

ATTACHMENT F – Fact Sheet

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ATTACHMENT F – FACT SHEET

The Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

I. PERMIT INFORMATION

A. Background. The State Water Resources Control Board (State Water Board) has been authorized by the USEPA, pursuant to Section 402 of the CWA, to administer the NPDES program in California since 1973. The procedures for the State Water Board and the Regional Water Board to issue NPDES permits pursuant to NPDES regulations at Parts 122 and 123, title 40 of the Code of Federal Regulations (40 CFR), were established through the NPDES Memorandum of Agreement between the USEPA and the State Water Board on September 22, 1989.

40 CFR section 122.28 provides for issuance of General NPDES permits to regulate a category of point sources if the sources: a) involve the same or substantially similar types of operations; b) discharge the same type of waste; c) require the same type of effluent limitations or operating conditions; d) require similar monitoring; and e) are more appropriately regulated under a general permit rather than individual permits. General NPDES permits enable Regional Water Board staff 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.

On April 2, 2009, this Regional Water Board adopted the General National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements for Discharges of Nonprocess Wastewater to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (NPDES No. CAG994003, Order No. R4-2009-0047). Approximately 19 dischargers are enrolled under Order No. R4-2009-0047. Order No. R4-2009-0047 expired on April 30, 2014, but was administratively extended. This Order renews the requirements of Order No. R4-2009-0047.

Most requirements in Order No. R4-2009-0047 remain the same in this Order, including Effluent Limitations and Discharge Specifications. Pursuant to 40 CFR section 122.44(d)(i)(vii)(B), this Order includes effluent limitations consistent with the assumptions and requirements of all available TMDL wasteload allocations applicable to discharges within the Los Angeles Region. This Order is formatted consistent with the State Water Board NPDES permit template. In addition, this Order requires filing of a Notice of Intent for all dischargers under this General Permit to streamline the permit application process.

II. DISCHARGE DESCRIPTION

A. Description of Wastewater

Discharge of nonprocess wastewater may cause, or threaten to cause, adverse impacts to existing and potential beneficial uses of the surface water. This Order establishes requirements to regulate discharges of nonprocess wastewaters to surface waters under the jurisdiction of this Regional Board. Discharges covered under this General Permit include, but not limited to, noncontact cooling water, boiler blowdown, air conditioning condensate, water treatment plant filter backwash, swimming pool drainage where disallowed by a municipal permittee unless the discharger has a separate permit, groundwater seepage, and swimming pool filter backwash water. These wastewater discharges may contain only uncontaminated waters or may be contaminated with petroleum products, volatile organic compounds (VOCs),

and heavy metals or other regulated chemical constituents. In the case of nonprocess wastewater, which is contaminated, treatment before discharge to surface waters is required.

B. Discharge Points and Receiving Waters

Under the General Permit, there may be multiple discharge points. Information regarding the discharge points and applicable receiving waters can be found in the completed NOI and will be included in the enrollment letter, Fact Sheet and Monitoring and Reporting Program.

C. Summary of Existing Requirements and Self Monitoring Reports (SMR) Data

1. Existing Effluent Limitations

Effluent limitations/Discharge Specifications contained in the existing Order No. R4-2009-0047 are as follows:

- a. Limitations applicable to discharges to freshwater or saltwater bodies

Table 1. Effluent Limitations applicable to discharges to freshwater or saltwater bodies

Parameters	Units	Effluent Limitations	
		Maximum Daily	Average Monthly
Total Suspended Solids	mg/L	150	50
Turbidity	NTU	150	50
BOD ₅ 20°C	mg/L	30	20
Oil and Grease	mg/L	15	10
Settleable Solids	ml/L	0.3	0.1
Sulfides	mg/L	1.0	
Residual Chlorine	mg/L	0.1	
Methylene Blue Active Substances (MBAS)	mg/L	0.5	

Table 2. Effluent Limitations of Organic Compounds

Constituent	Units	Discharge Limitations			
		Other Waters		MUN ¹	
		Daily Max	Monthly Avg.	Daily Max	Monthly Avg.
Volatile Organic Compounds					
1,1,2,2-tetrachloroethane	µg/L	1		0.34	0.17 ²
1,1,1-trichloroethane	µg/L	200		200	
1,1-dichloroethane	µg/L	5		5	
1,1-dichloroethylene	µg/L	6	3.2	0.11	0.057 ⁴
1,2-dichloroethane	µg/L	0.50		0.50	0.38 ⁴
1,2-trans-dichloroethylene	µg/L	10		10	
Benzene	µg/L	1.0		1.0	
Carbon tetrachloride	µg/L	0.5		0.5	0.25
Tetrachloroethylene	µg/L	5.0		1.6	0.8
Trichloroethylene	µg/L	5.0		5.0	2.7
Vinyl chloride	µg/L	0.5		0.5	

- b. Limitations applicable to discharges to freshwater waterbodies where no TMDLs has been established

Table 3. Hardness Dependent Metals

Hardness (mg/L)	Units	up to 200		200 – 300		300 and above	
		Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.
Cadmium	µg/L	2.8	5	4.1	5	5	5
Copper	µg/L	10.4	20.8	16.6	33.3	22.1	44.4
Lead	µg/L	4.4	8.7	8.3	16.7	12.8	25.6
Nickel	µg/L	60	100	90	100	100	100
Silver	µg/L	4.0	8.1	10	20	20	41
Zinc	µg/L	86	170	130	260	170	350

Table 4. Other Compounds

Constituents	Units	Discharge Limitations			
		Other Waters		MUN ³	
		Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.
Metals					
Antimony	µg/L	6		6	
Arsenic	µg/L	10		10	

¹ MUN refers to discharges to those waterbodies designated MUN (Municipal and Domestic Supply) identified in the Basin Plan with an “E” or and “I” designation.

² If the reported detection level is greater than the effluent limit for this constituent, then a non-detect using ML detection is deemed to be in compliance.

Constituents	Units	Discharge Limitations			
		Other Waters		MUN ³	
		Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.
Beryllium	µg/L	4		4	
Chromium III	µg/L	50		50	
Chromium VI	µg/L	16	8	16	8
Cyanide	µg/L	8.5	4.2	8.5	4.2 ³
Mercury	µg/L	0.1	0.05 ⁴	0.1	0.05 ⁵
Selenium	µg/L	8	4	8	4
Thallium	µg/L	13	6	3.4	1.7

c. Effluent Limitations applicable to freshwater waterbodies where TMDLs has been established

Table 5. Los Angeles River and Tributaries Metals TMDL

Reach	Units	Copper		Lead		Zinc		Selenium		Cadmium	
		Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.
Reach 5 and 6	µg/L	30	15	19	9.5			5	2.5	3.1	1.6
Reach 4	µg/L	26	13	10	5					3.1	1.6
Reach 3 above LA-Glendale WRP and Verdugo	µg/L	23	11.5	12	6					3.1	1.6
Reach 3 below LA-Glendale WRP	µg/L	26	13	12	6					3.1	1.6
Burbank Western Channel (above WRP)	µg/L	26	13	14.	7					3.1	1.6
Burbank Western Channel (below WRP)	µg/L	19	9.5	9.1	4.5					3.1	1.6
Reach 2 and Arroyo Seco	µg/L	22	11	11	5.5					3.1	1.6
Reach 1	µg/L	23	11.5	12	6					3.1	1.6
Compton Creek	µg/L	19	9.5	8.9	4.5					3.1	1.6
Rio Hondo Rch. 1	µg/L	13	12.5	5.0	2.5	131	65.5			3.1	1.6

³ If the reported detection level is greater than the effluent limit for this constituent, then a non detect using ML detection is deemed to be in compliance.

Table 6. Ballona Creek and Tributaries Metals TMDL⁶

Constituents	Units	Discharge Limitations	
		Daily Max.	Monthly Avg.
Metals			
Copper	µg/L	24	12.5
Lead	µg/L	13	6.5
Selenium	µg/L	5	2.5
Zinc	µg/L	304	152

Table 7. San Gabriel River and its Tributaries

Reach	Units	Copper		Lead		Zinc		Selenium	
		Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.
San Jose Creek Reach 1 (Confluence to temple street)	µg/L	---	---	---	---	---	---	5	2.5
San Jose Creek Reach 2 (Temple St. to I-10 at White Ave.)	µg/L	---	---	---	---	---	---	5	2.5
San Gabriel River Reach 1 (Firestone to Estuary)	µg/L	18	9	---	---	---	---	---	---
San Gabriel River Reach 2 (Whittier Narrows to Firestone)	µg/L	---	---	166	83	---	---	---	---
Coyote Creek	µg/L	20	10	106	53	158	79	---	---
Estuary	µg/L	3.7	1.8	---	---	---	---	---	---

Table 8. Calleguas Creek, its Tributaries and Muqu Lagoon

Reach	Units	Copper		Nickel		Selenium	
		Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.
1-Mabu Lagoon	µg/L	----	5.6	----	8.2	----	----
2- Calleguas Creek South	µg/L	----	13.7	----	8.2	----	----
3- Revolon Slough	µg/L	----	27	----	149	----	----
4- Calleguas Creek North	µg/L	----	3.7	----	8.3	----	5
5-Beardsley Channel	µg/L	----	3.7	----	8.3	----	5
6-Arroyo Las Posas	µg/L	----	----	----	----	----	----
7-Arroyo Simi	µg/L	----	----	----	----	----	----

Reach	Units	Copper		Nickel		Selenium	
		Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Monthly Avg.
8-Tapo Canyon	µg/L	----	----	----	----	----	----
9-Conejo Creek	µg/L	----	29.1	----	160	----	----
10-Hill Canyon reach of Conejo Creek	µg/L	----	29.1	----	160	----	----
11-Arroyo Santa Rosa	µg/L	----	29.1	----	160	----	----
12-North Fork Conejo Creek	µg/L	----	29.1	----	160	----	----
13-Arroyo Conejo (S.Fork Conejo Cr)	µg/L	----	29.1	----	160	----	----

Table 9. TMDL for Organochloride (OC) Pesticides, Polychlorinated Biphenyls (PCBs) in Calleguas Creek, Its Tributaries, and Maqu Lagoon

Constituents	Units	Discharge Limitations	
		Daily Max.	Monthly Avg.
Chlordane	ng/L	1.2	0.59 ^b
4,4-DDD	ng/L	1.7	0.84 ^b
4,4-DDE	ng/L	1.2	0.59 ^b
4,4-DDT	ng/L	1.2	0.59 ^b
Dieldrin	ng/L	0.28	0.14 ^b
PCBs	ng/L	0.34	0.17 ^b
Toxaphene	ng/L	0.33	0.16 ^b

Table 10. Limits applicable to discharges to saltwater waterbodies

Constituents	Units	Discharge Limitations	
		Daily Max.	Monthly Avg.
Metals			
Antimony	µg/L	6	
Arsenic	µg/L	10	5
Beryllium	µg/L		
Cadmium	µg/L	5	
Chromium III	µg/L	50	
Chromium VI	µg/L	82	41
Copper	µg/L	5.8	2.9
Cyanide	µg/L	1.0	0.50 ^b
Lead	µg/L	14	7
Mercury	µg/L	0.1	0.05 ^b
Nickel	µg/L	14	6.7
Selenium	µg/L	120	58
Silver	µg/L	2.2	1.1
Thallium	µg/L	13	6
Zinc	µg/L	95	47
Organic Compounds			

Constituents	Units	Discharge Limitations	
		Daily Max.	Monthly Avg.
Pentachlorophenol	µg/L	13	6.4
Chlordane	µg/L	0.0012	0.00059 ^b
4,4'-DDT	µg/L	0.0012	0.00059 ^b
Dieldrin	µg/L	0.00028	0.00014 ^b
Alpha-Endosulfan	µg/L	0.014	0.0071 ^b
Beta-Endosulfan	µg/L	0.014	0.0071 ^b
Endrin	µg/L	0.0038	0.0019 ^b
Heptachlor	µg/L	0.00042	0.00021 ^b
Heptachlor Epoxide	µg/L	0.00022	0.00011 ^b
Toxaphene	µg/L	0.00033	0.00016 ^b

2. Existing Monitoring Requirements

Order No. R4-2008-0032 requires the effluent monitoring in accordance with the following schedule.

- a. Monitoring requirements when treatment for toxics is not required

Table 11. Existing General Monitoring Requirements

Constituent	Unit	Type of Sample	Minimum Frequency
Total Waste Flow	gal/day	totalizer	continuously
pH	pH unit	grab	monthly
Total Suspended Solids	mg/L	grab	monthly
Turbidity	NTU	grab	monthly
BOD ₅ @ 20°C	mg/L	grab	monthly
Oil and Grease	mg/L	grab	monthly
Settleable Solids	ml/L	grab	monthly
Sulfides	mg/L	grab	monthly
Phenols	mg/L	grab	monthly
Temperature	°F	grab	monthly
Total Dissolved Solids	mg/L	grab	monthly
Sulfate	mg/L	grab	monthly
Chloride	mg/L	grab	monthly
Boron	mg/L	grab	monthly
Nitrogen	mg/L	grab	monthly
Residual chlorine	mg/L	grab	monthly
Acute Toxicity	µg/L	grab	annually

- b. Monitoring requirements when treatment for toxics is required

Monitoring will be required only for those toxics that have been shown to have reasonable potential to be in the discharge from analytical data supplied by the Discharger. Monitoring Frequency tbd in the table below means that monitoring will be required when the constituent has been shown to have reasonable potential to be

in the discharge from analytical data supplied by the Discharger, and when treatment for the constituent is required.

Existing Monitoring Requirements for Specific Constituents

Constituent	Unit	Type of Sample	Minimum Frequency
Conventional Pollutants			
Total Waste Flow	gal/day	totalizer	continuously
pH	pH unit	grab	monthly
Temperature	°F	grab	monthly
Total Suspended Solids	mg/L	grab	monthly
Turbidity	NTU	grab	monthly
BOD ₅ 20°C	mg/L	grab	monthly
Oil and Grease	mg/L	grab	monthly
Settleable Solids	ml/L	grab	monthly
Sulfides	mg/L	grab	monthly
Phenols	mg/L	grab	monthly
Residual Chlorine	mg/L	grab	monthly
Methylene Blue Active Substances (MBAS)	mg/L	grab	monthly
Metals			
Cadmium	µg/L	grab	tbd
Copper	µg/L	grab	tbd
Lead	µg/L	grab	tbd
Nickel	µg/L	grab	tbd
Silver	µg/L	grab	tbd
Zinc	µg/L	grab	tbd
Antimony	µg/L	grab	tbd
Arsenic	µg/L	grab	tbd
Beryllium	µg/L	grab	tbd
Chromium III	µg/L	grab	tbd
Chromium IV	µg/L	grab	tbd
Mercury	µg/L	grab	tbd
Volatile Organics			
1,1,2,2-tetrachloroethane	µg/L	grab	tbd
1,1,1-trichloroethane	µg/L	grab	tbd
1,1-dichloroethane	µg/L	grab	tbd
1,1-dichloroethylene	µg/L	grab	tbd
1,2-dichloroethane	µg/L	grab	tbd
1,2-trans-dichloroethylene	µg/L	grab	tbd
Benzene	µg/L	grab	tbd
Carbon tetrachloride	µg/L	grab	tbd
Tetrachloroethylene	µg/L	grab	tbd

Constituent	Unit	Type of Sample	Minimum Frequency
Trichloroethylene	µg/L	grab	tbd
Vinyl chloride	µg/L	grab	tbd

D. Compliance Summary (Not Applicable)**E. Planned Changes (Not Applicable)****III. NOTIFICATION REQUIREMENTS**

To obtain coverage under this General Permit, the Discharger must submit a Notice of Intent (NOI) Form and pay a filing fee. An NOI Form must be signed to be valid. Signing the certification on the NOI Form signifies that the Discharger intends to comply with the provisions of this General Permit.

A. General Permit Application

To be authorized to discharge under this Order, the Discharger must apply for coverage under this Order by submitting to the Regional Water Board a NOI.

1. Notice of Intent

- a. Both Existing and New Dischargers eligible to seek coverage under this General 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 must obtain and analyze (using appropriate sampling and laboratory methods) a representative sample(s) of the untreated wastewater to be treated and discharged under this Order. The analytical method(s) used shall be capable of achieving a detection limit at or below the minimum level⁴, otherwise, a written explanation shall be provided. The analytical results shall be submitted with the NOI. The data shall be tabulated and shall include the results for every constituent listed on Attachment E.
- c. Pursuant to section 2, Article X of the California Constitution, and section 275 of the California Water Code on preventing waste and unreasonable use of waters of the state, 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, injection of the wastewater, and/or alternative disposal methods of 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 the 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

⁴ The minimum levels are those published by the State Water Quality Control Board in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, 2005. See attached Appendix A.

criteria for coverage under this Order, or to prescribe an appropriate monitoring and reporting program, or both.

3. Deadline for Submission

- a. Existing Dischargers that were authorized to discharge under Order No. R4-2009-0047 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. Existing Dischargers enrolling under this Order are required to collect representative untreated wastewater sample(s) and analyze the sample for all the constituents listed on Attachment E. Dischargers shall conduct this analysis and submit the result with the NOI; otherwise, the existing authorization may be terminated. The discharge will be considered ineligible for enrollment, if the analytical test results of any constituent other than the pollutants with effluent limitations in Part V.A. of this Order exceeds the screening criteria in Attachment E. The Discharger will be enrolled under other appropriate General NPDES Permit or an individual permit and the existing enrollment will be terminated.
- b. New Dischargers shall file a complete NOI Form at least 45 days before commencement of the discharge.

4. Failure to Submit a NOI FORM

Existing Dischargers who fail to submit a complete NOI Form by the deadline established herein may be subject to an enforcement action, including assessment of administrative or judicial penalties, as allowed pursuant to applicable provisions of the Clean Water Act and the California Water Code including section 13261 thereof.

5. Authorization of Coverage

Upon receipt of the complete NOI, 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. For new discharges, the discharge shall not commence until receipt of the Executive Officer's written determination of eligibility for coverage under this General Permit. The Executive Officer may require a Discharger to comply with the conditions of this General Permit even if the Discharger has not submitted an NOI Form to be covered by this General Permit, as specified in Section II. A. d. of this Order.

Renewal of permits for existing Dischargers covered under individual permits that meet the eligibility requirement and that have submitted a ROWD or an NOI Form will consist of a letter of determination from the Executive Officer of coverage under this Order.

6. Notice of Start-Up

New Dischargers shall notify the Regional Water Board staff of the time and date for commencement of the discharge(s) authorized under this General Permit at least seven days prior to initiating a discharge.

IV. ELIGIBILITY REQUIREMENTS

A. Eligibility

- 1. This Order covers discharges to surface waters of noncontact cooling water, boiler blowdown, air conditioning condensate, water treatment plant filter backwash, swimming pool drainage where disallowed by a municipal permittee unless the discharger has a separate permit, groundwater seepage, and swimming pool filter backwash water.

2. To be covered under this Order, a Discharger must:
 - a. Demonstrate that the discharges shall not cause or contribute to a violation of any applicable water quality objective/criteria for the receiving waters, or any other Discharge Prohibition in Part IV of this Order;
 - b. Demonstrate that the discharge shall not exceed the effluent limitations or discharge specifications in Part V and Attachment B of this Order, and there shall be no reasonable potential to cause or contribute to an excursion above the applicable water quality objectives/criteria for the receiving water.
 - c. Perform reasonable potential analysis using a representative sample of wastewater to be discharged. The sample shall be analyzed and the data compared to the water quality screening criteria for the constituents listed on Attachment E to determine the most appropriate permit. If the analytical test results exceed the water quality screening criteria listed on Attachment E, then a reasonable potential for discharge of toxics shall be considered to exist.
 - i. If the analytical test results of the discharge show that any toxic exceeds the water quality screening criteria listed on Attachment E, then the Discharger will be enrolled under this General Permit and treatment of the wastewater will be required for discharge.
 - ii. If the analytical test results of the discharge show that toxics are below the screening levels in Attachment E, then the Discharger will be enrolled under this General Permit and treatment of the wastewater for toxics will not be required for discharge.
 - d. The discharge shall not cause acute nor chronic toxicity in receiving waters;
 - e. If necessary, the discharge shall pass through a treatment system designed and operated to reduce the concentration of contaminants to meet the effluent limitations of this Order; and
 - f. The Discharger shall be able to comply with the terms or provisions of this General Permit.
3. New discharges and existing discharges regulated under existing general or individual permits, which meet the eligibility criteria, may be regulated under this Order.
4. For the purpose of renewal of existing individual NPDES permits with this General Permit, provided that all the conditions of this General Permit are met, renewal is effective upon issuance of a notification by the Executive Officer and issuance of a new monitoring program.
5. When an individual NPDES permit with more specific requirements is issued to a discharger, the applicability of this Order to that discharger is automatically terminated on the effective date of the individual permit.

B. Ineligibility

The discharge of wastewater containing toxic pollutants, where there are no effluent limitations for such toxic pollutants in this General Permit, are not eligible for enrollment under this General Permit.

V. EXCLUSION OF COVERAGE

1. Termination of Discharge

Dischargers shall submit a Notice of Termination (NOT) when coverage under this General Permit is no longer needed. An NOT is a letter that lists the Waste Discharge Identification Number (WDID) or the Compliance Inspection Number (CI#), the name and address of the owner of the facility, and is signed and dated by the owner certifying that the discharge associated with this General Permit has been eliminated. Upon submission, the Discharger is no longer authorized to discharge wastewater associated with this General Permit.

2. Change from Authorization Under General Permit to Individual Permit

Dischargers already covered under the NPDES program, whether by general or individual permit, may elect to continue coverage under the existing permit or may submit a complete NOI for coverage under this General Permit. Dischargers who submit a complete NOI under this General Permit are not required to submit an individual permit application. The Regional Water Board may request additional information and may determine that a Discharger is not eligible for coverage under this General Permit and should be regulated under an individual or other general NPDES permit or, for discharges to land, under waste discharge requirements (WDRs). If the Regional Water Board issues such NPDES permit or WDRs, then the applicability of this General Permit to the discharge is immediately terminated on the effective date of such NPDES permit or WDRs.

3. Transferring Ownership

Coverage under this Order may be transferred in case of change of ownership of land or discharge facility provided the current owner/operator notifies the Executive Officer at least 30 days before the proposed transfer date by submitting a Form of Permit Transfer, which includes a written agreement between the current and new owner/operator containing a specific date of transfer of coverage, responsibility for compliance with this Order, and liability between them.

VI. BASIS FOR FEE

Section 2200 (Annual Fee Schedule) of Title 23 of the California Code of Regulations (CCR) requires that all discharges subject to waste discharge requirements shall pay an annual fee.

VII. DISCHARGE DESCRIPTION

Existing and new dischargers enrolling under this General Permit are required to collect representative wastewater sample(s) and analyze these samples for all the constituents listed on Attachment E. Existing dischargers shall conduct this analysis and submit the result with a Notice of Intent Form, otherwise the existing authorization will be terminated.

The screening criteria in Attachment E are based on the most restrictive of the California Toxic Rule numbers or the existing permit limitations. Attachment E has two columns of Screening Levels. The first column will be used to screen discharges to receiving waters designated as Municipal and Domestic Supply (MUN), identified in the Basin Plan with an "E" or "I" designation. The second column will be used to screen discharges to all other receiving water bodies. The most restrictive numbers are necessary because this Order is intended as a general NPDES permit and covers discharges to all surface waters in the Los Angeles Region.

VIII. APPLICABLE PLANS, POLICIES AND REGULATIONS

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

A. Legal Authorities

This Order is issued pursuant to section 402 of the CWA and implementing regulations adopted by the USEPA and Chapter 5.5, Division 7 of the California Water Code (CWC) (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit for point source discharges of nonprocess wastewaters to surface waters under the jurisdiction of the California Water Quality Control Board-Los Angeles Regional (Regional Water Board). This Order also serves as Waste Discharge Requirements (WDRs) pursuant to Article 4, Chapter 4 of the CWC (commencing with section 13260).

States may request authority to issue general NPDES permits pursuant to 40 CFR section 122.28. The State Water Board has been authorized by the USEPA to administer the NPDES program in California since 1973. The procedures for the State Water Board and the Regional Water Board to issue NPDES permits pursuant to 40 CFR Parts 122 and 123 were established through the NPDES Memorandum of Agreement between the USEPA and the State Water Board on September 22, 1989.

B. California Environmental Quality Act (CEQA)

Under California Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21100-21177.

C. State and Federal Regulations, Policies, and Plans

- 1. Water Quality-Based Effluent Limitations.** Section 301(b) of the CWA 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. 40 CFR section 122.44(d)(1)(i) mandates 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 or criteria within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric objective or criterion for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) USEPA 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 40 CFR section 122.44(d)(1)(vi).

The effluent limitations from non-process wastewater discharges regulated under this General Permit are calculated assuming no dilution. For most practical purposes, discharges of non-process wastewater do not flow directly into receiving waters with enough volume to consider a dilution credit or to allocate a mixing zone. Most discharges of treated wastewater regulated under this General Permit are to storm drain systems that discharge to creeks and streams. Many of these creeks and streams are dry during the summer months. Therefore, for many months of the year, these discharges may represent all or nearly all of the flow in some portions of the receiving creeks or streams. These discharges, therefore, have the potential to recharge groundwaters protected as drinking waters.

Because this Order is intended to serve as a general NPDES permit and covers discharges to all surface waters in the Los Angeles Region, the effluent limitations established pursuant to this General Permit are established to protect the most protective water quality objective or criterion for the designated surface water beneficial uses in the Los Angeles Region.

2. **Watershed Management Approach and Total Maximum Daily Loads (TMDLs).** The Regional Water Board has implemented the Watershed Management Approach to address water quality issues in the region. Watershed management may include diverse issues as defined by stakeholders to identify comprehensive solutions to protect, maintain, enhance, and restore water quality and beneficial uses. To achieve this goal, the Watershed Management Approach integrates the Regional Water Board's many diverse programs, particularly NPDES with TMDLs, to better assess cumulative impacts of pollutants from all point and nonpoint sources. A TMDL is a tool for implementing water quality standards and is based on the relationship between pollution sources and in-stream water quality conditions. The TMDL establishes the allowable loadings or other quantifiable parameters for a waterbody and thereby provides the basis to establish water quality based controls. These controls should provide the pollution reduction necessary for a waterbody to meet water quality standards. This process facilitates the development of watershed-specific solutions that balance the environmental and economic impacts within the watershed. The TMDLs assign waste load allocations (WLAs) and load allocations (LAs) for point and non-point sources, and will result in achieving water quality standards for the waterbody.

There are currently 60 USEPA-approved TMDLs for impaired waterbodies in the Los Angeles Region to reduce pollutants that are identified on California's 2010 CWA section 303(d) list. These pollutants are classified into the categories of algae, bacteria, chloride, debris, metals, nutrients, salts, toxicity, toxics, and trash. All applicable TMDL requirements are implemented in this Order as effluent limitations and permit conditions. Pursuant to 40 CFR section 122.44(d)(i)(vii)(B), this Order includes effluent limitations consistent with the assumptions and requirements of all available TMDL wasteload allocations applicable to discharges within the Los Angeles Region.

Certain receiving waters in the Los Angeles watershed do not fully support beneficial uses and therefore have been classified as impaired on the 2010 CWA section 303(d) list and have been scheduled for TMDL development. The USEPA partially approved the State's 2010 CWA section 303(d) list of impaired water bodies on November 12, 2010. The approved portion of the 2010 State Water Resources Control Board (State Water Board) California CWA Section 303(d) List includes the classification of the San Gabriel River Estuary, to which Los Alamitos Channel is tributary, as impaired due to copper, dioxin, nickel, and dissolved oxygen. For dioxin, nickel, and dissolved oxygen, TMDL development is scheduled for 2021.

3. **Water Quality Control Plans.** The Regional Water Board has adopted a revised basin plan, *Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Section 2. (Beneficial Uses) of the Basin Plan states that the beneficial uses of any specifically identified water body generally apply to its tributary streams. In addition, the Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which established state policy that all waters, with certain

exceptions, should be considered suitable or potentially suitable for municipal or domestic supply.

4. **Receiving Water Beneficial Uses.** The Basin Plan lists the designated beneficial uses of, specific water bodies (receiving waters) in the Los Angeles Region. Typical beneficial uses covered by this Order include the following:
 - a. Inland surface waters above an estuary - municipal and domestic supply, industrial service and process supply, agricultural supply, groundwater recharge, freshwater replenishment, aquaculture, warm and cold freshwater habitats, inland saline water and wildlife habitats, water contact and noncontact recreation, fish migration, and fish spawning.
 - b. Inland surface waters within and below an estuary - industrial service supply, marine and wetland habitats, estuarine and wildlife habitats, water contact and noncontact recreation, commercial and sport fishing, aquaculture, migration of aquatic organisms, fish migration, fish spawning, preservation of rare and endangered species, preservation of biological habitats, and shellfish harvesting.
 - c. Coastal Zones (both nearshore and offshore) - industrial service supply, navigation, water contact and noncontact recreation, commercial and sport fishing, marine habitat, wildlife habitat, fish migration and spawning, shellfish harvesting, and rare, threatened, or endangered species habitat.
5. **Thermal Plan.** The State Water Board adopted a Water quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for surface waters.
6. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA 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, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants.
7. **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 USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.
8. **Compliance Schedules and Interim Requirements.** The discharges covered under this Order applies exclusively to discharges of nonprocess wastewaters and, as such, the discharges from these sites are not expected to have issues in complying with the TMDLs prescribed effluent limitations in this Order. If a discharger cannot comply with the final TMDL limitations in this General Permit, then the Discharger will be covered under an individual permit where compliance schedule is more appropriate. Therefore,

this Order does not include either compliance schedule or Interim TMDLs and only appropriate final TMDLs have been prescribed.

- 9. Endangered Species Act.** 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 sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
- 10. Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards (WQS) become effective for CWA purposes. (40 CFR section 131.21; 65 Fed. Reg. 24641 (April 27, 2000).) Under the revised regulation (also known as the Alaska Rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000 may be used for CWA purposes, whether or not approved by USEPA.
- 11. Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based and water quality-based effluent limitations for individual pollutants that are no more stringent than required by CWA. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. Water quality-based effluent limitations have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant WQBELs were derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR section 131.38. The scientific procedures for calculating the individual water quality-based effluent limitations for priority pollutants are based on the CTR-SIP, which was approved by USEPA on May 18, 2000. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000.
- 12. Antidegradation Policy.** 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 No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. As discussed in more detail later in this Fact Sheet, the permitted discharge is consistent with the antidegradation provision of 40 CFR section 131.12 and State Water Board Resolution No. 68-16.
- 13. Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and 40 CFR section § 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in the tentative Order are at least as stringent as the effluent limitations in the existing Order. Section 303(d)(4) of the CWA allow for backsliding if the less stringent

limitations are based on a TMDL with the cumulative effect being that the limitations assure attainment of water quality standards in the receiving water for those specific parameters. Also, under 40 CFR section 122.44(l)(2)(i)(B)(2) less stringent limitations are allowable when correcting technical mistakes or mistaken interpretations of law. This General Permit incorporates WQBELs based on TMDL WLAs for toxics and other pollutants adopted by the Regional Water Board and approved by USEPA under CWA section 303(d); these WQBELs supercede some effluent limits specified in the existing permit.

14. **Clean, Affordable, and Accessible Water.** It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. (Cal. Wat. Code § 106.3). This Order promotes that policy by requiring discharges to meet maximum contaminant levels developed to protect human health and ensure that water is safe for domestic use.
15. **Monitoring and Reporting.** 40 CFR section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. California Water Code sections 13267 and 13383 authorize the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. A monitoring and reporting program (MRP) is tailored to each Discharger's individual situation and is provided with the General Permit coverage authorization letter signed by the Executive Officer of the Regional Water Board.
16. **Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the prospective discharges authorized by this Order. Details of the Public Hearing are provided later in this Fact Sheet.

D. Impaired Water Bodies on CWA Section 303(d) List

Section 303(d) of the CWA requires states to identify specific water bodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources. The USEPA has approved the State's CWA section 303(d) list of impaired water bodies on July 25, 2003. Certain receiving waters in Los Angeles County watersheds do not fully support beneficial uses and therefore, have been classified as impaired on the 2002 CWA section 303(d) list. For all CWA section 303(d)-listed water bodies and pollutants, the Regional Water Board plans to develop and adopt TMDLs that will specify waste load allocations (WLAs) for point sources and load allocations (LAs) for non-point sources, as appropriate.

The Regional Water Board has developed and adopted a number of TMDLs for impaired waterbodies in the Los Angeles Region to reduce pollutants which are identified in CWA section 303(d) list. The pollutants that these TMDLs target are categorized as bacteria, chloride, coliforms, metals, toxics, and trash TMDLs. Those applicable TMDL requirements are considered in this Order. Regional Water Board adopted TMDLs that have been approved by the State Water Resource Control Board Office of Administrative Law and by the USEPA have been incorporated in the Order for appropriate receiving water.

E. Other Plans, Polices and Regulations (Not Applicable)

IX. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The

control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: 40 CFR section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 CFR section 122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

A. Discharge Prohibitions

Discharges under this Order are required to be nontoxic. Toxicity is the adverse response of organisms to chemicals or physical agents. This prohibition is based on the Regional Water Boards' Basin Plans, which require that all waters be maintained free of toxic substances in concentrations that are lethal or produce other detrimental responses in aquatic organisms. Detrimental responses include, but are not limited to, decreased growth rate and decreased reproductive success of resident or indicator species. Basin Plans also require waters to be free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, or animal life. This objective applies regardless of whether the toxicity is caused by a single substance or the interactive effect of multiple substances.

B. Technology-Based Effluent Limitations

1. Scope and Authority

Section 301(b) of the CWA and implementing USEPA 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 Secondary Treatment Standards at 40 CFR part 133, Effluent Limitations Guidelines and Standards for the applicable categories in 40 CFR, and/or Best Professional Judgment (BPJ) in accordance with 40 CFR section 125.3.

2. Applicable Technology-Based Effluent Limitations

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 performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional, and nonconventional 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, fecal coliform, pH, and oil and grease. The BCT standard is established after considering the "cost reasonableness" of the relationship between the cost of attaining a reduction in effluent discharge and the benefits that would result, and also the cost effectiveness of additional industrial treatment beyond BPI.
- 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 USEPA to develop Effluent Limitations, Guidelines and Standards (ELGs) representing application of BPT, BAT, BCT, and NSPS. Section 402(a)(1) of the CWA and 40 CFR section 125.3 of the NPDES regulations 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 permit writer must consider specific factors outlined in 40 CFR section 125.3.

NPDES permits for discharges to surface waters must meet all applicable provisions of sections 301 and 402 of the CWA. These provisions require controls of pollutant discharges that utilize BAT and BCT to reduce pollutant and any more stringent controls necessary to meet water quality standards.

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

Section 301(b) of the CWA 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.

40 CFR section 122.44(d)(1)(i) 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) USEPA 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 40 CFR section 122.44(d)(1)(vi).

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

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

Typical beneficial uses covered by this Order include the following:

- a.** Inland surface waters above an estuary - municipal and domestic supply, industrial service and process supply, agricultural supply, groundwater recharge, freshwater replenishment, aquaculture, warm and cold freshwater habitats, inland saline water and wildlife habitats, water contact and noncontact recreation, fish migration, and fish spawning.
- b.** Inland surface waters within and below an estuary - industrial service supply, marine and wetland habitats, estuarine and wildlife habitats, water contact and noncontact recreation, commercial and sport fishing, aquaculture, migration of aquatic organisms, fish migration, fish spawning, preservation of rare and endangered species, preservation of biological habitats, and shellfish harvesting.
- c.** Coastal Zones (both nearshore and offshore) - industrial service supply, navigation, water contact and noncontact recreation, commercial and sport fishing, marine

habitat, wildlife habitat, fish migration and spawning, shellfish harvesting, and rare, threatened, or endangered species habitat.

3. **Determining the Need for WQBELs**

In accordance with Section 1.3 of the SIP, the Regional Water Board conducts Reasonable Potential Analysis (RPA) for each priority pollutant with an applicable criterion or objective to determine if a WQBEL is required in the permit. Water quality data from representative sample(s) are compared with the corresponding values in Attachment E. Screening Levels for General Permits. The constituent(s) with a value exceeding the screening level is considered to have a reasonable potential to exceed water quality criterion or objective and the corresponding WQBELs are prescribed in the enrollment of the discharge.

The Regional Water Board developed TMDL-based Wasteload Allocations (WLAs) for metals, nutrients, toxic organic compounds in the major rivers and its tributaries in the Los Angeles Region. The effluent limitations for these pollutants were established regardless of whether or not there is reasonable potential for the pollutants to be present in the discharge at levels that would cause or contribute to a violation of water quality standards. The Regional Water Board developed water quality-based effluent limitations for these pollutants pursuant to 40 CFR section 122.44(d)(1)(vii), which does not require or contemplate a reasonable potential analysis. Similarly, the SIP at Section 1.3 recognizes that reasonable potential analysis is not appropriate if a TMDL has been developed.

The effluent limitations prescribed under this General Permit are calculated assuming no dilution. For most practical purposes, discharges from nonprocess wastewater do not flow directly into receiving waters with enough volume to consider dilution credit or to allocate a mixing zone. Most discharges regulated under this General Permit are to storm drain systems that discharge to creeks and streams. Many of these creeks and streams are dry during the summer months. Therefore, for many months of the year, these discharges may represent all or nearly all of the flow in some portions of the receiving creeks or streams. These discharges, therefore, have the potential to recharge groundwaters protected as drinking waters.

An exception to this policy may be applied based on approved mixing zone study and based on demonstration of compliance with water quality objectives in the receiving water as prescribed in the Basin Plan. This exception process is more appropriate for an individual permit, and would not be appropriate for a general permit, that should be protective of most stringent water quality objectives and beneficial uses. If discharger requests that a dilution credit be included in the computation of effluent limit or that a mixing zone be allowed, an individual permit will be required. However, if no mixing zone is proposed, this General Permit provides coverage for all discharges to receiving water bodies in Coastal Watersheds of Los Angeles and Ventura Counties.

The Basin Plan states that the pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharge. Based on the requirements of the Basin Plan an instantaneous minimum limitation of 6.5 and an instantaneous maximum limitation of 8.5 for pH are included in the tentative permit. The Basin Plan lists temperature requirements for the receiving waters and references the Thermal Plan. Based on the requirements of the Thermal Plan and a white paper developed by Regional Water Board staff entitled *Temperature and Dissolved Oxygen Impacts on Biota in Tidal Estuaries and Enclosed Bays in the Los Angeles Region*, a maximum effluent temperature limitation of 86 °F is included in the tentative Order. The white

paper evaluated the optimum temperatures for steelhead, topmelt, ghost shrimp, brown rock crab, jackknife clam and blue mussel. The new temperature effluent limitation is reflective of new information available that indicates that the 100°F temperature is not protective of aquatic organisms. A survey was completed for several species of fish and the 86°F temperature was found to be protective.

4. WQBEL Calculations

The specific procedures for calculating WQBELs are contained in the USEPA's *Technical Support Document for Water Quality-Based Toxics Control (TSD) of 1991* (USEPA/505 /2-90-001) and the SIP, and they were used to calculate the WQBELs in this Order. Because the effluent limitations pursuant to this Order are established to protect the most protective water quality objective for the surface water beneficial uses in the Los Angeles Region, the most stringent criteria for lead, chromium III, and chromium VI in the CTR become their wasteload allocations.

WQBELs Calculation Example

Using lead as an example, the following demonstrates how WQBELs were established for the Order.

Step 1:

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

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

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

Where: C = The priority pollutant criterion/objective, adjusted if necessary for hardness, pH and translators.

D = The dilution credit, and

B = The ambient background concentration

The criteria for lead as in CTR are shown in Table 2.

Table 12. Summary of Lead Criteria as in CTR

CTR No.	Parameters	CTR/NTR Water Quality Criteria					
		Freshwater		Saltwater		Human Health for Consumption of:	
		Acute	Chronic	Acute	Chronic	Water & Organisms	Organisms only
		µg/L	µg/L	µg/L	µg/L	µg/L	µg/L
7	Lead	65	2.5	210	8.1	Narrative	Narrative

"-" = Water quality criteria not applicable

The CTR metal criteria for lead need to be adjusted for hardness and translators. A hardness value of 100 mg/L as CaCO₃ is used to satisfy the most stringent criteria requirement. According to 40 CFR Water Quality Standards, 131.38 (b)(2), Factors for Calculating Metals Criteria, Conversion Factor for lead at 100 mg/L hardness is 0.791, for both freshwater acute criteria and freshwater chronic criteria. Therefore,

$65 / 0.791 = 81.65$

$$2.5 / 0.791 = 3.18$$

The criteria adjusted values are shown in Table 3.

Table 13. Summary of Lead Criteria Adjusted for Hardness

CTR No.	Parameters *	Selected Criteria	CTR/NTR Water Quality Criteria					
			Freshwater		Saltwater		Human Health for Consumption of:	
			Acute	Chronic	Acute	Chronic	Water & Organisms	Organisms only
			µg/L	µg/L	µg/L	µg/L	µg/L	µg/L
7	Lead Total Recoverable	3.18	81.65	3.18	220.82	8.52	Narrative	Narrative

"- ." = Water quality criteria not applicable

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

$$ECA = C$$

For lead,

$$ECA_{acute} = 81.65 \mu\text{g/L}$$

$$ECA_{chronic} = 3.18 \mu\text{g/L}$$

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.

$$LTA_{acute} = ECA_{acute} \times \text{Multiplier}_{acute 99}$$

$$LTA_{chronic} = ECA_{chronic} \times \text{Multiplier}_{chronic 99}$$

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 percent of the samples in the data set are reported as non-detect, the CV shall be set equal to 0.6.

In this General Permit, there is no sample data available. Therefore, the USEPA default CV value of 0.6 is used to develop the acute and chronic LTA using equations provided in Section 1.4, Step 3 of the SIP (Table 1 of the SIP also provides this data up to three decimals):

CV	ECA Multiplier _{acute 99}	ECA Multiplier _{chronic 99}
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0.6	0.32108	0.52743
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$$LTA_{acute} = 81.65 \mu\text{g/L} \times 0.32108 = 26.22 \mu\text{g/L}$$

$$LTA_{chronic} = 3.18 \mu\text{g/L} \times 0.52743 = 1.68 \mu\text{g/L}$$

Step 3:

Select the most limiting (lowest) of the LTA.

$LTA = \text{most limiting of } LTA_{\text{acute}} \text{ or } LTA_{\text{chronic}}$

For lead, the most limiting LTA was the LTA_{acute}

$LTA = 1.68 \mu\text{g/L}$

Step 4:

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

$MDEL_{\text{aquatic life}} = LTA \times MDEL_{\text{multiplier 99}}$

$AMEL_{\text{aquatic life}} = LTA \times AMEL_{\text{multiplier 99}}$

For lead, the following data was used to develop the MDEL for aquatic life 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):

Sample No. / Month	CV	Multiplier _{MDEL 99}	Multiplier _{MDEL 99}
4 / 0.6	3.11	1.55	

$MDEL_{\text{aquatic life}} = 1.68 \mu\text{g/L} \times 3.11 = 5.22 \mu\text{g/L}$

$AMEL_{\text{aquatic life}} = 1.68 \mu\text{g/L} \times 1.55 = 2.60 \mu\text{g/L}$

The WQBELs for chromium III, chromium VI, and other CTR based limitations are similarly calculated and summarized on Table 6, Summaries of Limitations and Rationales.

5. Whole Effluent Toxicity (WET)

Whole effluent toxicity (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 response includes but is 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. The acute toxicity objective for discharges dictates that the

average survival in undiluted effluent for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90 percent, with no single test having less than 70 percent survival. The WET requirements from the previous Orders remain unchanged.

For the intermittent nature of the discharge, it is not expected to contribute to long-term toxic effects within the receiving water; therefore, the Discharger will not be required to conduct chronic toxicity testing. Intermittent discharges are likely to have short-term effects; therefore at this facility, the Discharger will be required to comply with acute toxicity effluent limitations in accordance with the Basin Plan and the Order.

6. Impact to Water Quality

Nonprocess wastewater discharges could impair the designated beneficial uses of the receiving water, cause short-term violations of water quality objectives, cause secondary drinking water standards to be violated, or cause a nuisance. Discharges covered by the accompanying order may involve a treatment system, which may include physical, chemical, and/or biological treatment.

7. Specific Rationales for Each of the Numerical Effluent Limitations

The effluent limitations and the specific rationales for pollutants that are expected to be present in discharges covered by this General Permit are listed in the tables at the end of this section. The specific rationales include: the existing General Permit Order No. R4-2009-0047 (General NPDES Permit No. CAG994003); the CTR; the Basin Plan; established TMDLs for Los Angeles Region and Title 22 California Code of Regulations (California Domestic Water Quality and Monitoring Regulations). It is intended that all the General Permits issued by this Regional Water Board for similar activities have similar effluent limits for the constituents of concern.

This Order establishes limits for many more constituents so that this General Permit will be able to cover many discharges which might otherwise not be eligible for coverage under a general permit. The many established effluent limitations increase the likelihood that a given discharge can be covered so that the advantages of a general permit in comparison to an individual permit, relatively lower cost, speed of enrollment, can be availed by many dischargers.

Because this Order is intended to serve as a general NPDES permit and covers discharges to all surface waters in the Los Angeles Region, the effluent limitations established pursuant to this general order are established to protect the most protective water quality objective for the surface water beneficial uses in the Los Angeles Region.

The discharges regulated under this General Permit have the potential to recharge groundwaters protected as drinking waters. The Basin Plan requires these groundwaters to be protected to Title 22 requirements, and it implements both the Federal and State anti-degradation policies. Primary standards are standards that protect public health by limiting the levels of contaminants in drinking water. Secondary standards are guidelines regulating contaminants that may cause aesthetic effects (such as taste, odor, or color) in drinking water. For surface waters with the beneficial use of municipal and domestic supply, it is also appropriate to limit discharges into these sources of drinking water to MCL. To protect the most restrictive water quality objective, this General Permit includes limit for methylene blue active substances (MBAS) of 0.5 mg/L consistent with the existing permits. This limit is applicable to surface waters and groundwaters that have MUN designation because the discharges regulated under this

General Permit have the potential to recharge groundwaters protected as drinking waters.

On January 22, 2001 EPA adopted a new standard for arsenic in drinking water at 10 parts per billion (ppb) (40 CFR section 141.62(b)(16)), replacing the old standard of 50 ppb. EPA has set the arsenic standard for drinking water at .010 parts per million (10 parts per billion) to protect consumers served by public water systems from the effects of long-term, chronic exposure to arsenic. The rule became effective on February 22, 2002. The date by which systems must comply with the new 10 ppb standard is January 23, 2006.

This General Permit includes effluent limitations for metals and some organic compounds which are specific based on whether the discharge is to a freshwater or saltwater receiving water. The CTR establishes the criteria for inland surface waters (freshwater) as well as water in the enclosed bays and estuaries (saltwater) and these criteria were used to set the appropriate metal limits. For purposes of this General Permit, saltwater is defined as waterbodies with saline, estuarine or marine beneficial use designations. All other inland surface waters are considered freshwater.

In freshwater, the toxicity of certain metals including cadmium, chromium III, copper, lead, nickel, silver, and zinc is dependent on water hardness. The CTR expresses the objectives for these metals through equations where the hardness of the receiving water is a variable. To simplify the permitting process, it was necessary that fixed hardness values be used in these equations. For limits in waters with hardness below 200 mg/L, a hardness value of 150 mg/L was used to calculate the limits. For limits in waters with hardness between 200 and 300 mg/L, a hardness value of 250 mg/L was used and for limits in waters with hardness 300 mg/L and above, a hardness value of 350 mg/L was used. The Order requires the Discharger to propose appropriate receiving water hardness or effluent hardness based on analytical results of receiving water or effluent samples. Upon approval of the Executive Officer, this hardness value will be used to determine the appropriate metal limitation from the table of limits (V.b.i.-Table 3) in the Order.

D. Final Effluent Limitation Considerations

1. Anti-Backsliding Requirements

Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 CFR section 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order

2. Antidegradation Policies

The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. The permitted discharge under this General Permit is consistent with the antidegradation provision of Section 131.12 and State Water Board Resolution No. 68-16.

3. Stringency of Requirements for Individual Pollutants

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. These limitations are not more stringent than required by the CWA. A more stringent daily maximum effluent limitation for Total Suspended Solids has been prescribed in this permit consistent with the minimum applicable federal technology and other NPDES permits.

Water quality-based effluent limitations have been derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR 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 USEPA on May 18, 2000. Most beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to 40 CFR section 131.21(c)(1). The remaining water quality objectives and beneficial uses implemented by this Order were approved by USEPA and are applicable water quality standards pursuant to section 131.21(c)(2). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

4. Interim Effluent Limitations (Not Applicable)

5. Land Discharge Specifications (Not Applicable)

6. Recycling Specifications (Not Applicable)

7. Summaries of Limitations and Rationales

Summaries of the final effluent limitations based on technology-based discharge limitations and water quality-based discharge limitations and their rationales are shown in the following tables.

Table 14. Summaries of Effluent Limitations and Rationales for Freshwater

Constituent	Units	Effluent Limitations				Basis for Limit
		Maximum Daily		Average Monthly		
		Others	MUN	Others	MUN	
General Constituents						
Total Suspended Solids (TSS)	mg/L	75	75	50	50	Previous Order ³ for Average Monthly; See the detailed rationale following this table for Maximum Daily Effluent Limitation
Turbidity	NTU	150	150	50	50	Previous Order
BOD ₅ 20°C	mg/L	30	30	20	20	Previous Order
Oil and Grease	mg/L	15	15	10	10	Previous Order
Settleable Solids	ml/L	0.3	0.3	0.1	0.1	Previous Order
Sulfides	mg/L	1.0	1.0			Previous Order
Residual Chlorine	mg/L	0.1	0.1			Previous Order, Basin Plan ⁴
Methylene Blue Active Substances (MBAS)	mg/L	0.5	0.5			Previous Order
Volatile Organic Compounds						
1,1 dichloroethane	µg/L	5				Previous Order
1,1 dichloroethylene	µg/L	6.0	0.11	3.2	0.057	CTR ⁵ , Basin Plan
1,1,1 trichloroethane	µg/L	200				Previous Order
1,1,2 trichloroethane	µg/L	5	1.2		0.6	Basin Plan, CTR
1,2 dichloroethane	µg/L	0.5	0.5		0.38	Previous Order, CTR
1,2-trans-dichloroethylene	µg/L	10				Previous Order
Benzene	µg/L	1.0				Previous Order
Tetrachloroethylene	µg/L	5.0	1.6		0.80	Previous Order, CTR
Trichloroethylene	µg/L	5.0	5.0		2.7	Previous Order, CTR
Vinyl chloride	µg/L	0.5				Previous Order
Metals						
Antimony	µg/L	6				Basin Plan
Arsenic	µg/L	10		10		FMCL

³ The limit was carried over from the previous order to prevent backsliding.

⁴ Basin Plan Objectives are instantaneous maximum concentrations of pollutants that when not exceeded are protective of the beneficial uses of the particular water body. They are generally set at the level required to protect the most sensitive beneficial use at an even lower level based on antidegradation principles.

⁵ CTR-based number for the protection of aquatic organisms. The number is derived as a continuous criteria concentration (CCC) and equals the highest concentration of a pollutant to which aquatic life can be exposed for an extended period of time (4 days) without deleterious effects.

Constituent	Units	Effluent Limitations				Basis for Limit
		Maximum Daily		Average Monthly		
		Others	MUN	Others	MUN	
Beryllium	µg/L	4				Basin Plan
Cadmium	µg/L	6-5 ⁷		3-5 ⁵		CTR, Basin Plan
Chromium III	µg/L	50				Previous Order
Chromium VI	µg/L	16		8		CTR
Copper	µg/L	21-44 ⁵		10-22 ⁵		CTR
Cyanide	µg/L	8.5		4.2		CTR
Lead	µg/L	9-26 ⁵		4-13 ⁵		CTR
Mercury	µg/L	0.1		0.05	0.050	CTR
Nickel	µg/L	100 ⁵		60-100 ⁵		CTR, Basin Plan
Selenium	µg/L	8		4		CTR

Rationale for change of TSS Maximum Daily Effluent Limitation (MDEL):

The Tentative General Permit reduces the TSS MDEL from 150 mg/L in the existing permit to 75 mg/L. This adjustment is necessary to comply with federal laws and regulations. CWA Section 301(b) and implementing federal NPDES Permit regulations at 40 CFR § 122.44 requires NPDES Permits to include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards.

The CWA requires that technology-based effluent limitations are established based on BPT, BAT, BCT, and NSPS. USEPA generally develops effluent limitations, guidelines and standards (ELGs) representing application of BPT, BAT, BCT, and NSPS. USEPA has not established ELGs for the various industrial categories regulated by this permit. However, section 402(a)(1) of the CWA and 40 CFR section 125.3 authorize the Regional Board to use its 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 based upon available information. This permit includes technology-based effluent imitations based on BPJ in accordance with 40 CFR section 125.3.

The TSS MDEL is set based on the most stringent technology-based effluent standard for TSS available in other NPDES permits issued by the Regional Water Board for various categories of industries, except for Publically Owned Treatment Works. The applicable TSS MDEL in other industrial NPDES permits adopted by the Regional Water Board is 75 mg/L. The Regional Board has found that compliance with this limit is technically and economically achievable as there are readily available cost-effective technologies for removing / reducing TSS in wastewater. This limit has also been consistently and routinely implemented into other industrial permits as they are renewed. For example, this TSS MDEL of 75 mg/L was recently included in the General NPDES Permits for discharges from treatment of volatile organic compounds and total petroleum hydrocarbons, which were adopted by the Regional Water Board in March 2013.

Regional Board staff also developed the MDEL for TSS based on the narrative water quality objective included in the Basin Plan for Solid, Suspended, or Settleable Materials. That objective states “[w]aters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely

⁷ Depending on hardness.

affect beneficial uses.” This narrative objective was translated into a numeric effluent limitation in this permit. Since the Basin Plan does not contain a numeric objective for TSS, Regional Board staff looked to USEPA’s National Recommended Water Quality Criteria (2009), which included data recorded in USEPA’s 1976 Red Book (Quality Criteria for Water, EPA 440-9-76-023) as guidance to derive the numeric TSS MDEL. This USEPA guidance contains criteria for solids (suspended and settleable) and turbidity. According to USEPA’s assessment of solids (suspended, settleable) and turbidity in the Red Book, elevated levels of suspended solids increase the turbidity of the water. Turbid water interferes with recreational use and with aesthetic enjoyment of the water body. The effects of elevated suspended solids as documented in the rationale included in the Red Book included a study where downstream from the discharge of a rock quarry, where inert suspended solids were increased to 80 mg/L, the density of microinvertebrates decreased by 60 percent while in areas of sediment accumulation benthic invertebrate populations also decreased by 60 percent regardless of the suspended solid concentration. Increases in stream suspended solids caused smothering of bottom invertebrates. Suspended sediments limit the passage of sunlight into waters which in turn inhibits the growth of aquatic life. Excessive deposition of sediments can destroy spawning habitat blanket benthic (bottom dwelling) organisms, and abrade the gill’s of larval. This study indicates that suspended solids concentrations of 80 mg/L in the receiving water results in adverse effects to aquatic life. Since the Red Book indicates that TSS at 80 mg/L causes impairments to aquatic life, Regional Board staff determined that the 150 mg/L MDEL limit included in the 2008 existing permit was not protective of the aquatic life beneficial use. Staff therefore utilized its BPJ to recommend 75 mg/L as the MDEL to ensure that discharges do not adversely affect the aquatic life in the receiving waters.

Therefore, based on Regional Board Staff’s BPJ, the TSS MDEL is technically and economically achievable, is required to protect the receiving waters, and is consistent with the TSS limitations included in other NPDES permits issued by the Regional Board.

Table 15. Summaries of Effluent Limitations and Rationales for Saltwater

Constituent	Units	Effluent Limitations		Basis for Limit
		Maximum Daily	Average Monthly	
General Constituents				
Total Suspended solids (TSS)	mg/L	75	50	See the detailed rationale following Table 15 for change in Maximum Daily Effluent Limitation
Turbidity	NTU	150	50	Previous Order
BOD5 20oC	mg/L	30	20	Previous Order
Oil and Grease	mg/L	15	10	Previous Order
Settleable Solids	ml/L	0.3	0.1	Previous Order
Sulfides	mg/L	1.0		Previous Order
Phenols	mg/L	1.0		Previous Order
Residual Chlorine	mg/L	0.1		Previous Order, Basin Plan
Methylene Blue Active Substances (MBAS)	mg/L	0.5		Previous Order
Metals				
Antimony	µg/L	6		Basin Plan

Constituent	Units	Effluent Limitations		Basis for Limit
		Maximum Daily	Average Monthly	
Arsenic	µg/L	50	29	No Change for daily, CTR monthly
Beryllium	µg/L	4		Basin Plan
Cadmium	µg/L	5		Previous Order
Chromium III	µg/L	50		Previous Order
Chromium VI	µg/L	82	41	CTR
Copper	µg/L	5.8	2.9	CTR
Lead	µg/L	14	7	CTR
Mercury	µg/L	0.050		CTR
Nickel	µg/L	14	6.7	CTR
Selenium	µg/L	120	58	CTR

X. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

The Basin Plan contains numeric and narrative water quality objectives applicable to all surface waters within the Los Angeles Region. Water quality objectives include an objective to maintain the high quality waters pursuant to federal regulations (40 CFR § 131.12) and State Water Board Resolution No. 68-16. Receiving water limitations in the tentative Order are included to ensure protection of beneficial uses of the receiving water and are based on the water quality objectives contained in the Basin Plan.

B. Groundwater (Not Applicable)

XI. RATIONALE FOR PROVISIONS

A. 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 California Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference California Water Code section 13387(e).

B. Special Provisions

1. Reopener Provisions

These provisions are based on 40 CFR Part 123 and the previous Order. The Regional Water Board may reopen the permit to modify permit conditions and requirements.

- a.** 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.
- b.** 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 General Permit, this General Permit will be reopened to incorporate more stringent effluent limitations for the constituents creating the threat. TMDLs have not been developed for all the parameters and receiving waters on the CWA section 303(d) list. When TMDLs are developed and if applicable this General Permit may be reopened to incorporate appropriate limits. In addition, if TMDL identifies that a particular discharge covered under this General Permit is a load that needs to be reduced; this General Permit will be reopened to incorporate appropriate TMDL based limit and/or to remove any applicable exemptions.

2. Special Studies and Additional Monitoring Requirements (Not Applicable)

3. Best Management Practices and Pollution Prevention

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

4. Construction, Operation, and Maintenance Specifications

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

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.

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.

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 Permit, as well as authorization letters from the Executive Officer.

The O&M manual shall specify safeguards to prevent noncompliance with limitations and requirements of the General Permit resulting from equipment failure, power loss, vandalism, or ten-year return frequency rainfall.

5. **Special Provisions for Municipal Facilities (POTWs Only) (Not Applicable)**
6. **Other Special Provisions (Not Applicable)**
7. **Compliance Schedules (Not Applicable)**

XII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

Section 122.48 of 40 CFR section requires all NPDES permits to specify recording and reporting of monitoring results. Sections 13267 and 13383 of the CWC authorize the Regional Water Board to require technical and monitoring reports. The MRP (see sample MRP) establishes monitoring and reporting requirements to implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this Order.

A. Influent Monitoring (Not applicable)

B. Effluent Monitoring

Monitoring for pollutants expected to be present in the discharge will be required as established in the tentative MRP (Attachment G) and as required in the "Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California" adopted March 2, 2000.

To demonstrate compliance with effluent limitations established in this Order, the Order carries over the existing monitoring requirements for all parameters. Monitoring will be required as appropriate to ensure compliance with final effluent limitations. Acute toxicity monitoring is also carried over and is required annually, at a minimum.

C. Whole Effluent Toxicity Testing Requirements

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.

The Order includes limitations for acute toxicity, and therefore, monitoring requirements are included in the MRP to determine compliance with the effluent limitations established in Limitations and Discharge Requirements, Effluent Limitations, of this Order.

The Regional Water Board has determined that discharges will not contribute to long-term toxic effects within the receiving water. Therefore, the Discharger will not be required to conduct chronic toxicity testing.

D. Receiving Water Monitoring

1. **Surface Water (Not Applicable)**
2. **Groundwater (Not Applicable)**

E. Other Monitoring Requirements (Not Applicable)

XIII. PUBLIC PARTICIPATION

The Regional Water Board has considered the issuance of waste discharge requirements (WDRs) that will serve as a General NPDES permit for Discharges of NonProcess Wastewater to Surface

Waters in Coastal Watersheds of Los Angeles and Ventura Counties. As a step in the WDR adoption process, the Regional Water Board staff developed tentative WDRs. The Regional Water Board encourages public participation in the WDR adoption process.

A. Notification of Interested Parties

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided in the Los Angeles Times and Ventura County Star.

The public had access to the agenda and any changes in dates and location through the Regional Water Board's website at: <http://www.waterboards.ca.gov/logangeles>.

B. Written Comments

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments must be submitted either in person or by mail to the Executive Office at the Regional Water Board at the address above on the cover page of this Order, or submitted by email to njain@waterboards.ca.gov.

To be fully responded to by staff and considered by the Regional Water Board, written comments must be received at the Regional Water Board offices by 5:00 p.m. on April 14, 2014.

C. Public Hearing

The Regional Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: May 8, 2014
Time: 9 AM
Location: City of Simi Valley, Council of Chambers
2929 Tapo Canyon Road
Simi Valley

Interested persons are invited to attend. At the public hearing, the Regional Water Board will hear testimony, if any, pertinent to the discharge and tentative WDRs. Oral testimony will also be heard; however, for accuracy of the record, important testimony should be in writing.

D. Waste Discharge Requirements Petitions

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be received within 30 days of the Regional Water Board's action. Petitions should be sent to the following address:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

E. Information and Copying

The tentative permit, comments received, and other information 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 Regional Water Board by calling (213) 576-6651.

F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding this General Permit was invited to contact the Regional Water Board, reference this General Permit, and provide a name, address, and phone number.

G. Additional Information

Requests for additional information or questions regarding this General Permit should be directed to Namiraj Jain at (213) 620-6003.