**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**

**SAN DIEGO REGION**

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# REVISED (Version 10/27/2014) TENTATIVE ORDER NO. R9-2014-0094

## AN ORDER MODIFYING ORDER NO. R9-2014-0009 (NPDES NO. CA0108928) WASTE DISCHARGE REQUIREMENTS FOR THE UNITED STATES SECTION OF THE INTERNATIONAL BOUNDARY AND WATER COMMISSION, SOUTH BAY INTERNATIONAL WASTEWATER TREATMENT PLANT, DISCHARGE TO THE PACIFIC OCEAN VIA THE SOUTH BAY OCEAN OUTFALL

Changes to the Tentative Order listed below are shown in green bold and underline/~~strikeout~~ format to indicate added and removed language, respectively.

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), finds that:

1. On June 26, 2014, the San Diego Water Board adopted Order No. R9-2014-0009 (NPDES No. CA0108928), establishing waste discharge requirements for the U.S. Section of the International Boundary and Water Commission (USIBWC) to discharge up to 25 million gallons per day (MGD) of secondary treated wastewater from the South Bay International Wastewater Treatment Plant (SBIWTP) into the Pacific Ocean via the South Bay Ocean Outfall (SBOO).

2. The purpose of this amending order is to correct the requirements for the screening period for whole effluent toxicity (WET) testing contained in section III.C of Attachment E of Order No. R9-2014-0009, to make requested clarifications to Order No. R9-2014-0009, and to correct other typographical errors.

3. **Section 13263(e) of the Water Code, provides that the San Diego Water Board may, upon application by any affected person, or on its own motion, review and revise waste discharge requirements. Section 122.62(a) of title 40 of the Code of Federal Regulations authorizes the reopening and modification of a National Pollutant Discharge Elimination System (NPDES) permit based upon new information.**

4. **Order No. R9-2014-0009 is not being reopened for any other purpose than the revisions contained herein. Except as contradicted or superseded by the findings and directives set forth in this Order, all of the previous findings and directives of Order No. R9-2014-0009 shall remain in full force and effect.**

5. **Any person aggrieved by this action of the San Diego Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 et seq. The State Water Board must receive the petition by 5:00 p.m., 30 days after the adoption date of this Order. Copies of the law and regulations applicable to filing petitions may be found**

**on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.**

6. This action is exempt from the requirement of preparation of environmental documents under the California Environmental Quality Act [Public Resources Code, Division 13, Chapter 3, Section 21000 et seq.] in accordance with section 13389 of the California Water Code.

7. The Regional Board has notified all known interested parties of its intent to adopt Order No. R9-2014-0094.

8. The San Diego Water Board in a public meeting heard and considered all comments pertaining to the proposed modifications to the NPDES Order.

IT IS HEREBY ORDERED, that:

Except as modified or superseded by the permit modifications set forth below, all of the findings, prohibitions, provisions, and other requirements of Order No. R9-2014-0009, NPDES No. CA0108928 remain in full force and effect. The following modifications of Order No. R9-2014-0009, NPDES No. CA0108928 are shown in **red bold and underline**/~~strikeout~~ format to indicate added and removed language, respectively, and are hereby incorporated and immediately effective:

1. Table 4, Effluent Limitation at EFF_001, on page 5 has been modified as follows (only a portion of the table with the modifications is shown below):

| Parameter | Units[1,2] | Effluent Limitations[1,3] | | | |
|---|---|---|---|---|---|
| **BASED ON OCEAN PLAN OBJECTIVES FOR PROTECTION OF MARINE AQUATIC LIFE** | | | | | |
| | | **6-Month Median** | **Maximum Daily** | **Instantaneous Minimum** | **Instantaneous Maximum** |
| Mercury, Total Recoverable | µg/L | 3.78E+00 | 1.52E+01 | | 3.82E+01 |
| | lbs/day | 7.87E-01 | 3.18E+00 | | 7.96E+00 |
| Zinc**, Total Recoverable** | µg/L | 1.16E+03 | 6.89E+03 | -- | 1.84E+04 |
| | lbs/day | 2.41E+02 | 1.44E+03 | -- | 3.83E+03 |
| Chronic Toxicity | TUc | -- | 95.6 | -- | -- |
| Acute Toxicity | TUa | -- | 3.2 | -- | -- |
| **BASED ON OCEAN PLAN OBJECTIVES FOR PROTECTION OF HUMAN HEALTH – ~~CARCINOGENS~~** | | | | | |
| | | **30-Day Average** | | | |
| Thallium, Total Recoverable | µg/L | 1.91E+02 | | | |
| | lbs/day | 3.99E+01 | | | |
| Tributyltin | µg/L | 1.34E-01 | | | |
| | lbs/day | 2.79E-02 | | | |
| Benzidine | µg/L | 6.60E-03 | | | |
| | lbs/day | 1.38E-03 | | | |
| Chlordane[1] | µg/L | 2.20E-03 | | | |
| | lbs/day | 4.58E-04 | | | |
| Chlorodibromomethane (dibromochloromethane) | µg/L | 8.22E+02 | | | |
| | lbs/day | 1.71E+02 | | | |
| DDT[1] | µg/L | 1.63E-02 | | | |
| | lbs/day | 3.39E-03 | | | |
| Heptachlor Epoxide | µg/L | 1.91E-03 | | | |
| | lbs/day | 3.99E-04 | | | |
| Hexachlorobenzene | µg/L | 2.01E-02 | | | |
| | lbs/day | 4.19E-03 | | | |
| PCBs[1] | µg/L | 1.82E-03 | | | |
| | lbs/day | 3.79E-04 | | | |
| TCDD Equivalents[1] | µg/L | 3.73E-07 | | | |
| | lbs/day | 7.77E-08 | | | |
| Toxaphene | µg/L | 2.01E-02 | | | |
| | lbs/day | 4.19E-03 | | | |

2. Table 7, Performance Goals, on pages 6-11 has been modified as follows (only a portion of the table with the modifications is shown below):

| Parameter | Unit[1,2] | Performance Goals[1,3] | | | |
|---|---|---|---|---|---|
| | | 6-Month Median | Maximum Daily | Instantaneous Maximum | 30-Day Average |
| **BASED ON OCEAN PLAN OBJECTIVES FOR PROTECTION OF HUMAN HEALTH – NONCARCINOGENS** | | | | | |
| Acrolein | µg/L | -- | -- | -- | 2.10E+04 |
| | lbs/day | -- | -- | -- | 4.39E+03 |
| Antimony**, Total Recoverable** | µg/L | -- | -- | -- | 1.15E+05 |
| | lbs/day | -- | -- | -- | 2.39E+04 |
| Bis(2-chloroethoxy) Methane | µg/L | -- | -- | -- | 4.21E+02 |
| | lbs/day | -- | -- | -- | 8.77E+01 |
| Bis(2-chloroisopropyl) Ether | µg/L | -- | -- | -- | 1.15E+05 |
| | lbs/day | -- | -- | -- | 2.39E+04 |
| Chlorobenzene | µg/L | -- | -- | -- | 5.45E+04 |
| | lbs/day | -- | -- | -- | 1.14E+04 |
| Chromium (III)**, Total Recoverable** | µg/L | -- | -- | -- | 1.82E+07 |
| | lbs/day | -- | -- | -- | 3.79E+06 |
| Di-n-butyl Phthalate | µg/L | -- | -- | -- | 3.35E+05 |
| | lbs/day | -- | -- | -- | 6.98E+04 |
| Dichlorobenzenes[1] | µg/L | -- | -- | -- | 4.88E+05 |
| | lbs/day | -- | -- | -- | 1.02E+05 |
| Diethyl Phthalate | µg/L | -- | -- | -- | 3.15E+06 |
| | lbs/day | -- | -- | -- | 6.58E+05 |
| Dimethyl Phthalate | µg/L | -- | -- | -- | 7.84E+07 |
| | lbs/day | -- | -- | -- | 1.63E+07 |
| 4,6-dinitro-2-methylphenol | µg/L | -- | -- | -- | 2.10E+04 |
| | lbs/day | -- | -- | -- | 4.39E+03 |
| 2,4-dinitrophenol | µg/L | -- | -- | -- | 3.82E+02 |
| | lbs/day | -- | -- | -- | 7.97E+01 |
| Ethylbenzene | µg/L | -- | -- | -- | 3.92E+05 |
| | lbs/day | -- | -- | -- | 8.17E+04 |

| | | | | | |
|---|---|---|---|---|---|
| Fluoranthene | µg/L | -- | -- | -- | 1.43E+03 |
| | lbs/day | -- | -- | -- | 2.99E+02 |
| Hexachlorocyclopentadiene | µg/L | -- | -- | -- | 5.54E+03 |
| | lbs/day | -- | -- | -- | 1.16E+03 |
| Nitrobenzene | µg/L | -- | -- | -- | 4.68E+02 |
| | lbs/day | -- | -- | -- | 9.77E+01 |
| Toluene | µg/L | -- | -- | -- | 8.13E+06 |
| | lbs/day | -- | -- | -- | 1.69E+06 |
| 1,1,1-trichloroethane | µg/L | -- | -- | -- | 5.16E+07 |
| | lbs/day | -- | -- | -- | 1.08E+07 |
| | | | | | |
| **BASED ON OCEAN PLAN OBJECTIVES FOR PROTECTION OF HUMAN HEALTH - CARCINOGENS** | | | | | |
| Acrylonitrile | µg/L | -- | -- | -- | 9.56E+00 |
| | lbs/day | -- | -- | -- | 1.99E+00 |
| Aldrin | µg/L | -- | -- | -- | 2.10E-03 |
| | lbs/day | -- | -- | -- | 4.39E-04 |
| Benzene | µg/L | -- | -- | -- | 5.64E+02 |
| | lbs/day | -- | -- | -- | 1.18E+02 |
| Beryllium**, Total Recoverable** | µg/L | -- | -- | -- | 3.15E+00 |
| | lbs/day | -- | -- | -- | 6.58E-01 |
| Bis(2-chloroethyl) Ether | µg/L | -- | -- | -- | 4.30E+00 |
| | lbs/day | -- | -- | -- | 8.97E-01 |
| Bis(2-ethlyhexyl) Phthalate | µg/L | -- | -- | -- | 3.35E+02 |
| | lbs/day | -- | -- | -- | 6.98E+01 |
| Carbon Tetrachloride | µg/L | -- | -- | -- | 8.60E+01 |
| | lbs/day | -- | -- | -- | 1.79E+01 |
| Chloroform | µg/L | -- | -- | -- | 1.24E+04 |
| | lbs/day | -- | -- | -- | 2.59E+03 |
| | lbs/day | -- | -- | -- | 7.18E+02 |

3. Table 7, Interim Influent Limitations, on page 34 has been modified as follows:

| Parameter | Units | Influent Limitation | | |
|---|---|---|---|---|
| | | Average Monthly | Instantaneous Maximum | Six-Month Median |
| Arsenic, Total Recoverable | ~~mg/L~~ug/L | ~~0.024~~24 | | |
| | lbs/day | 5.0 | | |
| Beryllium, Total Recoverable | ~~mg/L~~ug/L | ~~0.0025~~2.5 | | |
| | lbs/day | 0.52 | | |
| Cadmium, Total Recoverable | ~~mg/L~~ug/L | ~~0.0616~~1 | | |
| | lbs/day | 13 | | |
| Chromium, Total Recoverable | ~~mg/L~~ug/L | ~~1.1~~100 | | |
| | lbs/day | 230 | | |
| Copper, Total Recoverable | ~~mg/L~~ug/L | | | ~~0.15~~150 |
| | lbs/day | | | 32 |
| Cyanide, Total Recoverable | ~~mg/L~~ug/L | | | ~~0.075~~75 |
| | lbs/day | | | 16 |
| Lead, Total Recoverable | ~~mg/L~~ug/L | ~~0.16~~160 | | |
| | lbs/day | 34 | | |
| Mercury, Total Recoverable | ~~mg/L~~ug/L | | ~~0.0054~~5.4 | |
| | lbs/day | | 1.1 | |
| Nickel, Total Recoverable | ~~mg/L~~ug/L | | | ~~0.44~~440 |
| | lbs/day | | | 93 |
| Silver, Total Recoverable | ~~mg/L~~ug/L | | | ~~0.052~~52 |
| | lbs/day | | | 11 |
| Zinc, Total Recoverable | ~~mg/L~~ug/L | ~~1.1~~100 | | |
| | lbs/day | 220 | | |
| Total HCH (Lindane) | ~~mg/L~~ug/L | | | ~~0.00042~~0.42 |
| | lbs/day | | | 0.88 |

4. The last paragraph of section III.C, page E-13, of Attachment E of Order No. R9-2014-0009 is amended as follows:

   A screening period for chronic toxicity shall be conducted every other year, beginning with the calendar year 2014. Each screening period shall consist of 3 ~~consecutive months of~~ WET tests**, conducted once per month for three consecutive months**, **with each WET test** using a minimum of three test species with approved test protocols, from the following list (from the Ocean Plan). Repeat screening periods may be terminated after the first month if the most sensitive species is the same as the species previously found to be most sensitive. Other tests may be used, if they have been approved for such testing by the State Water Board. The test species shall include a fish, an invertebrate, and an aquatic plant. After the screening period, the most sensitive test species shall be used for the ~~quarterly~~**weekly** testing. **The regular minimum test frequency for chronic toxicity of once per week shall continue prior to, during, and after each screening period.** Control and dilution water should be receiving water or lab water as appropriate. If the dilution water is different from the culture water, then culture water should be used in a second control. The sensitivity of the test organisms to a reference toxicant shall be determined concurrently with each bioassay test and reported with test results. The Discharger shall follow the requirements under Special Provisions, section VI.C.2.e of this Order if any effluent limitations for toxicity are exceeded.

5. The following paragraph is added to the end of section IV.B:

   **Sample Station Omission Due to Storm Condition. In the event of stormy weather which makes sampling hazardous at certain offshore stations, collection of samples at such stations can be omitted, provided that such omissions do not occur more than 5 days in any calendar year or occur at consecutive sampling times. The visual observations listed in footnote no. 1 above shall still be recorded and reported to the San Diego Water Board for these stations at the time the sample was attempted to be collected. If practicable, an effort should be made to return to the sampling station that was omitted and collect the sample during calmer conditions within the same reporting period.**

6. Section IV.C.3.b on page E-21, of Attachment E of Order No. R9-2014-0009 is amended as follows:

   **Benthic Community Sampling Stations and Frequency.** Sediment samples for assessment of benthic community structure shall be collected twice per year during Winter (e.g., January) and Summer (e.g., July) at each of the 27 offshore stations described above for sediments. One sample per station shall be collected for analysis of benthic community structure ~~using a 0.1 square meter modified Van Veen grab sampler~~.

7. Section IV.D.1.a on pages E-22 through E-23, of Attachment E of Order No. R9-2014-0009 is amended as follows:

**Fish and Invertebrate Trawl Frequency and Monitoring Stations.** Epibenthic trawls shall be conducted to assess the structure of demersal fish and megabenthic invertebrate communities, while the presence of priority pollutants in fish will be analyzed from species captured using both trawling and rig fishing techniques **(see section VIII.D.2 for more information)**. Single community trawls for fish and invertebrates shall be conducted semiannually (January and July) at seven trawl stations designated SD15–SD21 at the locations specified in Table E-1. Trawls shall be conducted using a Marinovich 7.62 m (25 ft) head rope otter trawl, using the guidance specified in the most recent field manual developed for the Southern California Bight Regional Monitoring Program. ~~Captured organisms shall be identified at all stations.~~ **All trawl-captured fishes and megabenthic invertebrates shall be identified at each station.**

8. The second paragraph of section IV.D.1.c, on page E-23, of Attachment E of Order No. R9-2014-0009 is amended as follows:

Liver tissues shall be analyzed ~~during each survey~~ from fishes collected in each of the above five trawl zones **during the annual survey**. No more than a maximum of five 10-minute (bottom time) trawls shall be required per zone in order to acquire sufficient numbers of fish for composite samples; these trawls may occur anywhere within a defined zone. Three replicate composite samples shall be prepared from each trawl zone, with each composite consisting of tissues from at least three individual fish of the same species. These liver tissues shall be analyzed for the constituents listed in Table E-9 below.

9. The second paragraph of section IV.D.2.b, on pages E-25 through E-26, of Attachment E of Order No. R9-2014-0009 is amended as follows:

**Rig Fishing Method and Location.** The fish shall be collected by hook and line or by setting baited lines from within zones surrounding rig fishing stations ~~FR~~**RF-**3 and RF-4 listed in Table E-1. Rig Fishing Zone 3 is the nearfield (near ZID) area centered within a 1-km radius of station FR**-3**; Rig Fishing Zone 4 is considered the farfield area centered within a 1-km radius of station RF-4. There are no depth requirements for these two zones with regards to the collection of fishes for tissue analysis. The species targeted for muscle tissue analysis in the rig fishing stations shall be representative of those caught by recreational and/or commercial fishery activities in the region. The species targeted for muscle tissue analysis shall be primarily rockfish, which may include, but are not limited to, the vermilion rockfish (Sebastes miniatus) and the copper rockfish (Sebastes caurinus). If sufficient numbers of these primary species are not present or cannot be caught in a particular zone, secondary target species (e.g., other rockfish, scorpionfish) may be collected and analyzed as necessary. Fish samples shall be identified to species, with number of individuals per species, standard length and wet weight recorded. **The presence of any physical abnormalities or disease symptoms (e.g., fin erosion, external lesions, tumors) or parasites shall also be recorded.** Physical abnormalities and disease symptoms shall be recorded and itemized (e.g., fin rot, lesions, and tumors).

USIBWC
IWTP

AMENDING ORDER NO. R9-2014-0094
NPDES NO. CA0108928

I, David W. Gibson, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on **November 12, 2014**.

Tentative Order
David W. Gibson
Executive Officer