



Los Angeles Regional Water Quality Control Board

ORDER NO. R4-2019-0052

WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF LOW THREAT HYDROSTATIC TEST WATER TO SURFACE WATERS IN COASTAL WATERSHEDS OF LOS ANGELES AND VENTURA COUNTIES

(GENERAL NPDES PERMIT NO. CAG674001)

Table 1. Administrative Information

Table with 2 columns: Description and Date. Rows include adoption date (May 9, 2019), effective date (July 9, 2019), and expiration date (July 9, 2024).

IT IS HEREBY ORDERED, that Order No. R4-2009-0068 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA), and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order.

I, Renee Purdy, Executive Officer, do hereby certify the following is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on May 9, 2019.

Handwritten signature of Renee Purdy and printed name: Renee Purdy, Executive Officer

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I. DISCHARGE INFORMATION

This Order authorizes discharges of wastewater generated from hydrostatic tests using potable water. Hydrostatic testing is generally defined as the structural integrity testing of pipelines, tanks, and/or storage vessels (Testing Vessels) using water.

The existing General NPDES Permit adopted in 2009 (Order No. R4-2009-0068) covers discharges of wastewater resulting from the hydrostatic testing using potable water. Order No. R4-2009-0068 expired on June 4, 2014 but was administratively extended. This Order renews the requirements of Order No. R4-2009-0068.

II. NOTIFICATION REQUIREMENTS

A. Eligibility Criteria

1. This Order covers discharges to surface waters of wastewater generated from hydrostatic tests using potable water, which has a low threat to receiving water quality.
2. To be covered under this Order, a Discharger must:
 - a. Demonstrate that pollutant concentrations in the discharge shall not cause violation of any applicable water quality objective for the receiving waters, including discharge prohibitions;
 - b. Submit analytical data to demonstrate that the potable water source used for hydrostatic testing complies with the Maximum Contaminant Levels (MCLs) as provided in Title 22 of the California Code of Regulations; and
 - c. Prepare and submit a pollution prevention plan including best management practices (BMPs) to ensure that the Testing Vessels are free of pollutants prior to filling with test water. The purpose of the BMPs plan is to (1) control and abate the discharge of pollutants from the facility to surface water; (2) achieve compliance with Best Available Technology economically achievable (BAT) or Best Conventional Pollutant Control Technology (BCT) requirement; and (3) achieve compliance with applicable water quality standards. In addition, a Discharger must provide mitigation measures that will be implemented if the hydrostatic testing process causes pollutants to be introduced in test water, and appropriate measures to prevent detrimental effects on the receiving water.
3. New discharges and existing discharges that are regulated under existing General or Individual NPDES Permits (Individual Permits), and which meet the eligibility criteria, may be regulated under this Order.
4. For the purpose of renewal of existing Individual Permits with this General NPDES Permit, provided that all the conditions of this General NPDES Permit are met, renewal is effective upon issuance of a notification by the Executive Officer and issuance of a new monitoring program.
5. If and when an Individual Permit with more specific requirements is issued to a Discharger, the applicability of this Order to that Discharger automatically terminates on the effective date of the Individual Permit.

B. Ineligibility

The following discharges are not authorized under this Order:

Discharges using a potable water supply source with constituent concentrations above the MCLs as provided in Title 22 of the California Code of Regulations.

C. Authorization

To be authorized to discharge under this Order, the Discharger must submit a Notice of Intent (NOI) in accordance with the requirements of Part II.D of the Order. Upon receipt of the application, the Executive Officer shall determine the applicability of this Order to such a discharge. If the discharge is eligible, the Executive Officer shall notify the Discharger that the discharge is authorized under the terms and conditions of this Order and prescribe an appropriate monitoring and reporting program (MRP). For new discharges, the discharge shall not commence until receipt of the Executive Officer's written enrollment authorization for coverage under this General NPDES Permit or until an Individual Permit is issued by the Regional Water Board.

D. Notice of Intent

1. Deadline for Submission

- a. Existing Dischargers covered under Order No. R4-2009-0068 will be sent an NOI form that must be completed and returned to the Regional Water Board within 60 days of receipt; otherwise, permit coverage may be revoked.
- b. New Dischargers shall file a complete application at least 45 days before commencement of the discharge.

2. Notice of Intent Form

- a. Both Existing and New Dischargers eligible to seek coverage under this General NPDES Permit shall submit to the Executive Officer a complete NOI, including all information required by the NOI. The NOI is incorporated as Attachment C to this Order.
- b. The Discharger shall submit documentation such as water quality data from potable water suppliers verifying that the potable water used for hydrostatic test complies with MCLs.
- c. Consistent with the State Water Resources Control Board (State Water Board) Recycled Water Policy, this Regional Water Board encourages wherever practical, water conservation and/or reuse of wastewater. To obtain coverage under this Order, the Discharger shall first investigate the feasibility of conservation, reuse, or injection of the hydrostatic test water, and/or alternative disposal methods for the wastewater. The Discharger shall include this feasibility study with the NOI.
- d. The NOI for a New Discharger shall be accompanied by an enrollment fee in accordance with section 2200 (*Annual Fee Schedules*) of Title 23 of the California Code of Regulations. The check or money order shall be made payable to the State Water Resources Control Board.
- e. Upon request, the Discharger shall submit any additional information that the Executive Officer deems necessary to determine whether the discharge meets the criteria for coverage under this Order, or to prescribe an appropriate MRP, or both.

E. Notice of Termination

Dischargers shall submit a Notice of Termination or Transfer (NOTT) when coverage under this General NPDES Permit is no longer needed. A NOTT contains the Waste Discharge Identification Number (WDID) or Compliance Inspection (CI) number, and the name and address of the owner of the facility. The NOTT shall be signed and dated by the owner certifying that the discharge associated with Permit No. CAG674001 has been eliminated or that there has been a change in ownership. Upon submission, the Discharger is no longer authorized to discharge wastewater associated with this General NPDES Permit.

F. Change of Ownership

Coverage under this Order may be transferred in case of change of ownership of land or discharge

facility provided the existing Discharger notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new Dischargers containing a specific date of transfer of coverage, responsibility for compliance with this Order, and liability between them.

III. FINDINGS

The Regional Water Board finds:

A. Rationale for Requirements

The Regional Water Board developed the requirements in this Order based on federal and state laws and regulations, information submitted as part of the previous NOIs and MRPs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for the Order. Attachments A through E and G are also incorporated into this Order.

B. Background

1. On June 4, 2009, this Regional Water Board adopted the *General National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements for Discharges of Low Threat Hydrostatic Test Water to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties* (NPDES No. CAG674001, Order No. R4-2009-0068). The General NPDES Permit and Waste Discharge Requirements (WDRs) covered discharges of wastewater resulting from the hydrostatic testing or structural integrity testing of pipelines, tanks, or any storage vessels using potable water. Currently, 22 Dischargers are enrolled under this General NPDES Permit. Order No. R4-2009-0068 expired on June 4, 2014 but was administratively extended. This Order renews the requirements of Order No. R4-2009-0068.
2. On September 22, 1989, the United States Environmental Protection Agency (USEPA) granted the State of California, through the State Water Resources Control Board (State Water Board) and the Regional Water Boards, the authority to issue General NPDES permits pursuant to Title 40 of the Code of Federal Regulations (40 CFR) parts 122 and 123.
3. 40 CFR section 122.28(a)(2)(ii) provides for issuance of General NPDES Permits to regulate a category of point sources, other than storm water point sources, if the sources within the category:
 - a. Involve the same or substantially similar types of operations;
 - b. Discharge the same types of waste;
 - c. Require the same effluent limitations or operating conditions;
 - d. Require the same or similar monitoring; and
 - e. In the opinion of the permitting authority, are more appropriately controlled under a General NPDES Permit rather than individual NPDES permits.
4. General NPDES permits and WDRs enable the Regional Water Board to expedite the processing of requirements, simplify the application process for Dischargers, better utilize limited staff resources, and avoid the expense and time involved in repetitive public noticing, hearings, and permit adoptions.
5. The Regional Water Board developed the requirements of this Order based on information submitted as part of the applications for several facilities, MRPs, and special studies and the information set forth herein.

B. Discharge Category Description

1. Hydrostatic test water is discharged to surface waters at various locations and project sites throughout this Region. Activities with hydrostatic test water discharges covered under this permit include, but are not limited to the following:
 - a. Structure integrity testing of new and existing pipelines, tanks, or storage vessels.
 - b. Repair and maintenance of pipelines, tanks, or reservoirs.
2. Hydrostatic test water is made up of potable/domestic water supplied by municipalities or potable water purveyors. Generally, discharge of hydrostatic test water under this Order is considered a low threat to water quality and the environment. The rate and quantity of hydrostatic test water released at project sites varies from hundreds of gallons per day to millions of gallons per day, depending on the capacity of the testing vessels. The duration of the discharge is usually short.
3. Discharges of hydrostatic test water can cause, or threaten to cause, impairment of receiving water quality. To ensure protection of water quality, if a hydrostatic test has the potential to introduce pollutants to the discharge, those pollutants will be removed or mitigated by treatment prior to discharge.
4. Most discharges covered by this permit do not flow into receiving waters that have significant flow volume. During the summer months, many of these creeks and streams are dry. Therefore, for several months of the year, these discharges may represent all or nearly all the flow in the receiving water. For this reason, the effluent limitations for discharges covered under this permit are calculated assuming no dilution.
5. An exception to the abovementioned approach may be applied based on an approved mixing zone study and a demonstration of compliance with water quality standards applicable to the receiving water as prescribed in the Water Quality Control Plan for the Los Angeles Region (Basin Plan). However, if a Discharger requests that a dilution credit be included in the computation of the effluent limitations, or that a mixing zone be established, an Individual Permit will be required.
6. These discharges also have the potential to recharge groundwater, particularly in certain waterbodies where the discharge may represent all or nearly all the flow in the receiving water. Most of the groundwater in the region is designated as an existing or potential source of municipal and domestic supply. The requirements of this Order protect the existing or potential beneficial use of groundwater recharge identified for many waterbodies in the region.

IV. DISCHARGE PROHIBITIONS

1. Discharges of any waste at a location different from that authorized by the Executive Officer of the Regional Water Board are prohibited.
2. Discharges of any waste other than those that meet eligibility requirements in Part II.A of this Order are prohibited, unless the Discharger is regulated for such discharges by another NPDES permit or discharges into a permitted facility.
3. Discharges of storage tank or pipeline liquid pushed out ahead of a pig or from pre-test storage tank flushing or cleaning to groundwater or surface water are prohibited under this permit.
4. Discharges of wastewater in excess of the flow rates authorized by the Executive Officer of the Regional Water Board are prohibited.
5. Discharges of any waste that exceed applicable effluent limitations are prohibited.

6. Discharges that contain any substances in concentrations toxic to human, animal, plant, or aquatic life are prohibited.
7. Discharges that cause or contribute to a violation of any applicable water quality standard for the receiving water are prohibited.
8. Pollution, contamination, or nuisance as defined by section 13050 of the CWC, which are created by the treatment or the discharge of pollutants authorized under this Order, are prohibited.
9. The discharge of any radiological, chemical, or biological warfare agent into the waters of the state is prohibited under Water Code section 13375.
10. Bypass or overflow of untreated or partially treated contaminated wastewater to waters of the State either at the treatment system or from any of the collection or transport systems or pump stations tributary to the treatment system is prohibited.

V. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations

1. Discharge of effluent from the outfall location(s) listed in the enrollment authorization fact sheet in excess of the following effluent limitations is prohibited. When a Discharger is enrolled under this General NPDES Permit, the Executive Officer shall list, in the fact sheet of enrollment authorization letter, each constituent from the Order that has effluent limitations applicable to the specific discharge.

Table 2. Effluent Limitations Applicable for All Discharges

Parameters*	Units	Effluent Limitations	
		Average Monthly	Maximum Daily
BOD ₅ 20°C	mg/L	20	30
Total Suspended Solids	mg/L	50	75
pH	pH unit	6.5 to 8.5	
Oil and Grease	mg/L	10	15
Turbidity	NTU	50	75
Settleable Solids	ml/L	0.1	0.3
Total Residual Chlorine	mg/L	NA	0.1
Total Petroleum Hydrocarbons (TPH)*	µg/L	NA	100

*: TPH equals the sum of TPH gasoline (C₄ – C₁₂) TPH diesel (C₁₃ – C₂₂), and TPH oil (C₂₃₊).

2. The temperature of the discharge shall not alter the natural receiving water temperature unless it can be demonstrated to the satisfaction of the Regional Water Board that such alteration in temperature does not adversely affect beneficial uses.

For discharges to inland waters designated WARM, water temperature shall not be altered by more than 5°F above the natural temperature. At no time shall the waste discharge result in WARM-designated waters to be raised above 80°F. For inland waters designated COLD, water temperature shall not be altered by more than 5°F above the natural temperature.

Per the statewide Thermal Plan, for discharges to enclosed bays, estuaries, and coastal waters, elevated temperature waste discharges shall comply with limitations necessary to assure protection of beneficial uses. The maximum temperature of waste discharges shall not exceed the natural temperature of the receiving waters by more than 20°F. Additionally, for discharges to estuaries and coastal waters, no 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.

3. Attachment B establishes the applicable waterbody-based effluent limitations for mineral and nitrogen constituents for discharges covered by this Order. The discharge of mineral and nitrogen constituents in excess of applicable limitations established in Attachment B is prohibited. In the enrollment authorization letter, the Executive Officer shall indicate the limitations in Attachment B that are applicable to the particular discharge based on the waterbody to which the Discharger will be discharging.
4. Pass-through or uncontrollable discharges of polychlorinated biphenyls (PCBs) shall not exceed daily average concentrations of 14 ng/L into fresh waters or 30 ng/L into estuarine waters.
5. The acute toxicity of the effluent shall be such that the average monthly survival in the undiluted effluent for any three (3) consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, with no single test less than 70% survival.
6. The discharge shall meet effluent limitations and toxic and effluent standards established pursuant to sections 301, 302, 304, 306, and 307 of the CWA, and amendments thereto.

B. Land Discharge Specifications (Not Applicable)

C. Reclamation Specifications (Not Applicable)

VI. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

Receiving water limitations are based on water quality objectives contained in the Basin Plan or other statewide water quality control plan and are a required part of this Order. The discharge shall not cause the following in the receiving waterbody.

1. The discharge shall not cause the normal ambient pH to fall below 6.5 nor exceed 8.5 units nor vary from normal ambient pH levels by more than 0.2 units in bays and estuaries or 0.5 units in inland surface waters.
2. The discharge shall not cause inland surface water temperature to rise greater than 5°F above the natural temperature of the receiving waters at any time or place. For WARM designated waters, at no time shall the temperature be raised above 80°F as a result of the waste discharged.

For estuaries and coastal waters, the discharge shall not cause surface water temperature to rise greater than 4 degrees F above the natural temperature of the receiving water at any time or place. For estuaries, enclosed bays, and coastal waters, at no time shall the temperature of the discharge exceed the natural temperature of the receiving water by more than 20 degrees F.

3. The waste discharged shall not cause exceedances of the bacteria limitations in Table 3 for freshwater receiving waterbodies and in Table 4 for saltwater receiving waterbodies.

11. The presence of substances that result in increases of BOD₅ that adversely affect beneficial uses.
12. Taste or odor-producing substances in concentrations that alter the natural taste, odor, and/or color of fish, shellfish, or other edible aquatic resources; cause nuisance; or adversely affect beneficial uses.
13. Alteration of turbidity, or apparent color beyond present natural background levels.
14. Damage, discolor, nor cause formation of sludge deposits on flood control structures or facilities nor overload the design capacity.
15. Degrade surface water communities and populations including vertebrate, invertebrate, and plant species.
16. Problems associated with breeding of mosquitoes, gnats, black flies, midges, or other pests.
17. Create nuisance, or adversely affect beneficial uses of the receiving water.
18. Violation of any applicable water quality objective/criteria for receiving waters adopted by the Regional Water Board, State Water Board, or USEPA. If more stringent applicable water quality standards are promulgated or approved pursuant to section 303 of the CWA, or amendments thereto, the Regional Water Board will revise or modify this Order in accordance with such standards.

B. Groundwater Limitations (Not Applicable)

VII. PROVISIONS

Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR sections 122.41 and 122.42, are included in this Order. The Discharger must comply with all standard provisions and with those additional conditions that are applicable under 40 CFR section 122.42. The Regional Water Board has also provided in this Order special provisions applicable to the Dischargers covered by this Order. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.

A. Standard Provisions

1. The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.
2. The Discharger shall comply with the following provisions:
 - a. The Executive Officer may require any Discharger authorized under this Order to apply for and obtain an Individual Permit with more specific requirements. The Executive Officer may require any Discharger authorized to discharge under this permit to apply for an Individual Permit only if the Discharger has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the Discharger to file the application, and a statement that on the effective date of the Individual Permit, the authority to discharge under this General NPDES Permit is no longer applicable.
 - b. The Discharger shall comply with all the applicable items of the Standard Provisions and Reporting for WDRs (Standard Provisions), which are part of this General NPDES Permit (Attachment D). If there is any conflict between provisions stated herein and the Standard Provisions, those provisions stated herein prevail.

- c. Prior to application, the Discharger shall submit for Executive Officer's approval the list of chemicals and proprietary additives that may affect the discharge, including rates/quantities of application, compositions, characteristics, and material safety data sheets, if any.
- d. Oil or oily materials, chemicals, refuse, or other materials that may cause pollution in storm water and/or urban runoff shall not be stored or deposited in areas where they may be picked up by rainfall/urban runoff and discharged to surface waters. Any spill of such materials shall be contained, removed and cleaned immediately.
- e. This Order neither exempts the Discharger from compliance with any other laws, regulations, or ordinances that may be applicable, nor legalizes the waste disposal facility.
- f. The Discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.
- g. Any discharge authorized under this Order may request to be excluded from the coverage of this Order by applying for an Individual Permit.
- h. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from treatment 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.

B. Monitoring and Reporting Program Requirements

The Executive Officer is hereby authorized to prescribe an MRP for each authorized Discharger. The Discharger shall comply with the MRP accompanying the transmittal for enrollment under this General NPDES Permit, and future revisions thereto. If there is any conflict between provisions stated in the MRP and the Regional Water Board Standard Provisions, those provisions stated in the MRP shall prevail.

C. Enforcement

1. Violation of any of the provisions of this Order may subject the Discharger to any of the penalties described herein or in Attachment D of this Order, or any combination thereof, at the discretion of the prosecuting authority.
2. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges authorized by this Order, may subject the Discharger to administrative or judicial 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.
3. California Water Code section 13385(h)(1) requires the Regional Water Board to assess a mandatory minimum penalty of three-thousand dollars (\$3,000) for each serious violation. Pursuant to California Water Code section 13385(h)(2), a "serious violation" is defined as any waste discharge that violates the effluent limitations contained in the applicable WDRs for a Group II pollutant by 20 percent or more, or for a Group I pollutant by 40 percent or more. Appendix A of 40 CFR section 123.45 specifies the Group I and II pollutants. Pursuant to California Water Code section 13385.1(a)(1), a "serious violation" is also defined as "a failure to file a discharge monitoring report required pursuant to section 13383 for each complete

period of 30 days following the deadline for submitting the report, if the report is designed to ensure compliance with limitations contained in WDRs that contain effluent limitations.”

4. California Water Code section 13385(i) requires the Regional Water Board to assess a mandatory minimum penalty of three-thousand dollars (\$3,000) for each violation whenever a person violates a WDR effluent limitation in any period of six consecutive months, except that the requirement to assess the mandatory minimum penalty shall not be applicable to the first three violations within that time period.
5. Pursuant to California Water Code section 13385.1(d), for the purposes of section 13385.1 and subdivisions (h), (i), and (j) of section 13385, “effluent limitation” means a numeric restriction or a numerically expressed narrative restriction on the quantity, discharge rate, concentration, or toxicity units of a pollutant or pollutants that may be discharged from an authorized location. An effluent limitation may be final or interim and may be expressed as a prohibition. An effluent limitation, for these purposes, does not include a receiving water limitation, a compliance schedule, or a best management practice.

D. Special Provisions

1. Reopener Provisions

Pursuant to 40 CFR sections 122.62 and 122.63, this Order may be modified, revoked and reissued, or terminated for cause. Reasons for modification may include new information on the impact of discharges regulated under this Order become available, promulgation of new effluent standards and/or regulations, adoption of new policies and/or water quality objectives, and/or new judicial decisions affecting requirements of this Order. In addition, if receiving water quality is threatened due to discharges covered under this permit, this permit will be reopened to incorporate more stringent effluent limitations for the constituents creating the threat. Total Maximum Daily Loads (TMDLs) have not been developed for all the parameters and receiving waters on the 303(d) list. When TMDLs are developed this permit may be reopened to incorporate appropriate limits. In addition, if a TMDL identifies that a discharge covered under this permit contributes a pollutant load that needs to be reduced; this permit will be reopened to incorporate appropriate TMDL based limits and/or to remove any applicable exemptions.

E. Special Studies, Technical Reports and Additional Monitoring Requirements (Not Applicable)

F. Best Management Practices and Pollution Prevention Plans

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

G. Construction, Operation and Maintenance Specifications

All owners or operators authorized discharge under the General NPDES Permit shall maintain and update, as necessary, a Treatment System Operation and Maintenance (O&M) Manual to assure efficient and effective treatment of contaminated water (pollutants concentrations above water quality criteria and goals). The O&M Manual shall address, but not limited to, the following.

- a. The O&M manual shall specify both normal operating and critical maximum or minimum values for treatment process variables including influent concentrations, flow rates, water levels, temperatures, time intervals, and chemical feed rates.

- b. The O&M manual shall specify an inspection and maintenance schedule for active and reserve system and shall provide a log sheet format to document inspection observations and record completion of maintenance tasks.
- c. The O&M manual shall include a Contingency and Notification Plan. The plan shall include procedures for reporting personnel to assure compliance with this General NPDES Permit, as well as authorization letters from the Executive Officer.
- d. The O&M manual shall specify safeguards to prevent noncompliance with limitations and requirements of the General NPDES Permit resulting from equipment failure, power loss, vandalism, or ten-year return frequency rainfall.

H. Engineering Design Report

For all new Dischargers and existing Dischargers where significant changes have made since prior submittals to the Regional Water Board, the NOI shall be accompanied, if necessary, by treatment flow schematic diagram and a certification, which demonstrates that the treatment process and the physical design of the treatment components will ensure compliance with the prohibitions, effluent limitations, and other conditions of the General NPDES Permit.

I. Special Provisions for Municipal Facilities (POTWs Only) (Not Applicable)

J. Other Special Provisions

1. Priority Pollutant Scan

To address the unanticipated potential of a discharge of toxics from hydrostatic testing above water quality standards for toxic pollutants, enrollees under this Order are required to conduct a priority pollutant scan of their effluent once at the beginning of the discharge and annually thereafter, for constituents listed in Attachment E to the Order. The result of the priority pollutant scan should be compared with appropriate screening levels and MCLs in Attachment E. During periods of discharge, accelerated weekly monitoring will be required for constituent(s) detected above the screening levels and/or MCLs, whichever one is higher. If the results of two additional consecutive samples collected pursuant to the accelerated monitoring program exceed the screening level(s) and/or MCLs in Attachment E, the Order requires the Discharger to cease discharging and to notify the Regional Water Board to determine a further course of action. Alternative actions may include, implementation of appropriate remedial measures by the Discharger or regulating the discharge under an individual permit or under a different General NPDES Permit that addresses the type of toxic pollutant(s) encountered at the site.

2. Expiration and Continuation of this Order

This Order expires on July 9, 2024; however, for those Dischargers authorized to discharge under this Order, it shall continue in full force and effect until a new order is adopted. Notwithstanding Provision VII.C.5.a. of Order No. R4-2009-0068, discharges regulated under Order No. R4-2009-0068 on or before the sixtieth day of notification of adoption of this Order, for which a completed NOI has been submitted, may continue to discharge under Order No. R4-2009-0068 until enrolled under this General NPDES Permit.

3. Reauthorization

Upon reissuance of a new Order, Dischargers authorized under this Order shall file a NOI or a new Report of Waste Discharge (ROWD) within 60 days of notification by the Executive Officer.

4. Rescission

Except for enforcement purposes, Order No. R4-2009-0068, adopted by this Regional Water Board on June 4, 2009, is rescinded effective July 9, 2019.

K. Compliance Schedules (Not Applicable)

VIII. COMPLIANCE DETERMINATION

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

A. General

Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined in the MRP and Appendix A of this Order. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, 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).

B. 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 (ML) (see Reporting Requirement I.H. of the MRP), then the Discharger is out of compliance.

C. 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 "Not Detected" (ND) or "Detected, but Not Quantified" (DNQ) to have concentrations equal to zero, provided that the applicable ML is used.

D. Effluent Limitations Expressed as a Median (Not Applicable)

E. Multiple Sample Data

When determining compliance with an average monthly effluent limitation (AMEL) or maximum daily effluent limitation (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 DNQ or 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.

F. Average Monthly Effluent Limitation

If the average (or when applicable, the median determined by subsection B above for multiple sample data) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger will be considered out of compliance for that calendar month. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

G. Average Weekly Effluent Limitation (AWEL) (Not Applicable)

H. Maximum Daily Effluent Limitation (MDEL)

If a daily discharge exceeds the MDEL for a given parameter, 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.

I. Instantaneous Minimum Effluent Limitation

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, 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).

J. Instantaneous Maximum Effluent Limitation

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, 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).

K. Median Monthly Effluent Limitation (MMEL) (Not Applicable)

L. Mass and Concentration Limitations (Not Applicable)

M. Bacterial Standards and Analyses

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

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

where n is the number of days samples were collected during the period and C is the concentration of bacteria (MPN/100 mL or colony-forming unit (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 and fecal coliform, at a minimum, and 1 to 1000 per 100 ml for *Enterococcus*). The detection method used for each analysis shall be reported with the results of the analysis.

Detection methods used for coliforms (total, fecal, and *E. coli*) and *Enterococcus* shall be those presented in Table 1A of 40 C.F.R. part 136 (revised May 18, 2012), unless alternate methods have been approved by USEPA pursuant to 40 C.F.R. part 136 or improved methods have been determined by the Executive Officer and/or USEPA.

APPENDIX A**SWRCB Minimum Levels in ppb ($\mu\text{g/L}$)**

The Minimum Levels (MLs) in this appendix are for use in reporting and compliance determination purposes in accordance with section 2.4 of the State Implementation Policy. These MLs were derived from data for priority pollutants provided by State certified analytical laboratories in 1997 and 1998. These MLs shall be used until new values are adopted by the SWRCB and become effective. The following tables (Tables 2a - 2d) present MLs for four major chemical groupings: volatile substances, semi-volatile substances, inorganics, and pesticides and PCBs. The analytical method that are used should be sufficiently sensitive in accordance with 40 CFR part 136.

Table 2a - VOLATILE SUBSTANCES*	GC	GCMS
1,1 Dichloroethane	0.5	1
1,1 Dichloroethene	0.5	2
1,1,1 Trichloroethane	0.5	2
1,1,2 Trichloroethane	0.5	2
1,1,2,2 Tetrachloroethane	0.5	1
1,2 Dichlorobenzene (volatile)	0.5	2
1,2 Dichloroethane	0.5	2
1,2 Dichloropropane	0.5	1
1,3 Dichlorobenzene (volatile)	0.5	2
1,3 Dichloropropene (volatile)	0.5	2
1,4 Dichlorobenzene (volatile)	0.5	2
Acrolein	2.0	5
Acrylonitrile	2.0	2
Benzene	0.5	2
Bromoform	0.5	2
Bromomethane	1.0	2
Carbon Tetrachloride	0.5	2
Chlorobenzene	0.5	2
Chlorodibromo-methane	0.5	2
Chloroethane	0.5	2
Chloroform	0.5	2
Chloromethane	0.5	2
Dichlorobromo-methane	0.5	2
Dichloromethane	0.5	2
Ethylbenzene	0.5	2
Tetrachloroethene	0.5	2
Toluene	0.5	2
trans-1,2 Dichloroethylene	0.5	1
Trichloroethene	0.5	2
Vinyl Chloride	0.5	2

* The normal method-specific factor for these substances is 1, therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

Table 2b - SEMI-VOLATILE SUBSTANCES*	GC	GCMS	LC	COLOR
1,2 Benzanthracene	10	5		
1,2 Dichlorobenzene (semivolatile)	2	2		
1,2 Diphenylhydrazine		1		
1,2,4 Trichlorobenzene	1	5		
1,3 Dichlorobenzene (semivolatile)	2	1		
1,4 Dichlorobenzene (semivolatile)	2	1		
2 Chlorophenol	2	5		
2,4 Dichlorophenol	1	5		
2,4 Dimethylphenol	1	2		
2,4 Dinitrophenol	5	5		
2,4 Dinitrotoluene	10	5		
2,4,6 Trichlorophenol	10	10		
2,6 Dinitrotoluene		5		
2- Nitrophenol		10		
2-Chloroethyl vinyl ether	1	1		
2-Chloronaphthalene		10		
3,3' Dichlorobenzidine		5		
3,4 Benzofluoranthene		10	10	
4 Chloro-3-methylphenol	5	1		
4,6 Dinitro-2-methylphenol	10	5		
4- Nitrophenol	5	10		
4-Bromophenyl phenyl ether	10	5		
4-Chlorophenyl phenyl ether		5		
Acenaphthene	1	1	0.5	
Acenaphthylene		10	0.2	
Anthracene		10	2	
Benzidine		5		
Benzo(a) pyrene(3,4 Benzopyrene)		10	2	
Benzo(g,h,i)perylene		5	0.1	
Benzo(k)fluoranthene		10	2	
bis 2-(1-Chloroethoxyl) methane		5		
bis(2-chloroethyl) ether	10	1		
bis(2-Chloroisopropyl) ether	10	2		
bis(2-Ethylhexyl) phthalate	10	5		
Butyl benzyl phthalate	10	10		
Chrysene		10	5	
di-n-Butyl phthalate		10		
di-n-Octyl phthalate		10		
Dibenzo(a,h)-anthracene		10	0.1	
Diethyl phthalate	10	2		
Dimethyl phthalate	10	2		
Fluoranthene	10	1	0.05	
Fluorene		10	0.1	
Hexachloro-cyclopentadiene	5	5		
Hexachlorobenzene	5	1		

Table 2b - SEMI-VOLATILE SUBSTANCES*	GC	GCMS	LC	COLOR
Hexachlorobutadiene	5	1		
Hexachloroethane	5	1		
Indeno(1,2,3,cd)-pyrene		10	0.05	
Isophorone	10	1		
N-Nitroso diphenyl amine	10	1		
N-Nitroso-dimethyl amine	10	5		
N-Nitroso -di n-propyl amine	10	5		
Naphthalene	10	1	0.2	
Nitrobenzene	10	1		
Pentachlorophenol	1	5		
Phenanthrene		5	0.05	
Phenol **	1	1		50
Pyrene		10	0.05	

* With the exception of phenol by colorimetric technique, the normal method-specific factor for these substances is 1000, therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance multiplied by 1000.

** Phenol by colorimetric technique has a factor of 1.

Table 2c – INORGANICS*	FAA	GFAA	ICP	ICPMS	SPGFAA	HYDRIDE	CVAA	COLOR	DCP
Antimony	10	5	50	0.5	5	0.5			1,000
Arsenic		2	10	2	2	1		20	1,000
Beryllium	20	0.5	2	0.5	1				1,000
Cadmium	10	0.5	10	0.25	0.5				1,000
Chromium (total)	50	2	10	0.5	1				1,000
Chromium VI	5							10	
Copper	25	5	10	0.5	2				1,000
Cyanide								5	
Lead	20	5	5	0.5	2				10,000
Mercury				0.5			0.2		
Nickel	50	5	20	1	5				1,000
Selenium		5	10	2	5	1			1,000
Silver	10	1	10	0.25	2				1,000
Thallium	10	2	10	1	5				1,000
Zinc	20		20	1	10				1,000

* The normal method-specific factor for these substances is 1; therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

Table 2d – PESTICIDES – PCBs*	GC
4,4'-DDD	0.05
4,4'-DDE	0.05
4,4'-DDT	0.01
a-Endosulfan	0.02
a-Hexachloro-cyclohexane	0.01
Aldrin	0.005
b-Endosulfan	0.01
b-Hexachloro-cyclohexane	0.005
Chlordane	0.1
d-Hexachloro-cyclohexane	0.005
Dieldrin	0.01
Endosulfan Sulfate	0.05
Endrin	0.01
Endrin Aldehyde	0.01
Heptachlor	0.01
Heptachlor Epoxide	0.01
Lindane(g-Hexachloro-cyclohexane)	0.02
PCB 1016	0.5
PCB 1221	0.5
PCB 1232	0.5
PCB 1242	0.5
PCB 1248	0.5
PCB 1254	0.5
PCB 1260	0.5
Toxaphene	0.5

* The normal method-specific factor for these substances is 100; therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance multiplied by 100.

Techniques:

GC - Gas Chromatography

GCMS - Gas Chromatography/Mass Spectrometry

HRGCMS - High Resolution Gas Chromatography/Mass Spectrometry (i.e., EPA 1613, 1624, or 1625)

LC - High Pressure Liquid Chromatography

FAA - Flame Atomic Absorption

GFAA - Graphite Furnace Atomic Absorption

HYDRIDE - Gaseous Hydride Atomic Absorption

CVAA - Cold Vapor Atomic Absorption

ICP - Inductively Coupled Plasma

ICPMS - Inductively Coupled Plasma/Mass Spectrometry

SPGFAA - Stabilized Platform Graphite Furnace Atomic Absorption (i.e., EPA 200.9)

DCP - Direct Current Plasma

COLOR – Colorimetric