violation of a narrative criterion, numeric WQBELs for dioxin or dioxin-like compounds should be included in NPDES permits and should be expressed using a TEQ scheme." [65 Fed. Reg. 31682, 31695 (2000)] This procedure, developed by the World Health Organization (WHO) in 1998, uses a set of toxicity equivalency factors (TEFs) to convert the concentration of any congener of dioxin or furan into an equivalent concentration of 2,3,7,8-TCDD. The CTR criterion is used as a criterion for dioxin-TEQ because dioxin-TEQ represents a toxicity weighted concentration equivalent to 2,3,7,8-TCDD, thus translating the narrative bioaccumulation objective into a numeric criterion appropriate for the RPA.

To determine if the discharge of dioxin or dioxin-like compounds from the discharge has reasonable potential to cause or contribute to a violation of the Basin Plan's narrative bioaccumulation WQO, Regional Water Board staff used TEFs to express the measured concentrations of 16 dioxin congeners in effluent and background samples as 2,3,7,8-TCDD. These "equivalent" concentrations were then compared to the CTR numeric criterion for 2,3,7,8-TCDD (1.4×10^{-8} µg/L). Although the 1998 WHO scheme includes TEFs for dioxin-like PCBs, they are not included in this Order's version of the TEF procedure. The CTR has established a specific WQS for dioxin-like PCBs, and they are included in the analysis of total PCBs.

ii. *RPA Results*. This Order establishes WQBELs for dioxin-TEQ because the average ambient background concentration (1.1×10^{-7} µg/L), as measured at Dumbarton Bridge (RMP Station BA30), exceeds the applicable WQC (1.4×10^{-8} µg/L), demonstrating Reasonable Potential by Trigger 2.

iii. *Dioxin-TEQ WQBELs*. WQBELs for dioxin-TEQ, calculated using SIP procedures as guidance, with a SIP default CV of 0.6 (for a data set with fewer than 10 data points), are an AMEL of 1.4×10^{-8} µg/L and an MDEL of 2.8×10^{-8} µg/L.

iv. *Immediate Compliance Infeasible*. The Discharger's Infeasibility Study, dated December 5, 2008, asserts that the facility cannot immediately comply with WQBELs for dioxin-TEQ. Even though the MEC is lower than the AMEL, the Discharger believes there is a very high degree of uncertainty in the dioxin data given the small dataset and the high degree of variability and uncertainty inherent with dioxin sampling and analysis when trying to measure concentrations in the pg/L range. Given the uncertainties in dioxin data and analysis, the Discharger does not believe that it is possible to determine whether it could comply with the proposed final WQBELs in the future. The Regional Water Board staff concurs with this assertion.

v. *Need for a Compliance Schedule.* This Order contains a compliance schedule based on the Basin Plan and State Water Board Resolution No. 2008-0025 (Compliance Schedule Policy) to allow time for the Discharger to comply with these effluent limits, which are based on a new interpretation of a narrative objective. The Compliance Schedule Policy requires that compliance schedules include interim limits. The final effluent limits will become effective on

October 1, 2019. The Regional Water Board may amend these limits based on new information or a TMDL for dioxin-TEQ.

vi *Interim Effluent Limits.* Since it is infeasible for the Discharger to comply with the final WQBELs for dioxin-TEQ, and there are not enough data to calculate a performance-based interim limit statistically, this Order establishes an interim limit based on the MLs of all congeners and their TEFs. The sum of the each congener's ML times its TEF is $6.3x10^{-5}$ µg/L. This interim limit is established as a monthly average limit, and it will remain in effect until September 30, 2019.

vii. *Antibacksliding*. Antibacksliding requirements are satisfied because the previous Order did not include an effluent limitation for dioxin-TEQ.

(5) Chlorodibromomethane

i. *Chlorodibromomethane WQC.* The most stringent applicable WQC for chlorodibromomethane is the CTR criterion for protection of human health of 34 µg/L.

ii. *RPA Results.* This Order finds reasonable potential and thus establishes effluent limitations for chlorodibromomethane because the MEC (37 µg/L) exceeds the most stringent applicable criterion (34 µg/L), demonstrating reasonable potential by Trigger 1.

iii. *Chlorodibromomethane WQBELs.* WQBELs for chlorodibromomethane, calculated according to SIP procedures, with a CV of 1.3, are an AMEL of 34 µg/L and an MDEL of 93 µg/L.

iv. *Immediate Compliance Feasible.* Statistical analysis of effluent data for chlorodibromomethane collected during the period of February 2005 through January 2008 shows that the 95th percentile (22 µg/L) is less than the AMEL (34 µg/L); and the 99th percentile (37 µg/L) is less than the MDEL (93 µg/L). The Regional Water Board concludes that immediate compliance with final WQBELs for chlorodibromomethane is feasible.

v. *Antibacksliding.* Antibacksliding requirements are satisfied because the previous Order did not include final effluent limitations for chlorodibromomethane.

(6) Endrin

i. *Endrin WQC.* The most stringent applicable WQC for endrin is the CTR criterion for protection of aquatic life of 0.0023 µg/L.

ii. *RPA Results.* This Order finds reasonable potential and thus establishes effluent limitations for endrin because the MEC (0.0030 µg/L) exceeds the most stringent applicable criterion (0.0023 µg/L), demonstrating reasonable potential by Trigger 1.

iii. *Endrin WQBELs.* WQBELs for endrin, calculated according to SIP procedures, with a SIP default CV of 0.60, are an AMEL of 0.0019 µg/L and an MDEL of 0.0038 µg/L.

iv. *Immediate Compliance Feasible.* The endrin data set collected during February 2005 through January 2008 contains 38 non-detected values out of 42 samples; therefore, it is impossible to perform a meaningful statistical analysis to determine compliance. Nevertheless, all four endrin effluent data greater than the AMEL are "J" flagged, meaning detected but not quantified. The Discharger believes that it could comply with endrin WQBELs.

v. *Antibacksliding.* Antibacksliding requirements are satisfied because the previous Order did not include final effluent limitations for endrin.

(7) Tributyltin

i. *Tributyltin WQC.* The Basin Plan contains a narrative WQO for toxicity which states "[A]ll waters shall be maintained free of toxic substances in concentrations that are lethal to or that produce other detrimental responses in aquatic organisms." This narrative WQO applies to tributyltin, an anti-fouling agent which is extremely toxic to aquatic organisms. USEPA has developed WQC for tributyltin in fresh and marine waters by authority under Section 304(a) of the Clean Water Act, found at *Ambient Aquatic Life Water Quality Criteria for Tributyltin (TBT) – Final* EPA-822-031, December 2003. The most stringent of these criteria are the chronic and acute criteria for saltwater, 0.0074 µg/L and 0.42 µg/L, respectively.

ii. *RPA Results.* This Order finds reasonable potential and thus establishes effluent limitations for tributyltin because the MEC (0.016 µg/L) exceeds the most stringent applicable criterion (0.0074 µg/L), demonstrating reasonable potential by Trigger 1.

iii. *Tributyltin WQBELs.* WQBELs for tributyltin, calculated according to SIP procedures, with a SIP default CV of 0.60, are an AMEL of 0.0061 µg/L and an MDEL of 0.012 µg/L.

iv. *Immediate Compliance Feasible.* The tributyltin data set collected during February 2005 through January 2008 contains 34 non-detected values out of 38 samples; therefore, it is impossible to perform a meaningful statistical analysis to determine compliance. Nevertheless, the Discharger believes that it can comply with the WQBELs.

v. *Antibacksliding.* Antibacksliding requirements are satisfied because final effluent limitations for tributyltin are more stringent than those in the previous Order.

d. **Effluent Limit Calculations.** The following table shows the derivation of WQBELs for copper, nickel, cyanide, dioxin-TEQ, chlorodibromomethane, endrin, and tributyltin.

Table F-12. Effluent Limit Calculations

PRIORITY POLLUTANTS	Copper	Nickel	Cyanide	Dioxin TEQ	Chlorodibro -momethane	Endrin	Tributyltin
Units	**µg/L**	**µg/L**	**µg/L**	**µg/L**	**µg/L**	**µg/L**	µg/L
Basis and Criteria type	BP SSOs	BP SSOs	BP SSOs	CTR HH	CTR HH	CTR SW Aq. Life	BP SW Aq. Life
Criteria – Acute	10.8	62.4	9.4	-----	-----	-----	0.42
Criteria – Chronic	6.9	11.9	2.9	-----	-----	-----	0.0074
Water Effects Ratio (WER)	1	1	1	1	1	1	1
Lowest WQO	7	12	2.9	1.4E-08	34	0.0023	0.0074
Site Specific Translator - MDEL	0.53	0.44	-----	-----	-----	-----	-----
Site Specific Translator - AMEL	0.53	0.44	-----	-----	-----	-----	-----
Dilution Factor (D) (if applicable)	0	0	3.0	0	0	0	0
No. of samples per month	4	4	4	4	4	4	4
Aquatic life criteria analysis required? (Y/N)	Y	Y	Y	N	N	Y	Y
HH criteria analysis required? (Y/N)	N	Y	Y	Y	Y	Y	N
Applicable Acute WQO	20	142	9.4			0.037	0.42
Applicable Chronic WQO	13	27	2.9			0.0023	0.0074
HH criteria		4600	220000	1.4E-08	34	0.81	
Background (Maximum Conc for Aquatic Life calc)	8.6	16	0.4	2.6E-07	0.057	0.00012	0.0030
Background (Average Conc for Human Health calc)		5.8	0.4	1.1E-07	0.057	0.000040	
Is the pollutant Bioaccumulative(Y/N)? (e.g., Hg)	N	N	N	Y	N	N	N
ECA acute	20	142	36			0.037	0.420
ECA chronic	13	27	10			0.0023	0.0074
ECA HH		4600	879999	1.4E-08	34	0.81	-----
No. of data points <10 or at least 80% of data reported non detect? (Y/N)	N	N	N	Y	N	Y	Y
Avg of effluent data points	1.7	2.0	2.1		6.7		-----
Std Dev of effluent data points	0.81	0.61	1.7		8.4		-----
CV calculated	0.46	0.31	0.79	N/A	1.3	N/A	N/A
CV (Selected) - Final	0.46	0.31	0.79	0.60	1.3	0.60	0.60
ECA acute mult99	0.39	0.52	0.25			0.32	0.32
ECA chronic mult99	0.60	0.71	0.44			0.53	0.53
LTA acute	8.0	73.7	9.2			0.012	0.135
LTA chronic	7.8	19.2	4.6			0.0012	0.00390
minimum of LTAs	7.8	19.2	4.6			0.0012	0.0
AMEL mult95	1.4	1.3	1.7	1.6	2.2	1.6	1.6
MDEL mult99	2.5	1.9	4.0	3.1	6.0	3.1	3.1
AMEL (aq life)	11.1	24.4	8.0			0.0019	0.0
MDEL (aq life)	19.9	36.9	18			0.0038	0.0
MDEL/AMEL Multiplier	1.79	1.51	2.3	2.01	2.7	2.0	2.0
AMEL (human hlth)		4600	879999	1.4E-08	34	0.81	-----
MDEL (human hlth)		6966	2003472	2.8E-08	93	1.6	-----
minimum of AMEL for Aq. life vs HH	11	24	8.0	1.4E-08	34	0.0019	0.0061
minimum of MDEL for Aq. Life vs HH	20	37	18	2.8E-08	93	0.0038	0.012
Current limit in permit (30-day average)	10	24	-----	-----	-----	-----	0.01
Current limit in permit (daily)	20	40	32 (Interim)	-----	58 (Interim)	-----	0.03
Final limit - AMEL	10	24	8.0	1.4E-08	34	0.0019	0.0061
Final limit - MDEL	20	37	18	2.8E-08	93	0.0038	0.012
Max Effl Conc (MEC)	5.4	3.4	10	1.2E-09	37	0.0030	0.016

5. Whole Effluent Acute Toxicity

a. **Permit Requirements.** This Order includes effluent limits for whole-effluent acute toxicity that are based on Basin Plan Table 4-3 and are unchanged from the previous permit for Discharge Point 001. All bioassays are to be performed according to the USEPA approved method in 40 CFR 136, currently "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, 5th Edition."

b. **Compliance History.** The Discharger's acute toxicity monitoring data show that bioassay results from November 2003 – November 2007 ranged from 95% to 100.0% survival, for 11-sample 90th percentiles, and was 100% for all 11-sample moving medians. There have been no acute toxicity effluent limit violations.

6. Whole Effluent Chronic Toxicity

a. **History of Chronic Toxiciy.** The previous permit contained chronic toxicity monitoring requirements and required accelerated monitoring upon exceedance of a trigger of either 1 TUc[2] as a three-sample median or 2 TUc for any single bioassay test. A value of 1 TUc represents no measured chronic toxicity when organisms are exposed to 100% effluent. A value of 2 TUc represents no measured toxicity when organisms are exposed to a mixture of 50% effluent and 50% "clean" laboratory water.

From November 2003 through March 2009, the Discharger reported 97 chronic toxicity tests using *Americamysis bahia*. The TUc values ranged from <1.0 to 8.8. Of the 97 tests, 20 had TUc values of 2.0 or greater (21%). The 3-sample median trigger of 1 TUc was exceeded 44 times out of 92 3-median values (48%) during the same period (the median values ranged from 1 to 5.9 TUc).

During this period, the Discharger used a three-sample median "trigger" of 1.25 TUc based on IC_{50} or EC_{50} to initiate the TIE process. Based on this criterion, the Discharger conducted or attempted to conduct several TIE studies in February 2004, March 2005, May 2005, June 2006, February 2008, and December 2008. The February 2004 and June 2006 Phase I TIE study found that the toxicity was not persistent; therefore, additional efforts were discontinued; the March 2005 and May 2005 attempts failed due to lack of effluent samples. The February 2008 TIE study suggested that the observed toxicity was caused by a contaminant that is not amenable to removal by centrifugation or C18SPE or alternatively that there are polar organic compounds present in concentrations high enough to cause toxicity. The last TIE study suggested the possibility that ammonia may cause or contribute to the toxicity. As part of the on-going Plant Master Planning effort, the Discharger has been investigating alternative measures and technologies to enhance nitrification performance. Per the design consultant's recommendations, in Fall 2009, the Discharger will be implementing Plant process changes to attempt to improve winter

[2] A TUc equals 100 divided by the no observable effect level (NOEL). The NOEL is determined from IC, EC, or NOEC values. These terms, their usage, and other chronic toxicity monitoring program requirements are defined in more detail in the MRP (**Attachment E**). The no observed effect concentration (NOEC) is the highest tested concentration of an effluent or a toxicant at which no adverse effects are observed on the aquatic test organisms at a specific time of observation.

nitrifying trickling filter performance. The previous permit states that the Regional Water Board would consider imposing numeric chronic toxicity limits if the Discharger failed to conduct a TRE within a designated period.

b. **Toxicity Objective.** Basin Plan Section 3.3.18 states, "There shall be no chronic toxicity in ambient waters. Chronic toxicity is a detrimental biological effect on growth rate, reproduction, fertilization success, larval development, population abundance, community composition, or any other relevant measure of the health of an organism, population, or community."

c. **Reasonable Potential.** Based on the data summarized above, there is reasonable potential for chronic toxicity in the effluent to cause or contribute to chronic toxicity in the receiving waters. Therefore, the SIP requires chronic toxicity effluent limits.

d. **Permit Requirements.** This Order establishes a narrative effluent limitation for chronic toxicity based on the narrative Basin Plan toxicity objective discussed in item b above. In addition, this Order retains from the previous permit requirements to implement the chronic toxicity narrative objective and includes numeric triggers of 1.0 TUc as a three-sample median and 2.0 TUc as a single-sample maximum. The Discharger is also required to perform twice-monthly accelerated monitoring during the months of December through March and when permit triggers are exceeded.

Because chronic toxicity continues to be a problem for this discharge, this Order requires the Discharger to conduct aggressive TIE/TRE to identify the causes of the toxicity and eliminate them. Provision VI.C.2.d requires the Discharger to plan and implement a "Chronic Toxicity Identification and Toxicity Reduction Study" to identify and reduce chronic toxicity immediately upon adoption of this Order. These requirements are consistent with the SIP.

c. **Screening Phase Study.** The Discharger is required to conduct a chronic toxicity screening phase study, as described in Appendix E-1 of the MRP (Attachment E) prior to the expiration of the permit term or after any significant change in the nature of the effluent.

7. Antibacksliding/Antidegradation

Effluent limits in this Order that are less stringent than those in the previous Order or are not retained from the previous Order comply with antibacksliding and antidegradation requirements for the reasons explained below:

- The single sample maximum effluent limit for enterococcus is not retained. As stated under Section C.2.f above, the removal of this limit complies with antibacksliding requirement and is not expected to cause degradation of water quality because the Discharger will maintain its treatment at current levels and the 5-day geometric mean limit will hold the Discharger to its current performance.

- Effluent limitations for settleable matter are not retained. The Plant provides advanced secondary treatment, and the settleable matter effluent limits of the previous Order were

technology-based effluent limitations for primary treatment. Compliance with the requirements of 40 CFR 133 and Basin Plan Table 4-2 will ensure removal of settleable solids to acceptably low levels - below 0.1 ml/L/hr (30 day average) and 0.2 ml/L/hr (daily maximum). The Basin Plan was amended on January 21, 2004, in part, because it mistakenly applied these limits to secondary and advanced treatment plants; therefore, not retaining the limits for settleable solids is consistent with the exception to the backsliding prohibition expressed at CWA section 402(o)(2)(B)(ii) (when technical mistakes or mistaken interpretations of law were made in establishing the limitation in the previous permit). The removal of these limits is not expected to cause degradation of the receiving water because the Discharger will maintain its existing treatment performance. Limits for total suspended solids will also hold the Discharger at its current performance.

- The effluent limits for dichlorobromomethane, 4,4-DDE, dieldrin, heptachlor epoxide, benzo(b)fluoranthene, and indeno(1,2,3-cd)pyrene are not retained in this Order because monitoring data during the past five years do not exhibit reasonable potential for these pollutants. The removal of these effluent limits is consistent with anti-backsliding requirements in accordance with State Water Board Order WQ 2001-16, and degradation is not expected because the Discharger will maintain its current performance.

E. Interim Effluent Limitations

1. Feasibility Evaluation and Interim Effluent Limits

The Discharger submitted an Infeasibility Analysis on December 5, 2008, demonstrating that it cannot immediately comply with final WQBELs for dioxin-TEQ. As stated in the previous findings in Fact Sheet Section IV.D.4.(d)(4), the Regional Water Board staff concurred with the Discharger's assertion of infeasibility to comply with final effluent limitations for dioxin-TEQ.

This Order establishes a compliance schedule and an interim limit for dioxin-TEQ that will remain in effect for ten years following the effective date of this Order. Since there are not enough data to calculate a performance-based interim limit for dioxin-TEQ statistically, this Order establishes an interim limit based on the MLs of all congeners and their TEFs. The sum of the each congener's ML times its TEF is $6.3x10^{-5}$ µg/L and is established as a monthly average limit.

2. Compliance Schedule Requirements

The SIP and the Basin Plan authorize compliance schedules in a permit if an existing discharger cannot immediately comply with new and more stringent objectives. On April 15, 2008, the State Water Board adopted Resolution No. 2008-0025 (Compliance Schedule Policy), which includes compliance schedule policies for pollutants that are not addressed by the SIP. This Policy was approved by the USEPA on August 27, 2008. This Policy therefore supersedes the Basin Plan's compliance schedule policy. The compliance schedule for dioxin-TEQ is consistent with the Policy. The Policy requires the following documentation to be submitted to the Regional Water Board to justify a compliance schedule:

- Descriptions of diligent efforts a discharger has made to quantify pollutant levels in the discharge, sources of the pollutant in the waste stream, and the results of those efforts.
- Descriptions of source control and/or pollutant minimization efforts currently under way or completed.
- A proposed schedule for additional or future source control measures, pollutant minimization, or waste treatment.
- A demonstration that the proposed schedule is as short as practicable.

The Discharger's Infeasibility Analysis shows that it has fulfilled these requirements.

3. Compliance Schedules for Dioxin-TEQ

The compliance schedule for dioxin-TEQ, and the requirements to submit reports on further measures to reduce concentrations of these pollutants to ensure compliance with final limits are based on the above compliance schedule policies. As previously described, the Discharger submitted an Infeasibility Report, and the Regional Water Board staff confirmed their assertions. Subsequently, a compliance schedule for dioxin-TEQ is appropriate because the Discharger has made good faith and reasonable efforts towards characterizing the sources. However, time to allow additional efforts are necessary to achieve compliance.

Maximum allowable compliance schedules are granted to the Discharger for these pollutants because of the considerable uncertainty in determining effective measures (e.g., pollution prevention, treatment upgrades) that should be implemented to ensure compliance with final limits. It is appropriate to allow the Discharger sufficient time to first explore source control measures before requiring it to propose further actions, such as treatment plant upgrades, that are likely to be much more costly. This approach is supported by the Basin Plan section 4.13, which states; "In general, it is often more economical to reduce overall pollutant loadings into the treatment systems than to install complex and expensive technology at the plant."

Dioxin-TEQ WQBELs are based on the Basin Plan narrative objective for bioaccumulation; therefore, the discharge qualifies for a 10-year compliance schedule from the date this Order becomes effective. Because of the ubiquitous nature of the sources of dioxin-TEQ, this provision allows the Discharger to address compliance with calculated WQBELs through other strategies such as mass offsets.

F. Land Discharge Specifications

Not Applicable**.**

G. Reclamation Specifications

Water reclamation requirements for this Discharger are established by Regional Water Board Order No. 94-069.

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

1. Receiving Water Limitations V.A.1 and V.A.2 are based on the narrative and numeric objectives contained in Chapter 3 of the Basin Plan.

2. Receiving Water Limitations V.A.3 is based in the previous permit and requires compliance with Federal and state law, which is self-explanatory.

B. Groundwater

Not Applicable.

VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

40 CFR 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. CWC sections 13267 and 13383 authorize the Regional Water Board to require technical and monitoring reports. The MRP, **Attachment E**, establishes monitoring and reporting requirements to implement federal and State requirements.

The principal purposes of a MRP are to:

- Document compliance with waste discharge requirements and prohibitions established by the Regional Water Board,

- Facilitate self-policing by the Discharger in the prevention and abatement of pollution arising from waste discharge,

- Develop or assist in the development of limitations, discharge prohibitions, national standards of performance, pretreatment and toxicity standards, and other standards, and to

- Prepare water and wastewater quality inventories.

The MRP is a standard requirement in almost all NPDES permits issued by the Regional Water Board, including this Order. It contains definitions of terms, specifies general sampling and analytical protocols, and sets out requirements for reporting of spills, violations, and routine monitoring data in accordance with NPDES regulations, the CWC, and the Regional Water Board's policies. The MRP also defines sampling stations and monitoring frequencies, the pollutants to be monitored, and additional reporting requirements. Pollutants to be monitored include all parameters for which effluent limitations are specified. Monitoring for additional constituents, for which no effluent limitations are established, is also required to provide data for future completion of RPAs.

The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this Facility.

A. Influent Monitoring

Influent monitoring requirements for flow, $CBOD_5$ and TSS are not changed from the previous permit and allow determination of compliance with this Order's 85 percent removal requirement. Influent monitoring for cyanide is required under the Basin Plan cyanide SSOs. However, the requirement is not new because the Discharger has been sampling cyanide according to its pretreatment requirements**.**

B. Effluent Monitoring

The MRP retains most effluent monitoring requirements from the previous permit. Changes in effluent monitoring are summarized as follows.

Monitoring for settleable matter is no longer required, as this Order does not retain the effluent limitation for this parameter.

Routine effluent monitoring is required for copper, nickel, cyanide, dioxin-TEQ, chlorodibromomethane, endrin, tributyltin, and total ammonia because this Order establishes effluent limitations for these pollutants. Monitoring for all other priority toxic pollutants must be conducted in accordance with frequency and methods described in the Regional Standard Provisions (Attachment G).

Semiannual monitoring for dichlorobromomethane, benzo(b)fluoranthene, indeno(1,2,3-cd)pyrene, 4,4'-DDE, heptachlor epoxide, and dieldrin is no longer required because these pollutants no longer demonstrate reasonable potential.

C. Whole Effluent Toxicity Testing Requirements

1. **Acute Toxicity.** Monthly 96-hour bioassay testing is required to demonstrate compliance with the effluent limitation for acute toxicity. With its ROWD, the Discharger requested a change in the acute toxicity compliance monitoring species from fathead minnow (*Pimephales promelas*) to rainbow trout (*Oncorhynchus mykiss*). A sensitivity screening test conducted in 2004 indicated no difference in species sensitivity between rainbow trout and fathead minnow. The request indicated that rainbow trout are preferred over fathead minnow in acute toxicity testing because less stress is imparted during handling, and the larger size of rainbow trout allows for a more thorough inspection for disease, deformities, and general health. The Regional Water Board granted the request and requires the use of rainbow trout in acute toxicity tests.

2. **Chronic Toxicity.** This Order requires the Discharger to (1) plan and implement a TIE/TRE study, (2) commence accelerated monitoring during the months of December-March during the study period, and (3) reduce chronic toxicity in its discharge to below trigger levels no later than October 1, 2013. The Discharger is to use the existing most sensitive species. The Discharger conducted an effluent toxicity screening study during the previous permit term, which indicated *Americamysis bahia* is the most sensitive species for chronic toxicity testing. The Discharger shall re-screen in accordance with Appendix E-1 of the MRP (Attachment E) after any significant change in the nature of the effluent or prior to the expiration of this Order.

When chronic toxicity is reduced to below trigger levels, the Discharger shall perform routine chronic toxicity monitoring in accordance with the MRP.

D. Receiving Water Monitoring

On April 15, 1992, the Regional Water Board adopted Resolution No. 92-043 directing the Executive Officer to implement the RMP for the San Francisco Bay. Subsequent to a public hearing and various meetings, Regional Water Board staff requested major permit holders in this Region, under authority of section 13267 of CWC, to report on the water quality of the estuary. These permit holders responded to this request by participating in a collaborative effort, through the San Francisco Estuary Institute. This effort has come to be known as the San Francisco Bay RMP for Trace Substances. This Order specifies that the Discharger shall continue to participate in the RMP, which involves collection of data on pollutants and toxicity in water, sediment, and biota of the estuary.

E. Pretreatment and Biosolids Monitoring Requirements

Pretreatment monitoring requirements for the influent, effluent, and biosolids are retained from the previous permit, and are required to assess compliance with the Discharger's USEPA-approved pretreatment program. Biosolids monitoring is required pursuant to 40 CFR Part 503.

This Order specifies the sampling type for pretreatment monitoring. Specifically, this Order requires multiple grabs (instead of 24-hour composites for BNA and most metals, or grabs for VOCs, cyanide, and hexavalent chromium) to make the requirement consistent both with the federal pretreatment requirements in 40 CFR 403.12, which require 24-hour composites, and with proper sample handling for these parameters (summarized in the Regional Standard Provisions [Attachment G]). Composites made up of discrete grabs for these parameters are necessary because of potential loss of the constituents during automatic compositing. Hexavalent chromium is chemically unstable. It, cyanide, and BNAs are also somewhat volatile. For these same reasons, discrete analyses are also necessary since constituents are subject to loss during compositing at the laboratory.

VII. RATIONALE FOR PROVISIONS

A. Standard Provisions (Provision VI.A)

Standard Provisions, which, in accordance with 40 CFR 122.41 and 122.42, apply to all NPDES discharges and must be included in every NPDES permit, are provided in Attachments D and G to this Order. The Discharger must comply with all standard provisions and with those additional conditions that apply under 40 CFR 122.42.

40 CFR 122.41(a)(1) and (b) through (n) 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) allows the state to omit or modify conditions to impose more stringent requirements. In accordance with section 123.25, this Order omits federal conditions that address enforcement authority specified in sections 122.41(j)(5) and (k)(2) because the enforcement authority under CWC is more stringent. In lieu of these conditions, this Order incorporates by reference CWC section 13387(e).

B. Monitoring and Reporting Requirements (Provision VI.B)

The Discharger is required to monitor the permitted discharges in order to evaluate compliance with permit conditions. Monitoring requirements are contained in the MRP (Attachment E) and the Regional Standard Provisions (Attachment G). This provision requires compliance with these documents and is based on 40 CFR 122.63.

C. Special Provisions (Provision VI.C)

1. Reopener Provisions

These provisions are based on 40 CFR 123 and allow modification of this Order and its effluent limitations, as necessary, to respond to updated information.

2. Special Studies and Additional Monitoring Requirements

a. **Effluent Characterization Study.** This Order does not include effluent limitations for priority pollutants that do not demonstrate Reasonable Potential, but this provision requires the Discharger to continue monitoring for these pollutants as described in the Regional Standard Provisions (Attachment G) and as specified in the MRP (Attachment E). If concentrations of these constituents increase significantly, the Discharger will be required to investigate the source of the increases and establish remedial measures, if the increases result in reasonable potential to cause or contribute to an excursion above the applicable WQC. This provision is based on the SIP and is retained from the previous Order.

b. **Ambient Background Receiving Water Study.** This provision is based on the Basin Plan, the SIP, and the Regional Standard Provisions (Attachment G). As indicated in this Order, this requirement may be met by participating in the collaborative BACWA study. This provision is retained from the previous Order.

c. **Avian Botulism Control Program.** This provision is retained from the previous Order. The requirement to monitor nearby sloughs and the facility oxidation ponds for the presence of avian botulism and to control any outbreaks is based on State Water Board Order No. WQ 90-5. In that Order, the State Water Board found that discharges of wastewater promote conditions in the receiving waters conducive to fostering avian botulism. Exceptions to the Basin Plan discharge prohibitions granted to the Discharger are conditioned, in part, upon continued efforts by the Discharger to control avian botulism.

d. **Chronic Toxicity Identification and Toxicity Reduction Study.** This focused study requires the Discharger to aggressively identify the cause of effluent chronic toxicity and to implement measures to reduce the chronic toxicity below the trigger levels. The other general TIE/TRE requirements establishes guidelines for TIE/TRE evaluations. The other general requirement is unchanged from the previous Order.

e. **Receiving Water Ammonia Characterization Study.** This Order requires a study on Moffett Channel and Guadalupe Slough focusing on ammonia. It will generate new information for the Regional Water Board to evaluate ammonia and un-ionized ammonia

levels in the receiving water. Regional Water Board staff may use the data to examine whether the receiving water meets applicable ammonia objectives. The Discharger may also be able to use this information to propose an appropriate dilution credit for the ammonia effluent limit calculation for the next permit reissuance. If monitoring data show that ammonia WQOs are exceeded in the receiving water, the permit may be reopened to include WQBELs for ammonia.

f. **Optional Mass Offset Plan.** This option is provided to encourage the Discharger to further implement aggressive reduction of mass loadings of pollutants to South San Francisco Bay. If the Discharger wishes to pursue a mass offset program, it must submit a mass offset plan for reducing 303(d) listed pollutants to the same receiving water body for Regional Water Board approval. The Regional Water Board will consider any proposed mass offset plan and amend this Order accordingly.

g. **Optional Near-Field Site Specific Translator Study.** This provision is newly established by this Order. Site-specific translators were calculated for this Order for zinc, lead, and chromium (VI), using data collected from the Dumbarton Bridge RMP station. USEPA guidance for developing site-specific translators requires that site-specific translators be developed using data collected at near-field stations. The Discharger has the option to conduct a receiving water study to develop a data set for dissolved and total zinc, chromium (VI), and lead concentrations in the receiving water in the vicinity of the discharge for site-specific translator development in future permit reissuances.

h. **Total Suspended Solids Removal.** Due to the South San Francisco Bay's limited circulation and pollutant assimilative capacity, relative to more northern portions of San Francisco Bay, the Regional Water Board remains sensitive to loadings of TSS to the South San Francisco Bay from the Plant. Current effluent limitations for TSS (20/30 mg/L – average monthly/daily maximum) are less stringent than limitations (10/20 mg/L – average monthly/daily maximum) imposed on the other two significant dischargers to the South San Francisco Bay (San Jose/Santa Clara and Palo Alto). Although this difference in limitations may be based on a difference in secondary treatment processes (oxidation ponds versus activated sludge) used by the Discharger versus those used by the Cities of San Jose/Santa Clara and Palo Alto, advanced treatment processes employed by the Discharger (air flotation and dual media filtration) may be able to accomplish better TSS removals than the Plant does currently. The permit, therefore, requires the Discharger to prepare a report regarding TSS removal capability, including description of treatment technologies in place and unique wastewater treatability characteristics, to enable the Regional Water Board to reassess TSS limits imposed on the Plant.

3. Best Management Practices and Pollution Minimization Program

This provision for a Pollutant Minimization Program is based on Chapter 4 (section 4.13.2) of the Basin Plan and Chapter 2 (section 2.4.5) of the SIP.

4. Construction, Operation, and Maintenance Specifications

a. **Wastewater Facilities, Review and Evaluation, and Status Reports.** This provision is based on the Basin Plan and is retained from the previous Order.

b. **Operations and Maintenance Manual, Review and Status Reports.** This provision is based on the Basin Plan, the requirements of 40 CFR 122 and is retained from the previous Order.

c. **Reliability Report.** This provision is retained from the previous Order and is required as part of reviewing requests for exceptions to the Basin Plan discharge prohibitions.

d. **Contingency Plan, Review and Status Reports.** This provision is based on Regional Water Board Resolution 74-10 and is retained from the previous Order.

5. Special Provisions for Municipal Facilities (POTWs Only)

a. **Pretreatment Program**. This provision is based on 40 CFR 403 (General Pretreatment Regulations for Existing and New Sources of Pollution) and is retained from the previous Order.

b. **Sludge Management Practices Requirements.** This provision is based on the Basin Plan (Chapter 4) and 40 CFR Parts 257 and 503 and is retained from the previous Order.

c. **Sanitary Sewer Overflows and Sewer System Management Plan.** This provision is to explain the Order's requirements as they relate to the Discharger's collection system, and to promote consistency with the State Water Board-adopted General Collection System WDRs (General Order, Order No. 2006-0003-DWQ).

The General Order requires public agencies that own or operate sanitary sewer systems with greater than one mile of pipes or sewer lines to enroll for coverage under the General Order. The General Order requires agencies to develop sanitary sewer management plans (SSMPs) and report all sanitary sewer overflows, among other requirements and prohibitions.

Furthermore, the General Order contains requirements for operation and maintenance of collection systems and for reporting and mitigating sanitary sewer overflows. Inasmuch that the Discharger's collection system is part of the system that is subject to this Order, certain standard provisions are applicable as specified in Provisions, Section VI.C.5. For instance, the 24-hour reporting requirements in this Order are not included in the General Order. The Discharger must comply with both the General Order and this Order. The Discharger and public agencies that are discharging wastewater into the facility were required to obtain enrollment for regulation under the General Order by December 1, 2006.

The State Water Board amended the General Order on February 20, 2008 in Order No. WQ 2008-0002-EXEC, to strengthen the notification and reporting requirements for sanitary sewer overflows. The Regional Water Board issued a 13267 letter on May 1, 2008, requiring dischargers to comply with the new notification requirements for sanitary sewer overflows, and to comply with similar notification and reporting requirements for spills from wastewater treatment facilities. The Discharger fulfilled this requirement by August 1, 2008.

6. Other Special Provisions

a. **Action Plan for Cyanide.** This provision is based on the Basin Plan, which contains SSOs for cyanide for San Francisco Bay (Regional Water Board Resolution R2-2006-0086). The Basin Plan requires an action plan for source control to ensure compliance with State and federal antidegradation policies. Additionally, because a dilution credit has been granted in establishing effluent limitations for cyanide, source control efforts are necessary for the continued exception to the Basin Plan prohibition regarding shallow water dischargers. The Discharger will need to comply with this provision upon the effective date of the permit.

b. **Action Plan for Copper.** This Order requires the Discharger to implement monitoring and surveillance, pretreatment, source control, and pollution prevention for copper in accordance with the Basin Plan. The Basin Plan contains site-specific water quality objectives for copper in all San Francisco Bay segments. The water quality objectives for South San Francisco Bay are 6.9 µg/L dissolved copper as a 4-day average, and 10.8 µg/L dissolved copper as a 1-hour average. The Basin Plan includes an implementation plan that requires a Copper Action Plan to ensure no degradation of water quality.

c. Compliance Schedule for Dioxin-TEQ. The compliance schedule for dioxin-TEQ and the requirement to submit reports on further measures to reduce concentrations to ensure compliance with final limits are based on the Basin Plan section 4.7.6 and the State Water Board's Compliance Schedule Policy. Maximum compliance schedules are allowed because of the considerable uncertainty in determining effective measures (e.g., pollution prevention, treatment upgrades) that should be implemented to ensure compliance with final limits. It is appropriate to allow the Discharger sufficient time to first explore source control measures before requiring it to propose further actions, such as treatment Plant upgrades, that are likely to be much more costly. This approach is supported by the Basin Plan (section 4.13), which states, "In general, it is often more economical to reduce overall pollutant loading into treatment systems than to install complex and expensive technology at the Plant.

VIII. PUBLIC PARTICIPATION

The California Regional Water Quality Control Board, the San Francisco Bay Regional Water Board, is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for the Sunnyvale Water Pollution Control Plant. As a step in the WDRs adoption process, Regional Water Board staff has 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 WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided through the *San Jose City Times* on July 8, 2009.

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 Officer at the Regional Water Board at the address above on the cover page of this Order, Attention: Tong Yin.

To receive full consideration and a response from Regional Water Board staff, written comments should be received at the Regional Water Board offices by 5:00 p.m. on June 29, 2009.

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: August 12, 2009

Time: 9 a.m.

Location: Elihu Harris State Office Building
1515 Clay Street, 1st Floor Auditorium
Oakland, CA 94612

Contact: Tong Yin, (510) 622-2418, email tyin@waterboards.ca.gov

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

Please be aware that dates and venues may change. Our Web address is http://www.waterboards.ca.gov/sanfranciscobay where you can access the current agenda for changes in dates and locations.

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 submitted within 30 days of the Regional Water Board's action 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 Report of Waste Discharge (ROWD), related documents, tentative effluent limitations and special provisions, 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., except from noon to 1:00 p.m.,

Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling 510-622-2300.

F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Regional Water Board, reference this facility, and provide a name, address, and phone number.

G. Additional Information

Requests for additional information or questions regarding this order should be directed to Tong Yin at 510-622-2418 (e-mail at TYin@waterboards.ca.gov).

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ATTACHMENT G
REGIONAL STANDARD PROVISIONS, AND MONITORING AND REPORTING REQUIREMENTS
(SUPPLEMENT TO ATTACHMENT D)

For

NPDES WASTEWATER DISCHARGE PERMITS

Table of Contents

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

REGIONAL STANDARD PROVISIONS, AND MONITORING AND REPORTING REQUIREMENTS (SUPPLEMENT TO ATTACHMENT D)

FOR

NPDES WASTEWATER DISCHARGE PERMITS

APPLICABILITY

This document applies to dischargers covered by a National Pollutant Discharge Elimination System (NPDES) permit. This document does not apply to Municipal Separate Storm Sewer System (MS4) NPDES permits.

The purpose of this document is to supplement the requirements of Attachment D, Standard Provisions. The requirements in this supplemental document are designed to ensure permit compliance through preventative planning, monitoring, recordkeeping, and reporting. In addition, this document requires proper characterization of issues as they arise, and timely and full responses to problems encountered. To provide clarity on which sections of Attachment D this document supplements, this document is arranged in the same format as Attachment D.

I. STANDARD PROVISIONS - PERMIT COMPLIANCE

A. Duty to Comply – Not Supplemented

B. Need to Halt or Reduce Activity Not a Defense – Not Supplemented

C. Duty to Mitigate – This supplements I.C. of Standard Provisions (Attachment D)

1. **Contingency Plan** - The Discharger shall maintain a Contingency Plan as originally required by Regional Water Board Resolution 74-10 and as prudent in accordance with current municipal facility emergency planning. The Contingency Plan shall describe procedures to ensure that existing facilities remain in, or are rapidly returned to, operation in the event of a process failure or emergency incident, such as employee strike, strike by suppliers of chemicals or maintenance services, power outage, vandalism, earthquake, or fire. The Discharger may combine the Contingency Plan and Spill Prevention Plan into one document. Discharge in violation of the permit where the Discharger has failed to develop and implement a Contingency Plan as described below will be the basis for considering the discharge a willful and negligent violation of the permit pursuant to California Water Code Section 13387. The Contingency Plan shall, at a minimum, contain the provisions of a. through g. below.

    a. Provision of personnel for continued operation and maintenance of sewerage facilities during employee strikes or strikes against contractors providing services.

    b. Maintenance of adequate chemicals or other supplies and spare parts necessary for continued operations of sewerage facilities.

c. Provisions of emergency standby power.

d. Protection against vandalism.

e. Expeditious action to repair failures of, or damage to, equipment and sewer lines.

f. Report of spills and discharges of untreated or inadequately treated wastes, including measures taken to clean up the effects of such discharges.

g. Programs for maintenance, replacement, and surveillance of physical condition of equipment, facilities, and sewer lines.

2. **Spill Prevention Plan** - The Discharger shall maintain a Spill Prevention Plan to prevent accidental discharges and minimize the effects of such events. The Spill Prevention Plan shall:

   a. Identify the possible sources of accidental discharge, untreated or partially treated waste bypass, and polluted drainage;

   b. Evaluate the effectiveness of present facilities and procedures, and state when they became operational; and

   c. Predict the effectiveness of the proposed facilities and procedures, and provide an implementation schedule containing interim and final dates when they will be constructed, implemented, or operational.

   This Regional Water Board, after review of the Contingency and Spill Prevention Plans or their updated revisions, may establish conditions it deems necessary to control accidental discharges and to minimize the effects of such events. Such conditions may be incorporated as part of the permit upon notice to the Discharger.

D. Proper Operation & Maintenance – This supplements I.D of Standard Provisions (Attachment D)

1. **Operation and Maintenance (O&M) Manual** - The Discharger shall maintain an O&M Manual to provide the plant and regulatory personnel with a source of information describing all equipment, recommended operational strategies, process control monitoring, and maintenance activities. To remain a useful and relevant document, the O&M Manual shall be kept updated to reflect significant changes in treatment facility equipment and operational practices. The O&M Manual shall be maintained in usable condition and be available for reference and use by all relevant personnel and Regional Water Board staff.

2. **Wastewater Facilities Status Report** - The Discharger shall regularly review, revise, or update, as necessary, its Wastewater Facilities Status Report. This report shall document how the Discharger operates and maintains its wastewater collection, treatment, and disposal facilities to ensure that all facilities are adequately staffed, supervised, financed, operated, maintained, repaired, and upgraded as necessary to provide adequate and reliable transport, treatment, and disposal of all wastewater from both existing and planned future wastewater sources under the Discharger's service responsibilities.

3. **Proper Supervision and Operation of Publicly Owned Treatment Works (POTWs) -** POTWs shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Division 4, Chapter 14, Title 23 of the California Code of Regulations.

E. Property Rights – Not Supplemented

F. Inspection and Entry – Not Supplemented

G. Bypass – Not Supplemented

H. Upset – Not Supplemented

I. Other – This section is an addition to Standard Provisions (Attachment D)

1. Neither the treatment nor the discharge of pollutants shall create pollution, contamination, or nuisance as defined by California Water Code Section 13050.

2. Collection, treatment, storage, and disposal systems shall be operated in a manner that precludes public contact with wastewater, except in cases where excluding the public is infeasible, such as private property. If public contact with wastewater could reasonably occur on public property, warning signs shall be posted.

3. If the Discharger submits a timely and complete Report of Waste Discharge for permit reissuance, this permit continues in force and effect until a new permit is issued or the Regional Water Board rescinds the permit.

J. Storm Water – This section is an addition to Standard Provisions (Attachment D)

These provisions apply to facilities that do not direct all storm water flows from the facility to the wastewater treatment plant headworks.

1. Storm Water Pollution Prevention Plan (SWPP Plan)

The SWPP Plan shall be designed in accordance with good engineering practices and shall address the following objectives:

a. To identify pollutant sources that may affect the quality of storm water discharges; and

b. To identify, assign, and implement control measures and management practices to reduce pollutants in storm water discharges.

The SWPP Plan may be combined with the existing Spill Prevention Plan as required in accordance with Section C.2. The SWPP Plan shall be retained on-site and made available upon request of a representative of the Regional Water Board.

2. Source Identification

The SWPP Plan shall provide a description of potential sources that may be expected to add significant quantities of pollutants to storm water discharges, or may result in non-storm water discharges from the facility. The SWPP Plan shall include, at a minimum, the following items:

a. A topographical map (or other acceptable map if a topographical map is unavailable), extending one-quarter mile beyond the property boundaries of the facility, showing the wastewater treatment facility process areas, surface water bodies (including springs and wells), and discharge point(s) where the facility's storm water discharges to a municipal storm drain system or other points of discharge to waters of the State. The requirements of this paragraph may be included in the site map required under the following paragraph if appropriate.

b. A site map showing the following:

1) Storm water conveyance, drainage, and discharge structures;

2) An outline of the storm water drainage areas for each storm water discharge point;

3) Paved areas and buildings;

4) Areas of actual or potential pollutant contact with storm water or release to storm water, including but not limited to outdoor storage and process areas; material loading, unloading, and access areas; and waste treatment, storage, and disposal areas;

5) Location of existing storm water structural control measures (i.e., berms, coverings, etc.);

6) Surface water locations, including springs and wetlands; and

7) Vehicle service areas.

c. A narrative description of the following:

1) Wastewater treatment process activity areas;

2) Materials, equipment, and vehicle management practices employed to minimize contact of significant materials of concern with storm water discharges;

3) Material storage, loading, unloading, and access areas;

4) Existing structural and non-structural control measures (if any) to reduce pollutants in storm water discharges; and

5) Methods of on-site storage and disposal of significant materials.

d. A list of pollutants that have a reasonable potential to be present in storm water discharges in significant quantities.

3. Storm Water Management Controls

The SWPP Plan shall describe the storm water management controls appropriate for the facility and a time schedule for fully implementing such controls. The appropriateness and priorities of controls in the SWPP Plan shall reflect identified potential sources of pollutants. The description of storm water management controls to be implemented shall include, as appropriate:

a. Storm water pollution prevention personnel

Identify specific individuals (and job titles) that are responsible for developing, implementing, and reviewing the SWPP Plan.

b. Good housekeeping

Good housekeeping requires the maintenance of clean, orderly facility areas that discharge storm water. Material handling areas shall be inspected and cleaned to reduce the potential for pollutants to enter the storm drain conveyance system.

c. Spill prevention and response

Identify areas where significant materials can spill into or otherwise enter storm water conveyance systems and their accompanying drainage points. Specific material handling procedures, storage requirements, and cleanup equipment and procedures shall be identified, as appropriate. The necessary equipment to implement a cleanup shall be available, and personnel shall be trained in proper response, containment, and cleanup of spills. Internal reporting procedures for spills of significant materials shall be established.

d. Source control

Source controls include, for example, elimination or reduction of the use of toxic pollutants, covering of pollutant source areas, sweeping of paved areas, containment of potential pollutants, labeling of all storm drain inlets with "No Dumping" signs, isolation or separation of industrial and non-industrial pollutant sources so that runoff from these areas does not mix, etc.

e. Storm water management practices

Storm water management practices are practices other than those that control the sources of pollutants. Such practices include treatment or conveyance structures, such as drop inlets, channels, retention and detention basins, treatment vaults, infiltration galleries, filters, oil/water separators, etc. Based on assessment of the potential of various sources to contribute pollutants to storm water discharges in significant quantities, additional storm water management practices to remove pollutants from storm water discharges shall be implemented and design criteria shall be described.

f. Sediment and erosion control

Measures to minimize erosion around the storm water drainage and discharge points, such as riprap, revegetation, slope stabilization, etc., shall be described.

g. Employee training

Employee training programs shall inform all personnel responsible for implementing the SWPP Plan. Training shall address spill response, good housekeeping, and material management practices. New employee and refresher training schedules shall be identified.

h. Inspections

All inspections shall be done by trained personnel. Material handling areas shall be inspected for evidence of, or the potential for, pollutants entering storm water discharges. A tracking or follow up procedure shall be used to ensure appropriate response has been taken in response to an

inspection. Inspections and maintenance activities shall be documented and recorded. Inspection records shall be retained for five years.

i. Records

A tracking and follow-up procedure shall be described to ensure that adequate response and corrective actions have been taken in response to inspections.

4. Annual Verification of SWPP Plan

An annual facility inspection shall be conducted to verify that all elements of the SWPP Plan are accurate and up-to-date. The results of this review shall be reported in the Annual Report to the Regional Water Board described in Section V.C.f.

K. Biosolids Management – This section is an addition to Standard Provisions (Attachment D)

Biosolids must meet the following requirements prior to land application. The Discharger must either demonstrate compliance or, if it sends the biosolids to another party for further treatment or distribution, must give the recipient the information necessary to ensure compliance.

1. Exceptional quality biosolids meet the pollutant concentration limits in Table III of 40 CFR Part 503.13, Class A pathogen limits, and one of the vector attraction reduction requirements in 503.33(b)(1)-(b)(8). Such biosolids do not have to be tracked further for compliance with general requirements (503.12) and management practices (503.14).

2. Biosolids used for agricultural land, forest, or reclamation shall meet the pollutant limits in Table I (ceiling concentrations) and Table II or Table III (cumulative loadings or pollutant concentration limits) of 503.13. They shall also meet the general requirements (503.12) and management practices (503.14) (if not exceptional quality biosolids) for Class A or Class B pathogen levels with associated access restrictions (503.32) and one of the 10 vector attraction reduction requirements in 503.33(b)(1)-(b)(10).

3. Biosolids used for lawn or home gardens must meet exceptional quality biosolids limits.

4. Biosolids sold or given away in a bag or other container must meet the pollutant limits in either Table III or Table IV (pollutant concentration limits or annual pollutant loading rate limits) of 503.13. If Table IV is used, a label or information sheet must be attached to the biosolids packing that explains Table IV (see 503.14). The biosolids must also meet the Class A pathogen limits and one of the vector attraction reduction requirements in 503.33(b)(1)-(b)(8).

II. STANDARD PROVISIONS – PERMIT ACTION – Not Supplemented

III. STANDARD PROVISIONS – MONITORING

A. Sampling and Analyses – This section is a supplement to III.A and III.B of Standard Provisions (Attachment D)

1. Use of Certified Laboratories

Water and waste analyses shall be performed by a laboratory certified for these analyses in accordance with California Water Code Section 13176.

2. Use of Appropriate Minimum Levels

Table C lists the suggested analytical methods for the 126 priority pollutants and other toxic pollutants that should be used, unless a particular method or minimum level (ML) is required in the MRP.

For priority pollutant monitoring, when there is more than one ML value for a given substance, the Discharger may select any one of those cited analytical methods for compliance determination provided the ML is below the effluent limitation and the water quality objective. If no ML value is below the effluent limitation and water quality objective, then the Regional Water Board will assign the lowest ML value indicated in Table C, and its associated analytical method for inclusion in the MRP. For effluent monitoring, this alternate method shall also be U.S. EPA-approved (such as the 1600 series) or one of those listed in Table C. All monitoring instruments and equipment shall be properly calibrated and maintained to ensure accuracy of measurements.

3. Frequency of Monitoring

The minimum schedule of sampling analysis is specified in the MRP portion of the permit.

a. Timing of Sample Collection

i. The Discharger shall collect samples of influent on varying days selected at random and shall not include any plant recirculation or other sidestream wastes, unless otherwise stipulated by the MRP.

ii. The Discharger shall collect samples of effluent on days coincident with influent sampling unless otherwise stipulated by the MRP or the Executive Officer. The Executive Officer may approve an alternative sampling plan if it is demonstrated to be representative of plant discharge flow and in compliance with all other permit requirements.

iii. The Discharger shall collect grab samples of effluent during periods of day-time maximum peak effluent flows (or peak flows through secondary treatment units for facilities that recycle effluent flows).

iv. Effluent sampling for conventional pollutants shall occur on at least one day of any multiple-day bioassay test the MRP requires. During the course of the test, on at least one day, the Discharger shall collect and retain samples of the discharge. In the event a bioassay test does not comply with permits limits, the Discharger shall analyze these retained samples for pollutants that could be toxic to aquatic life and for which it has effluent limits.

1) The Discharger shall perform bioassay tests on final effluent samples; when chlorine is used for disinfection, bioassay tests shall be performed on effluent after chlorination-dechlorination; and

2) The Discharger shall analyze for total ammonia nitrogen and calculate the amount of un-ionized ammonia whenever test results fail to meet the percent survival specified in the permit.

b. Conditions Triggering Accelerated Monitoring

i. If the results from two consecutive samples of a constituent monitored in a 30-day period exceed the monthly average limit for any parameter (or if the required sampling frequency is once per month and the monthly sample exceeds the monthly average limit), the Discharger shall, within 24 hours after the results are received, increase its sampling frequency to daily until the results from the additional sampling shows that the parameter is in compliance with the monthly average limit.

ii. If any maximum daily limit is exceeded, the Discharger shall increase its sampling frequency to daily within 24 hours after the results are received that indicate the exceedance of the maximum daily limit until two samples collected on consecutive days show compliance with the maximum daily limit.

iii. If final or intermediate results of an acute bioassay test indicate a violation or threatened violation (e.g., the percentage of surviving test organisms of any single acute bioassay test is less than 70 percent), the Discharger shall initiate a new test as soon as practical, and the Discharger shall investigate the cause of the mortalities and report its findings in the next self-monitoring report (SMR).

iv. The Discharger shall calibrate chlorine residual analyzers against grab samples as frequently as necessary to maintain accurate control and reliable operation. If an effluent violation is detected, the Discharger shall collect grab samples at least every 30 minutes until compliance with the limit is achieved, unless the Discharger monitors chlorine residual continuously. In such cases, the Discharger shall continue to conduct continuous monitoring as required by its permit.

v. When any type of bypass occurs, the Discharger shall collect samples on a daily basis for all constituents at affected discharge points that have effluent limits for the duration of the bypass, unless otherwise stipulated by the MRP.

c. Storm Water Monitoring

The requirements of this section only apply to facilities that are not covered by an NPDES permit for storm water discharges and where not all site storm drainage from process areas (i.e., areas of the treatment facility where chemicals or wastewater could come in contact with storm water) is directed to the headworks. For storm water not directed to the headworks during the wet season (October 1 to April 30), the Discharger shall:

i. Conduct visual observations of the storm water discharge locations during daylight hours at least once per month during a storm event that produces significant storm water discharge to observe the presence of floating and suspended materials, oil and grease, discoloration, turbidity, and odor, etc.

ii. Measure (or estimate) the total volume of storm water discharge, collect grab samples of storm water discharge from at least two storm events that produce significant storm water discharge, and analyze the samples for oil and grease, pH, TSS, and specific conductance.

The grab samples shall be taken during the first 30 minutes of the discharge. If collection of the grab samples during the first 30 minutes is impracticable, grab samples may be taken during the first hour of the discharge, and the Discharger shall explain in the Annual Report why the grab sample(s) could not be taken in the first 30 minutes.

iii. Testing for the presence of non-storm water discharges shall be conducted no less than twice during the dry season (May 1 to September 30) at all storm water discharge locations. Tests may include visual observations of flows, stains, sludges, odors, and other abnormal conditions; dye tests; TV line surveys; or analysis and validation of accurate piping schematics. Records shall be maintained describing the method used, date of testing, locations observed, and test results.

iv. Samples shall be collected from all locations where storm water is discharged. Samples shall represent the quality and quantity of storm water discharged from the facility. If a facility discharges storm water at multiple locations, the Discharger may sample a reduced number of locations if it establishes and documents through the monitoring program that storm water discharges from different locations are substantially identical.

v. Records of all storm water monitoring information and copies of all reports required by the permit shall be retained for a period of at least three years from the date of sample, observation, or report.

d. Receiving Water Monitoring

The requirements of this section only apply when the MRP requires receiving water sampling.

i. Receiving water samples shall be collected on days coincident with effluent sampling for conventional pollutants.

ii. Receiving water samples shall be collected at each station on each sampling day during the period within one hour following low slack water. Where sampling during lower slack water is impractical, sampling shall be performed during higher slack water. Samples shall be collected within the discharge plume and down current of the discharge point so as to be representative, unless otherwise stipulated in the MRP.

iii. Samples shall be collected within one foot of the surface of the receiving water, unless otherwise stipulated in the MRP.

B. Biosolids Monitoring – This section supplements III.B of Standard Provisions (Attachment D)

When biosolids are sent to a landfill, sent to a surface disposal site, or applied to land as a soil amendment, they must be monitored as follows:

1. Biosolids Monitoring Frequency

Biosolids disposal must be monitored at the following frequency:

Metric tons biosolids/365 days	Frequency
0-290	Once per year
290-1500	Quarterly
1500-15,000	Six times per year
Over 15,000	Once per month

(Metric tons are on a dry weight basis)

2. Biosolids Pollutants to Monitor

Biosolids shall be monitored for the following constituents:

a. Land Application: arsenic, cadmium, chromium, copper, mercury, molybdenum, nickel, lead, selenium, and zinc

b. Municipal Landfill: Paint filter test (pursuant to 40 CFR 258)

c. Biosolids-only Landfill or Surface Disposal Site (if no liner and leachate system): arsenic, chromium, and nickel

Standard Observations – This section is an addition to III of Standard Provisions (Attachment D)

1. Receiving Water Observations

The requirements of this section only apply when the MRP requires standard observations of the receiving water. Standard observations shall include the following:

a. *Floating and suspended materials* (e.g., oil, grease, algae, and other macroscopic particulate matter): presence or absence, source, and size of affected area.

b. *Discoloration and turbidity*: description of color, source, and size of affected area.

c. *Odor*: presence or absence, characterization, source, distance of travel, and wind direction.

d. *Beneficial water use*: presence of water-associated waterfowl or wildlife, fisherpeople, and other recreational activities in the vicinity of each sampling station.

e. *Hydrographic condition*: time and height of corrected high and low tides (corrected to nearest National Oceanic and Atmospheric Administration location for the sampling date and time of sample collection).

f. *Weather conditions*:

   1) Air temperature; and
   2) Total precipitation during the five days prior to observation.

2. Wastewater Effluent Observations

The requirements of this section only apply when the MRP requires wastewater effluent standard observations. Standard observations shall include the following:

a. *Floating and suspended material of wastewater origin* (e.g., oil, grease, algae, and other macroscopic particulate matter): presence or absence.

b. *Odor*: presence or absence, characterization, source, distance of travel, and wind direction.

3. Beach and Shoreline Observations

The requirements of this section only apply when the MRP requires beach and shoreline standard observations. Standard observations shall include the following:

a. *Material of wastewater origin*: presence or absence, description of material, estimated size of affected area, and source.

b. *Beneficial use*: estimate number of people participating in recreational water contact, non-water contact, or fishing activities.

4. Land Retention or Disposal Area Observations

The requirements of this section only apply to facilities with on-site surface impoundments or disposal areas that are in use. This section applies to both liquid and solid wastes, whether confined or unconfined. The Discharger shall conduct the following for each impoundment:

a. Determine the amount of freeboard at the lowest point of dikes confining liquid wastes.

b. Report evidence of leaching liquid from area of confinement and estimated size of affected area. Show affected area on a sketch and volume of flow (e.g., gallons per minute [gpm]).

c. Regarding odor, describe presence or absence, characterization, source, distance of travel, and wind direction.

d. Estimate number of waterfowl and other water-associated birds in the disposal area and vicinity.

5. Periphery of Waste Treatment and/or Disposal Facilities Observations

The requirements of this section only apply when the MRP specifies periphery standard observations. Standard observations shall include the following:

a. *Odor*: presence or absence, characterization, source, and distance of travel.

b. *Weather conditions*: wind direction and estimated velocity.

IV. STANDARD PROVISIONS – RECORDS

A. Records to be Maintained – This supplements IV.A of Standard Provisions (Attachment D)

The Discharger shall maintain records in a manner and at a location (e.g., wastewater treatment plant or Discharger offices) such that the records are accessible to Regional Water Board staff. The minimum period of retention specified in Section IV, Records, of the Federal Standard Provisions shall be extended during the course of any unresolved litigation regarding the subject discharge, or when requested by the Regional Water Board or Regional Administrator of USEPA, Region IX.

A copy of the permit shall be maintained at the discharge facility and be available at all times to operating personnel.

B. Records of Monitoring Information Shall Include – This supplements IV.B of Standard Provision (Attachment D)

1. Analytical Information

Records shall include analytical method detection limits, minimum levels, reporting levels, and related quantification parameters.

2. Flow Monitoring Data

For all required flow monitoring (e.g., influent and effluent flows), the additional records shall include the following, unless otherwise stipulated by the MRP:

a. Total volume for each day; and

b. Maximum, minimum, and average daily flows for each calendar month.

3. Wastewater Treatment Process Solids

a. For each treatment unit process that involves solids removal from the wastewater stream, records shall include the following:

1) Total volume or mass of solids removed from each unit (e.g., grit, skimmings, undigested biosolids) for each calendar month or other time period as appropriate, but not to exceed annually; and

2) Final disposition of such solids (e.g., landfill, other subsequent treatment unit).

b. For final dewatered biosolids from the treatment plant as a whole, records shall include the following:

1) Total volume or mass of dewatered biosolids for each calendar month;

2) Solids content of the dewatered biosolids; and

3) Final disposition of dewatered biosolids (disposal location and disposal method).

4. Disinfection Process

For the disinfection process, these additional records shall be maintained documenting process operation and performance:

a. For bacteriological analyses:

1) Wastewater flow rate at the time of sample collection; and

2) Required statistical parameters for cumulative bacterial values (e.g., moving median or geometric mean for the number of samples or sampling period identified in this Order).

b. For the chlorination process, when chlorine is used for disinfection, at least daily average values for the following:

1) Chlorine residual of treated wastewater as it enters the contact basin (mg/L);

2) Chlorine dosage (kg/day); and

3) Dechlorination chemical dosage (kg/day).

5. Treatment Process Bypasses

A chronological log of all treatment process bypasses, including wet weather blending, shall include the following:

a. Identification of the treatment process bypassed;

b. Dates and times of bypass beginning and end;

c. Total bypass duration;

d. Estimated total bypass volume; and

e. Description of, or reference to other reports describing, the bypass event, the cause, the corrective actions taken (except for wet weather blending that is in compliance with permit conditions), and any additional monitoring conducted.

6. Treatment Facility Overflows

This section applies to records for overflows at the treatment facility. This includes the headworks and all units and appurtenances downstream. The Discharger shall retain a chronological log of overflows at the treatment facility and records supporting the information provided in section V.E.2.

C. Claims of Confidentiality – Not Supplemented

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information – Not Supplemented

B. Signatory and Certification Requirements – Not Supplemented

C. Monitoring Reports – This section supplements V.C of Standard Provisions (Attachment D)

1. Self-Monitoring Reports

For each reporting period established in the MRP, the Discharger shall submit an SMR to the Regional Water Board in accordance with the requirements listed in this document and at the frequency the MRP specifies. The purpose of the SMR is to document treatment performance, effluent quality, and compliance with the waste discharge requirements of this Order.

a. Transmittal letter

Each SMR shall be submitted with a transmittal letter. This letter shall include the following:

1) Identification of all violations of effluent limits or other waste discharge requirements found during the reporting period;

2) Details regarding violations: parameters, magnitude, test results, frequency, and dates;

3) Causes of violations;

4) Discussion of corrective actions taken or planned to resolve violations and prevent recurrences, and dates or time schedule of action implementation (if previous reports have been submitted that address corrective actions, reference to the earlier reports is satisfactory);

5) Data invalidation (Data should not be submitted in an SMR if it does not meet quality assurance/quality control standards. However, if the Discharger wishes to invalidate any measurement after it was submitted in an SMR, a letter shall identify the measurement suspected to be invalid and state the Discharger's intent to submit, within 60 days, a formal request to invalidate the measurement. This request shall include the original measurement in question, the reason for invalidating the measurement, all relevant documentation that supports invalidation [e.g., laboratory sheet, log entry, test results, etc.], and discussion of the corrective actions taken or planned [with a time schedule for completion] to prevent recurrence of the sampling or measurement problem.);

6) If the Discharger blends, the letter shall describe the duration of blending events and certify whether blended effluent was in compliance with the conditions for blending; and

7) Signature (The transmittal letter shall be signed according to Section V.B of this Order, Attachment D – Standard Provisions.).

b. Compliance evaluation summary

Each report shall include a compliance evaluation summary. This summary shall include each parameter for which the permit specifies effluent limits, the number of samples taken during the monitoring period, and the number of samples that exceed applicable effluent limits.

c. Results of analyses and observations

1) Tabulations of all required analyses and observations, including parameter, date, time, sample station, type of sample, test result, method detection limit, method minimum level, and method reporting level, if applicable, signed by the laboratory director or other responsible official.

2) When determining compliance with an average monthly effluent limitation and more than one sample result is available in a month, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of detected but not quantified (DNQ) or nondetect (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

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

ii. 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.

If a sample result, or the arithmetic mean or median of multiple sample results, is below the reporting limit, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the Discharger conducts a Pollutant Minimization Program, the Discharger shall not be deemed out of compliance.

3) Dioxin-TEQ Reporting: The Discharger shall report for each dioxin and furan congener the analytical results of effluent monitoring, including the quantifiable limit (reporting level), and the method detection limit, and the measured concentration. Estimated concentrations shall be reported for individual congeners, but shall be set equal to zero in determining the dioxin-TEQ value. The Discharger shall multiply each measured or estimated congener concentration by its respective toxicity equivalency factor (TEF) shown in Table A and report the sum of these values.

Table A: Toxic Equivalency Factors for 2,3,7,8-TCDD Equivalents

Congener	TEF
2,3,7,8-TetraCDD	1
1,2,3,7,8-PentaCDD	1.0
1,2,3,4,7,8-HexaCDD	0.1
1,2,3,6,7,8-HexaCDD	0.1
1,2,3,7,8,9-HexaCDD	0.1
1,2,3,4,6,7,8-HeptaCDD	0.01
OctaCDD	0.0001
2,3,7,8-TetraCDF	0.1
1,2,3,7,8-PentaCDF	0.05
2,3,4,7,8-PentaCDF	0.5
1,2,3,4,7,8-HexaCDF	0.1
1,2,3,6,7,8-HexaCDF	0.1
1,2,3,7,8,9-HexaCDF	0.1
2,3,4,6,7,8-HexaCDF	0.1
1,2,3,4,6,7,8-HeptaCDF	0.01
1,2,3,4,7,8,9-HeptaCDF	0.01
OctaCDF	0.0001

d. Data reporting for results not yet available

The Discharger shall make all reasonable efforts to obtain analytical data for required parameter sampling in a timely manner. Certain analyses require additional time to complete analytical processes and report results. For cases where required monitoring parameters

require additional time to complete analytical processes and reports, and results are not available in time to be included in the SMR for the subject monitoring period, the Discharger shall describe such circumstances in the SMR and include the data for these parameters and relevant discussions of any observed exceedances in the next SMR due after the results are available.

e. Flow data

The Discharger shall provide flow data tabulation pursuant to Section IV.B.2.

f. Annual self-monitoring report requirements

By the date specified in the MRP, the Discharger shall submit an annual report to the Regional Water Board covering the previous calendar year. The report shall contain the following:

1) Annual compliance summary table of treatment plant performance, including documentation of any blending events;

2) Comprehensive discussion of treatment plant performance and compliance with the permit (This discussion shall include any corrective actions taken or planned, such as changes to facility equipment or operation practices that may be needed to achieve compliance, and any other actions taken or planned that are intended to improve performance and reliability of the Discharger's wastewater collection, treatment, or disposal practices.);

3) Both tabular and graphical summaries of the monitoring data for the previous year if parameters are monitored at a frequency of monthly or greater;

4) List of approved analyses, including the following:

(i) List of analyses for which the Discharger is certified;

(ii) List of analyses performed for the Discharger by a separate certified laboratory and copies of reports signed by the laboratory director of that laboratory shall not be submitted but retained onsite;

(iii) List of "waived" analyses, as approved;

5) Plan view drawing or map showing the Discharger's facility, flow routing, and sampling and observation station locations;

6) Results of annual facility inspection to verify that all elements of the SWPP Plan are accurate and up to date (only required if the Discharger does not route all storm water to the headworks of its wastewater treatment plant); and

7) Results of facility report reviews (The Discharger shall regularly review, revise, and update, as necessary, the O&M Manual, the Contingency Plan, the Spill Prevention Plan, and Wastewater Facilities Status Report so that these documents remain useful and relevant to current practices. At a minimum, reviews shall be conducted annually. The Discharger shall include, in each Annual Report, a description or summary of review and

evaluation procedures, recommended or planned actions, and an estimated time schedule for implementing these actions. The Discharger shall complete changes to these documents to ensure they are up-to-date.).

g. Report submittal

The Discharger shall submit SMRs to:

California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612
Attn: NPDES Wastewater Division

h. Reporting data in electronic format

The Discharger has the option to submit all monitoring results in an electronic reporting format approved by the Executive Officer. If the Discharger chooses to submit SMRs electronically, the following shall apply:

1) *Reporting Method*: The Discharger shall submit SMRs electronically via a process approved by the Executive Officer (see, for example, the letter dated December 17, 1999, "Official Implementation of Electronic Reporting System [ERS]" and the progress report letter dated December 17, 2000).

2) *Monthly or Quarterly Reporting Requirements*: For each reporting period (monthly or quarterly as specified in the MRP), the Discharger shall submit an electronic SMR to the Regional Water Board in accordance with the provisions of Section V.C.1.a-e, except for requirements under Section V.C.1.c(1) where ERS does not have fields for dischargers to input certain information (e.g., sample time). However, until USEPA approves the electronic signature or other signature technologies, Dischargers that use ERS shall submit a hard copy of the original transmittal letter, an ERS printout of the data sheet, and a violation report (a receipt of the electronic transmittal shall be retained by the Discharger). This electronic SMR submittal suffices for the signed tabulations specified under Section V.C.1.c(1).

3) *Annual Reporting Requirements*: Dischargers who have submitted data using the ERS for at least one calendar year are exempt from submitting the portion of the annual report required under Section V.C.1.f(1) and (3).

D. Compliance Schedules – Not supplemented

E. Twenty-Four Hour Reporting – This section supplements V.E of Standard Provision (Attachment D)

1. Spill of Oil or Other Hazardous Material Reports

a. Within 24 hours of becoming aware of a spill of oil or other hazardous material that is not contained onsite and completely cleaned up, the Discharger shall report by telephone to the Regional Water Board at (510) 622-2369.

b. The Discharger shall also report such spills to the State Office of Emergency Services [telephone (800) 852-7550] only when the spills are in accordance with applicable reporting quantities for hazardous materials.

c. The Discharger shall submit a written report to the Regional Water Board within five working days following telephone notification unless directed otherwise by Regional Water Board staff. A report submitted electronically is acceptable. The written report shall include the following:

1) Date and time of spill, and duration if known;

2) Location of spill (street address or description of location);

3) Nature of material spilled;

4) Quantity of material involved;

5) Receiving water body affected, if any;

6) Cause of spill;

7) Estimated size of affected area;

8) Observed impacts to receiving waters (e.g., oil sheen, fish kill, water discoloration);

9) Corrective actions taken to contain, minimize, or clean up the spill;

10) Future corrective actions planned to be taken to prevent recurrence, and schedule of implementation; and

11) Persons or agencies notified.

2. Unauthorized Discharges from Municipal Wastewater Treatment Plants[4]

The following requirements apply to municipal wastewater treatment plants that experience an unauthorized discharge at their treatment facilities and are consistent with and supercede requirements imposed on the Discharger by the Executive Officer by letter of May 1, 2008, issued pursuant to California Water Code Section 13383.

[4] California Code of Regulations, Title 23, Section 2250(b), defines an unauthorized discharge to be a discharge, not regulated by waste discharge requirements, of treated, partially treated, or untreated wastewater resulting from the intentional or unintentional diversion of wastewater from a collection, treatment or disposal system.

a. Two (2)-Hour Notification

For any unauthorized discharges that result in a discharge to a drainage channel or a surface water, the Discharger shall, as soon as possible, but not later than two (2) hours after becoming aware of the discharge, notify the State Office of Emergency Services (telephone 800-852-7550), the local health officers or directors of environmental health with jurisdiction over the affected water bodies, and the Regional Water Board. The notification to the Regional Water Board shall be via the Regional Water Board's online reporting system at www.wbers.net, and shall include the following:

1) Incident description and cause;

2) Location of threatened or involved waterway(s) or storm drains;

3) Date and time the unauthorized discharge started;

4) Estimated quantity and duration of the unauthorized discharge (to the extent known), and the estimated amount recovered;

5) Level of treatment prior to discharge (e.g., raw wastewater, primary treated, undisinfected secondary treated, and so on); and

6) Identity of the person reporting the unauthorized discharge.

b. 24-hour Certification

Within 24 hours, the Discharger shall certify to the Regional Water Board, at www.wbers.net, that the State Office of Emergency Services and the local health officers or directors of environmental health with jurisdiction over the affected water bodies have been notified of the unauthorized discharge.

c. 5-Day Written Report

Within five business days, the Discharger shall submit a written report, via the Regional Water Board's online reporting system at www.wbers.net, that includes, in addition to the information required above, the following:

1) Methods used to delineate the geographical extent of the unauthorized discharge within receiving waters;

2) Efforts implemented to minimize public exposure to the unauthorized discharge;

3) Visual observations of the impacts (if any) noted in the receiving waters (e.g., fish kill, discoloration of water) and the extent of sampling if conducted;

4) Corrective measures taken to minimize the impact of the unauthorized discharge;

5) Measures to be taken to minimize the chances of a similar unauthorized discharge occurring in the future;

6) Summary of Spill Prevention Plan or O&M Manual modifications to be made, if necessary, to minimize the chances of future unauthorized discharges; and

7) Quantity and duration of the unauthorized discharge, and the amount recovered.

d. Communication Protocol

To clarify the multiple levels of notification, certification, and reporting, the current communication requirements for unauthorized discharges from municipal wastewater treatment plants are summarized in Table B that follows.

F. Planned Changes – Not supplemented

G. Anticipated Noncompliance – Not supplemented

H. Other Noncompliance – Not supplemented

I. Other Information – Not supplemented

VI. STANDARD PROVISIONS – ENFORCEMENT – Not Supplemented

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS – Not Supplemented