

## Water Quality Based Effluent Limitations

“WQBEL”

a restriction on the quantity or concentration of a pollutant that may be discharged necessary to achieve a water quality standard

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## What do federal regulations say about WQBELs?

- NPDES permits shall include requirements in addition to or more stringent than TBELs necessary to achieve WQS
- Permits for discharges from MS4s must require controls to reduce the discharge of pollutants to the maximum extent practicable, and where necessary water quality-based controls
- WQBELs must be consistent with the assumptions and requirements of available WLAs established in TMDLs

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## When are WQBELs needed in NPDES permits?

- Where the discharge has the reasonable potential to cause or contribute to an exceedance of water quality standards and TBELs are not sufficient to achieve water quality standards
- For discharges that are assigned a WLA in a TMDL

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## What is the basis for WQBELs?

- Water Quality Standards
- TMDL Wasteload Allocations

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## How has the LA Water Board expressed WQBELs in MS4 permits?

- LA River Trash TMDL
  - WQBELs based on:
    - Numeric TMDL Compliance Points; or
    - % Jurisdictional Area Covered by FCS (quantitative surrogate parameter)
- Ventura County MS4 Permit
  - WQBELs = Numeric WLAs from TMDLs

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## What is the proposed scope of WQBELs in the LA County MS4 Permit?

- Included where WLAs assigned to stormwater and non-stormwater discharges from the MS4 in established TMDLs

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## WQBELs and BMPs: Two Different Concepts

### Effluent Limitations

*Effluent limitation*: any restriction imposed on quantities, discharge rates, and concentrations of "pollutants" which are "discharged" from "point sources" into "waters of the United States"

40 CFR §122.2

### BMPs

*Best management practices* ("BMPs"): schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "waters of the United States."

BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

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40 CFR §122.2

## How can MS4 Permittees demonstrate compliance with WQBELs?

- Dual path approach
- Either:
  - Implementation of approved "reasonable assurance program" (RAP)
  - Direct comparison of MS4 monitoring data results with WQBELs

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