geometric mean limits and single sample maximum values. The Facility's effluent monitoring data show that, out of nine enterococci samples collected during the previous permit term, two exceeded the applicable single-sample maximum of 104 MPN/100 mL (with results of 140 MPN/100 mL and 1,100 MPN/100 mL).

As discussed in section 3.3.4. of this Fact Sheet, the Statewide Bacteria Provisions established water quality objectives for enterococci which supersedes the previous Basin Plan objectives for REC-1. Under these provisions, enterococci is established as the sole pathogen indicator for estuarine and marine waters with REC-1 beneficial use, replacing the outdated Basin Plan objectives for total coliform and fecal coliform. As discussed in section 4.3.3.a, since there is reasonable potential based on effluent data, this Order revises the effluent limitation for enterococci consistent with the Bacteria Provisions. This Order also carries over the receiving water and effluent monitoring for enterococci when discharges from the Facility occur to ensure that the beneficial uses of the receiving water are protected in accordance with the most current regulatory framework. Thus, removal of the receiving water limitation for bacteria is not anticipated to cause any further degradation of the receiving water, and no additional requirements are needed.

5.1.3. Bioaccumulation and Toxic Pollutants

Order No. R4-2018-0154 included a receiving water limitation for bioaccumulation, stating that the discharge shall not cause, *"[t]oxic or deleterious substances in deleterious substances in concentrations or quantities which cause deleterious effects on aquatic biota, wildlife, or waterfowl or render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentration."* This narrative objective is intended to prevent the long-term accumulation of contaminants such as pesticides, heavy metals, and persistent organic pollutants that can build up in the tissues of fish, shellfish, and other aquatic organisms.

The Facility is a bulk liquid storage and distribution facility for petroleum. Based on the facility type and its potential for toxic impact of discharge to the receiving water as well as 303(d) listing for the toxic pollutants in the receiving water and effluent data, it was determined that there is reasonable potential that the discharges from the Facility may cause or contribute an excursion above this narrative water quality objective. Thus, this Order carries over effluent limitations for both toxic and bioaccumulative pollutants (such as mercury, PCBs, DDT, copper, lead, nickel, and zinc) that have reasonable potential to cause or contribute to exceedances of applicable water quality objectives, including pollutants addressed in the Harbor Toxics TMDL. This Order also carries over monitoring requirements for effluent and receiving water for toxic pollutants and bioaccumulative pollutants along with monitoring requirements under the Harbor Toxics TMDL, which provide measurable means to track and control pollutant levels over time. BMPs and source control measures implemented through the Facility's SWPPP further reduce the potential for bioaccumulative pollutants to enter the discharge. These measures include source identification, materials handling and storage controls, spill prevention and response, good housekeeping, and sediment and erosion control. Therefore, removal of the narrative receiving water limitation is not expected to result in further degradation, and the current effluent and receiving water limitations, monitoring requirements and other requirements in this Order are sufficient to protect the beneficial uses of the receiving water.

5.1.4. Biochemical Oxygen Demand (BOD)

Order No. R4-2018-0154 included a receiving water limitation for BOD, that discharges shall not cause "*[t]he presence of substances that result in increases of BOD that adversely affect beneficial uses*." Elevated BOD in discharges can lead to oxygen depletion in the receiving water, which in turn can impair aquatic life and other beneficial uses in the receiving water that are dependent on adequate dissolved oxygen levels.

Effluent monitoring data for BOD shows concentrations ranging from non-detect to 1.49 mg/L, indicating no reasonable potential for the Facility's discharge to increase BOD levels in the receiving water. The TBELs established in this Order are sufficient to protect the receiving water's beneficial uses. This Order also maintains requirements for monitoring both the effluent and receiving water to ensure BOD concentrations remain protective should a discharge occur. Therefore, the removal of the receiving water limitation for BOD is not expected to result in degradation, and no additional measures are needed at this time.

5.1.5. Biostimulatory Substances

Order No. R4-2018-0154 included a receiving water limitation for biostimulatory substances that discharges shall not cause "*[b]iostimulatory substances at concentrations that promote aquatic growths to the extent that such growth causes nuisance or adversely affects beneficial uses.*" Excessive levels of nutrients such as ammonia (as nitrogen (N)) and phosphorus can stimulate algal blooms and other aquatic growths, which in turn can cause eutrophication,

dissolved oxygen depletion, habitat degradation, and other impacts to aquatic life and recreational uses in the receiving water.

Because there is no receiving water nutrient data to establish baseline conditions or quantify the Facility's nutrient contribution, reasonable potential cannot be determined at this time. As stated in section 5.1.1, effluent monitoring data for ammonia does not show reasonable potential to exceed the ammonia water quality objective. However, to avoid backsliding and ensure consistency with antidegradation requirements, this Order carries over the existing effluent limitations and monitoring requirements for ammonia (as N) and adds new monitoring for total nitrogen, nitrogen compounds (such as nitrate, nitrite, and Total Kjeldahl Nitrogen (TKN)), and total phosphorus in both the effluent and the receiving water. Recognizing that nitrogen and its compounds and total phosphorus are also key drivers of aquatic growth alongside ammonia (as N), these combined requirements are intended to keep nutrient discharges at levels that protect beneficial uses and help prevent excessive algae or aquatic plant growth in the event of a discharge to the Dominguez Channel Estuary, which has been affected by algal blooms. Additionally, the Facility is required to maintain and implement a SWPPP, which includes BMPs and visual monitoring provisions. Visual inspections conducted under the SWPPP enable the Discharger to identify early signs of eutrophication or nuisance aquatic growths in areas potentially influenced by the discharge. Thus, removal of the narrative receiving water limitation for biostimulatory substances is not expected to result in further degradation, and the current effluent limits for ammonia, monitoring for ammonia, total nitrogen, nitrogen compounds, total phosphorus, and other requirements in this Order are sufficient to protect the beneficial uses of the receiving water.

5.1.6. Color

Order No. R4-2018-0154 included a receiving water limitation for color, that discharges shall not cause "*… nuisance or adversely affects beneficial uses*", nor alter the apparent color "beyond present natural background levels." Color in receiving waters can result from a variety of sources, including suspended solids, turbidity, oil and grease, and metals. Although the Facility's operations as a storage and distribution center for bulk liquids present a reasonable potential to exceed this narrative objective, numeric effluent limitations are already in place for these potential sources of color. This Order carries over these numeric effluent limitations and monitoring requirements for those pollutants.

In addition, visual monitoring, BMP implementation, and pollution prevention measures provide additional control measures to protect beneficial uses of receiving water. Therefore, removing the receiving water limitation for color is not expected to lead to further degradation, and the existing requirements for suspended solids, turbidity, oil and grease, and metals under this Order are sufficient to maintain water quality and protect beneficial uses of the receiving water.

5.1.7. Degradation

Order No. R4-2018-0154 included a receiving water limit related to degradation of surface water communities and populations including vertebrate, invertebrate, and plant species. This Order addresses degradation as required in the State Water Board's Antidegradation Policy in Resolution No. 68-16 by establishing effluent limitations based on whether the discharge has reasonable potential to contribute to or exceed a water quality objective established in the Basin Plan - the California Toxics Rule (CTR), or other State Plans and Policies as identified in Section 4 of this Fact Sheet. These effluent limits ensure protection of the beneficial uses in the receiving water related to aquatic life since they are based on the toxic effects of pollutants in an aquatic environment. This Order also ensures the discharge will not cause further degradation of the receiving water body because it implements wasteload allocations assigned to the Discharger through TMDLs applicable to the receiving waters. Thus, removal of this receiving water limitation for degradation is not anticipated to cause any further degradation, and the existing requirements for anti-degradation analysis and TMDL implementation in this Order are sufficient to protect water quality and beneficial uses of the receiving water.

5.1.8. Exotic Vegetation

Order No. R4-2018-0154 included a receiving water limitation for exotic vegetation that discharges of exotic vegetation shall not be introduced or cause "*[n]uisance, or adversely affects beneficial uses of the receiving water.*" This Facility does not actively plant, manage, or otherwise influence vegetation around stream courses as part of its operations; thus, there is no reasonable potential to exceed this narrative objective.

Furthermore, existing effluent limitations for ammonia (as N), total suspended solids, and settleable solids, which address potential sources of nutrient enrichment and sediment that could promote exotic vegetation, along with other existing requirements such as BMPs and monitoring, are considered adequate to prevent any excursion of this narrative objective. Thus, removal of this receiving water limitation for exotic vegetation is not anticipated to cause any further degradation, and the existing requirements in this Order are sufficient to protect water quality and beneficial uses of the receiving water.

5.1.9. Floating Material

Order No. R4-2018-0154 included a receiving water limitation for floating materials that discharges shall not cause "*[t]he presence of visible, floating, suspended or deposited macroscopic particulate matter or foam*." Floating materials may result from discharges that may contain oil and grease, suspended solids, trash, debris, or organic matter that can accumulate and degrade water quality, impair aesthetics, and interfere with aquatic life habitat in the receiving water.

Given that the Facility operates as a bulk liquid storage and distribution center, there is reasonable potential for discharges to lead to exceedances of this narrative objective. Accordingly, this Order carries over the numeric effluent

limitations for oil and grease and total suspended solids, which are common sources of floating material. This Order also prohibits the discharge of trash, debris, and sludge in order to prevent the introduction of solid waste that could contribute to floating materials in the receiving water. Additionally, the Facility must implement a SWPPP, and best management practices focused on source control, operational and spill prevention, and routine housekeeping to minimize the risk of floating solids, foams, and scum. Visual monitoring during stormwater inspections, as required by the SWPPP, ensures that any floating materials are promptly detected and addressed before they can enter the receiving water. Thus, removal of this narrative receiving water limitation for floating material is not anticipated to cause any further degradation, and the existing requirements in this Order are sufficient to protect water quality and beneficial uses of the receiving water.

5.1.10. Oil and Grease

Order No. R4-2018-0154 included receiving water limitations for oil and grease, that discharges shall not cause "[o]*ils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the receiving water or on objects in the water*." Excess oil and grease in surface waters can reduce light penetration, smother aquatic habitats, impair dissolved oxygen exchange, and cause aesthetic impacts such as sheen or scum, directly affecting aquatic life and recreational beneficial uses in the receiving water. Based on the effluent monitoring data, there is no reasonable potential for the discharge from the Facility to cause excursion of this narrative receiving water objective. However, this Order retains the technology-based effluent limitation, established using best professional judgment, for oil and grease to further prevent excursions and protect the beneficial uses of the receiving water.

In addition, the Discharger must conduct effluent and receiving water monitoring, implement a SWPPP with spill prevention measures, maintain good housekeeping and proper material storage practices, and apply operational controls to prevent oil and grease from entering stormwater systems or discharge points. Visual inspections during stormwater monitoring are also required to identify the presence of oil sheens, films, or floating materials, ensuring that any potential discharges from the Facility of oil and grease are identified and addressed promptly. Therefore, removal of this narrative receiving water limitation for oil and grease is not anticipated to cause any further degradation, and the existing requirements in this Order are sufficient to protect water quality and beneficial uses of the receiving water.

5.1.11. Oxygen, Dissolved

Order No. R4-2018-0154 included a receiving water limitation for dissolved oxygen (DO), requiring that the mean annual DO concentration shall be greater than 7.0 mg/L and prohibiting any single result from lowering DO concentrations to below 5.0 mg/L in the receiving water. Dissolved oxygen is a critical parameter for aquatic life. Low DO levels can stress or kill fish and other organisms, impair aquatic habitat, and contribute to nuisance conditions such as increased anaerobic decomposition.

Because no effluent or receiving water monitoring data for DO is available, it is not possible to assess whether there is reasonable potential to exceed this water quality objective. This Order includes monitoring requirements for DO in both the effluent and the receiving water when discharge events occur from the Facility. This requirement will provide reliable site-specific data to evaluate DO conditions, identify any potential discharge-related impacts, and inform future permitting decisions.

In addition, the technology based effluent limits of BOD and effluent monitoring for other oxygen-demanding parameters, such as total ammonia, are also retained in this Order. These pollutants can indirectly influence DO levels through microbial decomposition and nitrification, and their continued regulation helps ensure protection of aquatic life. Thus, removal of this receiving water limitation for dissolved oxygen is not anticipated to cause any further degradation, and the existing requirements in this Order are sufficient to protect water quality and beneficial uses of the receiving water based on the available information at this time.

5.1.12. pH

Order No. R4-2018-0154 included a receiving water limitation for pH, prohibiting discharges that would lower the receiving water below 6.5 or raise it above 8.5 pH units, or alter ambient conditions by more than 0.2 units. The values of pH in the effluent ranged from 6.0 to 8.8, which indicates reasonable potential for discharges to affect water quality of the receiving water. However, ambient conditions and pH values in the receiving water near the Facility's discharge location is not available. Therefore, compliance with variation of 0.2 units cannot be fully evaluated at this time.

Accordingly, this Order maintains the existing numeric effluent limitation of 6.5 to 8.5 pH units as a protective baseline for water quality and continues to require monitoring of both effluent and receiving water. Ongoing data collection will support future evaluations and reassessments of reasonable potential for water quality impacts. The existing effluent limitations and monitoring requirements in effluent and receiving water for pH are sufficient to protect beneficial uses based on the available information at this time. Thus, given the infrequent nature of discharges from the Facility, removal of the receiving water limitation for pH is not anticipated to cause any further degradation, and no additional requirements are needed at this time.

5.1.13. Pollution

Order No. R4-2018-0154 included narrative receiving water limitation and prohibitions addressing "pollution" and "nuisance," consistent with the Basin Plan's definition of pollution under California Water Code section 13050(l). During development of this Order, a reasonable potential analysis (RPA) was conducted to evaluate whether the Facility's discharge has the potential to cause or contribute to exceedances of applicable water quality objectives established in the Basin Plan, the CTR, or other applicable plans and policies. Where reasonable potential was identified for any pollutants, numeric effluent limitations

are established to ensure compliance with water quality standards and protection of the receiving water as defined in State law.

Additionally, this Order requires continued implementation of source control measures through the Facility's SWPPP and BMPs to minimize the introduction of pollutants that could cause nuisance conditions, degrade water quality, or affect aquatic life. These measures ensure early identification and response to potential issues and provide a facility-specific, comprehensive framework for protecting water quality and supporting beneficial uses. Thus, removal of the receiving water limits is not anticipated to cause any further degradation, and no additional requirements are needed.

5.1.14. Solid, Suspended, or Settleable Materials

Order No. R4-2018-0154 included receiving water limitations for suspended and settleable materials that discharges shall not cause "*[s]uspended or settleable materials, chemical substances or pesticides in amounts that cause nuisance or adversely affect any designated beneficial use*." Elevated concentrations of solids in discharges can adversely affect aquatic life and overall water quality in the receiving water. This Order retains numeric effluent limitations for both TSS and settleable solids based on the Facility's classification as a bulk liquid storage and distribution center and the reasonable potential for its discharge to affect water quality. This Order also carries over effluent limitations for pesticides and chemical substances that presented reasonable potential to cause exceedance of this narrative receiving water limitation.

Additionally, these potential impacts are mitigated through source control measures and implementation of the SWPPP, which requires visual inspections during storm events to identify visible solids, scum, or discoloration. This Order also retains the requirement for proper operation and maintenance of treatment systems, implementation of good housekeeping practices, and adherence to spill prevention procedures to minimize solids loading in the discharge from the Facility through the implementation of the SWPPP and BMPP. Given that solids-related impacts are already effectively addressed through these effluent limitations, monitoring requirements, and BMPs, the removal of the receiving water limitation for solid, suspended, or settleable materials is not anticipated to cause any further degradation, and no additional requirements are needed.

5.1.15. Taste and Odor

Order No. R4-2018-0154 included receiving water limitations for substances that produce undesirable taste and odor, which are considered aesthetic nuisances and may impair beneficial uses such as recreation, aquatic life support, and the commercial harvesting of aquatic resources.

Pollutants commonly linked to taste and odor, which cause nuisance, are oil and grease and solids including TSS and settleable solids, and these pollutants are already regulated by numeric effluent limitations. Effluent monitoring data for oil and grease and settleable solids did not show reasonable potential, but effluent TSS concentration did show reasonable potential. In addition, given that the Facility operates as a bulk liquid storage and distribution center for petroleum,

there is reasonable potential for discharges to cause an excursion of this narrative objective. Accordingly, this Order carries over the numeric effluent limitations for oil and grease, settleable solids, and total suspended solids.

Anaerobic conditions of water body and presence of VOCs and other toxic metals can also cause odor and taste issues in the receiving water, but these other conditions/pollutants are regulated through effluent limitations and monitoring requirements as discussed above in sections 5.1.3 .5.1.4, 5.1.5. and 5.1.11. Other pollutants that may have the potential to impact taste and odor that are not already reflected in this Order will be addressed through a reasonable potential analysis on updated monitoring data, when it is available. Additional measures, such as source control practices, proper operation and maintenance, and implementation of the SWPPP, further minimize the risk of substances entering the discharge that could contribute to undesirable tastes and odors. Visual stormwater observations conducted under the SWPPP also provide early identification potential impacts that may be addressed at the time of occurrence. The existing effluent limitations, monitoring, and other requirements are sufficient to protect beneficial uses and the water quality objectives of the receiving water. Thus, removal of this narrative receiving water limitation is not anticipated to cause any further degradation, and no additional requirements are needed.

5.1.16. Temperature

Order No. R4-2018-0154 included a receiving water limitation for temperature stating that discharges shall not cause "*[s]urface water temperature to rise greater than 5°F above the natural temperature of the receiving waters at any time or place. At no time shall the temperature be raised above 80°F as a result of waste discharged."* This receiving water limitation, based on the temperature water quality objective in the Basin Plan, was inadvertently applied as receiving water limitation in Order No. R4-2018-0154. The Facility discharges stormwater to Dominguez Channel Estuary, to which the Thermal Plan applies, rather than the Basin Plan, for temperature. As stated in section 3.3.11, temperature objectives for enclosed bays and estuaries are specified in the Thermal Plan, and the maximum temperature of 86°F was determined to be appropriate for protection of aquatic life. In addition, the Thermal Plan states that *"[n]o discharge shall cause a surface water temperature rise greater than 4°F above the natural temperature of the receiving waters at any time or place."*

The Facility typically discharges stormwater under extreme or unique conditions during wet weather events, most often in the winter rainy season when ambient temperatures are naturally lower. Effluent monitoring data show a maximum effluent temperature of 71.06°F, thus, there is no reasonable potential for temperature to exceed 86°F as a result of waste discharge. However, no receiving water data is available to determine a 4°F difference above the natural temperature. Thus, reasonable potential for temperature impacts to this narrative objective is inconclusive at this time.

This Order carries over the 86°F numeric effluent limitation to protect aquatic life and other beneficial uses and continues to require temperature monitoring for both the effluent and receiving water in order to assess any impacts from the

discharge into the receiving water. Thus, based on the available information, removal of this narrative receiving water limitation is not anticipated to cause any further degradation, and no additional requirements are needed at this time.

5.1.17. Toxicity and toxic pollutants

Order No. R4-2018-0154 included receiving water limitations for aquatic toxicity and toxic pollutants, discharges shall not cause "*[t]oxic or other deleterious substances in concentrations or quantities which cause deleterious effects on aquatic biota, wildlife, or waterfowl or render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentration..*" Chronic toxicity monitoring evaluates the potential for long-term adverse effects on aquatic life by directly measuring organism response to effluent and ambient water samples. In this Order, aquatic toxicity and toxic pollutants continue to be addressed through multiple permit provisions.

This Order retains chronic toxicity due to the reasonable potential triggered by the Harbor Toxics TMDL for the receiving water. The Order includes updates to the test methods and effluent limitations for discharges and includes receiving water monitoring upstream and downstream during discharge events. In addition, this Order retains the requirement to conduct a Toxicity Reduction Evaluation (TRE) and/or Toxicity Identification Evaluation (TIE) if persistent toxicity occurs. The TRE/TIE investigation ensures that the Discharger identifies the source(s) of toxicity and implements corrective actions to eliminate the cause, thereby directly reducing potential impacts to beneficial uses.

Toxic pollutants are further controlled through technology-based effluent limitations and water quality-based effluent limitations established for pollutants with reasonable potential to exceed water quality objectives, consistent with the CTR and Basin Plan requirements. Examples include metals, organics, and other contaminants known to have toxic effects on aquatic organisms or human health. Additional pollutant-specific monitoring under the Harbor Toxics TMDL ensures continued evaluation of pollutants with bioaccumulative or toxic properties, including mercury, PCBs, and pesticides in the receiving water. Thus, removal of this narrative receiving water limitation is not anticipated to cause any further degradation, and no additional requirements are needed.

5.1.18. Turbidity

Order No. R4-2018-0154 included a receiving water limitation for turbidity, *"[w]here natural turbidity is between 0 to 50 NTU, increases in turbidity shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases in turbidity shall not exceed 10%*." These objectives were intended to prevent degradation of water clarity and protect beneficial uses such as aquatic life, recreation, and aesthetics in the receiving water. However, because there was no receiving water data for this Facility, baseline conditions cannot be established, and it is currently not possible to determine whether the Facility's discharge has reasonable potential to influence ambient turbidity levels. In the absence of data at this time, a narrative or ambient-based turbidity limitation would not provide a measurable or consistent basis for evaluation.

Although effluent monitoring data has indicated compliance with the existing effluent limitation, this Order carries forward the existing effluent limitation for turbidity as a protective baseline. Effluent and receiving water monitoring requirements are also retained to support future evaluations and may be used in reasonable potential analyses during future permit renewals. Thus, based on the available information, removal of this narrative receiving water limitation is not anticipated to cause any further degradation, and no additional requirements are needed at this time.

5.1.19. **Other conditions**

Order No. R4-2018-0154 included several receiving water limitations addressing conditions of the discharge, such that the discharge shall not cause "[d]amage, discolor, or formation of sludge deposits on flood control structures or facilities, or overloading of the design capacity", *"[d]egradation of surface communities and populations including vertebrate, invertebrate, and plant species*", *"[p]roblems associated with breeding of mosquitoes, gnats, black flies, midges, or other pests", and "[n]uisance, or adversely affect beneficial uses of the receiving water.* The flood control infrastructure was designed and is managed by the Los Angeles County Flood Control District and was determined by watershed geography and rainfall patterns at the time. The health of surface water communities and populations in the receiving water may vary seasonally and be influenced by multiple upstream and downstream dischargers and therefore cannot be attributed solely to the Facility's discharge. As stated in Section 2.1 of this Fact Sheet, the Discharger maintains multiple storage areas across the Facility that retains stormwater runoff for evaporation or percolation. Additionally, the Discharger is permitted to release stormwater to the POTW when conditions allow. Discharges from the Facility only occur under extreme or unique conditions.

Nuisance conditions, such as mosquito breeding and other pest-related impacts, are effectively addressed through proper effluent management and source control. This Order requires the Facility to implement BMPs, pollution prevention measures, and a SWPPP, which include visual monitoring provisions designed to identify potential nuisance conditions such as floating materials, standing water, and algae growth. These requirements, combined with numeric effluent limitations for parameters such as BOD, oil and grease, and nutrients, provide direct controls to reduce conditions that could otherwise promote pest breeding or other nuisance impacts. These existing requirements are sufficient to prevent any excursion of this water quality objective as a result of waste discharge from the Facility. Thus, removal of this narrative receiving water limitation is not anticipated to cause any further degradation, and no additional requirements are needed.

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).

6.2. Special Provisions

6.2.1. Reopener Provisions

These provisions are based on 40 CFR part 123. The Los Angeles Water Board may reopen the permit to modify permit conditions and requirements. Causes for modifications include the promulgation of new federal regulations, modification of toxicity requirements, or adoption of new regulations by the State Water Board or Los Angeles Water Board, including revisions to the Basin Plan or revisions to an applicable TMDL for the receiving water. This Order also adds a reopener provision to allow this permit to be modified as needed to address a California Supreme Court decision on the aquatic toxicity water quality standards. If the Supreme Court determines that the TST cannot be used in NPDES permits and the State Water Board suspends or revises the aquatic toxicity water quality standards, the Regional Board may reopen the permit to revise the aquatic toxicity requirements.

6.2.2. Special Studies and Additional Monitoring Requirements

a. **Initial Investigation Toxicity Reduction Evaluation Workplan.** This provision is based on section 4 of the SIP, Toxicity Control Provisions, which establishes minimum toxicity control requirements for implementing the narrative toxicity objective for aquatic life protection established in the basin plans of the State of California.

b. **Harbor Toxics TMDL Water Column, Sediment, and Fish Tissue Monitoring for the Dominguez Channel, Torrance Lateral, and Dominguez Channel Estuary**. This provision implements the Compliance Monitoring Program as required in the Harbor Toxics TMDL. The Compliance Monitoring Program includes water column monitoring, sediment monitoring,

and fish tissue monitoring at monitoring stations in the Dominguez Channel Estuary. The Discharger may join a collaboration group or develop a site-specific plan to comply with this requirement. Details on these requirements are provided in Section 6.3.2.b. and Attachment E Section 10.4 of this Order.

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

a. **Stormwater Pollution Prevention Plan (SWPPP).** Order No. R4-2018-0154 required the Discharger to develop and implement a SWPPP. This Order requires the Discharger to update and continue to implement a SWPPP approved by the Executive Officer of the Los Angeles Water Board. The SWPPP shall outline site-specific management processes for minimizing stormwater runoff contamination and for preventing contaminated stormwater runoff from being discharged directly into the Dominguez Channel Estuary. At a minimum, the management practices should ensure that raw materials and chemicals do not come into contact with stormwater. SWPPP requirements are included as Attachment G, based on 40 CFR 122.44(k).

b. **Best Management Practices Plan (BMPP).** Order No. R4-2018-0154 required the Discharger to develop and implement BMPs to reduce the number of pollutants entering the discharge. This Order requires the Discharger to update and continue to implement the BMPP. The purpose of the BMPP is to establish site-specific procedures that ensure proper operation and maintenance of equipment, to ensure that unauthorized non-stormwater discharges (i.e., spills) do not occur at the Facility. The BMPP shall incorporate the requirements in Attachment G. Attachment G requires a discussion on the effectiveness of each BMP to reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges.

c. **Spill Contingency Plan (SCP).** This Order requires the Discharger to develop and implement a SCP to control the discharge of pollutants. The SCP shall include a technical report on the preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events at the site. This provision is included in this Order to minimize and control the amount of pollutants discharged in case of a spill. The SCP shall be site-specific and shall cover all areas of the Facility. A Spill Prevention, Control, and Countermeasure (SPCC) Plan may satisfy this requirement.

The BMPP and the SCP (SPCC) may be included as a component of the SWPPP with a description of best management practices (BMPs) and measures for controlling accidental discharges are required for the Facility.

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

This provision, included in Section 6.3.4 of the Waste Discharge Requirements of this Order, is based on the requirements of 40 CFR section 122.41(e).

6.2.5. **Climate Change Effects Vulnerability Assessment and Mitigation Plan**

The Permittee is required to address potential climate change impacts through the development and implementation of a Climate Change Effects Vulnerability

Assessment and Mitigation Plan (Climate Change Plan), which is due 12 months after the effective date of this Order. This requirement is based on the need to adapt to and mitigate the effects of climate change on permitted facilities as described in State Water Board's Resolution No. 2017-0012 and the Los Angeles Water Board's Resolution No. R18-004. The Climate Change Plan is particularly crucial given recent impacts of increased storm intensity as well as the integrity of the Facility's Stormwater Pond and other associated containment infrastructure, as it will evaluate whether additional changes to the Facility's operations or infrastructure are necessary to reduce or eliminate discharges and ensure that future discharges comply with all applicable effluent limitations. This requirement helps ensure the Facility's long-term resilience and environmental compliance in the face of changing climate conditions.

6.2.6. **Other Special Provisions – Not Applicable**

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 also authorizes the Los Angeles Water Board to establish monitoring, reporting, and recordkeeping requirements. The Monitoring and Reporting Program (MRP), Attachment E of this Order 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.

7.1. Influent Monitoring – Not Applicable

7.2. Effluent Monitoring

Monitoring for pollutants expected to be present in the discharge will be required as established in the Monitoring and Reporting Program (Attachment E). To demonstrate compliance with effluent limitations, this Order retains and updates the monitoring requirements from Order No. R4-2018-0154 to determine compliance with the effluent limitations in section 4.1.1 of the Order.

The SIP states that the Los Angeles Water Board will require periodic monitoring for pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires the Discharger to conduct annual monitoring for the remaining CTR priority pollutants, including TCDD equivalents, at Monitoring EFF-001 when discharges occur from the Facility. The Los Angeles Water Board will use the additional data to conduct an RPA and determine if additional WQBELs are required. The Los Angeles Water Board may reopen the permit to incorporate additional effluent limitations and requirements, if necessary.

7.3. Whole Effluent Toxicity Testing Requirements

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

chemical at a low concentration can have chronic effects but no acute effects. For this Order, chronic toxicity monitoring in the discharge is required. The chronic toxicity testing results are analyzed using the U.S. EPA's 2010 TST statistical approach.

7.4. Receiving Water Monitoring

7.4.1. Surface Water

This Order includes monitoring requirements and are included in the MRP. The Facility is also required to perform general observations of the receiving water when discharges occur and report the observations in the monitoring report. Attention shall be given to the presence or absence of floating or suspended matter, discoloration, aquatic life, visible film, sheen or coating, fungi, slime, or objectionable growths.

Consistent with the SIP, the Los Angeles Water Board is requiring that the Discharger conduct upstream receiving water monitoring of the CTR priority pollutants at Monitoring Location RSW-001 and downstream receiving water monitoring at Monitoring Location RSW-002 at the same time the samples are collected for priority pollutant analysis. Since saltwater criteria are independent of hardness, monitoring for hardness (in mg/L of $CaCO_3$) is not required.

7.4.2. Groundwater – Not Applicable

7.5. Other Monitoring Requirements

7.5.1. **Stormwater Monitoring Requirements.** Because the discharge is comprised primarily of stormwater runoff that occurs only during heavy rainfall events, the Discharger is required to measure and record the rainfall each day of the month. The Discharger is also required to conduct visual observations of all stormwater discharges to observe the presence of floating and suspended materials, oil and grease, discoloration, turbidity, and odor.

7.5.2. **Regional Monitoring.** Monitoring is required to determine compliance with the assigned waste load and load allocations specified in the Harbor Toxics TMDL. The Discharger is required to implement the site-specific Monitoring Plan or may join a group of stakeholders already formed to address pollutants as specified in the Harbor Toxics TMDL.

8. PUBLIC PARTICIPATION

The Los Angeles Water Board is considering the issuance of WDRs that will serve as an NPDES permit for the Facility. As a step in the WDR adoption process, the Los Angeles Water Board staff have developed tentative WDRs. The Los Angeles Water Board encourages public participation in the WDR adoption process.

8.1. Notification of Interested Parties

The Los Angeles Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and provided an opportunity to submit written comments. Notification was provided through email and public notice.

The public had access to the agenda and any changes in dates and locations through the Los Angeles Water Board's website at https://www.waterboards.ca.gov/losangeles

8.2. Written Comments

Interested persons were invited to submit written comments concerning tentative WDRs as provided through the notification process electronically at losangeles@waterboards.ca.gov with a copy to randy.ly@waterboards.ca.gov.

To be fully responded to by staff and considered by the Los Angeles Water Board, the written comments were due at the Los Angeles Water Board office by **5:00 p.m. on February 23, 2026.**

8.3. Public Hearing

The Los Angeles 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:	**March 26, 2026**
Time:	**9:00 AM**
Location:	**Junipero Serra Building (Carmel Room)** **320 West 4th Street** **Los Angeles, CA 90013**

Interested people were invited to attend. At the public hearing, the Los Angeles 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 Los Angeles 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:

https://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 Los Angeles Water Board by calling 213-576-6600.

The tentative WDRs, comments received and response to comments are also available on the Los Angeles Water Board's website at:

https://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/index.shtml

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 Los Angeles 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 Randy Ly at randy.ly@waterboards.ca.gov.

ATTACHMENT G – STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS

1. IMPLEMENTATION SCHEDULE

A stormwater pollution prevention plan (SWPPP) shall be developed and submitted to the Los Angeles Water Board within 90 days following the adoption of this Order. The SWPPP shall be implemented for each facility covered by this Permit within 10 days of approval from the Los Angeles Water Board or no later than 90 days from the date of the submittal of the SWPPP to the Los Angeles Water Board (whichever comes first).

2. OBJECTIVES

The SWPPP has two major objectives: (a) to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of stormwater discharges and authorized non-stormwater discharges from the facility; and (b) to identify and implement site-specific best management practices (BMPs) to reduce or prevent pollutants associated with industrial activities in stormwater discharges and authorized non-stormwater discharges. BMPs may include a variety of pollution prevention measures or other low-cost pollution control measures. They are generally categorized as non-structural BMPs (activity schedules, prohibitions of practices, maintenance procedures, and other low-cost measures) and as structural BMPs (treatment measures, run-off controls, overhead coverage.) To achieve these objectives, facility operators should consider the five-phase process for SWPPP development and implementation as shown in Table A.

The SWPPP requirements are designed to be sufficiently flexible to meet the needs of various facilities. SWPPP requirements that are not applicable to a facility should not be included in the SWPPP.

A facility's SWPPP is a written document that shall contain a compliance activity schedule, a description of industrial activities and pollutant sources, descriptions of BMPs, drawings, maps, and relevant copies or references of parts of other plans. The SWPPP shall be revised whenever appropriate and shall be readily available for review by facility employees or Los Angeles Water Board inspectors.

3. PLANNING AND ORGANIZATION

3.1. Pollution Prevention Team

The SWPPP shall identify a specific individual or individuals and their positions within the facility organization as members of a stormwater pollution prevention team responsible for developing the SWPPP, assisting the facility manager in SWPPP implementation and revision, and conducting all monitoring program activities required in Attachment E of this Permit. The SWPPP shall clearly identify Permit-related responsibilities, duties, and activities of each team member. For small facilities, stormwater pollution prevention teams may consist of one individual where appropriate.

3.2 Review Other Requirements and Existing Facility Plans

The SWPPP may incorporate or reference the appropriate elements of other regulatory requirements. Facility operators should review all local, State, and Federal requirements that impact, complement, or are consistent with the

requirements of this Permit. Facility operators should identify any existing facility plans that contain stormwater pollutant control measures or relate to the requirements of this permit. As examples, facility operators whose facilities are subject to Federal Spill Prevention Control and Countermeasures' requirements should already have instituted a plan to control spills of certain hazardous materials. Similarly, facility operators whose facilities are subject to air quality related permits and regulations may already have evaluated industrial activities that generate dust or particulates.

TABLE A
FIVE PHASES FOR DEVELOPING AND IMPLEMENTING INDUSTRIAL STORMWATER POLLUTION PREVENTION PLANS

Phase	Tasks
Planning and Organization	Form Pollution Prevention Team Review other plans
Assessment Phase	Develop a site map Identify potential pollutant sources Inventory of materials and chemicals List significant spills and leaks Identify non-stormwater discharges Assess pollutant risks
Best management Practices Identification Phase	Non-structural BMPs Structural BMPs Select activity and site-specific BMPs
Implementation Phase	Train employees Implement BMPs Conduct recordkeeping and reporting
Evaluation/Monitoring	Conduct annual site evaluation Review monitoring information Evaluate BMPs Review and revise SWPPP

4. SITE MAP

The SWPPP shall include a site map. The site map shall be provided on an 8-½ x 11 inch or larger sheet and include notes, legends, and other data as appropriate to ensure that the site map is clear and understandable. If necessary, facility operators may provide the required information on multiple site maps.

The following information shall be included on the site map:

4.1. The facility boundaries; the outline of all stormwater drainage areas within the facility boundaries; portions of the drainage area impacted by run-on from surrounding areas; and direction of flow of each drainage area, on-site surface water bodies, and areas of soil erosion. The map shall also identify nearby water bodies (such as rivers,

lakes, and ponds) and municipal storm drain inlets where the facility's stormwater discharges and authorized non-stormwater discharges may be received.

4.2. The location of the stormwater collection and conveyance system, associated points of discharge, and direction of flow. Include any structural control measures that affect stormwater discharges, authorized non-stormwater discharges, and run-on. Examples of structural control measures are catch basins, berms, detention ponds, secondary containment, oil/water separators, diversion barriers, etc.

4.3. An outline of all impervious areas of the facility, including paved areas, buildings, covered storage areas, or other roofed structures.

4.4. Locations where materials are directly exposed to precipitation and the locations where significant spills or leaks identified in section 6.4. below have occurred.

4.5. Areas of industrial activity. This shall include the locations of all storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, cleaning and rinsing areas, and other areas of industrial activity which are potential pollutant sources.

5. LIST OF SIGNIFICANT MATERIALS

The SWPPP shall include a list of significant materials[1] handled and stored at the site. For each material on the list, describe the locations where the material is being stored, received, shipped, and handled, as well as the typical quantities and frequency. Materials shall include raw materials, intermediate products, final or finished products, recycled materials, and waste or disposed materials.

6. DESCRIPTION OF POTENTIAL POLLUTANT SOURCES

The SWPPP shall include a narrative description of the facility's industrial activities, as identified in section 4.5. above, associated potential pollutant sources, and potential pollutants that could be discharged in stormwater discharges or authorized non-stormwater discharges. At a minimum, the following items related to a facility's industrial activities shall be considered:

6.1. **Industrial Processes.** Describe each industrial process, the type, characteristics, and quantity of significant materials used in or resulting from the process, and a description of the manufacturing, cleaning, rinsing, recycling, disposal, or other activities related to the process.

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[1] "Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to section 313 of Title III of Superfund Amendments and Reauthorization Act (SARA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges.

6.2. **Material Handling and Storage Areas.** Describe each handling and storage area, type, characteristics, and quantity of significant materials handled or stored, description of the shipping, receiving, and loading procedures, and the spill or leak prevention and response procedures. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

6.3. **Dust and Particulate Generating Activities.** Describe all industrial activities that generate dust or particulates that may be deposited within the facility's boundaries and identify their discharge locations; the characteristics of dust and particulate pollutants; the approximate quantity of dust and particulate pollutants that may be deposited within the facility boundaries; and a description of the primary areas of the facility where dust and particulate pollutants would settle.

6.4. **Significant Spills and Leaks.** Describe materials that have spilled or leaked in significant quantities in stormwater discharges or authorized non-stormwater discharges since April 17, 1994. Include toxic chemicals (listed in 40 Code of Federal Regulations (CFR) part 302) that have been discharged to stormwater as reported on U.S. Environmental Protection Agency (U.S. EPA) Form R, and oil and hazardous substances in excess of reportable quantities (see 40 CFR, parts 110, 117, and 302).

The description shall include the type, characteristics, and approximate quantity of the material spilled or leaked, the cleanup or remedial actions that have occurred or are planned, the approximate remaining quantity of materials that may be exposed to stormwater or non-stormwater discharges, and the preventative measures taken to ensure spill or leaks do not reoccur. The list shall be updated as appropriate during the term of this Permit.

6.5. **Non-Stormwater Discharges.** Facility operators shall investigate the facility to identify all non-stormwater discharges and their sources. As part of this investigation, all drains (inlets and outlets) shall be evaluated to identify whether they connect to the storm drain system.

All non-stormwater discharges shall be described. This shall include the source, quantity, frequency, and characteristics of the non-stormwater discharges and associated drainage area.

Non-stormwater discharges that are not authorized by this Permit, other waste discharge requirements, or other NPDES permits are prohibited. The SWPPP must include BMPs to prevent or reduce contact of authorized non-stormwater discharges with significant materials (as defined in Footnote 1 of section 5 above) or equipment.

6.6. **Soil Erosion.** Describe the facility locations where soil erosion may occur as a result of industrial activity, stormwater discharges associated with industrial activity, or authorized non-stormwater discharges.

6.7. **Trash**. Describe the facility locations where trash may be generated as a result of facility operations and on-site activities.

The SWPPP shall include a summary of all areas of industrial activities, potential pollutant sources, and potential pollutants. This information should be summarized similarly to

Table B. The last column of Table B, "Control Practices", should be completed in accordance with section 8 below.

7. ASSESSMENT OF POTENTIAL POLLUTANT SOURCES

The SWPPP shall include a narrative assessment of all industrial activities and potential pollutant sources as described in section 6 above to determine:

7.1 Which areas of the facility are likely sources of pollutants in stormwater discharges and authorized non-stormwater discharges, and

7.2 Which pollutants are likely to be present in stormwater discharges and authorized non-stormwater discharges. Facility operators shall consider and evaluate various factors when performing this assessment such as current stormwater BMPs; quantities of significant materials handled, produced, stored, or disposed of; likelihood of exposure to stormwater or authorized non-stormwater discharges; history of spill or leaks; and run-on from outside sources.

Facility operators shall summarize the areas of the facility that are likely sources of pollutants and the corresponding pollutants that are likely to be present in stormwater discharges and authorized non-stormwater discharges.

Facility operators are required to develop and implement additional BMPs as appropriate and necessary to prevent or reduce pollutants associated with each pollutant source.

8. STORMWATER BEST MANAGEMENT PRACTICES

8.1. The SWPPP shall include a narrative description of the stormwater BMPs to be implemented at the facility for each potential pollutant and its source identified in the site assessment phase (Sections 5 and 6 above). The BMPs shall be developed and implemented to reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. Each pollutant and its source may require one or more BMPs. Some BMPs may be implemented for multiple pollutants and their sources, while other BMPs will be implemented for a very specific pollutant and its source.

TABLE B
EXAMPLE

ASSESSMENT OF POTENTIAL POLLUTION SOURCES AND CORRESPONDING BEST MANAGEMENT PRACTICES SUMMARY

Area	Activity	Pollutant Source	Pollutant	Best Management Practices
Vehicle & Equipment Fueling	Fueling	Spill and leaks during delivery. Spills caused by topping off fuel tanks. Hosing or washing down fuel oil fuel area. Leaking storage tanks. Rainfall running off fuel oil, and rainfall running onto and off fueling area.	Fuel oil	Use spill and overflow protection. Minimize run-on of stormwater into the fueling area. Cover fueling area. Use dry cleanup methods rather than hosing down area. Implement proper spill prevention control program. Implement adequate preventative maintenance program to preventive tank and line leaks. Inspect fueling areas regularly to detect problems before they occur. Train employees on proper fueling, cleanup, and spill response techniques.

The description of the BMPs shall identify the BMPs as (1) existing BMPs, (2) existing BMPs to be revised and implemented, or (3) new BMPs to be implemented. The description shall also include a discussion on the effectiveness of each BMP to reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. The SWPPP shall provide a summary of all BMPs implemented for each pollutant source similar to Table B.

8.2. Facility operators shall consider the following BMPs for implementation at the facility:

8.2.1. Non-Structural BMPs

Non-structural BMPs generally consist of processes, prohibitions, procedures, schedule of activities, etc., that prevent pollutants associated with industrial activity from contacting stormwater discharges and authorized non-stormwater discharges. They are considered low technology, cost-effective measures. Facility operators should consider all possible nonstructural BMPs options before considering additional structural BMPs. Below is a list of non-structural BMPs that should be considered:

- **Good Housekeeping.** Consists of practical procedures to maintain a clean and orderly facility.

- **Preventive Maintenance.** Includes the regular inspection and maintenance of structural stormwater controls (catch basins, oil/water separators, etc.) as well as other facility equipment and systems.
- **Spill Response.** Includes spill clean-up procedures and necessary clean-up equipment based upon the quantities and locations of significant materials that may spill or leak.
- **Material Handling and Storage.** Includes all procedures to minimize the potential for spills and leaks and to minimize exposure of significant materials to stormwater and authorized non-stormwater discharges.
- **Employee Training.** Includes training of personnel who are responsible for (1) implementing activities identified in the SWPPP, (2) conducting inspections, sampling, and visual observations, and (3) managing stormwater. Training should address topics such as spill response, good housekeeping, and material handling procedures, and actions necessary to implement all BMPs identified in the SWPPP. The SWPPP shall identify periodic dates for such training. Records shall be maintained of all training sessions held.
- **Waste Handling/Recycling.** Includes the procedures or processes to handle, store, or dispose of waste materials or recyclable materials.
- **Recordkeeping and Internal Reporting.** Includes the procedures to ensure that all records of inspections, spills, maintenance activities, corrective actions, visual observations, etc., are developed, retained, and provided, as necessary, to the appropriate facility personnel.
- **Erosion Control and Site Stabilization. I**ncludes a description of all sediment and erosion control activities. This may include the planting and maintenance of vegetation, diversion of run-on and runoff, placement of sandbags, silt screens, or other sediment control devices, etc.
- **Inspections.** In addition to the preventative maintenance inspections identified above, inspections will encompass a comprehensive schedule covering potential pollutant source. Tracking and follow-up procedures shall be described to ensure adequate corrective actions are taken and SWPPPs are made.
- **Quality Assurance.** Includes the procedures to ensure that all elements of the SWPPP and Monitoring Program are adequately conducted.

8.2.2. Structural BMPs

Where non-structural BMPs as identified above are not effective, structural BMPs shall be considered. Structural BMPs generally consist of structural devices that reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. Below is a list of structural BMPs:

- **Overhead Coverage.** Includes structures that provide horizontal coverage of materials, chemicals, and pollutant sources from contact with stormwater and authorized non-stormwater discharges.
- **Retention Ponds.** Includes basins, ponds, surface impoundments, bermed areas, etc. that do not allow stormwater to discharge from the facility.
- **Control Devices.** Includes berms or other devices that channel or route run-on and runoff away from pollutant sources.
- **Secondary Containment Structures.** Includes containment structures around storage tanks and other areas for the purpose of collecting any leaks or spills.
- **Treatment.** Includes inlet controls, infiltration devices, oil/water separators, detention ponds, vegetative swales, etc. that reduce the pollutants in stormwater discharges and authorized non-stormwater discharges.

9. ANNUAL COMPREHENSIVE SITE COMPLIANCE EVALUATION

The facility operator shall conduct one comprehensive site compliance evaluation each year. The SWPPP shall be revised, as appropriate, and submitted to the Los Angeles Water Board along with the annual monitoring report. The revisions shall be implemented no later than 90 days after submission. The evaluation is subject to review by the Los Angeles Water Board Executive Officer and modifications may be required. Evaluations shall include the following:

9.1. A review of all visual observation records, inspection records, and sampling and analysis results.

9.2 A visual inspection of all potential pollutant sources for evidence of, or the potential for, pollutants entering the drainage system.

9.3 A review and evaluation of all BMPs (both structural and non-structural) to determine whether the BMPs are adequate, properly implemented and maintained, or whether additional BMPs are needed. A visual inspection of equipment needed to implement the SWPPP, such as spill response equipment, shall be included.

9.4 An evaluation report that includes, (i) identification of personnel performing the evaluation, (ii) the date(s) of the evaluation, (iii) necessary SWPPP revisions, (iv) schedule, as required in section 10.3. below for implementing SWPPP revisions, (v) any incidents of non-compliance and the corrective actions taken, and (vi) a certification that the facility operator is in compliance with this Permit. If the above certification cannot be provided, explain in the evaluation report why the facility operator is not in compliance with this General Permit. The evaluation report shall be submitted as part of the annual report, retained for at least five years, and signed and certified in accordance with Standard Provisions 5.2.5. of Attachment D.

10. SWPPP GENERAL REQUIREMENTS

10.1. The SWPPP shall be retained onsite and made available upon request of a representative of the Los Angeles Water Board and/or local stormwater management agency (local agency) which receives the stormwater discharges.

10.2. The Los Angeles Water Board and/or local agency may notify the facility operator when the SWPPP does not meet one or more of the minimum requirements of this Section. As requested by the Los Angeles Water Board and/or local agency, the facility operator shall submit an SWPPP revision and implementation schedule that meets the minimum requirements of this section to the Los Angeles Water Board and/or local agency that requested the SWPPP revisions. Within 14 days after implementing the required SWPPP revisions, the facility operator shall provide written certification to the Los Angeles Water Board and/or local agency that the revisions have been implemented.

10.3. The SWPPP shall be revised, as appropriate, and implemented prior to changes in industrial activities which (i) may significantly increase the quantities of pollutants in stormwater discharge, (ii) cause a new area of industrial activity at the facility to be exposed to stormwater, or (iii) begin an industrial activity which would introduce a new pollutant source at the facility.

10.4. The SWPPP shall be revised and implemented in a timely manner, but in no case more than 90 days after a facility operator determines that the SWPPP is in violation of any requirement(s) of this Order.

10.5. When any part of the SWPPP is infeasible to implement by the deadlines specified in this Order due to proposed significant structural changes, the facility operator shall submit a report to the Los Angeles Water Board prior to the applicable deadline that (i) describes the portion of the SWPPP that is infeasible to implement by the deadline, (ii) provides justification for a time extension, (iii) provides a schedule for completing and implementing that portion of the SWPPP, and (iv) describes the BMPs that will be implemented in the interim period to reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. Such reports are subject to Los Angeles Water Board approval and/or modifications. Facility operators shall provide written notification to the Los Angeles Water Board within 14 days after the SWPPP revisions are implemented.

10.6. The SWPPP shall be provided, upon request, to the Los Angeles Water Board. The SWPPP is considered a report that shall be available to the public by the Los Angeles Water Board under Section 308(b) of the Clean Water Act.