State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION

ORDER NO. R4-2004-0170
NPDES PERMIT NO. CA0003689

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
WASTE DISCHARGE REQUIREMENTS
FOR
EXXONMOBIL OIL CORPORATION
SOUTHWESTERN TERMINAL AREA 1

The California Regional Water Quality Board, Los Angeles Region (hereinafter Regional Board), finds:

Background

1. ExxonMobil Oil Corporation (hereinafter EMOC or Discharger) discharges wastewater to the Main Channel of the Los Angeles Inner Harbor, at Berth 238, a water of the United States. Wastes discharged from EMOC are regulated by waste discharge requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permit contained in Board Order No. 97-060 (NPDES Permit No. CA0003689). Order No. 97-060 expired on March 10, 2002.

2. EMOC filed a report of waste discharge and applied for renewal of its WDRs and NPDES permit on October 16, 2001. The permit renewal application was reviewed in December 2003 and based on changes at the facility since the application, Regional Board staff requested an updated permit renewal package. This package was submitted on January 6, 2004. EMOC also submitted corrections to the January 6, 2004, permit application package on January 15, 2004. The tentative Order is the reissuance of the WDRs and NPDES permit for discharges from EMOC as represented in the revised application package. In addition, a NPDES permit compliance evaluation inspection was conducted on January 7, 2004, to verify operations and conditions, and to collect additional data to develop permit limitations and conditions.

Purpose of Order

3. The purpose of this Order is to renew the WDRs for the EMOC facility. This NPDES permit regulates the discharge of treated wastewater through Discharge Serial No. 001, to the Main Channel of Los Angeles Inner Harbor, a water of the United States, at Berth 238. The point of discharge is located at Latitude 33°44'02", Longitude 118°16'20".

Facility Description

4. EMOC is the owner and operator of the Southwest Terminal Area 1 located at 799 South Seaside Avenue, Terminal Island, California, which stores crude oil and refined petroleum products. Figure 1 provides a location map.

Discharge Description

5. The maximum daily discharge flow rate is 0.15 million gallons per day (mgd), and a long term average flow rate is 0.0048 mgd consisting of tank washing/line displacement, storm water runoff, steam condensate, ship ballast water, and product testing water. Hydrostatic test waters will be regulated under the Regional Board's general permit. Further, the composition of product testing water is similar to that of the previously permitted tank washing/line displacement wastewater source; it is not a new discharge type.

6. Storm water is collected from drains located in the berthing areas and is pumped to the preliminary oil separation tank. Ballast water is collected from ships that are loading product (this has not occurred in the past few years). The public water supply is used for tank wash water, line displacement water, water from product testing, and steam condensate.

7. Maximum daily discharge flows are substantially greater than the long-term average discharge flows due to the periodic generation and collection of wastewaters, and the "batch" wastewater treatment operation. The EMOC waits until a substantial quantity of water is collected in the oil separation tank before it activates the oil-water separator (Clarifier) and begins to discharge treated effluent to the Los Angeles Inner Harbor. The Clarifier is capable of handling flows up to 150,000 gallons per day (gpd). When rainfall is low, or no ballast water is received, and tank washing and line displacement are minimal, the terminal may not have to discharge treated effluent for extended periods of time. The amount of steam condensate generated has also been less in recent years than its historic level, and this source was previously a major portion of the wastewater discharged.

8. The sources of the treated effluent that are discharged from Discharge Serial No. 001 during any specific time period are highly variable and is dependent upon the operations that generate the wastewater during the period when the oil separation tank is filling. During periods of high rainfall, a substantial fraction of the effluent may be storm water. At other times, tank washing and line displacement water may constitute the majority, or all, of the treated effluent discharged.

9. EMOC has not discharged wastewater through Discharge Serial No. 001 since December 2001; all wastewaters have been collected in the facility's "slop oil" tank, and have been sent by pipeline to the EMOC refinery for treatment. The accumulated wastewaters are sent to the refinery on a batch basis during a product change or pipeline cleanout. The on-site treatment system remains on standby if the wastewater volume becomes too large for the refinery to manage.

10. The wastewater is collected in a 1.05 million gallon oil-water separator, where oil is decanted (skimmed). The water then discharges by gravity to a 138,600-gallon capacity oil-water separator (Clarifier) for further separation of oil, water, and solids. Flow into the Clarifier is measured with an ultrasonic flow meter and represents the reported discharge flow at Discharge Serial No. 001. The proposed Order will require the Discharger to measure and report discharge flow at the exit of the oil-water separator and prior to

discharge through Discharge Serial No. 001 (i.e., at the discharge line from the oil-separator to the Inner Harbor). Oil recovered from the oil separation tank and the oil-water separator is stored in the terminal slop oil tank, and transported off-site for recovery. Solids removed from the oil separation tank and oil-water separator are transported off-site for proper management and disposal.

11. Neutralizing chemicals are added to the wastewater at the inlet of the oil-water separator if needed to adjust the pH within the range of 6.5 to 8.5 pH unitsHydrogen peroxide can be injected into the wastewater at one of the multi-compartments of the oil-water separator to oxidize sulfides, as necessary. Previously, chlorine was used to oxidize sulfides. Diffused air is added to multiple compartments of the oil-water separator to promote flotation of entrained oil and oil-coated particles. Following the aeration compartments, the water is filtered through excelsior (wood shavings) to remove any remaining trace oil prior to discharge through Discharge Serial No. 001.

12. The oil-water separator has a recycle line located in the final compartment (after excelsior filtration) prior to the outfall and the discharge line from the oil-water separator to Discharge Serial No. 001 has a block valve. According to the inspection report, if the facility operator determines the oil-water separator is not producing satisfactory effluent quality for discharge, the influent to the oil-water separator can be shut off by closing the block valve on the effluent. The wastewater in the oil-water separator would then be pumped back to the oil separation tank for further processing.

13. Area 1 had a MTBE-contaminated (fuel additive) waste stream that was periodically generated from MTBE-containing product lines and tank cleanouts. The MTBE-contaminated wastewater was transferred to Area 2 (located at 551 Pilchard Street, 0.5 miles from Area 1) for pretreatment, and then discharged to the Los Angeles County Sanitation District (LACSD) sewer system. EMOC has a LACSD pretreatment permit for wastewaters that are discharged to the Public Owned Treatment Works (POTW). MTBE is no longer used as an additive, and no wastewaters currently generated in Area 1 are transferred to Area 2. Area 1 does not currently discharge wastewaters to the LACSD's POTW, and Terminal Area 1 does not receive any wastewater from Terminal Area 2.

14. There is no discharge to surfacewater since December 2001. The water is sent to the refinery for treatment. The discharge to Harbor is a standby option and will occur if the wastewater volume becomes too large for the refinery to manage. The reuse of wastewater at the site was evaluated. The property and the immediate vicinity have no landscaped areas that require irrigation. Since there are no feasible reuse options, the majority of emergency wastewater will be discharged to the Harbor.

15. The January 7, 2004 inspection report states all of the wastewater generated and treated at the terminal is from intermittent sources. The estimated flows and the frequency of discharges from Discharge Serial No. 001 are based on operating records from 1989-2001. The terminal did not discharge during 2002 and 2003. The long-term average discharge flow from Discharge Serial No. 001 stated in the permit renewal application is 5,800 gpd (0.0058 mgd). The maximum flow value reported in discharge monitoring reports was 16,219 gpd. Figure 2 provides a schematic of water flow for the EMOC

facility.

Storm Water Management

16. The objective of this Order is to protect the beneficial uses of receiving waters. To meet this objective, this Order requires EMOC to develop and implement a Storm Water Pollution Prevention Plan (SWPPP) consistent with the existing permit and with the SWPPP requirements in the NPDES General Permit for Storm Water Discharges Associated with Industrial Activity [State Water Resources Control Board (State Board) Order No. 97-03-DWQ, NPDES Permit No. CAS000001]. The SWPPP will outline site-specific management practices for minimizing storm water runoff contamination and for preventing contaminated storm water runoff from being discharged into surface waters.

Applicable Plans, Policies, Laws, and Regulations

17. The federal Clean Water Act (CWA). The federal Clean Water Act requires that any point source discharges of pollutants to a water of the United States must be done in conformance with a NPDES permit. NPDES permits establish effluent limitations that incorporate various requirements of the CWA designed to protect water quality.

18. Title 40, Code of Regulations (40 CFR) – Protection of Environment, Chapter I, Environmental Protection Agency, Subchapter D, Water Programs, Parts 122-125 and Subchapter N, Effluent Guidelines. These CWA regulations provide effluent limitations for certain dischargers and establish procedures for NPDES permitting, including how to establish effluent limitations for certain pollutants discharged.

19. On June 13, 1994, the Regional Board adopted a revised *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan). The Basin Plan contains water quality objectives and beneficial uses for inland surface waters and for the Pacific Ocean. The immediate receiving body for the permitted discharge covered by this permit is the Los Angeles Inner Harbor. The beneficial uses listed in the Basin Plan for the Los Angeles Inner Harbor are:

    Existing uses: Industrial service supply, navigation, non-contact recreation, commercial and sport fishing, marine habitat, preservation of rare and endangered species.

    Potential uses: Water contact recreation, shellfish harvesting.

20. Ammonia Basin Plan Amendment. The 1994 Basin Plan provided water quality objectives for ammonia to protect aquatic life, in Tables 3-1 through Tables 3-4. However, those ammonia objectives were revised on April 25, 2002, by the Regional Board with the adoption of Resolution No. 2002-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Update the Ammonia Objectives for Inland Surface Waters (Including Enclosed Bays, Estuaries and Wetlands) with Beneficial Use Designations for Protection of Aquatic Life*. The ammonia Basin Plan amendment was approved by the State Board, the Office of Administrative Law, and U.S. Environmental Protection Agency

(U.S. EPA) on April 30, 2003, June 5, 2003, and June 19, 2003, respectively. Although the revised ammonia water quality objectives may be less stringent than those contained in the 1994 Basin Plan, they are still protective of aquatic life and are consistent with U.S. EPA's 1999 ammonia criteria update.

21. The State Water Resources Control Board (State Board) adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for inland surface waters.

22. On May 18, 2000, the U.S. EPA promulgated numeric criteria for priority pollutants for the State of California [known as the *California Toxics Rule* (CTR) and codified as 40 CFR §131.38]. In the CTR, U.S. EPA promulgated human health criteria that protect the general population at an incremental cancer risk level of one in a million (10^{-6}), for all priority toxic pollutants regulated as carcinogens and criteria for the protection of freshwater and saltwater aquatic life. The CTR also allows for a schedule of compliance not to exceed five years from the date of permit renewal for an existing discharger if the Discharger demonstrates that it is infeasible to promptly comply with effluent limitations derived from the CTR criteria.

23. On March 2, 2000, State Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP*).* The SIP was effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the National Toxics Rule (NTR) and to the priority pollutant objectives established by the Regional Boards in their Basin Plans, with the exception of the provision on alternate test procedures for individual discharges that have been approved by the U.S. EPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP was effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA through the CTR. The SIP requires the dischargers' submittal of data sufficient to conduct the determination of priority pollutants requiring water quality-based effluent limitations (WQBELs) and to calculate the effluent limitations. The CTR criteria for salt water or human health for consumption of organisms, whichever is more stringent, are used to develop the effluent limitations in this Order to protect the beneficial uses of the Los Angeles Inner Harbor.

24. 40 CFR §122.44(d)(vi)(A) requires the establishment of numeric effluent limitations to attain and maintain applicable narrative water quality criteria to protect the designated beneficial uses. Where numeric water quality objectives have not been established in the Basin Plan, 40 CFR section 122.44(d) specifies that WQBELs may be set based on U.S. EPA criteria and supplemented, where necessary, by other relevant information to attain and maintain narrative water quality criteria to fully protect designated beneficial uses.

25. State and Federal antibacksliding and antidegradation policies require that Regional Board actions protect the water quality of a water body and ensure that the waterbody will not be further degraded. The antibacksliding provisions are specified in section 402(o) and 303(d)(4) of the CWA and in the Title 40 of the Code of Federal Regulations (40 CFR),

section 122.44(l). Those provisions require a reissued permit to be as stringent as the previous permit with some exceptions where effluent limitations may be relaxed.

26. Effluent limitations are established in accordance with sections 301, 304, 306, and 307 of the federal CWA, and amendments thereto. These requirements, as they are met, will maintain and protect the beneficial uses of the Los Angeles Inner Harbor.

27. Existing waste discharge requirements are contained in Board Order No. 97-060, adopted by the Regional Board on May 12, 1997. In some cases, permit conditions (effluent limitations and other special conditions) established in the existing waste discharge requirements have been carried over to this permit.

Watershed Management Approach and Total Maximum Daily Loads (TMDLs)

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

29. The Los Angeles/Long Beach Harbors are located in the southern portion of the Los Angeles Basin in the greater San Pedro Bay. These Harbors receive discharges from highly industrialized areas. The 2002 State Board's California 303(d) List classifies the Los Angeles Inner Harbor and several water bodies within the Harbor as impaired. These water bodies include: Consolidated Slip, Southwest Slip, a portion of Main Channel, Fish Harbor, Cabrillo Pier, and breakwater. The pollutants of concern, detected in the water column, in the sediment, and in the fish tissue, include: cadmium, copper, lead, mercury, nickel, ammonia, coliform, chromium, zinc, DDT, PAHs, sediment toxicity, benthic community effects, chlordane, PCBs, and tributyltin.

Data Availability and Reasonable Potential Monitoring

30. 40 CFR 122.44(d)(1)(i) and (ii) require that each toxic pollutant be analyzed with respect to its reasonable potential to (1) cause; (2) have the reasonable potential to cause; or (3) contribute to the exceedance of a receiving water quality objective. This is done by performing a reasonable potential analysis (RPA) for each pollutant.

31. Section 1.3 of the SIP requires that a limitation be imposed for a toxic pollutant if (1) the maximum effluent concentration (MEC) is greater than the most stringent CTR criteria, or (2) the background concentration is greater than the CTR criteria, or (3) other information is available. Sufficient effluent data are needed for this analysis.

32. There are insufficient monitoring data available to perform the RPA for the priority pollutants; therefore, effluent limitations for priority pollutants are not established in the proposed Order. The proposed Order includes requirements for effluent and receiving water monitoring to provide the data needed to complete an RPA for the priority pollutants.

CEQA and Notifications

33. The Regional Board has notified the Discharger and interested agencies and persons of its intent to issue waste discharge requirements for this discharge, and has provided them with an opportunity to submit their written views and recommendations.

34. The Regional Board, in a public hearing, heard and considered all comments pertaining to the discharge and to the tentative requirements.

35. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to section 402 of the Federal Clean Water Act or amendments thereto, and is effective 30 days (January 12, 2005) from the date of its adoption, in accordance with federal law, provided the Regional Administrator, U.S. EPA, has no objections.

36. Pursuant to California Water Code section 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board. A petition must be sent to the State Water Resources Control Board, Office of Chief Counsel, ATTN: Elizabeth Miller Jennings, Senior Staff Counsel, 1001 I Street, 22nd Floor, Sacramento, California, 95814, within 30 days of adoption of this Order.

37. The issuance of waste discharge requirements for this discharge is exempt from the provisions of Chapter 3 (commencing with section 21100) of Division 13 of the Public Resources Code (CEQA) in accordance with the California Water Code, section 13389.

IT IS HEREBY ORDERED that ExxonMobil Oil Corporation, Southwestern Terminal Area 1, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, and the provisions of the Federal Clean Water Act and regulations and guidelines adopted there under, shall comply with the following:

I. DISCHARGE REQUIREMENTS

A. Discharge Prohibitions

1. Wastes discharged shall be limited to a maximum of 150,000 gallons per day (gpd) of treated wastewater.

2 Discharges of water, materials, thermal wastes, elevated temperature wastes, toxic wastes, deleterious substances, or wastes other than those authorized by this Order, to a storm drain system, the Los Angles Inner Harbor, or waters of the State, are prohibited.

B. Effluent Limitations

The discharge of an effluent in excess of the following limitations is prohibited:

1. A pH value less than 6.5 or greater than 8.5.

2. A temperature greater than 86° F.

3. Toxicity limitations:

a. Acute Toxicity Limitation and Requirements

i. The acute toxicity of the effluent shall be such that: (i) the average survival in the undiluted effluent for any three (3) consecutive 96-hour (or shorter test duration period with Executive Officer approval) static or continuous flow bioassay tests shall be at least 90%, and (ii) no single test shall produce less than 70% survival.

ii. If either of the above requirements [Section I.B.3.a.(i)] is not met, the Discharger shall conduct six additional tests over a 6-week period, if possible. The Discharger shall ensure that they receive results of a failing acute toxicity test within 24 hours of the completion of the test, and the additional tests shall begin within 3 business days of the receipt of the result. If the additional tests indicate compliance with acute toxicity limitation, the Discharger may resume regular testing. However if the results of any two of the six accelerated tests are less than 90% survival, then the Discharger shall begin a Toxicity Identification Evaluation (TIE). The TIE shall include all reasonable steps to identify the source(s) of toxicity. Once the source(s) of toxicity is identified, the Discharger shall take all reasonable steps to reduce the toxicity to meet the objective.

iii. If the initial test and any of the additional six acute toxicity bioassay tests result in less than 70% survival, including the initial test, the Discharger shall immediately begin a TIE.

iv. The Discharger shall conduct acute toxicity monitoring as specified in Monitoring and Reporting Program No. 1558.

4. Final effluent limitations: In addition to the Requirements I.B.1 through I.B.3, the discharge of wastewater through Discharge Serial No. 001 (Latitude 33°44'02",

Longitude 118°16'20") containing constituents in excess of the following limitations is prohibited:

Constituent (units)	Maximum Daily Discharge Limitations
	Concentration
Turbidity (NTU)	75
Settleable solids (ml/L)	0.2
Total suspended solids (mg/L)	75
Oil and grease (mg/L)	15
BOD_5 @ 20°C (mg/L)	30
Residual Chlorine (mg/L)	0.1
Detergents (as MBAS) (mg/L)	0.5
Total petroleum hydrocarbons (µg/L)	100

C. Receiving Water Limitations

1. The discharge shall not cause the following conditions to exist in the receiving waters:

   a. Floating, suspended or deposited macroscopic particulate matter or foam;

   b. Alteration of temperature, turbidity, or apparent color beyond present natural background levels;

   c. Visible, floating, suspended or deposited oil or other products of petroleum origin;

   d. Bottom deposits or aquatic growths; or,

   e. Toxic or other deleterious substances to be present in concentrations or quantities which cause deleterious effects on aquatic biota, wildlife, or waterfowl or render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentration.

2. The discharge shall not cause nuisance, or adversely effect beneficial uses of the receiving water.

3. No discharge shall cause a surface water temperature rise greater than 5°F above the natural temperature of the receiving waters at any time or place.

4. The discharge shall not cause the following limitations to be exceeded in the receiving waters at any place within the waterbody of the receiving waters:

    a. The pH shall not be depressed below 6.5 nor raised above 8.5, nor caused to vary from normal ambient pH levels by more than 0.5 units;

    b. Dissolved oxygen shall not be less than 5.0 mg/L anytime, and the median dissolved oxygen concentration for any three consecutive months shall not be less than 80 percent of the dissolved oxygen content at saturation;

    c. Dissolved sulfide shall not be greater than 0.1 mg/L;

    d. The ammonia in the 1994 Basin Plan were revised by Regional Board Resolution No. 2002-011, adopted on April 28, 2002, to be consistent with the 1999 U.S. EPA update on ammonia criteria. Regional Board Resolution No. 2002-011 was approved by State Board, OAL and U.S. EPA on April 30, 2003, June 5, 2003, and June 19, 2003, respectively and is now in effect. Total ammonia (as N) shall not exceed concentrations specified in the Regional Board Resolution 2002-011.

5. The discharge shall not cause a violation of any applicable water quality standards for receiving waters adopted by the Regional Board or State Board. If more stringent applicable water quality standards are promulgated or approved pursuant to section 303 of the Clean Water Act, or amendments thereto, the Regional Board will revise or modify this Order in accordance with such standards.

6. The discharge shall not cause the following to be present in receiving waters:

    a. Biostimulatory substances at concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses;

    b. Chemical substances in amounts that adversely affect any designated beneficial use;

    c. Oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the receiving water or on objects in the water;

    d. Suspended or settleable materials in concentrations that cause nuisance or adversely affect beneficial uses;

e. Taste or odor-producing substances in concentrations that alter the natural taste, odor, and/or color of fish, shellfish, or other edible aquatic resources; cause nuisance; or adversely affect beneficial uses;

f. Substances that result in increases of $BOD_5$20°C that adversely affect beneficial uses;

7. The discharge shall not alter the color, create a visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters.

8. The discharge shall not degrade surface water communities and populations including vertebrate, invertebrate, and plant species.

9. The discharge shall not damage, discolor, nor cause formation of sludge deposits on flood control structures or facilities nor overload their design capacity.

10. The discharge shall not cause problems associated with breeding of mosquitoes, gnats, black flies, midges, or other pests.

II. REQUIREMENTS

A. The Discharger shall develop and implement, within 90 days of the effective date of this Order:

1. A *Storm Water Pollution Prevention Plan* (SWPPP) that describes site-specific management practices for minimizing contamination of storm water runoff and for preventing contaminated storm water runoff from being discharged to waters of the State. The SWPPP shall be developed in accordance with the requirements in Attachment M.

   The SWPPP shall cover all areas of the facility and shall include an updated drainage map for the facility. The Discharger shall identify on a map of appropriate scale the areas that contribute runoff to the permitted discharge points; describe the activities in each area and the potential for contamination of storm water runoff and the discharge of hazardous waste/material; and address the feasibility of containment and/or treatment of the storm water. The plan shall be reviewed annually and updated information shall be submitted within 30 days of revision.

2. Best Management Practices Plan (BMPP) that entails site-specific plans and procedures implemented and/or to be implemented to prevent hazardous waste/material from being discharged to waters of the State. The BMPP shall be consistent with the general guidance contained in the U.S. EPA *Guidance Manual for Developing Best Management Practices (BMPs)* (EPA 833-B-93-004). In particular, a risk assessment of each area identified by the Discharger

shall be performed to determine the potential for hazardous or toxic waste/material discharge to surface waters.

Both plans shall cover all areas of the facility and shall include an updated drainage map for the facility. The Discharger shall identify on a map of appropriate scale the areas that contribute runoff to the permitted discharge points; describe the activities in each area and the potential for contamination of storm water runoff and the discharge of hazardous waste/material; and address the feasibility of containment and/or treatment of the storm water. The plans shall be reviewed annually and at the same time. Updated information shall be submitted within 30 days of revision.

B. Pursuant to the requirements of 40 CFR 122.42(a), the Discharger must notify the Board as soon as it knows, or has reason to believe (1) that it has begun or expected to begin, to use or manufacture a toxic pollutant not reported in the permit application, or (2) a discharge of toxic pollutant not limited by this Order has occurred, or will occur, in concentrations that exceed the specified limitations in 40 CFR 122.42(a).

C. The Discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.

D. The Discharger shall comply with the waste load allocations that will be developed from the TMDL process for the 303 (d)-listed pollutants.

E. The discharge of any product registered under the Federal Insecticide, Fungicide, and Rodenticide Act to any waste stream which may ultimately be released to waters of the United States, is prohibited unless specifically authorized elsewhere in this permit or another NPDES permit. This requirement is not applicable to products used for lawn and agricultural purposes.

F. The discharge of any waste resulting from the combustion of toxic or hazardous wastes to any waste stream that ultimately discharges to waters of the United States is prohibited, unless specifically authorized elsewhere in this permit.

G. The Discharger shall notify the Executive Officer in writing no later than 6 months prior to planned discharge of any chemical, other than chlorine or other product previously reported to the Executive Officer, which may be toxic to aquatic life. Such notification shall include:

1. Name and general composition of the chemical,
2. Frequency of use,
3. Quantities to be used,
4. Proposed discharge concentrations, and
5. U.S. EPA registration number, if applicable.

No discharge of such chemical shall be made prior to the Executive Officer's approval.

H. The Regional Board and U.S. EPA shall be notified immediately by telephone, of the presence of adverse conditions in the receiving waters or on beaches and shores as a result of wastes discharged; written confirmation shall follow as soon as possible but not later than five working days after occurrence.

III. PROVISIONS

A. This Order includes the attached *Standard Provisions and General Monitoring and Reporting Requirements* (Standard Provisions, Attachment N). If there is any conflict between provisions stated herein and the attached Standard Provisions, those provisions stated herein shall prevail.

B. This Order includes the attached Monitoring and Reporting Program No. 1558. If there is any conflict between provisions stated in the Monitoring and Reporting Program and the Standard Provisions, those provisions stated in the former shall prevail.

C. The Discharger shall comply with the requirements of SWPPP updates associated with industrial activity (State Board Order No. 97-03-DWQ adopted on April 17, 1997) and SWPPP updates and monitoring and reporting requirements of State Board general permit for discharges of storm water and construction activity (State Board Order No. 99-08-DWQ adopted on August 19, 1999). This Order R4-2004-0170 shall take precedence where conflicts or differences arise between it and the aforementioned Orders. This Order includes the attached *Storm Water Pollution Prevention Plan Requirements* (Attachment M).

D. This Order may be modified, revoked, reissued, or terminated in accordance with the provisions of 40 CFR sections 122.44, 122.62, 122.63, 122.64, 125.62 and 125.64. Causes for taking such actions include, but are not limited to: failure to comply with any condition of this Order; endangerment to human health or the environment resulting from the permitted activity; or acquisition of newly-obtained information which would have justified the application of different conditions if known at the time of Order adoption. The filing of a request by the Discharger for an Order modification, revocation, and issuance or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

E. The Discharger must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of storm water to storm drain systems or other water courses under their jurisdiction; including applicable requirements in municipal storm water management program developed to comply with NPDES permits issued by the Regional Board to local agencies.

F. Discharge of wastes to any point other than specifically described in this Order and permit is prohibited and constitutes a violation thereof.

G. The Discharger shall comply with all applicable effluent limitations, national standards of performance, toxic effluent standards, and all federal regulations established pursuant to sections 301, 302, 303(d), 304, 306, 307, 316, and 423 of the Federal Clean Water Act and amendments thereto.

H. Compliance Determination

1. Compliance with single constituent effluent limitation – If the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (see Reporting Requirement II.C. of *M&RP* No. CI-1558*)*, then the Discharger is out of compliance.

2. Compliance with effluent limitations expressed as a sum of several constituents – If the sum of the individual pollutant concentrations is greater than the effluent limitation, then the Discharger is out of compliance. In calculating the sum of the concentrations of a group of pollutants, consider constituents reported as ND or DNQ to have concentrations equal to zero, provided that the applicable ML is used.

3. Compliance with effluent limitations expressed as a median – in determining compliance with a median limitation, the analytical results in a set of data will be arranged in Order of magnitude (either increasing or decreasing Order); and

a If the number of measurements (n) is odd, then the median will be calculated as = $X_{(n+1)/2}$, or

b. If the number of measurements (n) is even, then the median will be calculated as = $[X_{n/2} + X_{(n/2)+1}]$, i.e. the midpoint between the n/2 and n/2+1 data points.

IV. REOPENERS

A. This Order may be reopened and modified, in accordance with SIP Section 2.2.2.A, to incorporate new limitations based on future RPA to be conducted, upon completion of the collection of additional data by the Discharger.

B. This Order may be reopened and modified, to incorporate in accordance with the provisions set forth in 40 CFR Parts 122 and 124, to include requirements for the implementation of the watershed management approach.

C. This Order may be reopened and modified, in accordance with the provisions set forth in 40 CFR Parts 122 and 124, to include new minimum levels (MLs) for each pollutant.

D. This Order may be reopened and modified, to revise effluent limitations as a result of future Basin Plan Amendments, or the adoption of a TMDL for Los Angeles Inner Harbor.

E. This Order may be reopened upon the submission by the Discharger, of adequate information, as determined by the Regional Board, to provide for dilution credits or a mixing zone, as may be appropriate.

F. This Order may also be reopened and modified, revoked, and reissued or terminated in accordance with the provisions of 40 CFR sections 122.44, 122.62 to 122.64, 125.62, and 125.64. Causes for taking such actions include, but are not limited to, failure to comply with any condition of this order and permit, endangerment to human health or the environment resulting from the permitted activity.

V. EXPIRATION DATE

This Order expires on October 10, 2009.

The Discharger must file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of such date as application for issuance of new waste discharge requirements.

VI. RESCISSION

Order No. 97-060, adopted by this Regional Board on May 12, 1997, is hereby rescinded except for enforcement purposes.

I, Jonathan S. Bishop, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on December 13, 2004.

_____
Jonathan S. Bishop
Executive Officer