CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

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Los Angeles Regional Water Quality Control Board
(https://www.waterboards.ca.gov/losangeles)

WATER QUALITY ORDER R4-2023-0374
NPDES NUMBER CA0052949, CI NUMBER 5841

WASTE DISCHARGE REQUIREMENTS
FOR ZENITH ENERGY WEST COAST TERMINALS LLC
DOMINGUEZ HILLS TANK FARMS

The following Discharger is subject to waste discharge requirements (WDRs) set forth in this Order:

Table 1. Discharger Information

Discharger:	Zenith Energy West Coast Terminals LLC
Name of Facility:	Dominguez Hills Tank Farms
Facility Address:	2500 E. Victoria Street Compton, CA 90220 Los Angeles County

Table 2. Discharge Location for Stormwater

Discharge Point	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	33.862222	-118.2225	Compton Creek

Table 3. Administrative Information

This Order was adopted on:	**November 16, 2023**
This Order shall become effective on:	**January 1, 2024**
This Order shall expire on:	**December 31, 2028**
The Discharger shall file a Report of Waste Discharge (ROWD) as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a NPDES permit no later than:	**180 days prior to the Order expiration date**
The United States Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board have classified this discharge as follows:	**Minor**

I, Susana Arredondo, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on **the date indicated above**.

Jenny Newman

Digitally signed by Jenny Newman
Date: 2023.12.05 14:56:10 -08'00'

for Susana Arredondo, Executive Officer

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1. FACILITY INFORMATION

Information describing Zenith Energy West Coast Terminals LLC (Discharger), Dominguez Hills Tank Farms (Facility) is summarized in Table 1 and in sections 1 and 2 of the Fact Sheet (Attachment F). Section 1 of the Fact Sheet also includes information regarding the Facility's permit application.

2. FINDINGS

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

2.1. **Legal Authorities.** This Order serves as waste discharge requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the United States Environmental Protection Agency (U.S. EPA) and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDRs in this Order.

2.2. **Background and Rationale for Requirements.** The Los Angeles Water Board developed the requirements in this Order based on information submitted as part of the application and through the Discharger's monitoring and reporting program along with other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E and G are also incorporated into this Order.

2.3. **Notification of Interested Parties.** The Los Angeles 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. Details of the notification are provided in the Fact Sheet.

2.4. **Consideration of Public Comment.** The Los Angeles Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet.

THEREFORE, IT IS HEREBY ORDERED that Order No. R4-2016-0141 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. This action in no way prevents the Los Angeles Water Board from taking enforcement action for violations of the previous Order.

3. DISCHARGE PROHIBITIONS

3.1. The discharge of wastes shall not exceed 0.91 million gallons per day (MGD) of treated stormwater runoff and hydrostatic test water from Discharge Point 001.

3.2. The discharge of wastes at a location other than specifically described in this Order is prohibited. The discharge of wastes from accidental spills or other sources is prohibited.

3.3. 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, Compton Creek, or other waters of the United States, are prohibited.

3.4. The treatment or the discharge of wastes from the Facility shall not cause pollution, contamination, or nuisance as defined by section 13050 of the Water Code.

3.5. The discharge of any substances in concentrations toxic to human, animal, plant, or aquatic life is prohibited.

3.6. The discharge of oil or any residuary product of petroleum to waters of the United States, except in accordance with waste discharge requirements or other provisions of division 7 of the Water Code, is prohibited.

3.7. The discharge of any radiological, chemical, or biological warfare agent into the waters of the United States is prohibited under Water Code section 13375.

3.8. The discharge of trash to waters of the United States or the deposition of trash where it may be discharged into waters of the United States is prohibited.

4. EFFLUENT LIMITATIONS AND DISCHARGE PROHIBITIONS

4.1. Effluent Limitations – Discharge Point 001

4.1.1. Final Effluent Limitations – Discharge Point 001

The Discharger shall maintain compliance with the following effluent limitations at Discharge Points 001, with compliance measured at Monitoring Locations EFF-001, as described in the Monitoring and Reporting Program (MRP), Attachment E:

Table 4. Final Effluent Limitations

Parameter	Units	Average Monthly	Maximum Daily	Notes
Biochemical Oxygen Demand 5-day @ 20?C (BOD)	milligram per liter (mg/L)	20	30	--
BOD	pounds per day (lbs/day)	152	228	a
Oil and Grease	mg/L	10	15	--
Oil and Grease	lbs/day	76	114	a
pH	standard units	--	6.5 to 8.5	b
Temperature	degrees Fahrenheit (°F)	--	80	c
Total Suspended Solids (TSS)	mg/L	50	75	---

Parameter	Units	Average Monthly	Maximum Daily	Notes
TSS	lbs/day	379	569	a
Ammonia Nitrogen Total (as N)	mg/L	1.68	4.0	---
Ammonia Nitrogen Total (as N)	lbs/day	12.9	30	a
Chloride	mg/L	---	150	---
Chloride	lbs/day	---	1,138	a
Chronic Toxicity	Pass or Fail, and % Effect (TST)	Pass	Pass and % Effect <50	d
E. coli	CFU/100mL or MPN/100mL	---	320	e
Nitrate-nitrogen (as N)	mg/L	8.0	---	--
Nitrate-nitrogen (as N)	lbs/day	61	---	a
Nitrite-nitrogen (as N)	mg/L	1.0	---	--
Nitrite-nitrogen (as N)	lbs/day	7.6	---	a
Nitrate-nitrogen + Nitrite-nitrogen (as N)	mg/L	8.0	---	---
Nitrate-nitrogen + Nitrite-nitrogen (as N)	lbs/day	61	---	a
Phenols	mg/L	---	1.0	---
Phenols	lbs/day	---	7.59	a
Settleable Solids	ml/L	---	0.2	---
Sulfate	mg/L	---	350	---
Sulfate	lbs/day	---	2,656	a
Sulfides	mg/L	---	1.0	---
Sulfides	lbs/day	---	7.6	a
Total Dissolved Solids	mg/L	---	1,500	---
Total Dissolved Solids	lbs/day	---	11,384	a
Total Petroleum Hydrocarbons (TPH)	mg/L	---	0.1	f
TPH	lbs/day	---	0.8	a
Total Residual Chlorine	mg/L	---	0.1	---
Total Residual Chlorine	lbs/day	---	0.76	a
Turbidity	NTU	50	75	---
Benzene	µg/L	---	1.0	---
Benzene	lbs/day	---	0.0076	a
Ethylbenzene	µg/L	---	680	---

Parameter	Units	Average Monthly	Maximum Daily	Notes
Ethylbenzene	lbs/day	---	5.2	a
Toluene	µg/L	---	10	---
Toluene	lbs/day	---	0.076	a
Xylene	µg/L	---	1,750	---
Xylene	lbs/day	---	13.0	a
Cadmium, Wet Weather	µg/L	1.5	3.1	g and h
Cadmium, Wet Weather	lbs/day	0.011	0.024	a
Copper, Total Recoverable, Wet Weather	µg/L	8.0	17	g and h
Copper, Total Recoverable, Wet Weather	lbs/day	0.061	0.13	a
Copper, Total Recoverable, Dry Weather	µg/L	15	32	g and h
Copper, Total Recoverable, Dry Weather	lbs/day	0.11	0.24	a
Lead, Total Recoverable, Wet Weather	µg/L	22	62	g and h
Lead, Total Recoverable, Wet Weather	lbs/day	0.17	0.47	a
Lead, Total Recoverable, Dry Weather	µg/L	5.9	16	g and h
Lead, Total Recoverable, Dry Weather	lbs/day	0.045	0.12	a
Zinc, Total Recoverable, Wet Weather	µg/L	57	159	g and h
Zinc, Total Recoverable, Wet Weather	lbs/day	0.43	1.2	a
Zinc, Total Recoverable, Dry Weather	µg/L	21	55	h
Zinc, Total Recoverable, Dry Weather	lbs/day	0.16	0.42	a

Footnotes for Table 4

a. The mass (lbs/day) limitations are based on a maximum flow of 0.91 MGD from Discharge Point 001 and are calculated as follows: Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day.

b. The effluent limitations for pH are 6.5 as an Instantaneous Minimum and 8.5 as an Instantaneous Maximum.

c. The effluent limitation for temperature is 80?F as an Instantaneous Maximum.

d. The maximum daily effluent limitation (MDEL) for chronic toxicity shall be reported as “Pass” or “Fail” and “% Effect”. The MDEL is exceeded when a toxicity test results in a “Fail,” and the percent effect is greater than or equal to 0.50.

e. The bacteria water quality objective for all waters where the salinity is equal to or less than 1 part per thousand (ppth) 95 percent or more of the time during the calendar year is: a six-week rolling

geometric mean of *Escherichia coli* (*E. coli*) not to exceed 100 colony forming units (CFU) per 100 milliliters (mL), calculated weekly, and a statistical threshold value (STV) of 320 CFU/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

f. Total Petroleum Hydrocarbons (TPH) equals the sum of TPH as gasoline (C4-C12), TPH as diesel (C13-C22), and TPH waste oil (C23+).

g. Final effluent limitations are based on the Waste Load Allocations established in the Los Angeles River and Tributaries Metals TMDL and using section 1.4 of the SIP.

h. Within this Order, “dry-weather” applies to days when the maximum daily flow in the Los Angeles River is less than 500 cubic feet per second (cfs) as measured at Wardlow Road gage station (Wardlow Station). Wet-weather effluent limitations are applicable when the maximum daily flow in the Los Angeles River is equal to or greater than 500 cfs. In the event that Wardlow Station is non-functional, the Discharger may use flow measurements from the nearest downstream gage or submit a manual flow measurement taken in the vicinity of Wardlow Station. Information on alternative measurements shall be documented in the corresponding quarterly SMR.

End of Footnotes for Table 4

4.1.2. Interim Effluent Limitations – Not Applicable

4.2. Land Discharge Specifications – Not Applicable

4.3. Recycling Specifications – Not Applicable

5. RECEIVING WATER LIMITATIONS

5.1. Surface Water Limitations

Receiving water limitations are based on the water quality objectives in the Basin Plan. The discharge shall not cause the following in the receiving water:

5.1.1. The pH shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharges. Ambient pH levels shall not be changed more than 0.5 units from natural conditions as a result of waste discharge.

5.1.2. Water temperature shall not be altered by more than 5 °F above the natural temperature. At no time shall the temperature be raised above 80?F as a result of waste discharges.

5.1.3. Bacteria Water Quality Objective

Water Contact Recreation (REC-1): The bacteria water quality objective for all waters where the salinity is equal to or less than 1 part per thousand (ppth) 95 percent or more of the time during the calendar year is:

a. A six-week rolling geometric mean of *Escherichia coli* (*E. coli*) not to exceed 100 colony forming units (CFU) per 100 milliliters (mL), calculated weekly, and

b. A statistical threshold value (STV) of 320 CFU/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

5.1.4. The mean annual dissolved oxygen concentration shall be greater than 7 mg/L, and no single determination shall be less than 5.0 mg/L, except when natural conditions cause lesser concentrations.

5.1.5. Waters shall not contain floating materials, including solids, liquids, foams, and scum in concentrations that cause a nuisance or adversely affect beneficial uses.

5.1.6. Waters shall be free of changes in turbidity that cause a nuisance or adversely affect beneficial uses. Increases in natural turbidity shall not exceed the following limits:

a. Where natural turbidity is between 0 to 50 NTU, increases in turbidity shall not exceed 20%.

b. Where natural turbidity is greater than 50 NTU, increases in turbidity shall not exceed 10%.

5.1.7. Waters shall not contain 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 that cause a nuisance or adversely affect beneficial uses.

5.1.8. Waters shall not contain suspended or settleable materials, chemical substances, or pesticides in amounts that cause nuisance or adversely affect any designated beneficial use in the receiving water.

5.1.9. Waters shall be maintained free of toxic or other deleterious substances 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.

5.1.10. The discharge shall not cause accumulation of bottom deposits or aquatic growths.

5.1.11. Waters shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes a nuisance or adversely affects beneficial uses.

5.1.12. Waters shall be free of substances that result in increases of Biochemical Oxygen Demand (BOD) that adversely affect beneficial uses.

5.1.13. Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes, odors of fish and shellfish, or other edible aquatic resources; cause nuisance; or adversely affect beneficial uses.

5.1.14. The discharge shall not cause damage, discolor, nor cause formation of sludge deposits on flood control structures or facilities nor overload the design capacity in the receiving water.

5.1.15. The discharge shall not cause the degradation of surface water communities and populations including vertebrate, invertebrate, and plant species in the receiving water.

5.1.16. The discharge shall not cause problems associated with breeding of mosquitoes, gnats, black flies, midges, or other pests in the receiving water.

5.2. Groundwater Limitations – Not Applicable

6. PROVISIONS

6.1. Standard Provisions

6.1.1. The Discharger shall comply with all Standard Provisions included in Attachment D.

6.1.2. The Discharger shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:

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

b) 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, 318, 405, and 423 of the federal CWA and amendments thereto.

c) These requirements do not exempt the operator of the waste disposal facility from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize this waste disposal facility, and they leave unaffected any further restraints on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.

d) Oil or oily material, chemicals, refuse, or other wastes that constitute a condition of pollution or nuisance shall not be stored or deposited in areas where they may be picked up by rainfall and carried off of the property and/or discharged to surface waters. Any such spill of such materials shall be contained and removed immediately.

e) A copy of these waste discharge requirements shall be maintained at the discharge facility so as to be available at all times to operating personnel.

f) If there is any storage of hazardous or toxic materials or hydrocarbons at this Facility and if the Facility is not staffed at all times, a 24-hour emergency response telephone number shall be prominently posted where it can easily be read from the outside.

g) The Discharger shall file with the Los Angeles Water Board a report of waste discharge at least 120 days before making any proposed change in the character, location or volume of the discharge.

h) The Discharger must notify the Los Angeles Water Board as soon as they know or have reason to believe that they have begun or expect to begin to use or manufacture an intermediate or final product or byproduct of any toxic pollutant that was not reported on their application.

i) In the event of any change in name, ownership, or control of these waste disposal facilities, the Discharger shall notify the Los Angeles Water Board of such change and shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Los Angeles Water Board, 30 days prior to taking effect.

j) Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this Facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.

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

   i. Name and general composition of the chemical;
   ii. Frequency of use;
   iii. Quantities to be used;
   iv. Proposed discharge concentrations; and,
   v. U.S. EPA registration number, if applicable.

l) In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, effluent limitation, or receiving water limitation of this Order, the Discharger shall notify the Manager of the Watershed Regulatory Section at the Los Angeles Water Board by telephone at (213) 576-6616 or by fax at (213) 576-6660 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing to the Los Angeles Water Board within five days, unless the Los Angeles Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and, prevent recurrence including, where applicable, a schedule of implementation. The written notification shall also be submitted via email with reference to NPDES No. CA0052949, CI-5841 to losangeles@waterboards.ca.gov. Other noncompliance requires written notification as above at the time of the normal monitoring report.

m) The Discharger shall make diligent, protective efforts to reduce Facility infrastructure vulnerability to current and future impacts resulting from climate change, including but not limited to extreme wet weather events, flooding, storm surges, wildfires, and projected sea level rise when the facility is located near the ocean or discharges to the ocean.

n) Nothing in this Order shall be construed to preclude the institution of any legal action or relieve the Discharger from any responsibilities, liabilities or penalties established pursuant to any applicable state law or regulation under authority

preserved by section 311 of the CWA, related to oil and hazardous substances liability.

o) The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.

6.2. Monitoring and Reporting Program (MRP) Requirements

The Discharger shall comply with the MRP, and any future revisions thereto, in Attachment E.

6.3. Special Provisions

6.3.1. **Reopener Provisions**

a. This Order may be modified, revoked and reissued, or terminated for cause, including, but not limited to:

   i. Violation of any term or condition contained in this Order;

   ii. Obtaining this Order by misrepresentation, or by failure to disclose fully all relevant facts; or

   iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

   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.

b. If more stringent applicable water quality standards are promulgated or approved pursuant to section 303 of the federal CWA, and amendments thereto, the Los Angeles Water Board may revise and modify this Order in accordance with such more stringent standards.

c. This Order may be reopened to include effluent limitations for toxic constituents determined to be present in significant amounts in the discharge through a more comprehensive monitoring program included as part of this Order and based on the results of the reasonable potential analysis (RPA).

d. This Order may be reopened and modified, in accordance with the provisions set forth in title 40 of the Code of Federal Regulations (40 CFR) parts 122 and 124 to include requirements for the implementation of a watershed protection management approach or to include new minimum levels (MLs).

e. This Order may reopened for modification, or revocation and reissue this Order if present or future investigations demonstrate that the discharge(s) governed by this Order will cause, have reasonable potential to cause, or contribute to adverse impacts on beneficial uses or degradation of water quality of the receiving waters.

f. This Order may also be reopened and modified, revoked, and reissued or terminated in accordance with the provisions of 40 CFR parts 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, 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.

g. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity testing, monitoring of internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.

h. This Order may be reopened and modified to the extent necessary, to be consistent with new or revised state-wide plans, new laws, or new regulations.

6.3.2. **Special Studies, Technical Papers, and Additional Monitoring Requirements**

a. **Updated Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan**

The Discharger shall submit to the Los Angeles Water Board an updated Initial Investigation TRE workplan **within 90 days** of the effective date of this permit. This plan shall describe the steps the Discharger intends to follow in the event that toxicity is detected. See section 5.6 of the Monitoring and Reporting Program (Attachment E) for an overview of Toxicity Reduction Evaluation (TRE) requirements.

b. **Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDL (Harbor Toxics TMDL) Water Column and Sediment Monitoring for Responsible Parties in the Los Angeles River and Tributaries.**

As defined in the Harbor Toxics TMDL, Los Angeles River Watershed responsible parties identified in the Los Angeles River Metals and Tributaries TMDL (Metals TMDL) must conduct water and sediment monitoring above the Los Angeles River Estuary to determine the river's contribution to the impairments in the Greater Harbor waters. The Discharger is a "responsible party" because it is an "Individual Industrial Permittee". As such, either individually or with a collaborating group, the Discharger shall develop a monitoring and reporting plan (Monitoring Plan) and quality assurance project plan (QAPP) for the water column and sediment above the Los Angeles River Estuary.

The Discharger submitted a plan to the Los Angeles Water Board for review on July 12, 2017 to utilize data provided under the Lower Los Angeles River Monitoring Group's Coordinated Integrated Monitoring Program (CIMP) for the purposes of reporting for the Facility. This plan was not accepted, and the Discharger was notified of the plan's deficiency during a meeting on August 25, 2023. On October 13, 2022, the Los Angeles Water Boards reconsidered and adopted updates to the Harbor Toxics TMDL under Resolution No. R22-005. Final documents will be considered by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL), and United States Environmental Protection Agency (U.S. EPA) for approval. Updates to the Harbor

Toxics TMDL shall be implemented upon U.S. EPA approval. An updated Monitoring Plan and QAPP reflecting applicable amendments to the Harbor Toxics TMDL shall be submitted to the Los Angeles Water Board within 90 days of U.S. EPA approval.

The Discharger notified the Los Angeles Water Board of its intention to join the Lower Los Angeles River Monitoring Group, now administered by the Gateway Water Management Authority (GWMA), on August 25, 2023. Proof of the Discharger's participation and responsibilities shall be provided after joining the monitoring group. If any changes are made regarding the monitoring group, the Discharger shall notify the Los Angeles Water Board within 90 days of the modification and must submit a site-specific monitoring plan and QAPP to the Los Angeles Water Board for approval. The compliance monitoring program shall continue to include water column and sediment monitoring. The Discharger shall submit an annual monitoring report to the Los Angeles Water Board by the specified date in the Monitoring Plan. In addition to the annual monitoring report, the Discharger shall include an annual statement that indicates compliance and non-compliance with effluent limitations in Table 4 that implement applicable waste load allocations.

The exact locations of monitoring sites shall be specified in the Monitoring Plan to be approved by the Los Angeles Water Board. At a minimum, monitoring shall include the following components:

i. **Water Column Monitoring.** Water samples and total suspended solids samples shall be collected at, at least one site during two wet weather events and one dry weather event each year. The first large storm event of the season shall be included as one of the wet weather monitoring events. Water samples and total suspended solid samples shall be analyzed for metals, DDT, PCBs, and PAHs. Sampling shall be designed to collect sufficient volumes of suspended solids to allow for analysis of the listed pollutants in the bulk sediment.

   General water chemistry (temperature, dissolved oxygen, pH, and electrical conductivity) and a flow measurement shall be required at each sampling event. General chemistry measurements may be taken in the laboratory immediately following sample collection if auto samplers are used for sample collection or if weather conditions are unsuitable for field measurements.

   Upon U.S. EPA approval of Resolution No. R22-005, PCBs monitoring shall be required for 44 congeners using recommended EPA methods 8270 and 1668 or equivalent method and shall be reported with a target reporting limit of 10 to 20 pg/L.

ii. **Sediment Monitoring.** For sediment chemistry, sediment samples shall be collected at least one site every two years for analysis of general sediment quality constituents and the full chemical suite as specified in the State Water Quality Control Plan for Enclosed Bays and Estuaries – Part 1 Sediment Quality Provisions (the SQP). All samples shall be collected in accordance with Surface Water Ambient Monitoring Program (SWAMP) protocols.

iii. **Sampling and Analysis Plan.** The Sampling and Analysis Plan shall continue to be implemented based on methods or metrics described in the SQP, and the U.S. EPA or American Society for Testing and Materials (ASTM). The plan shall include a list of chemical analytes for the water column and sediment.

iv. **Quality Assurance Project Plan.** The QAPP shall describe the project objectives and organization, functional activities, and quality assurance/quality control protocols for the water and sediment monitoring. The QAPP shall include protocols for sample collection, standard analytical procedures, and laboratory certification. The QAPP shall be updated if any changes are made to this information. The details of the Harbor Toxics TMDL Water and Sediment Monitoring Plan including sampling locations and all methods shall be specified in the Monitoring Plans. All samples shall be collected in accordance with Surface Water Ambient Monitoring Program (SWAMP) protocols.

6.3.3. **Best Management Practices and Pollution Prevention**

The Discharger shall submit to the Los Angeles Water Board, within 90 days of the effective date of this Order, updated versions of the following:

a. **Stormwater Pollution Prevention Plan (SWPPP)** An updated SWPPP that describes site-specific management practices for minimizing pollution of stormwater runoff and preventing contaminated stormwater runoff from being discharged directly to Compton Creek. 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 point; describe the activities in each area and the potential for pollution of stormwater runoff and the discharge of trash or hazardous waste/material; and address the feasibility of containment and/or treatment of stormwater. In addition, the SWPPP shall address and include best management practices procedures that the Discharger will implement to prohibit the discharge of trash from the Facility. The updated SWPPP shall be developed in accordance with the requirements for the evaluation is included in Attachment G of this Order.

b. **Best Management Practice Plan (BMPP)** An updated BMPP that will be implemented to reduce the discharge of pollutants to the receiving water. The BMPP may be included within the SWPPP as a description of best management practices (BMPs). The BMPP shall include site-specific plans and procedures implemented and/or to be implemented to prevent hazardous waste/material from being discharged to waters of the State. Further, the Discharger shall ensure that the stormwater discharges from the Facility would neither cause, nor contribute to the exceedance of water quality standards and objectives, nor create conditions of nuisance in the receiving water, and that unauthorized discharges (i.e., spills) to the receiving water have been effectively prohibited. 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.

c. **Spill Contingency Plan (SCP)**

An updated SCP for the Facility shall be submitted that includes a technical report on the preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. The SCP may be substituted with an updated version of the Discharger's existing Spill Prevention Control and Countermeasure (SPCC) Plan.

Each plan 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 point; describe the activities in each area and the potential for pollution of stormwater runoff and the discharge of hazardous waste/material; and address the feasibility of containment and/or treatment of stormwater.

The Discharger shall implement the SWPPP, BMPP, and SCP (or SPCC Plan) within 10 days of the approval by the Los Angeles Water Board or no later than 90 days after submission to the Los Angeles Water Board, whichever comes first. The plans shall be reviewed annually and at the same time. Updated information shall be submitted to the Los Angeles Water Board within 30 days of revisions.

6.3.4. **Construction, Operation and Maintenance Specifications**

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

6.3.5. **Climate Change Effects Vulnerability Assessment and Mitigation Plan**

The Discharger shall develop a Climate Change Effects Vulnerability Assessment and Mitigation Plan (Climate Change Plan) to assess and manage climate change-related effects that may impact the facility’s operation, water supplies, water quality, and beneficial uses. The Discharger shall consider the impacts of climate change as they affect the operation of the treatment facility due to flooding, sea level rise, wildfires, or other climate-related changes. The Climate Change Plan shall also discuss any projected changes to pollutant concentrations in the stormwater and/or receiving water. The Climate Change Plan is due 12 months after the effective date of this Order.

6.3.6. **Other Special Provisions – Not Applicable**

6.3.7. **Compliance Schedules – Not Applicable**

7. COMPLIANCE DETERMINATION

Compliance with the effluent limitations is based on all available data collected during the time period, contained in section 4 of this Order will be determined as specified below:

7.1. 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 (ML) (see Reporting Requirement 1.9. of the MRP), then the Discharger is out of compliance.

7.2. 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, constituents reported as ND or DNQ are treated as having concentrations equal to zero, provided that the applicable ML is used.

7.3. 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

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

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

7.4. Multiple Sample Data

When determining compliance with an AMEL or MDL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in accordance with the following procedure:

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

7.4.2. 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.

7.5. Average Monthly Effluent Limitation (AMEL)

If the average (or when applicable, the median determined by subsection 7.3 above for multiple sample data) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation for the purpose of calculating mandatory minimum penalties, though the Discharger may be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month) in cases where discretionary administrative civil liabilities are appropriate. If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger will be considered out of compliance for that calendar month. If multiple samples are taken, the Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, does not exceed the AMEL for a given parameter, the Discharger will have demonstrated compliance with the AMEL for each day of that month for that parameter.

If the analytical result of any single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the AMEL for any parameter, the Discharger may collect up to four additional samples within the same calendar month. All five analytical results shall be reported in the monitoring report for that month. The concentration of pollutant (an arithmetic mean or a median) in these samples estimated from the "Multiple Sample Data Reduction" section above, will be used for compliance determination.

In the event of noncompliance with an AMEL, the sampling frequency for that parameter shall be increased to weekly and shall continue at this level until compliance with the AMEL has been demonstrated.

7.6. Maximum Daily Effluent Limitation (MDEL)

If a daily discharge on a calendar day exceeds the MDEL for a given parameter, an alleged violation will be flagged, and the Discharger will be considered out of compliance for that day for that parameter. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

7.7. Instantaneous Minimum Effluent Limitation

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, a potential violation will be flagged, and the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

7.8. Instantaneous Maximum Effluent Limitation

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, a potential violation will be flagged, and the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

7.9. Median Monthly Effluent Limitation (MMEL)

If the median of daily discharges over a calendar month exceeds the MMEL for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). However, an alleged violation of the MMEL will be considered one violation for the purpose of assessing State mandatory minimum penalties. If no sample (daily discharge) is taken over a calendar month, no compliance determination can be made for that month with respect to effluent violation

determination, but compliance determination can be made for that month with respect to reporting violation determination.

7.10. Chronic Toxicity

The discharge is subject to determination of “Pass” or “Fail”, and “Percent Effect” from a chronic toxicity test using the Test of Significant Toxicity (TST) statistical t-test approach described in National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document (EPA 833-R-10-003, 2010), Appendix A, Figure A-1, Table A-1, and Appendix B, Table B-1 and the procedures described in the *State Policy for Water Quality Control: Toxicity Provisions*.

Attainment of the water quality objective is demonstrated by conducting chronic aquatic toxicity testing as described in Section III.B.2 of the Toxicity Provisions and rejecting the null hypothesis in accordance with the TST statistical approach described in Section III.B.3. of the Toxicity Provisions.

Under Section II.C.1. of the Toxicity Provisions, the chronic aquatic toxicity water quality objective is expressed as a null hypothesis. The null hypothesis (H_0) for the TST statistical approach is: Mean discharge In-stream Waste Concentration (IWC) response ≤0.75 × Mean control response. A test result that rejects the null hypothesis is reported as “Pass.” A test result that does not reject this null hypothesis is reported as “Fail.”

The relative “Percent Effect” at the discharge IWC is defined and reported as:

> Percent Effect at the IWC = ((Mean control response - Mean discharge IWC response) ÷ Mean control response)) × 100.

This is a t-test (formally Student’s t-Test), a statistical analysis comparing two sets of replicate observations - in the case of Whole Effluent Toxicity (WET), only two test concentrations (i.e., a control and IWC). The purpose of this statistical test is to determine if the means of the two sets of observations are different (i.e., if the IWC or receiving water concentration differs from the control (the test result is “Pass” or “Fail”)). The Welch’s t-test employed by the TST statistical approach is an adaptation of Student’s t-test and is used with two samples having unequal variances.

The MDEL for chronic toxicity is exceeded and a violation will be flagged when a chronic toxicity test, analyzed using the TST statistical approach, results in “Fail” and the “Percent Effect” is ≥0.50.

The MMEL for chronic toxicity is exceeded and a violation will be flagged when the median of no more than three independent chronic toxicity tests, conducted within the same calendar month and analyzed using the TST statistical approach, results in “Fail.” The MMEL for chronic toxicity shall only apply when there is a discharge on more than one day in a calendar month period. During such calendar months, up to three independent toxicity tests may be conducted when one toxicity test results in “Fail.”

The chronic toxicity MDEL and MMEL are set at the IWC for the discharge (100% effluent) and expressed in units of the TST statistical approach (“Pass” or “Fail”, “Percent Effect”). All NPDES effluent compliance monitoring for the chronic toxicity MDEL and MMEL shall be reported using only the 100% effluent concentration and

negative control, expressed in units of the TST. The TST hypothesis (H_0) (see above) is statistically analyzed using the IWC and a negative control. Effluent toxicity tests shall be run using a multi-concentration test design when required by *Short-term Methods for Estimating the Chronic Toxicity of West Coast Marine and Estuarine Organisms (EPA/600/R-95/136, 1995*). The Los Angeles Water Board's review of reported toxicity test results will include review of concentration-response patterns as appropriate (see Fact Sheet discussion at 4.3.6.). As described in the bioassay laboratory audit correspondence from the State Water Board dated August 7, 2014, and from the U.S. EPA dated December 24, 2013, the Percent Minimum Significant Difference (PMSD) criteria only apply to compliance reporting for the No Observable Effect Concentration (NOEC) and the sublethal statistical endpoints of the NOEC, and therefore are not used to interpret TST results. Standard Operating Procedures used by the toxicity testing laboratory to identify and report valid, invalid, anomalous, or inconclusive effluent (and receiving water) toxicity test measurement results from the TST statistical approach, including those that incorporate a consideration of concentration-response patterns, must be submitted to the Los Angeles Water Board (40 CFR section 122.41(h)). The Los Angeles Water Board will make a final determination as to whether a toxicity test result is valid, and may consult with the Discharger, the U.S. EPA, the State Water Board's Quality Assurance Officer, or the State Water Board's Environmental Laboratory Accreditation Program (ELAP) as needed. The Board may consider the results of any TIE/TRE studies in an enforcement action.

7.11. Mass and Concentration Limitations

Compliance with mass and concentration effluent limitations for the same parameter shall be determined separately with their respective limitations. When the concentration of a constituent in an effluent sample is determined to be ND or DNQ, the corresponding mass emission rate determined from that sample concentration shall also be reported as ND or DNQ.

7.12. Bacterial Standards and Analysis

The geometric mean used for determining compliance with bacterial standards is calculated with the following equation:

$$\text{Geometric Mean} = (C_1 \times C_2 \times \ldots \times C_3)^{1/n}$$

Where n is the number of days samples were collected during the period and C is the concentration of bacteria (MPN/100 mL or CFU/100 mL) found on each day of sampling. For bacterial analyses, sample dilutions should be performed so the expected range of values is bracketed (for example, with multiple tube fermentation method or membrane filtration method, 2 to 16,000 per 100 ml for total coliform, at a minimum, and 1 to 1000 per 100 ml for *Enterococcus*). The detection methods used for each analysis shall be reported with the results of the analyses.

Detection methods used for coliforms (total) and *Enterococci* shall be those presented in Table 1A of 40 CFR part 136 (revised August 28, 2017), unless alternate methods have been approved by U.S. EPA pursuant to 40 CFR part 136, or improved methods have been determined by the Executive Officer and/or U.S. EPA.

ATTACHMENT A – DEFINITIONS

Arithmetic Mean (μ)
Also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows: Arithmetic mean (μ) = the sum of the measured ambient water concentrations divided by the number of samples.

Average Monthly Effluent Limitation (AMEL)
The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL)
The highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best Management Practices (BMPs)
BMPs are methods, measures, or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharges including stormwater. BMPs include structural and non-structural controls, and operation maintenance procedures, which can be applied before, during, and/or after pollution-producing activities.

Bioaccumulative
Those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

Carcinogenic
Pollutants are substances that are known to cause cancer in living organisms.

Coefficient of Variation (CV)
CV is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

Daily Discharge
Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the

arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

Detected, but Not Quantified (DNQ)
DNQ are those sample results less than the RL, but greater than or equal to the laboratory's MDL. Sample results reported as DNQ are estimated concentrations.

Dilution Credit
Dilution Credit is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

Effluent Concentration Allowance (ECA)
ECA is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as wasteload allocation (WLA) as used in U.S. EPA guidance (Technical Support Document for Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

Enclosed Bays
Enclosed Bays means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

Estimated Chemical Concentration
The estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

Estuaries
Estuaries means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and

appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

Inland Surface Waters
All surface waters of the state that do not include the ocean, enclosed bays, or estuaries.

Instantaneous Maximum Effluent Limitation
The highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation
The lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Maximum Daily Effluent Limitation (MDEL)
The highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

Median
The middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements (n) is odd, then the median = $X_{(n+1)/2}$. If n is even, then the median = $(X_{n/2} + X_{(n/2)+1})/2$ (i.e., the midpoint between the n/2 and n/2+1).

Median Monthly Effluent Limitation (MMEL)
The MMEL is an effluent limit based on the median results of three independent toxicity tests, conducted within the same calendar month, and analyzed using the TST. The MMEL is exceeded when the median result (i.e. two out of three) is a “fail.”

Method Detection Limit (MDL)
MDL is the minimum concentration of a substance that can be reported with 99 percent confidence that the measured concentration is distinguishable from method blank results, as defined in 40 CFR part 136, Attachment B.

Minimum Level (ML)
ML is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

Mixing Zone
Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

Not Detected (ND)
Sample results which are less than the laboratory's MDL.

PAHs (polynuclear aromatic hydrocarbons)
The sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene, 1,12-benzoperylene, benzo[a]pyrene, chrysene, dibenzo[ah]anthracene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene and pyrene.

PCBs (polychlorinated biphenyls) as Aroclors
The sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260.

PCBs (polychlorinated biphenyls) as Congeners
The sum of the following 41 individually quantified PCB congeners or mixtures of isomers of a single congeners in a co-elution: PCB- 18, 28, 37, 44, 49, 52, 66, 70, 74, 77, 81, 87, 99, 101, 105, 110, 114, 118, 119, 123, 126, 128, 138, 149, 151, 153, 156, 157, 158, 167, 168, 169, 170, 177, 180, 183, 187, 189, 194, 201, and 206.

Persistent Pollutants
Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

Pollutant Minimization Program (PMP)
PMP means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Los Angeles Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

Pollution Prevention
Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to

another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State Water Resources Control Board (State Water Board) or Los Angeles Water Board.

Reporting Level (RL)
The RL is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order, including an additional factor if applicable as discussed herein. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Los Angeles Water Board either from Appendix 4 of the SIP in accordance with section 2.4.2 of the SIP or established in accordance with section 2.4.3 of the SIP. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

Significant Storm Event
A continuous discharge of stormwater for a minimum of one hour, or the intermittent discharge of stormwater for a minimum of three hours in a 12-hour period.

Source of Drinking Water
Any water designated as municipal or domestic supply (MUN) in a Los Angeles Water Board Basin Plan.

Standard Deviation (σ)
Standard Deviation is a measure of variability that is calculated as follows: Standard Deviation $(\alpha) = \sum(x-\mu)^2/(n-1)^{0.5}$, where: x is the observed value; μ is the arithmetic mean of the observed values; and n is the number of samples.

Statistical Threshold Value (STV)
The STV for the bacteria water quality objectives is a set value that approximates the 90^{th} percentile of the water quality distribution of a bacterial population.

Toxicity Reduction Evaluation (TRE)
TRE is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

Trash

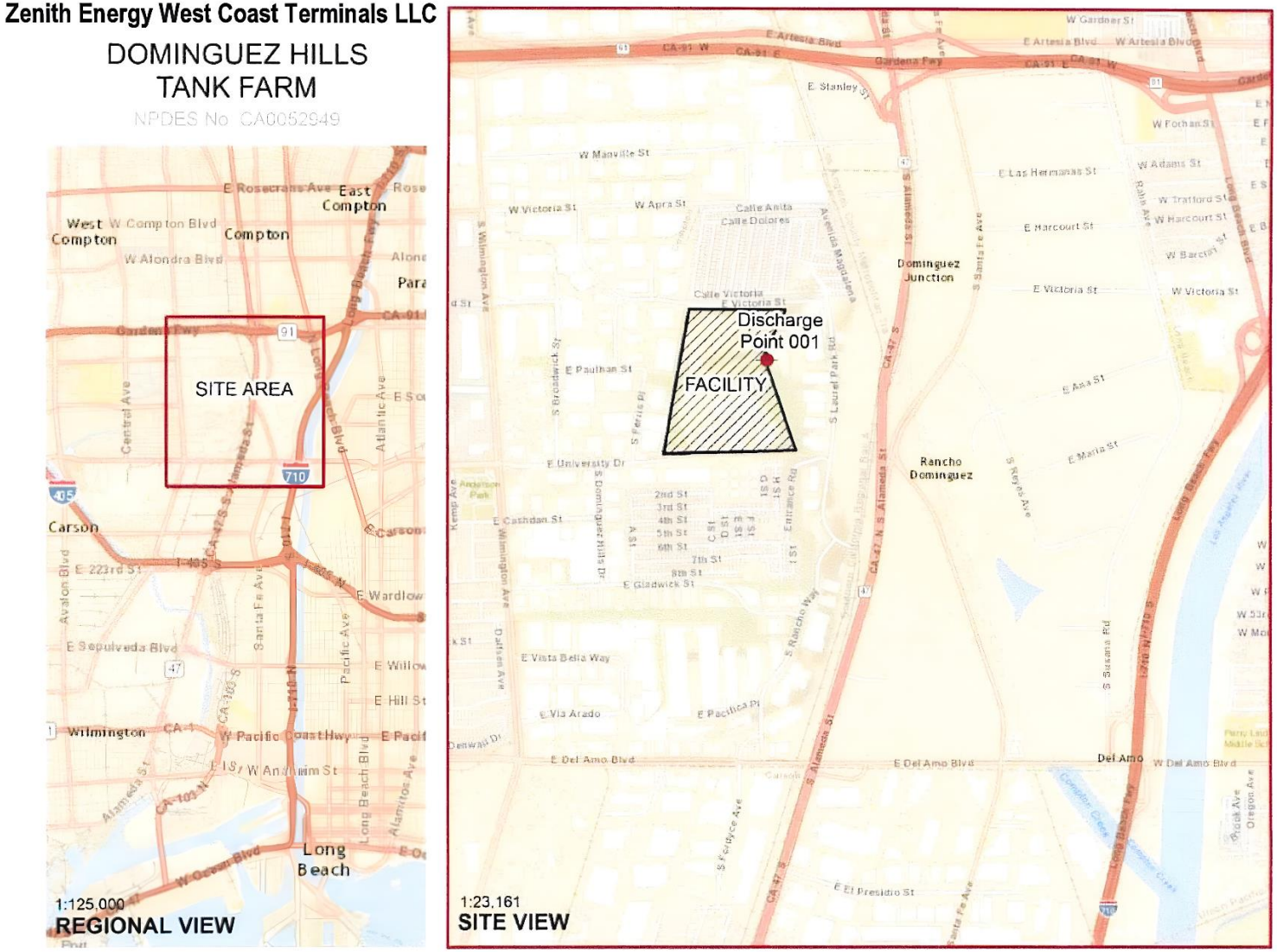
All improperly discarded solid material from any production, manufacturing, or processing operation including, but not limited to, products, product packaging, or containers constructed of plastic, steel, aluminum, glass, paper, or other synthetic or natural material.

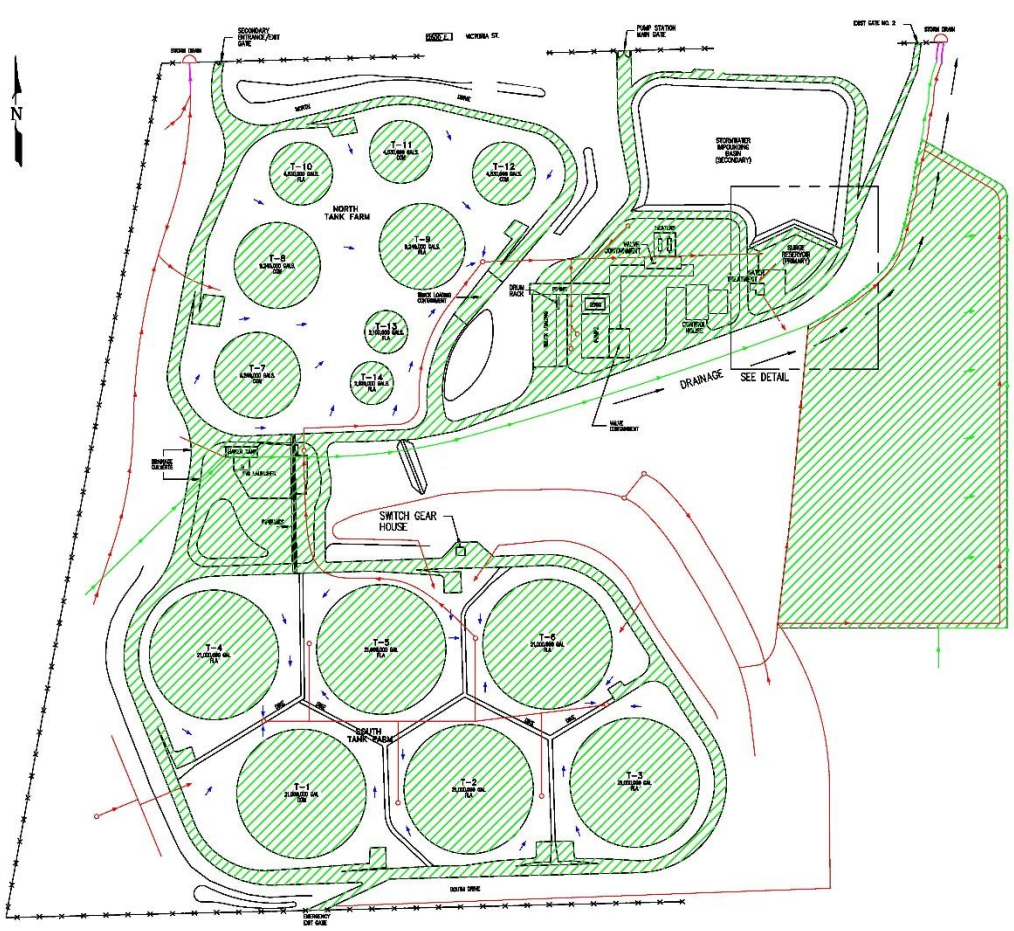
ACRONYMS AND ABBREVIATIONS

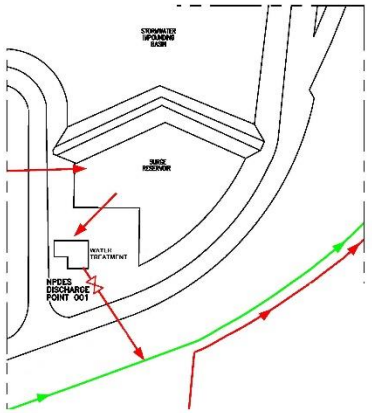
AMEL	Average Monthly Effluent Limit
B	Background Concentration
BAT	Best Available Technology Economically Achievable
Basin Plan	Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties
BCT	Best Conventional Pollutant Control Technology
BMP	Best Management Practices
BMPP	Best Management Practices Plan
BPJ	Best Professional Judgment
BOD	Biochemical Oxygen Demand 5-day @ 20°C
BPT	Best Practicable Treatment Control Technology
C	Water Quality Objective
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR.	Code of Federal Regulations
CFU	Colony Forming Units
CTR	California Toxics Rule
CV	Coefficient of Variation
CWA	Clean Water Act
CWC	California Water Code
Discharger	Zenith Energy West Coast Terminals LLC
DMR	Discharge Monitoring Report
DNQ	Detected But Not Quantified
E	Existing Order
ELAP	State Water Resources Control Board, Drinking Water Division, Environmental Laboratory Accreditation Program
ELG	Effluent Limitations, Guidelines and Standards
Facility	Dominguez Hills Tank Farms
gpd	gallons per day
IC	Inhibition Coefficient
LA	Load Allocations
LOEC	Lowest Observed Effect Concentration
Los Angeles Water Board	California Regional Water Quality Control Board, Los Angeles Region
µg/L	micrograms per Liter
mg/L	milligrams per Liter
MDEL	Maximum Daily Effluent Limitation
MMEL	Median Monthly Effluent Limitation
MEC	Maximum Effluent Concentration
MGD	Million Gallons Per Day
ML	Minimum Level
MPN	Most Probable Number
MRP	Monitoring and Reporting Program
ND	Not Detected

NOEC	No Observable Effect Concentration
NPDES	National Pollutant Discharge Elimination System
NSPS	New Source Performance Standards
NTR	National Toxics Rule
OAL	Office of Administrative Law
Ocean Plan	Water Quality Control Plan for Ocean Waters of California
PCBs	Polychlorinated Biphenyls
PMEL	Proposed Maximum Daily Effluent Limitation
PMP	Pollutant Minimization Plan
POTW	Publicly Owned Treatment Works
QA	Quality Assurance
QA/QC	Quality Assurance/Quality Control
RL	Reporting Limit
RPA	Reasonable Potential Analysis
SCP	Spill Contingency Plan
SIP	State Implementation Policy (Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California)
SMR	Self Monitoring Reports
SPCC	Spill Prevention Control and Countermeasures Plan
SQP	Sediment Quality Provisions
State Water Board	California State Water Resources Control Board
SWAMP	Stormwater Ambient Monitoring Program
SWPPP	Stormwater Pollution Prevention Plan
TAC	Test Acceptability Criteria
TEF	Toxicity equivalency factors
Thermal Plan	Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California
TIE	Toxicity Identification Evaluation
TMDL	Total Maximum Daily Load
TOC	Total Organic Carbon
TR	Total Recoverable
TRE	Toxicity Reduction Evaluation
TSD	Technical Support Document
TST	Test of Significant Toxicity
TSS	Total Suspended Solid
TUc	Chronic Toxicity Unit
U.S.EPA	United States Environmental Protection Agency
WDR	Waste Discharge Requirements
WET	Whole Effluent Toxicity
WER	Water Effect Ratio
WLA	Wasteload Allocations
WQBELs	Water Quality-Based Effluent Limitations
WQS	Water Quality Standards
%	Percent

ATTACHMENT B – SITE VICINITY MAP







DETAIL

LEGEND:

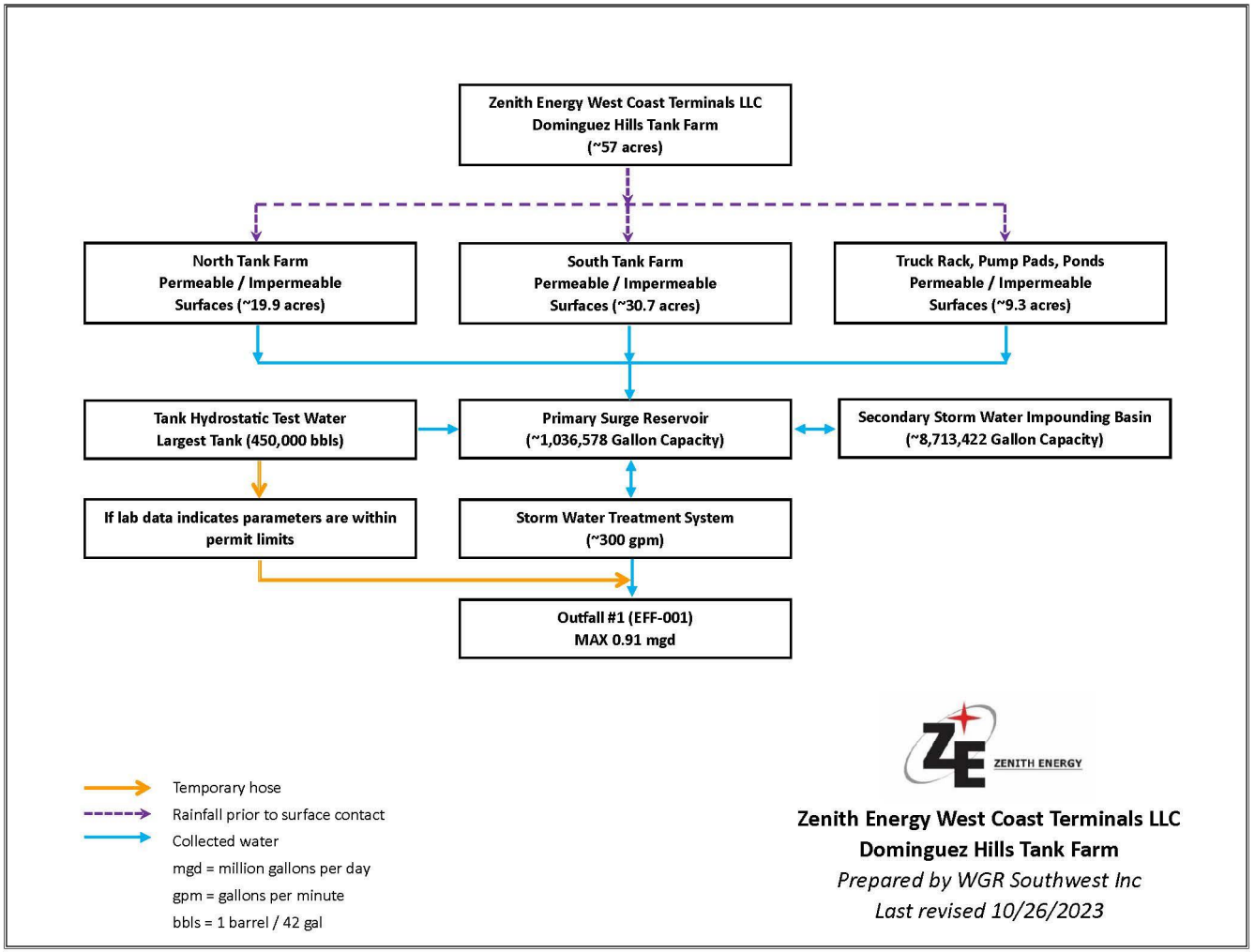
- IMPERMEABLE AREAS
- COLLECTION POINT FOR CHANNELED FLOW
- FLOW FROM OFF-PROPERTY
- SURFACE FLOW / SHEETING
- CHANNELED FLOW /SUBSURFACE PIPING
- EXITS PROPERTY
- VALVE
- STORM DRAIN
- FENCE / BARRIER
- (500) STORANGE TANKS
- [500] SUMP

1"=20'

ZENITH ENERGY

DOMINGUEZ HILLS TERMINAL
STORM WATER FLOW
2500 E. VICTORIA ST., COMPTON, CA 90220
5235342-2

ATTACHMENT C - FLOW SCHEMATIC



ATTACHMENT D – STANDARD PROVISIONS

1. STANDARD PROVISIONS – PERMIT COMPLIANCE

1.1. Duty to Comply

1.1.1. The Discharger must comply with all the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. (Title 40 of the Code of Federal Regulations (40 CFR) § 122.41(a); California Water Code (CWC), §§ 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)

1.1.2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 CFR § 122.41(a)(1).)

1.2. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 CFR § 122.41(c).)

1.3. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 CFR § 122.41(d).)

1.4. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 CFR § 122.41(e).)

1.5. Property Rights

1.5.1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 CFR § 122.41(g).)

1.5.2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 CFR § 122.5(c).)

1.6. **Inspection and Entry**

The Discharger shall allow the Los Angeles Water Board, State Water Board, U.S. EPA, and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to (33 U.S.C. § 1318(a)(B); 40 CFR § 122.41(i); CWC, §§ 13267, 13383):

1.6.1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (33 U.S.C. § 1318(a)(B)(i); 40 CFR § 122.41(i)(1); CWC, §§ 13267, 13383);

1.6.2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 U.S.C. § 1318(a)(B)(ii); 40 CFR § 122.41(i)(2); CWC, §§ 13267, 13383);

1.6.3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 U.S.C. § 1318(a)(B)(ii); 40 CFR § 122.41(i)(3); CWC, §§ 13267, 13383); and

1.6.4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (33 U.S.C. § 1318(a)(B); 40 CFR § 122.41(i)(4); CWC, §§ 13267, 13383.)

1.7. **Bypass**

1.7.1. Definitions

a. “Bypass” means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR § 122.41(m)(1)(i).)

b. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 CFR § 122.41(m)(1)(ii).)

1.7.2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance 1.7.3, 1.7.4, and 1.7.5 below. (40 CFR § 122.41(m)(2).)

1.7.3. Prohibition of bypass. Bypass is prohibited, and the Los Angeles Water Board may take enforcement action against a Discharger for bypass, unless (40 CFR § 122.41(m)(4)(i)):

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 CFR § 122.41(m)(4)(i)(A));

b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 CFR § 122.41(m)(4)(i)(B)); and

c. The Discharger submitted notice to the Los Angeles Water Board as required under Standard Provisions – Permit Compliance 1.7.5 below. (40 CFR § 122.41(m)(4)(i)(C).)

1.7.4. The Los Angeles Water Board may approve an anticipated bypass, after considering its adverse effects, if the Los Angeles Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance 1.7.3 above. (40 CFR § 122.41(m)(4)(ii).)

1.7.5. Notice

a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass. As of December 21, 2023, all notices must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting 5.10 below. Notices shall comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. (40 CFR § 122.41(m)(3)(i).)

b. Unanticipated bypass. The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting 5.5 below (24-hour notice). As of December 21, 2023, all notices must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting 5.10 below. Notices shall comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. (40 CFR § 122.41(m)(3)(ii).)

1.8. **Upset**

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 CFR § 122.41(n)(1).)

1.8.1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance 1.8.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 CFR § 122.41(n)(2).)

1.8.2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly

signed, contemporaneous operating logs or other relevant evidence that (40 CFR § 122.41(n)(3)):

a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 CFR § 122.41(n)(3)(i));

b. The permitted facility was, at the time, being properly operated (40 CFR § 122.41(n)(3)(ii));

c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting 5.5.2.2 below (24-hour notice) (40 CFR § 122.41(n)(3)(iii)); and

d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance 1.3 above. (40 CFR § 122.41(n)(3)(iv).)

1.8.3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 CFR § 122.41(n)(4).)

2. STANDARD PROVISIONS – PERMIT ACTION

2.1. **General**

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 CFR § 122.41(f).)

2.2. **Duty to Reapply**

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 CFR § 122.41(b).)

2.3. **Transfers**

This Order is not transferable to any person except after notice to the Los Angeles Water Board. The Los Angeles Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. (40 CFR §§ 122.41(l)(3), 122.61.)

3. STANDARD PROVISIONS – MONITORING

3.1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 CFR § 122.41(j)(1).)

3.2. Monitoring must be conducted according to test procedures approved under 40 CFR part 136 for the analyses of pollutants unless another method is required under 40 CFR chapter 1, subchapter N. Monitoring must be conducted according to sufficiently sensitive test methods approved under 40 CFR part 136 for the analysis of pollutants or

pollutant parameters or as required under 40 CFR chapter 1, subchapter N. For the purposes of this paragraph, a method is sufficiently sensitive when:

3.2.1. The method minimum level (ML) is at or below the level of the most stringent effluent limitation established in the permit for the measured pollutant or pollutant parameter, and either the method ML is at or below the level of the most stringent applicable water quality criterion for the measured pollutant or pollutant parameter or the method ML is above the applicable water quality criterion but the amount of the pollutant or pollutant parameter in the facility's discharge is high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge; or

3.2.2. The method has the lowest ML of the analytical methods approved under 40 CFR part 136 or required under 40 CFR chapter 1, subchapter N for the measured pollutant or pollutant parameter. In the case of pollutants or pollutant parameters for which there are no approved methods under 40 CFR part 136 or otherwise required under 40 CFR chapter 1, subchapter N, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 CFR §§ 122.21(e)(3), 122.41(j)(4), 122.44(i)(1)(iv).)

4. STANDARD PROVISIONS – RECORDS

4.1. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Los Angeles Water Board Executive Officer at any time. (40 CFR § 122.41(j)(2).)

4.2. **Records of monitoring information shall include:**

4.2.1. The date, exact place, and time of sampling or measurements (40 CFR § 122.41(j)(3)(i));

4.2.2. The individual(s) who performed the sampling or measurements (40 CFR § 122.41(j)(3)(ii));

4.2.3. The date(s) analyses were performed (40 CFR § 122.41(j)(3)(iii));

4.2.4. The individual(s) who performed the analyses (40 CFR § 122.41(j)(3)(iv));

4.2.5. The analytical techniques or methods used (40 CFR § 122.41(j)(3)(v)); and

4.2.6. The results of such analyses. (40 CFR § 122.41(j)(3)(vi).)

4.3. **Claims of confidentiality for the following information will be denied (40 CFR § 122.7(b)):**

4.3.1. The name and address of any permit applicant or Discharger (40 CFR § 122.7(b)(1)); and

4.3.2. Permit applications and attachments, permits and effluent data. (40 CFR § 122.7(b)(2).)

5. STANDARD PROVISIONS – REPORTING

5.1. Duty to Provide Information

The Discharger shall furnish to the Los Angeles Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Los Angeles Water Board, State Water Board, or U.S. EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Los Angeles Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 CFR § 122.41(h); CWC, §§ 13267, 13383.)

5.2. Signatory and Certification Requirements

5.2.1. All applications, reports, or information submitted to the Los Angeles Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting 5.2.2, 5.2.3, 5.2.4, 5.2.5, and 5.2.6 below. (40 CFR § 122.41(k).)

5.2.2. All permit applications shall be signed by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Los Angeles Administrators of U.S. EPA). (40 CFR § 122.22(a)(3).).

5.2.3. All reports required by this Order and other information requested by the Los Angeles Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting 5.2.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Standard Provisions – Reporting 5.2.2 above (40 CFR § 122.22(b)(1));

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) (40 CFR § 122.22(b)(2)); and

c. The written authorization is submitted to the Los Angeles Water Board and State Water Board. (40 CFR § 122.22(b)(3).)

5.2.4. If an authorization under Standard Provisions – Reporting 5.2.3 above is no longer accurate because a different individual or position has responsibility for

the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting 5.2.3 above must be submitted to the Los Angeles Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 CFR § 122.22(c).)

5.2.5. Any person signing a document under Standard Provisions – Reporting 5.2.2 or 5.2.3 above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." (40 CFR § 122.22(d).)

5.2.6. Any person providing the electronic signature for documents described in Standard Provisions – 5.2.1, 5.2.2, or 5.2.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting 5.2, and shall ensure that all relevant requirements of 40 CFR part 3 (Cross-Media Electronic Reporting) and 40 CFR part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 CFR § 122.22(e).)

5.3. **Monitoring Reports**

5.3.1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 CFR § 122.41(l)(4).)

5.3.2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Los Angeles Water Board or State Water Board. As of December 21, 2016, all reports and forms must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting 5.10 and comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. (40 CFR § 122.41(l)(4)(i).)

5.3.3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR part 136, or another method required for an industry-specific waste stream under 40 CFR chapter 1, subchapter N, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Los Angeles Water Board or State Water Board. (40 CFR § 122.41(l)(4)(ii).)

5.3.4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 CFR § 122.41(l)(4)(iii).)

5.4. **Compliance Schedules**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date. (40 CFR § 122.41(l)(5).)

5.5. **Twenty-Four Hour Reporting**

5.5.1. The Discharger shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A report shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (i.e., combined sewer overflow, sanitary sewer overflow, or bypass event), type of overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volume untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the event, and whether the noncompliance was related to wet weather.

As of December 21, 2025, all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting 5.10. The reports shall comply with 40 CFR part 3, 40 CFR section 122.22, and 40 CFR part 127. The Los Angeles Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 CFR § 122.41(l)(6)(i).)

5.5.2. The following shall be included as information that must be reported within 24 hours:

a. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(A).)

b. Any upset that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(B).)

5.5.3. The Los Angeles Water Board may waive the above required written report on a case-by-case basis if an oral report has been received within 24 hours. (40 CFR § 122.41(l)(6)(ii)(B).)

5.6. **Planned Changes**

The Discharger shall give notice to the Los Angeles Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 CFR § 122.41(l)(1)):

5.6.1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) (40 CFR § 122.41(l)(1)(i)); or

5.6.2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (40 CFR § 122.41(l)(1)(ii).) or

5.7. **Anticipated Noncompliance**

The Discharger shall give advance notice to the Los Angeles Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with this Order's requirements. (40 CFR § 122.41(l)(2).)

5.8. **Other Noncompliance**

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting 5.3, 5.4, and 5.5 above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting 5.5 above. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting 5.5 and the applicable required data in appendix A to 40 CFR part 127. The Los Angeles Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 CFR § 122.41(l)(7).)

5.9. **Other Information**

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Los Angeles Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 CFR § 122.41(l)(8).)

5.10. **Initial Recipient for Electronic Reporting Data**

The owner, operator, or the duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 CFR part 127 to the initial recipient defined in 40 CFR section 127.2(b). U.S. EPA will identify and publish the list of initial recipients on its website and in the Federal Register, by state and by NPDES data group [see 40 CFR section 127.2(c)]. U.S. EPA will update and maintain this listing. (40 CFR § 122.41(l)(9).)

6. STANDARD PROVISIONS – ENFORCEMENT

6.1. The Los Angeles Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13268, 13385, 13386, and 13387.

6.2. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the CWA, is subject to a civil penalty not to exceed $25,000 per day for each violation. The CWA provides that any person who *negligently* violates sections 301, 302, 306, 307, 308, 318, or 405 of the CWA, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the CWA, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than one year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than two years, or both. Any person who *knowingly* violates such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than three years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both. Any person who *knowingly* violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions (40 CFR § 122.41(a)(2); CWC section 13385 and 13387).

6.3. Any person may be assessed an administrative penalty by the Administrator of U.S. EPA, the Los Angeles Water Board, or State Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of this CWA, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000. (40 CFR § 122.41(a)(3)).

6.4. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than two years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph,

punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or both. (40 CFR § 122.41(j)(5)).

6.5. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six months per violation, or by both. (40 CFR § 122.41(k)(2)).

7. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

7.1. **Non-Municipal Facilities**

Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Los Angeles Water Board as soon as they know or have reason to believe (40 CFR § 122.42(a)):

7.1.1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 CFR section 122.42(a)(1)):

a. 100 micrograms per liter (µg/L) (40 CFR section 122.42(a)(1)(i));

b. 200 µg/L for acrolein and acrylonitrile; 500 µg/L for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony (40 CFR section 122.42(a)(1)(ii));

c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 CFR section 122.42(a)(1)(iii)); or

d. The level established by the Los Angeles Water Board in accordance with section 122.44(f). (40 CFR section 122.42(a)(1)(iv).)

7.1.2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following “notification levels" (40 CFR section 122.42(a)(2)):

a. 500 micrograms per liter (µg/L) (40 CFR section 122.42(a)(2)(i));

b. 1 milligram per liter (mg/L) for antimony (40 CFR section 122.42(a)(2)(ii));

c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 CFR section 122.42(a)(2)(iii)); or

d. The level established by the Los Angeles Water Board in accordance with section 122.44(f). (40 CFR section 122.42(a)(2)(iv).)

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP) NO. 5424

Section 308(a) of the federal Clean Water Act (CWA) and sections 122.41(h), (j)-(l), 122.44(i), and 122.48 of title 40 of the Code of Federal Regulations (40 CFR) require that all NPDES permits specify monitoring and reporting requirements. California Water Code (CWC) section 13383 also authorizes the Los Angeles Water Board to establish monitoring, reporting, and recordkeeping requirements. This MRP establishes monitoring, reporting, and recordkeeping requirements that implement the federal and California laws and/or regulations.

1. GENERAL MONITORING PROVISIONS

1.1. Effluent sampling stations shall be established for the point of discharge (Discharge Point 001) and shall be located where representative samples of effluent can be obtained.

1.2. Effluent samples shall be taken downstream of any treatment works and prior to mixing with the receiving waters.

1.3. The Los Angeles Water Board shall be notified in writing of any change in the sampling stations once established or in the methods for determining the quantities of pollutants in the individual waste streams**.**

1.4. Pollutants shall be analyzed using the analytical methods described in 40 CFR parts 136.3, 136.4, and 136.5 (revised August 28, 2017); or where no methods are specified for a given pollutant, by methods approved by this Los Angeles Water Board or the State Water Resources Control Board (State Water Board).

1.5. **Laboratory Certification.** Laboratories analyzing monitoring samples shall be certified by the State Water Resources Control Board, Division of Drinking Water Environmental Laboratory Accreditation Program (ELAP) in accordance with the provision of Water Code section 13176 or approved by the Executive Officer and must include quality assurance/quality control data with their reports. A copy of the laboratory certification shall be provided each time a new certification and/or renewal of the certification is obtained.

1.6. Pollutants shall be analyzed within allowable holding time limits as specified in 40 CFR section 136.3. All QA/QC items must be run on the same dates the samples were actually analyzed, and the results shall be reported in the Los Angeles Water Board format, when it becomes available, and submitted with the laboratory reports. Proper chain of custody procedures must be followed, and a copy of the chain of custody shall be submitted with the report.

1.7. For any analyses performed for which no procedure is specified in the United States Environmental Protection Agency (U.S. EPA) guidelines, or in the MRP, the constituent or parameter analyzed, and the method or procedure used must be specified in the monitoring report.

1.8. The monitoring reports shall specify the analytical method used, the Method Detection Limit (MDL), and the Minimum Level (ML) for each pollutant. For the purpose of reporting compliance with numerical limitations, performance goals, and receiving water limitations, analytical data shall be reported by one of the following methods, as appropriate:

1.8.1. An actual numerical value for sample results greater than or equal to the ML; or

1.8.2. "Detected, but Not Quantified (DNQ)" if results are greater than or equal to the laboratory's MDL but less than the ML; or,

1.8.3. "Not-Detected (ND)" for sample results less than the laboratory's MDL with the MDL indicated for the analytical method used.

Analytical data reported as "less than" for the purpose of reporting compliance with permit limitations shall be the same or lower than the permit limit(s) established for the given parameter.

Current MLs are those published by the State Water Board in the *Policy for the Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, (State Implementation Policy or SIP), February 24, 2005, Appendix 4.

1.9. The MLs employed for effluent analyses to determine compliance with effluent limitations shall be lower than the effluent limitations established in this Order for a given parameter as per the 40 CFR parts 122 and 136; *Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting*. If the ML value is not below the effluent limitation, then the lowest ML value and its associated analytical method shall be selected for compliance purposes. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test and associated laboratory QA/QC procedures, reporting levels (RLs), and method detection limits (MDLs).

1.10. The MLs employed for effluent analyses not associated with determining compliance with effluent limitations in this Order shall be lower than the lowest applicable water quality objective, for a given parameter as per the 40 CFR parts 122 and 136; *Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting*. Water quality objectives for parameters may be found in Chapter 3 of the Basin Plan and the CTR (40 CFR section 131.38). If the ML value is not below the water quality objective, then the lowest ML value and its associated analytical method shall be selected for compliance purposes. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test, the associated laboratory QA/QC procedures, RLs, and MDLs.

The Los Angeles Water Board, in consultation with the State Water Board Quality Assurance Program, shall establish a ML that is not contained in Appendix 4 of the SIP to be included in the Discharger's permit in any of the following situations:

1.10.1. When the pollutant under consideration is not included in Appendix 4 of the SIP;

1.10.2. When the Discharger and Los Angeles Water Board agree to include in the permit a test method that is more sensitive than that specified in part 136 (revised August 28, 2017);

1.10.3. When the Discharger agrees to use an ML that is lower than that listed in Appendix 4 of the SIP;

1.10.4. When the Discharger demonstrates that the calibration standard matrix is sufficiently different from that used to establish the ML in Appendix 4 of the SIP, and proposes an appropriate ML for their matrix; or,

1.10.5. When the Discharger uses a method whose quantification practices are not consistent with the definition of an ML. Examples of such methods are the U.S. EPA-approved method 1613 for dioxins and furans, method 1624 for volatile organic substances, and method 1625 for semi-volatile organic substances. In such cases, the Discharger, the Los Angeles Water Board, and the State Water Board shall agree on a lowest quantifiable limit and that limit will substitute for the ML for reporting and compliance determination purposes.

1.11. Field analyses with short sample holding time such as pH, total chlorine residual, and temperature, may be performed using properly calibrated and maintained portable instruments by trained personnel acting on the Discharger's behalf, using methods in accordance with 40 CFR part 136. All field instruments must be calibrated per manufacturer's instructions. A manual containing the standard operating procedures for all field analyses, including records of personnel proficiency, training, instruments calibration and maintenance, and quality control procedures shall be maintained onsite, and shall be available for inspection by Los Angeles Water Board staff. Information including instrument calibration, time of sample collection, time of analysis, name of analyst, QA/QC data, and measurement values shall be clearly documented during each field analysis and submitted to the Los Angeles Water Board as part of the corresponding regular monitoring report.

1.12. All analyses shall be accompanied by the chain of custody, including but not limited to date and time of sampling, sample identification, and name of person who performed sampling, date of analysis, name of person who performed analysis, QA/QC data, method detection limits, analytical methods, copy of laboratory certification, and a perjury statement executed by the person responsible for the laboratory.

1.13. The Discharger shall have, and implement, an acceptable written quality QA plan for laboratory analyses. Unless otherwise specified in the analytical method, duplicate samples must be analyzed at a frequency of 5% (1 in 20 samples) with at least one if there is fewer than 20 samples in a batch. A batch is defined as a single analytical run encompassing no more than 24 hours from start to finish. A similar frequency shall be maintained for analyzing spiked samples.

1.14. For parameters that both average monthly and daily maximum limits are specified, and the monitoring frequency is less than four times a month, the following shall apply. If an analytical result is greater than the average monthly limit, the Discharger shall collect four additional samples at approximately equal intervals during the month, until compliance with the average monthly limit has been demonstrated. All five analytical results shall be reported in the monitoring report for that month, or 45 days after results for the additional samples were received, whichever is later. In the event of noncompliance with an average monthly effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the average monthly effluent limitation has been demonstrated. The

Discharger shall provide for the approval of the Executive Officer a program to ensure future compliance with the average monthly limit.

1.15. The Discharger shall ensure the results of the Discharge Monitoring Report -Quality Assurance (DMR-QA) Study or the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Board at the following address:

State Water Resources Control Board
Quality Assurance Program Officer
Office of Information Management and Analysis
1001 I Street, Sacramento, CA 95814

1.16. In the event stormwater or spills in the areas permitted by this Order are transported to a different disposal site during the reporting period, the following shall be reported in the monitoring report:

1.16.1. Type of stormwater and spilled wastes and quantity of each;

1.16.2. Name and address for each hauler of wastes (or method of transport if other than by hauling); and

1.16.3. Location of the final point(s) of disposal for each type of waste.

If no stormwater or spilled wastes are transported off-site during the reporting period, a statement to that effect shall be submitted.

1.17. Each monitoring report shall state whether or not there was any change in the discharge as described in the Order during the reporting period.

1.18. Each monitoring report shall affirm in writing that "*all analyses were conducted at a laboratory certified for such analyses by the State Water Board, Division of Drinking Water, Environmental Laboratory Accreditation Program or approved by the Executive Officer and in accordance with current U.S. EPA guideline procedures or as specified in this MRP.*"

2. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order (latitude and longitude information in Table E-1 is approximate for administrative purposes):

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	The effluent sampling station shall be located at Discharge Point 001: Latitude: 33.862222 Longitude: -118.2225
---	RSW-001	Outside the influence of the effluent discharge location and at least 50 feet upstream of the public storm drain outfall to Compton Creek: Latitude: 33.8645 Longitude: -118.215806.

3. INFLUENT MONITORING REQUIREMENTS – Not Applicable

4. EFFLUENT MONITORING REQUIREMENTS

4.1. Monitoring Locations EFF-001

The Discharger shall monitor discharges of stormwater prior to discharge through Discharge Point 001 as follows. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding minimum level:

Table E-2. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency	Notes
Total Flow	MGD	Meter	1/Discharge Event	a
Biochemical Oxygen Demand @20°C (BOD)	mg/L	Grab	1/Discharge Event	b and c
E. coli	CFU/100 mL	Grab	1/Discharge Event	b and c
Oil and Grease	mg/L	Grab	1/Discharge Event	b and c
pH	standard unit	Grab	1/Discharge Event	b and c
Temperature	°F	Grab	1/Discharge Event	b and c
Total Suspended Solids (TSS)	mg/L	Grab	1/Discharge Event	b and c
Ammonia Nitrogen, Total (as N)	mg/L	Grab	1/Discharge Event	b and c
Benzene	µg/L	Grab	1/Discharge Event	b and c
Chloride	mg/L	Grab	1/Discharge Event	b and c
Chronic Toxicity	Pass or Fail and % Effect	Grab	1/Year	b, c, d, and e
Ethylbenzene	µg/L	Grab	1/Discharge Event	b and c
Hardness	mg/L	Grab	1/Discharge Event	b and c
Methyl Tert-butyl Ether (MTBE)	µg/L	Grab	1/Year	c and e
Nitrate (as N)	mg/L	Grab	1/Discharge Event	b and c
Nitrite (as N)	mg/L	Grab	1/Discharge Event	b and c
Nitrite plus nitrate (as N)	mg/L	Grab	1/Discharge Event	b and c
Settleable Solids	ml/L	Grab	1/Discharge Event	b and c
Sulfate	mg/L	Grab	1/Discharge Event	b and c
Sulfides	mg/L	Grab	1/Discharge Event	b and c
Toluene	µg/L	Grab	1/Discharge Event	b and c
Total Dissolved Solids (TDS)	mg/L	Grab	1/Discharge Event	b and c

Parameter	Units	Sample Type	Minimum Sampling Frequency	Notes
Total Petroleum Hydrocarbons (TPH) as Gasoline (C_4-C_{12})	µg/L	Grab	1/Discharge Event	b and f
TPH as Diesel (C_{13}-C_{22})	µg/L	Grab	1/Discharge Event	b and f
TPH as Waste Oil (C_{23+})	µg/L	Grab	1/Discharge Event	b and f
Total Phenols	mg/L	Grab	1/Discharge Event	b and g
Turbidity	NTU	Grab	1/Discharge Event	b and c
Xylene	µg/L	Grab	1/Discharge Event	b and c
Cadmium, Total Recoverable	µg/L	Grab	1/Discharge Event	b and c
Copper, Total Recoverable	µg/L	Grab	1/Discharge Event	b and c
Lead, Total Recoverable	µg/L	Grab	1/Discharge Event	b and c
Mercury, Total Recoverable	µg/L	Grab	1/Discharge Event	b and h
Zinc, Total Recoverable	µg/L	Grab	1/Discharge Event	b and c
Polychlorinated Biphenyls (PCBs), Total	µg/L	Grab	1/Year	c, e, and i
TCDD Equivalents	µg/L	Grab	1/Year	c, e, and j
Remaining Priority Pollutants	µg/L	Grab	1/Year	b, c, e, and k

Footnotes for Table E-2

a. Flow shall be recorded daily during each period of discharge. Periods of no flow shall also be reported.

b. During periods of extended discharge, no more than one sample per week (or 7-day period) needs to be taken. Sampling shall be performed during the first hour of discharge. If, for safety reasons, a sample cannot be obtained during the first hour of discharge, a sample shall be obtained at the first safe opportunity, and the reason for the delay shall be included in the report. If there is no discharge to surface waters, then no monitoring is required, and in the corresponding monitoring report, the Discharger will indicate under statement of perjury that no effluent was discharged to surface water.

c. Pollutants shall be analyzed using the analytical methods described in 40 CFR part 136; for priority pollutants, the methods must meet the lowest MLs specified in Appendix 4 of the SIP. Where no methods are specified for a given pollutant, the methods must be approved by the Los Angeles Water Board or the State Water Board. If more than one analytical test method is listed for a given parameter, the Discharger must select a sufficiently sensitive method from the listed methods and corresponding ML necessary to demonstrate compliance with applicable effluent limitations.

d. Refer to section 5 below, Whole Effluent Toxicity Testing Requirements. Pass" or "Fail" for Median Monthly Effluent Limitation (MMEL). "Pass" or "Fail" and "% Effect" for Maximum Daily Effluent Limitation (MDEL). The MMEL for chronic toxicity shall only apply when there is a discharge more than one day in a calendar month period. During such calendar months, up to three independent toxicity tests are required when one toxicity test results in "Fail".

e. Monitoring is only required during years in which discharge occurs. Annual samples shall be collected during the first discharge of the year. If there is no discharge to surface waters, the

Discharger will indicate in the corresponding monitoring report, under statement of perjury, that no effluent was discharged to surface water during the reporting period.

f. For TPH as Gasoline (C_4-C_{12}) use U.S. EPA Method 503.1 or 8015B. For TPH as Diesel (C_{13}-C_{22}) and TPH as Kerosene (C_{23+}) use U.S. EPA Method 503.1 or 8015B, or 8270.

g. Total phenols measured by U.S. EPA Method 420.1 or 420.2 (using the 4AAP method).

h. U.S. EPA Method 1631E, per 40 CFR part 136, with a quantification level lower than 0.5 ng/L, shall be used to analyze total mercury. If an alternative method with an equivalent or more sensitive method detection limit is approved in 40 CFR part 136, the Discharger may use that method in lieu of U.S. EPA Method 1631E.

i. Total PCBs (polychlorinated biphenyls) means the sum of chlorinated biphenyls whose analytical characteristics resembles those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260. PCBs as aroclors shall be analyzed using U.S. EPA method 608.3. Upon U.S. EPA approval of Resolution No. R22-005, PCBs monitoring shall be required for 44 congeners using recommended EPA methods 8270 and 1668 or equivalent method and shall be reported with a target reporting limit of 10 to 20 pg/L.

j. TCDD equivalents shall be calculated using the following formula, where the minimum levels (MLs) and toxicity equivalency factors (TEFs) are as listed in the Table below. The Discharger shall report all measured values of individual congeners, including data qualifiers. When calculating TCDD equivalents, the Discharger shall set congener concentrations below the MLs to zero. U.S. EPA method 1613 may be used to analyze dioxin and furan congeners. The TCDD Equivalents are calculated as follows: Dioxin-TEQ (TCDD equivalents) = Sum of Concentration of dioxin or furan congener$_x$ (C_x) X Toxicity Equivalency Factors (TEFs) for congener$_x$. The TEFs are listed in the Table below.

Toxicity Equivalency Factors

Congeners	Minimum Levels (pg/L)	Toxicity Equivalence Factor (TEF)
2,3,7,8 - tetra CDD	10	1.0
1,2,3,7,8 - penta CDD	50	1.0
1,2,3,4,7,8 - hexa CDD	50	0.1
1,2,3,6,7,8 - hexa CDD	50	0.1
1,2,3,7,8,9 - hexa CDD	50	0.1
1,2,3,4,6,7,8 - hepta CDD	50	0.01
Octa CDD	100	0.0001
2,3,7,8 - tetra CDF	10	0.1
1,2,3,7,8 - penta CDF	50	0.05
2,3,4,7,8 - penta CDF	50	0.5
1,2,3,4,7,8 - hexa CDF	50	0.1
1,2,3,6,7,8 - hexa CDF	50	0.1
1,2,3,7,8,9 - hexa CDF	50	0.1
2,3,4,6,7,8 - hexa CDF	50	0.1
1,2,3,4,6,7,8 - hepta CDFs	50	0.01
1,2,3,4,7,8,9 - hepta CDFs	50	0.01

Congeners	Minimum Levels (pg/L)	Toxicity Equivalence Factor (TEF)
Octa CDF	100	0.0001

k. Priority Pollutants as defined in 40 CFR Part 131.

End of Footnotes for Table E-2

5. CHRONIC WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

5.1. Discharge In-stream Waste Concentration (IWC) for Chronic Toxicity

The chronic toxicity IWC for this discharge is 100 percent effluent.

5.2. Sample Volume and Holding Time

The total sample volume shall be determined by the specific toxicity test method used. Sufficient sample volume shall be collected to perform the required toxicity test. For the stormwater, sufficient sample volume shall also be collected for subsequent TIE studies, if necessary, at each sampling event. All toxicity tests shall be conducted as soon as possible following sample collection. No more than 36 hours shall elapse before the conclusion of sample collection and test initiation.

5.3. Chronic Freshwater Species and Test Methods

If effluent samples are collected from outfalls discharging to receiving waters with salinity <1 ppt, the Discharger shall conduct the following chronic toxicity tests on effluent samples—at the in-stream waste concentration for the discharge—in accordance with the test species provided in the *State Policy for Water Quality Control: Toxicity Provisions* and shall follow the test methods in *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (EPA/821/R-02/013, 2002)*. In no case shall these species be substituted with another test species unless written authorization from the Executive Officer is received.

- A static renewal toxicity test with the water flea, *Ceriodaphnia dubia* (Survival and Reproduction Test Method 1002.0).
- A static renewal toxicity test with the fathead minnow, *Pimephales promelas* (Larval Survival and Growth Test Method 1000.0).
- A static renewal toxicity test with the green alga, *Selenastrum capricornutum* (also named *Raphidocelis subcapitata*) (Growth Test Method 1003.0)

5.4. Species Sensitivity Screening

Species sensitivity screening shall be conducted during this permit's first required sample collection or when the Facility discharges. The Discharger shall collect a single effluent sample and concurrently conduct three toxicity tests using the fish, an invertebrate, and the alga species previously referenced. This sample shall also be analyzed for the parameters required for the discharge. The species that exhibits the

highest “Percent Effect” at the discharge IWC during species sensitivity screening shall be used for routine monitoring during the permit cycle.

Rescreening is required at least once per five (5) years. The Discharger shall rescreen with the three species listed above and continue to monitor with the most sensitive species. If the first suite of rescreening tests demonstrates that the same species is the most sensitive, then the rescreening does not need to include more than one suit of tests. If a different species is the most sensitive, or if there is ambiguity, then the Discharger shall proceed with suites of screening tests using enough collected effluent for a minimum of three, but not to exceed five suites.

5.5. Quality Assurance (QA) and Additional Requirements

QA measures, instructions, and other recommendations and requirements are found in the test methods manuals previous referenced. Additional requirements are specified below.

5.5.1. The discharge is subject to a determination of “Pass” or “Fail” and “Percent Effect” from a chronic toxicity test at the discharge IWC using the Test of Significant Toxicity (TST) approach described in National Pollutant Discharge Elimination System Test of Significant Toxicity/Implementation Document (EPA 833-R-10-003, 2010), Appendix A, Figure A-1, and Table A-1 and Appendix B, Table B-1, and the procedures described in the State Policy for Water Quality Control: Toxicity Provisions. Attainment of the water quality objective is demonstrated by conducting chronic aquatic toxicity testing as described in Section III.B.2 of the Toxicity Provisions and rejecting the null hypothesis in accordance with the TST statistical approach described in Section III.B.3. of the Toxicity Provisions. The null hypothesis (H_0) for the TST statistical approach is: Mean discharge In-stream Waste Concentration (IWC) response ≤0.75 × Mean control response. A test result that rejects this null hypothesis is reported as “Pass.” A test result that does not reject this null hypothesis is reported as “Fail”. The relative “Percent Effect” at the discharge IWC is defined and reported as: ((Mean control response-Mean discharge IWC response) ÷ Mean control response)) x 100. This is a t-test (formally Student’s t-Test), a statistical analysis comparing two sets of replicate observations - in the case of WET, only two test concentrations (i.e., a control and IWC). The purpose of this statistical test is to determine if the means of the two sets of observations are different (i.e., if the IWC or receiving water concentration differs from the control (the test result is “Pass” or “Fail”)). The Welch’s t-test employed by the TST statistical approach is an adaptation of Student’s t-test and is used with two samples having unequal variances.

5.5.2. If the effluent toxicity test does not meet all test acceptability criteria (TAC) specified in the referenced test method, then the Discharger must re-sample and re-test at the subsequent discharge event.

5.5.3. Reference toxicant tests and effluent toxicity tests shall be conducted using the same test conditions (e.g., same test duration, etc.). Monthly reference toxicant testing is sufficient.

5.5.4. All reference toxicant test results should be reviewed and reported according to U.S. EPA guidance on the evaluation of concentration-response relationships found in *Method Guidance and Recommendations for Whole Effluent Toxicity (WET) Testing* (40 CFR part 136) (EPA 821-B-00-004, 2000).

5.5.5. The Discharger shall perform toxicity tests on final effluent samples. Chlorine and ammonia shall not be removed from the effluent sample prior to toxicity testing, unless explicitly authorized under this section of the Monitoring and Reporting Program and the rational is explained in the Fact Sheet (Attachment F).

5.6. Preparation of an Initial Investigation Toxicity Reduction Evaluation Workplan

The Discharger shall prepare and submit a copy of the Discharger's initial investigation TRE work plan to the Executive Officer of the Los Angeles Water Board for approval within 90 days of the effective date of this permit. If the Executive Officer does not disapprove the work plan within 60 days, the work plan shall become effective. The Discharger shall use U.S. EPA manual U.S. EPA/833B-99/002 (municipal) or its most current version or U.S. EPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations (EPA/600/2-88/070, April 1989*) as guidance. This work plan shall describe the steps that the Discharger intends to follow if toxicity is detected. At a minimum, the work plan shall include:

- A description of the investigation and evaluation techniques that will be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency.
- A description of the Facility's methods of maximizing in-house treatment efficiency and good housekeeping practices, and a list of all chemicals used in the operation of the Facility.
- If a Toxicity Identification Evaluation (TIE) is necessary, an indication of the person who would conduct the TIEs (i.e., an in-house expert or an outside contractor).

5.7. Toxicity Identification Evaluation and Toxicity Reduction Evaluation Process

5.7.1. **Preparation and Implementation of a Detailed TRE Work Plan.** The Discharger shall immediately initiate a TRE using, according to the type of treatment facility, U.S. EPA manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA/833B-99/002, 1999) or U.S. EPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPA/600/2-88/070, April 1989) and, within 30 days, submit to the Executive Officer a Detailed TRE Work Plan, which shall follow the TRE Work Plan revised as appropriate for this toxicity event. It shall include the following information, and comply with additional conditions set by the Executive Officer:

- Further actions by the Discharger to investigate, identify, and correct the causes of toxicity.
- Actions the Discharger will take to mitigate the effects of the discharge and prevent the recurrence of toxicity.

- A schedule for these actions, progress reports, and the final report.

5.7.2. **TIE Implementation**. A toxicity test sample is immediately subject to TIE procedures to identify the toxic chemical(s), if a chronic toxicity test shows "Fail and % Effect value ≥ 50". The Discharger may initiate a TIE as part of a TRE to identify the causes of toxicity using the same species and test method and, as guidance, U.S. EPA manuals: *Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures* (EPA/600/6-91/003, 1991); *Chronic TIE Manual: Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I (*EPA/600/6-91/005F, 1992); *Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/080, 1993); *Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/081, 1993); and *Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document* (EPA/600/R-96-054, 1996). The TIE should be conducted on the species demonstrating the most sensitive toxicity response.

5.7.3. Many recommended TRE elements parallel required or recommended efforts for source control, pollution prevention, and stormwater control programs. TRE efforts should be coordinated with such efforts. As toxic substances are identified or characterized, the Discharger shall continue the TRE by determining the sources and evaluating alternative strategies for reducing or eliminating the substances from the discharge. All reasonable steps shall be taken to reduce toxicity to levels consistent with toxicity evaluation parameters.

5.7.4. The Discharger shall continue to conduct routine effluent monitoring for compliance determination purposes while the TIE and/or TRE process is taking place.

5.7.5. The Los Angeles Water Board recognizes that toxicity may be episodic and identification of causes and reduction of sources of toxicity may not be successful in all cases. The TRE may be ended at any stage if monitoring finds there is no longer toxicity.

5.7.6. The Board may consider the results of any TRE/TIE studies in an enforcement action.

5.8. Reporting

The Self-Monitoring Report (SMR) shall include a full laboratory report for each toxicity test. This report shall be prepared using the format and content of the test methods manual chapter, "Report Preparation," including:

- The valid toxicity test results for the TST statistical approach, reported as "Pass" or "Fail" and "Percent Effect" at the chronic toxicity IWC for the discharge. All toxicity test results (whether identified as valid or otherwise) conducted during the calendar month shall be reported on the SMR due date.
- A summary of water quality measurements for each toxicity test (e.g., pH, dissolved oxygen, temperature, conductivity, hardness, salinity, chlorine, ammonia).

- The statistical analysis used in National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document (EPA 833-R-10-003, 2010) Appendix A, Figure A-1, Table A-1, and Appendix B, Table B-1.
- TRE/TIE results. The Executive Officer shall be notified no later than 30 days from completion of each aspect of TRE/TIE analyses. Prior to the completion of the final TIE/TRE report, the Discharger shall provide status updates in the monthly monitoring reports, indicating which TIE/TRE steps are underway and which steps have been completed.
- Statistical program (e.g., TST calculator, CETIS, etc.) output results, including graphical plots, for each toxicity test.
- Tabular data and graphical plots clearly showing the laboratory's performance for the reference toxicant, for each solution, for the previous 20 tests and the laboratory's performance for the control mean, control standard deviation, and control coefficient of variation, for each solution, for the previous 12-month period.
- Any additional QA/QC documentation or any additional chronic toxicity-related information, upon request from the Los Angeles Water Board Chief Deputy Executive Officer or the Executive Officer.

5.9. Ammonia Removal

5.9.1. Except with prior approval from the Executive Officer of the Los Angeles Water Board, ammonia shall not be removed from bioassay samples. The Discharger must demonstrate the effluent toxicity is caused by ammonia because of increasing test pH when conducting the toxicity test. It is important to distinguish the potential toxic effects of ammonia from other pH sensitive chemicals, such as certain heavy metals, sulfide, and cyanide. The following may be steps to demonstrate that the toxicity is caused by ammonia and not other toxicants before the Executive Officer would allow for control of pH in the test:

- There is consistent toxicity in the effluent and the maximum pH in the toxicity test is in the range to cause toxicity due to increased pH.
- Chronic ammonia concentrations in the effluent are greater than 4 mg/L total ammonia.
- Conduct graduated pH tests as specified in the toxicity identification evaluation methods. For example, mortality should be higher at pH 8 and lower at pH 6.
- Treat the effluent with a zeolite column to remove ammonia. Mortality in the zeolite treated effluent should be lower than the non-zeolite treated effluent. Then add ammonia back to the zeolite-treated samples to confirm toxicity due to ammonia.

5.9.2. When it has been demonstrated that toxicity is due to ammonia because of increasing test pH, the pH may be controlled using appropriate procedures

which do not significantly alter the nature of the effluent, only after submitting a written request to the Los Angeles Water Board and receiving written permission expressing approval from the Executive Officer at the Los Angeles Water Board.

5.10. Chlorine Removal

Except with prior approval from the Executive Office of the Los Angeles Water Board, chlorine shall not be removed from bioassay samples.

6. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE

7. RECYCLING MONITORING REQUIREMENTS – NOT APPLICABLE

8. RECEIVING WATER MONITORING REQUIREMENTS

8.1. Receiving Water Sampling Points - Monitoring Location RSW-001

Receiving water sampling shall be conducted at the same time as the effluent monitoring when there is discharge to surface water. The Discharger shall monitor Compton Creek at Monitoring Location RSW-001 as follows:

Table E-3. Receiving Water Monitoring Requirements – RSW-001

Parameter	Units	Sample Type	Minimum Sampling Frequency	Notes
E. coli	CFU/100 mL	Grab	1/Year	a and b
Hardness, (Total as $CaCO_3$)	mg/L	Grab	1/Year	a, b, and c
pH	standard units	Grab	1/Year	a, b, and c
Temperature	°F	Grab	1/Year	a, b, and c
Remaining Priority Pollutants	µg/L	Grab	1/Year	a, b, and d

Footnotes to Table E-3

a. Pollutants shall be analyzed using the analytical methods described in 40 CFR part 136; for priority pollutants, the methods must meet the lowest MLs specified in Appendix 4 of the SIP. Where no methods are specified for a given pollutant, the methods must be approved by the Los Angeles Water Board or the State Water Board. If more than one analytical test method is listed for a given parameter, the Discharger must select a sufficiently sensitive method from the listed methods and corresponding ML necessary to demonstrate compliance with applicable effluent limitations.
b. Annual samples shall be collected during the first discharge of the year and shall be monitored concurrently with effluent Priority Pollutant monitoring specified in section 4.2 of this MRP (Attachment E). If, for safety reasons, a sample cannot be obtained during the first hour of discharge, a sample shall be obtained at the first safe opportunity, and the reason for the delay shall be included in the report. Monitoring is not required during years in which no discharge occurs.
c. Receiving water pH, salinity, hardness, and temperature must be collected simultaneously during the collection of samples for priority pollutants analysis.

d. Priority Pollutants are those constituents referred to in 40 CFR part 131 or the California Toxics Rule.

End of Footnotes to Table E-3

8.2. Groundwater Monitoring – Not Applicable

8.3. Harbor Toxics TMDL Monitoring Requirements

The Harbor Toxics TMDL requires the "responsible parties" identified in the Los Angeles Rivers and Tributaries Metals TMDLs (Metals TMDL) to conduct water and sediment monitoring above the Los Angeles River Estuary to determine the river's contribution to the impairments in the Greater Harbor waters. The Discharger is identified as a "responsible party" according to the Metals TMDL. Even though the Los Angeles River Watershed Responsible Parties are not assigned WLAs, the Harbor Toxics TMDL still requires them to create and implement a monitoring plan and submit yearly reports on their implementation. The Discharger shall join a group already formed or develop a site-specific plan in order to comply with this requirement. Details on these requirements are provided in section 6.3.2 of this Order.

9. OTHER MONITORING REQUIREMENTS

9.1. Rainfall Monitoring

The Discharger shall measure and record the rainfall on each day of the month or submit the data obtained from the nearest city/county operated rain gauge monitoring station. The location of the rain gauge utilized and the distance from the Facility and any other information shall be included in the monitoring report for that month.

9.2. Stormwater Visual Observation

The Discharger shall make visual observations of all stormwater discharge locations during at least one storm event per month that produces a significant discharge of stormwater. Observations shall note the presence of floating and suspended materials, oil and grease, discoloration, turbidity, and odor at the stormwater discharge locations. A "significant stormwater discharge" is a continuous discharge of stormwater for a minimum of one hour, or the intermittent discharge of stormwater for a minimum of 3 hours in a 12-hour period.

10. REPORTING REQUIREMENTS

10.1. General Monitoring and Reporting Requirements

10.1.1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.

10.1.2. If there is no discharge during any reporting period, the Discharger shall indicate under penalty of perjury in the corresponding monitoring report that no effluent was discharged to surface water during the reporting period.

10.1.3. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and corrective actions

taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.

10.1.4. The Discharger shall inform the Los Angeles Water Board well in advance of any proposed construction activity that could potentially affect compliance with applicable requirements.

10.2. Self-Monitoring Reports (SMRs)

10.2.1. The Discharger shall electronically submit SMRs using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site:

https://www.waterboards.ca.gov/ciwqs/index.html

The CIWQS Web site will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.

10.2.2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections 3 through 9. The Discharger shall submit quarterly SMRs including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMRs are to include all new monitoring results obtained since the last SMR was submitted. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.

10.2.3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-4. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
1/Discharge Event	Permit Effective Date	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 15 August 15 November 15 February 15
1/Year	Permit Effective Date	January 1 through December 31	Submit with corresponding quarterly SMR for February 15

10.2.4. **Reporting Protocols.** The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR part 136. The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

a. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported. For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ. The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (± a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.

d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

10.2.5. **Compliance Determination.** Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined above and Attachment A. For purposes of reporting and administrative enforcement by the Los Angeles Water Board and State Water Board, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).

10.2.6. **Multiple Sample Data.** When determining compliance with an Average Monthly Effluent Limitation (AMEL), Average Weekly Effluent Limitation (AWEL)**,** or Maximum Daily Effluent Limitation (MDEL) for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

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

b. 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.

10.2.7. **SMRs.** The Discharger shall submit SMRs in accordance with the following requirements:

a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.

b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the waste discharge requirements; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

10.3. Discharge Monitoring Reports (DMRs)

DMRs are U.S. EPA reporting requirements. The Discharger shall electronically certify and submit DMRs together with SMRs using Electronic Self-Monitoring Reports module eSMR 2.5 or any upgraded version. Electronic DMR submittal shall be in addition to electronic SMR submittal. Information about electronic DMR submittal is available at the DMR website at:
https://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring

10.4. Other Reports

10.4.1. Within 90 days of the effective date of this permit, the Discharger is required to submit the following to the Los Angeles Water Board:

a. Initial Investigation TRE workplan.

b. Updated SWPPP

c. Updated BMPP

d. Updated Spill Control Plan (SCP) or SPCC Plan

The SWPPP, BMPP, and SCP shall be reviewed at a minimum once per year and updated as needed to ensure all actual or potential sources of trash and pollutants discharged from the Facility are addressed. All changes or revisions to the SWPPP, BMPP, and SCP shall be submitted to the Los Angeles Water Board within 30 days of revisions.

10.4.2. Within 90 days of the effective date of this Order, the Discharger must submit to the Los Angeles Water Board notification of whether the Discharger will be participating with an organized group of Responsible Parties to complete the regional monitoring required by the Harbor Toxics TMDL for the Los Angeles River Watershed and included in section 6.3.2.b. of the Waste Discharge

Requirements of this Order or if the Discharger will be developing a site specific plan. The Discharger shall provide proof of joining a collaborating group, or an updated stie-specific plan. If developing a site-specific plan, that plan is due to the Los Angeles Water Board within 90 days from the effective date of this Order. The Discharger has six months after the approval to implement the plan.

10.4.3. According to the Harbor Toxics TMDL, the Discharger shall submit an annual monitoring/implementation report to the Los Angeles Water Board. The report shall describe the measures implemented and the progress achieved toward meeting the assigned WLAs. The annual report shall be received by the Los Angeles Water Board by the specified date in the proposed Monitoring Plan.

10.4.4. Within 12 months from the effective date of this Order, the Discharger is required to submit a Climate Change Effects Vulnerability Assessment and Mitigation Plan (Climate Change Plan) to assess and manage climate change related-effects associated with the facility operation, water supplies, collection system, water quality and beneficial uses.

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

As described in section 2.2 of this Order, the Los Angeles Water Board incorporates this Fact Sheet as findings of the Los Angeles Water Board supporting the issuance of this Order. This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as "not applicable" have been determined not to apply to this Discharger.

1. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

Table F-1. Facility Information

WDID	4B192111004
Discharger	Zenith Energy West Coast Terminals, LLC
Name of Facility	Dominguez Hills Tank Farm
Facility Address	2500 E. Victoria Street, Compton, CA 90220
Facility Contact, Title and Phone	Connie Cunningham, (562) 263-3929
Authorized Person to Sign and Submit Reports	Steven Franks, Area Manager, (562) 263-3930
Mailing Address	18000 Studebaker Road, Suite 960, Cerritos, CA 90703
Billing Address	18000 Studebaker Road, Suite 960, Cerritos, CA 90703
Type of Facility	Industrial, Bulk Fuel Storage Facility
Major or Minor Facility	Minor
Threat to Water Quality	2
Complexity	B
Pretreatment Program	Not applicable (N/A)
Recycling Requirements	N/A
Facility Permitted Flow	0.91 million gallons per day (MGD)
Facility Design Flow	0.91 MGD
Watershed	Los Angeles River
Receiving Water	Compton Creek
Receiving Water Type	Inland Surface Water

1.1. Zenith Energy West Coast Terminals LLC (hereinafter Discharger) is the owner and operator of the Dominguez Hills Tank Farm, (hereinafter Facility), a special petroleum warehousing and storage facility. For the purposes of this Order, references to the "Discharger" or "Permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

1.2. The Facility discharges treated stormwater runoff and hydrostatic test water to Compton Creek, a water of the United States. The Discharger was previously regulated by Order No. R4-2016-0141, which was adopted on April 14, 2016. The Order expired on May 31, 2021.

Federal regulations at 40 CFR section 122.46 limit the duration of NPDES permits to a fixed term not to exceed five years. Accordingly, Table 3 of this Order limits the duration of the discharge authorization. However, pursuant to 40 CFR section 122.6(d)(1) and California Code of Regulations, title 23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Discharger complies with all federal NPDES requirements for continuation of expired permits. The Discharger filed a report of waste discharge (ROWD) and submitted an application for reissuance of its WDRs and NPDES permit on November 30, 2020. The application was deemed complete on December 2, 2020. A site visit was conducted on April 19, 2023 to observe operations and collect additional data to develop permit limitations and conditions. Therefore, the terms and conditions of the current Order have been continued and remain in effect until new WDRs and NPDES permits are adopted pursuant to this Order.

2. FACILITY DESCRIPTION

The Dominguez Hills Tank Farm is a bulk storage and transportation facility for petroleum products (crude, fuel oil, and displacement oil), located at 2500 East Victoria Street, Compton, California. The Facility consists of a 70-acre site which is divided into three primary sections: a “North Tank Farm”, a “South Tank Farm”, and the northeastern section of the Facility where the operations buildings, main pump pads, metering pump pads, heating pad, retention basin, and on-site water treatment system is located.

The South Tank Farm consists of six above ground storage tanks with capacities ranging from 430,000 barrels (18 million gallons) to 470,000 barrels (20 million gallons). Each of the six tanks has a separate secondary containment section. The North Tank Farm consists of eight above ground storage tanks, with capacities ranging from 44,000 barrels (1.8 million gallons) to 200,000 barrels (8.4 million gallons). All eight storage tanks within the North Tank Farm are in a single secondary containment section.

2.1. Description of Wastewater and Treatment or Controls

Stormwater runoff from both the North and South Tank Farms and associated pumping areas drains to the water retention basin located at the northeast portion of the Facility. The water retention basin consists of a surge reservoir (concrete-lined) and a stormwater impounding basin (asphalt and clay-lined). The surge reservoir (hereinafter Primary basin) has an average dimension of 102.5 feet by 104 feet by 13 feet deep, with a holding capacity of approximately 1.04 million gallons. The stormwater impounding basin (hereinafter Secondary basin) has an average dimension of 315 feet by 370 feet by 10 feet deep, with a holding capacity of approximately 8.72 million gallons. Together the Facility has a total combined holding capacity of 9.75 million gallons for stormwater runoff.

Stormwater held within the North and South Tank Farms, Primary Basin, and Secondary Basin is allowed to percolate into the ground or evaporate during most storm events. During extremely heavy rainfall events when the tank farm's storage capacity is exceeded, stormwater release valves located near each tank within the tank farms redirect the stormwater from the tank farms via pipelines and gravity into the Primary basin. Prior to releasing stormwater from the tank farms into the Primary basin, a visual inspection is performed to make sure there is no oil sheen. If any sheen is noticed, absorbent booms are deployed to absorb the sheen prior to the stormwater being released to the Primary basin where the impacted water will be processed through the on-site treatment system.

Once the Primary basin reaches about 70% capacity, the discharger is alerted via monitoring gauge, and stormwater is diverted into the Secondary Basin by manually opening a valve. Stormwater can also freely flow from the Primary Basin into the Secondary Basin once the stormwater level reaches above the Retention Basin Spillway, which connects between the Primary and Secondary Basin. If the stormwater reaches the Retention Basin Spillway threshold, that means that the Primary Basin has reached 100% capacity. Stormwater can also circulate back from the Secondary basin into the Primary basin via pump to treat the water if discharge is required or if the Primary basin has extra storage capacity for evaporation.

Stormwater can only exit the facility to EFF-001 once it passes through the on-site treatment system, located at the Primary basin. During extreme rainfall events when discharge is required, the on-site treatment system will treat the water from the Primary basin first, and the treated water will be discharged to Outfall 001. Once the Primary basin has more storage capacity, stormwater from the Secondary basin or tank farms can be moved into the Primary Basin, where it will go through treatment and be subsequently discharged to EFF-001.

The on-site treatment system consists of a four-chamber sand filter, a four bag mechanical filtration chamber, two 8,000-pounds activated carbon vessels and two 130 cubic feet ion exchange vessels operated in series. Sampling ports are installed throughout the system piping configuration to monitor specific media performance. An 8-inch flow meter is situated at the final effluent of the system to monitor flow.

The treatment system is enabled with a recirculation mode which facilitates internal assessment during non-emergency conditions of the storm water quality and treatment system functions prior to discharge from the facility. Storm water and/or hydrostatic test water within recirculation mode is cycled through the treatment system and primary surge reservoir until approved for discharge. The use of the sand filter component as part of the treatment system may not be warranted if preliminary test results taken during recirculation mode are shown to be within the permit effluent limitations. Provided this assessment confirms that use of the sand filter component is not warranted, the storm water and/or hydrostatic test water is directed through the remaining treatment components prior to discharge and monitoring pursuant to permit requirements.

When an oil storage tank or pipeline is integrity tested, refurbished, or upgraded, the hydrostatic test water can either go directly to EFF-001 via temporary hose or be

drained into the Primary basin. If water samples of the hydrostatic test water are within effluent guidelines based on laboratory results, the hydrostatic test water can be discharged to EFF-001 via the temporary hose without treatment or transferred to the Primary Basin for evaporation. If the water samples from the hydrostatic test water exceed effluent limitations, treatment is necessary for discharge, and the hydrostatic test water will be directed to the Primary Basin where it can either evaporate or go through the on-site treatment system before being discharged into EFF-001. Water from fire hydrants is used to perform the hydrostatic test, and it is estimated that up to 21 million gallons of hydrostatic test water (based on the greatest holding capacity of any tank) can be discharged to the retention basin when a tank is hydrotested. The storage tank or pipeline can temporarily hold the hydrostatic test water until it is gradually released into the Primary basin within several days, in the event the hydrostatic test water needs to be treated. The discharge of the hydrostatic test water to Compton Creek is intermittent and will be generated on an as needed basis.

Concurrent discharge of stormwater and hydrostatic test water beyond the discharge limit of 0.91 MGD is not expected under ordinary site conditions. Hydrostatic testing occurs infrequently once every 10-15 years according to the Discharger. Hydrostatic testing is also very unlikely to be performed during the same time of a storm event, therefore limiting the possibility of commingled stormwater and hydrostatic test water.

Aside from stormwater and hydrostatic test water, process wastewater includes wastewater generated from several sources including: tank and pipeline cleaning, equipment wash water, concrete pad wash water, equipment condensate, stormwater from vaults and valve boxes, and other localized water drains and vaults at the various tank farms and along the pipelines owned by the Discharger, including the Dominguez Hills Facility. Process wastewater is placed into temporary storage tanks on-site or directly into tanker trucks where it is shipped off-site for treatment by a local Transportation, Storage and Disposal Facility licensed by the Department of Toxics Substance Control. Discharge waters from the Facility do not contain any process water.

2.2. Discharge Points and Receiving Waters

Treated stormwater runoff and hydrostatic test water may be discharged to surface waters at the following discharge point:

Discharge Point 001: Discharge from treated stormwater runoff and hydrostatic test water to Compton Creek, approximate coordinates: Latitude 33.862222, Longitude -118.2225.

2.3. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Historic effluent limitations during April 1, 2016, to March 31, 2023 for discharges from Discharge Point 001 (Monitoring Location EFF-001) and representative monitoring data from the term of the existing Order R4-2016-0141 are as follows:

Table F-2. Historic Effluent Limitations and Monitoring Data

Parameter	Units	Average Monthly	Maximum Daily	Highest Average Monthly Discharge	Highest Daily Discharge	Notes
Biochemical Oxygen Demand 5-day @ 20 deg. C (BOD)	mg/L	20	30	3.2	3.2	--
Oil and Grease	mg/L	10	15	2.5	2.9	--
pH	Standard Units	--	6.5 - 8.5	--	5.8 – 8.36	a
Temperature	?F	--	86	--	72	--
Total Suspended Solids (TSS)	mg/L	50	75	11	20	--
Chronic Toxicity	Pass or % Effect <50	Pass	Pass or % Effect <50	Pass	40.09%	--
Total Ammonia (as nitrogen)	mg/L	1.8	4	0.3	0.3	--
Chloride	mg/L	--	150	--	8.4	--
Nitrate-nitrogen (NO3-N)	mg/L	8.0	--	0.49	--	--
Nitrite-nitrogen (NO2-N)	mg/L	1.0	--	0.13	--	--
Nitrate-nitrogen + Nitrite-nitrogen (NO3-N + NO2-N)	mg/L	8.0	--	0.40	--	--
Phenols	mg/L	--	1.0	--	0.097	--
Settleable Solids	mL/L	--	0.2	--	0.1	--
Sulfate	mg/L	--	350	--	6.6	--
Sulfides	mg/L	--	1.0	--	0.028	--
Total Dissolved Solids (TDS)	mg/L	--	1,500	--	110	--
Total Petroleum Hydrocarbons (TPH)	mg/L	--	0.1	--	0.035	--
Total Residual Chlorine	mg/L	--	0.1		0.24	b
Turbidity	NTU	50	75	8	18	--

Parameter	Units	Average Monthly	Maximum Daily	Highest Average Monthly Discharge	Highest Daily Discharge	Notes
Benzene	µg/L	--	1.0	--	Non-Detect (ND) <0.065	--
Ethylbenzene	µg/L	--	680	--	ND <0.07	--
Toluene	µg/L	--	10	--	ND <0.0385	--
Xylene	µg/L	--	1,750	--	ND <0.195	--
Cadmium, Total Recoverable (Wet-weather)	µg/L	1.5	3.1	ND <0.064	ND <0.064	c
Copper, Total Recoverable	µg/L	15(dry) / 8.0(wet)	32(dry) / 17(wet)	9.6	15	c
Lead, Total Recoverable	µg/L	5.9(dry) / 22(wet)	16(dry) / 62(wet)	2.8	4.7	c
Zinc, Total Recoverable	µg/L	74(dry) / 57(wet)	206(dry) / 159(wet)	110.5	170	c

Footnotes for Table F-2

a) The pH of 5.8 result was a duplicate sample analyzed at the lab and was outside holding time.
b) The field Residual Chlorine was non-detected. The duplicate sample lab result of 0.24 mg/L was analyzed outside of the holding time.
c) Maximum value observed. Data was not specific to dry or wet weather.

End of Footnotes for Table F-2

2.4. Compliance Summary

Data submitted to the Los Angeles Water Board during the term of Order R4-2016-0141 for the period of April 2016 through March 30, 2023, indicate that the Discharger had not complied with numeric effluent limitations for Discharge Point No. 001. The discharger has exceeded effluent limits on one instance for Zinc (dry-weather) The Zinc (dry-weather) Total Recoverable Monthly Average limit is 74 µg/L and the reported value was 170 µg/L at EFF-001.

As a result of the exceedance, the Los Angeles Water Board Executive Officer executed Stipulated Order No. R4-2017-0202 on February 2, 2018, which assessed mandatory minimum penalties (MMPs) of $3,000 for one violation of effluent limitation contained in Order No. R4-2016-0041 that occurred in January 2017. The Discharger submitted a payment of $3,000 on March 2, 2018.

On January 18, 2023, Los Angeles Water Boards was notified by the Discharger of a pipe rupture located approximately 10 feet southwest of EFF-001. A third-party contractor was hired to inspect for any identified structural containment issues on the facility and had unearthed a section of the South Tank farm's stormwater drainage pipe. Upon inspection, the third-party contractor identified stormwater leaking from a rupture in the unearthed pipe. Typically, stormwater would flow from the South Tank Farm and into the Primary basin. However, since the ruptured pipe was located near EFF-001, stormwater that was supposed to go from the South Tank farm and into the

Primary basin was flowing directly into the uncovered concrete channel and discharging off Zenith property towards Compton Creek.

Zenith contractors responded by implementing the following interim corrective actions:

1. Installed balloon valves in the catch basins throughout the South tank farms due to identified leaks preventing properly controlled stormwater/spill containment.
2. Built a temporary earthen berm downslope of the unearthed pipe to contain any residual stormwater leakage past the balloon valves.
3. Contracted a vacuum truck, staged it at the top of the hillside, and ran a hose to the earthen berm area for containing and transfer of contained stormwater from the South Tank farm to the Primary basin.

The facility is in the process of determining the most effective method of permanent correction action, which includes repairing or replacing the south tank farm catch basin valves and the ruptured stormwater drainage pipe. Temporary measures were implemented so that stormwater will not be released through this ruptured pipe in the South Tank farm until applicable components of the drainage system are properly repaired by a licensed contractor and approved by a Professional Engineer. The facility will begin implementing permanent corrective actions as soon as possible considering forecasted rainfall, communicating applicable updates to the Los Angeles Regional Water Quality Control Board where necessary or requested.

2.5. Planned Changes

The Discharger does not anticipate any changes during the permit term of this Order.

3. APPLICABLE PLANS, POLICIES, AND REGULATIONS

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

3.1. Legal Authorities

This Order serves as WDRs pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as an NPDES permit authorizing the Discharger to discharge into waters of the United States at the discharge locations described in Table 2 subject to the WDRs in this Order.

3.2. California Environmental Quality Act (CEQA)

Under CWC section 13389, this action to adopt an NPDES permit is exempt from CEQA, (commencing with section 21100) of Division 13 of the Public Resources Code.

3.3. State and Federal Laws, Regulations, Policies, and Plans

3.3.1. **Water Quality Control Plan.** The Water Quality Control Plan for the Los Angeles Region (Basin Plan) designates beneficial uses, establishes water quality objectives (WQOs), and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan.

Requirements in this Order implement the Basin Plan. Beneficial uses applicable to Compton Creek are as follows:

Table F-3. Basin Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Compton Creek	Existing: Ground Water Recharge (GWR), Water Contact Recreation (REC-1), Non-Contact Water Recreation (REC-2), Warm Freshwater Habitat (WARM), Wildlife Habitat (WILD), and Wetland Habitat (WET). Potential: Municipal and Domestic Supply (MUN)* (note a).

Footnotes for Table F-3

a. The potential municipal and domestic supply (MUN) beneficial use for Compton Creek (lower) is consistent with the Sources of Drinking Water Policy (page 5-13 of the Basin Plan). However, the Los Angeles Water Board has only conditionally designated the MUN beneficial use as indicated by the "*" in anticipation of further evaluation. Therefore, the Los Angeles Water Board is not establishing effluent limitations based on the conditionally designated potential MUN use at this time.

End of Footnotes for Table F-3

3.3.2. **Alaska Rule.** On March 30, 2000, U.S. EPA revised its regulation that specifies when new and revised state and tribal water quality standards (WQS) become effective for CWA purposes [40 CFR § 131.21, 65 Fed. Reg. 24641 (April 27, 2000)]. Under the revised regulation (also known as the Alaska rule), new and revised standards submitted to U.S. EPA after May 30, 2000, must be approved by U.S. EPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to U.S. EPA by May 30, 2000, may be used for CWA purposes, whether or not approved by U.S. EPA. This Order implements this rule by implementing standards developed after May 30, 2000 that have been approved by U.S. EPA and/or implementing standards that were in effect and submitted to the U.S. EPA by May 30, 2000.

3.3.3. **Mercury Provisions.** The State Water Board adopted "*Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California-Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions*" through Resolution No. 2017-0027, which was approved by OAL on June 28, 2017, and became effective upon U.S. EPA approval on July 14, 2017. The Mercury Provisions are implemented through NPDES permits issued pursuant to CWA section 402, waste discharge requirements, or waivers of waste discharge requirements. The Provisions include specific implementation provisions for municipal wastewater and industrial discharges; stormwater discharges from mine site remediation discharges; dredging activities; wetland projects and nonpoint source discharges.

Section IV. D. 2 of the Mercury Provisions authorize the Los Angeles Water Board authority to exempt certain dischargers from some or all of the provisions if the Los Angeles Water Board finds that the discharge has no reasonable potential, with respect to the applicable mercury water quality objectives. The Reasonable Potential Analysis specified in the Mercury Provisions IV. D. 2(c) deviates from the SIP procedure and uses the annual average during the calendar year to "account for the long-term nature of the methylmercury bioaccumulation process". Reasonable potential analysis conducted on data during the terms of Order R4-2016-0141 determined that there is no reasonable potential or concern of detriment to beneficial uses within Compton Creek for mercury. Nevertheless, this Order requires monitoring for mercury in the receiving water in Attachment E with a new detection limit of 0.5 ng/L, which the Mercury Provisions specify as a quantification limit for the water samples.

3.3.4. **Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries in California – Part 3: Bacteria Provisions (hereinafter Bacteria Provisions).** On August 7, 2018, the State Water Board adopted Resolution No. 2018-0038, bacteria provisions and a water quality variance policy as (1) *Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays and Estuaries of California*; and (2) an amendment to the *Water Quality Control Plan for Ocean Waters of California*. The goals of the Bacteria Provisions are to (1) establish a beneficial use definition of limited water contact recreation (LREC-1); (2) establish new statewide numeric water quality objectives for bacteria to protect primary contact recreation (REC-1) beneficial use; (3) include implementation elements; and (4) create a water quality standards variance framework under provisions established by the U.S. EPA. OAL approved the regulatory action on February 4, 2019. On March 22, 2019, U.S. EPA approved the Bacteria Provisions, and they became effective.

This Order implements the Bacteria Provisions by revising Escherichia coli (*E. coli*) effluent and receiving water limitations to waters where the salinity is equal to or less than 1 parts per thousand (ppth) 95 percent or more of the time, in order to protect the potential REC-1 beneficial uses.

3.3.5. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, U.S. EPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain federal water quality criteria for priority pollutants. This Order implements the NTR and CTR.

3.3.6. **State Implementation Policy.** On March 2, 2000, the State Water Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP). The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the NTR and

to the priority pollutant objectives established by the Los Angeles Water Board in the Basin Plan. The SIP became effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005, that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. The SIP generally does not apply to discharges composed only of stormwater. However, consistent with State Board Order 2006-0012 (In the Matter of the Petition of Boeing Company), the Los Angeles Water Board has determined it is appropriate to apply the SIP because of the nature of the activities conducted at the Facility. Therefore, the requirements of this Order implement the SIP.

3.3.7. **Antidegradation Policy.** Federal regulation 40 CFR section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution 68-16 Statement of Policy with Respect to Maintaining High Quality of Waters in California (Resolution 68-16). Resolution 68-16 is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Los Angeles Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. The permitted discharge is consistent with the antidegradation provision of 40 CFR section 131.12 and State Water Board Resolution 68-16 as discussed in finding 4.4.2 of this Fact Sheet.

3.3.8. **Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 CFR section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed. This Order complies with the anti-backsliding provisions as discussed in finding 4.4.1 of this Fact Sheet.

3.3.9. **Endangered Species Act Requirements.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code, §§ 2050 to 2097) or the Federal Endangered Species Act (16 USCA §§ 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

3.3.10. **Toxicity Provisions**. On December 1, 2020, the State Water Board adopted statewide numeric water quality objectives for both acute and chronic toxicity, using the TST, and a program of implementation to control toxicity, which are collectively known as the Toxicity Provisions. On October 5, 2021, the State Water Board adopted a resolution rescinding the December 1, 2020,

establishment of Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California and confirming that the Toxicity Provisions were adopted as a State Policy for Water Quality Control, for all inland surface waters, enclosed bays, estuaries, and coastal lagoons of the state, regardless of their status as waters of the United States. The Toxicity Provisions establish a uniform regulatory approach to provide consistent protection of aquatic life beneficial uses and protect aquatic habitats and life from the effects of known and unknown toxicants. The Toxicity Provisions were approved by OAL on April 25, 2022. The Toxicity Provisions were approved by the U.S. EPA and became effective on May 1, 2023. Compton Creek has an existing WARM, WILD, and WET beneficial uses. This Order establishes toxicity limits to protect those beneficial uses consistent with the Toxicity Provisions.

3.3.11. **Trash Amendments.** The State Water Board adopted the *"Amendment to the Ocean Plan and Part I Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California"* (Trash Amendments) through Resolution No. 2015-0019, which was approved by the Office of Administrative Law (OAL) on December 2, 2015 and became effective upon U.S. EPA approval on January 12, 2016. The Trash Amendments established a narrative water quality objective and a prohibition on the discharge of trash, to be implemented through permits issued pursuant to CWA section 402(p), waste discharge requirements, or waivers of waste discharge requirements.

The Trash Amendments apply to all surface waters of the State, with the exception of those waters within the jurisdiction of the Los Angeles Water Board where trash or debris Total Maximum Daily Loads (TMDLs) are in effect prior to the effective date of the Trash Provisions. This Order incorporates the requirements of the Los Angeles River Watershed Trash TMDL and prohibits the discharge of trash to surface waters of the State or the deposition of trash to the discharge points. This Order also requires the Discharger to develop and implement a Stormwater Pollution Prevention Plan (SWPPP), which shall include specific BMPs used as stormwater control measures that the Discharger will undertake to prevent the discharge of trash from the Facility to Compton Creek. The Discharger is required to submit to the Los Angeles Water Board the updated SWPPP.

3.4. Impaired Water Bodies on the CWA section 303(d) List

The State Water Board adopted the 2020-2022 California Integrated Report based on a compilation of the Los Angeles Water Boards' Integrated Reports. These Integrated Reports contain both the Clean Water Act (CWA) section 305(b) water quality assessment and section 303(d) list of impaired waters. In developing the Integrated Reports, the Water Boards solicit data, information, and comments from the public and other interested persons. On January 19, 2022, the State Water Board approved the CWA Section 303(d) List portion of the State's 2020-2022 Integrated Report (State Water Board Resolution Number 2022-0006). On May 11, 2022, U.S. EPA approved

California's 2020-2022 Integrated Report. The CWA section 303(d) List can be found at the following link:

https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html

Certain receiving waters in the Los Angeles River Watershed do not fully support beneficial uses and therefore have been classified as impaired on the 2020-2022 303(d) list and have been scheduled for TMDL development.

The Facility discharges to Compton Creek within the Los Angeles River Watershed. The *2020-2022 State Water Resources Control Board (State Water Board) California 303(d) List* includes the classification of Compton Creek. The pollutants/stressors of concern include benthic community effects, copper, indicator bacteria, lead, pH, trash, and zinc. Following are summaries of TMDLs applicable to Compton Creek:

3.4.1. **Los Angeles River Watershed Trash TMDL**. The Los Angeles River Watershed Trash TMDL (hereinafter Trash TMDL) was first adopted by the Los Angeles Water Board on September 19, 2001 (Basin Plan Chapter 7, Page 7-15). The TMDL was approved by the State Water Board on February 19, 2002, and by the Office of Administrative Law (OAL) on July 16, 2002. U.S. EPA approved it on August 1, 2002. The Los Angeles River Trash TMDL was revised by Resolution 2015-0019 and approved by the State Water Board on November 17, 2015. The revised TMDL was approved by OAL on May 4, 2016, and by U.S. EPA on June 30, 2016.

The Los Angeles River Trash TMDL identifies stormwater discharges as the major source of trash in the Los Angeles River and assigns a final Waste Load Allocation (WLA) of zero trash to the Los Angeles County municipal separate storm sewer system (MS4) and Caltrans National Pollutant Discharge Elimination System (NPDES) permittees. This TMDL will be implemented through Municipal Separate Storm Sewer Systems (MS4) NPDES Permit Program. The receiving water for discharges from the Dominguez Hills Tank Farm is Compton Creek and is listed on the 303(d) list for trash. Therefore, any discharge of trash in the facilities' stormwater discharges will contribute to the impairment. This permit implements requirements for a stormwater pollution prevention plan which is expected to minimize/prevent the discharge of trash from the Facility to the Los Angeles River watershed.

3.4.2. **Los Angeles River Nitrogen Compound and Related Effects TMDL (Nitrogen TMDL)**. The Los Angeles Water Board adopted the Nitrogen TMDL on July 10, 2003, and amended the Basin Plan to incorporate the Nitrogen TMDL into the Basin Plan (Basin Plan Chapter 7, Page 7-85). The Nitrogen TMDL was approved by the State Water Board and Office of Administrative Law on November 19, 2003, and February 27, 2004, respectively. The Nitrogen TMDL was approved by U.S. EPA on March 18, 2004, and it became effective on March 23, 2004. Subsequently, the Nitrogen TMDL was amended to revise the interim effluent limitations for ammonia was adopted by the Los Angeles Water Board on December 4, 2003. The State Water Board approved the revised Nitrogen TMDL on March 24, 2004. OAL approved the TMDL on September 27, 2004, and it

became effective on the same date. The Nitrogen TMDL established WLAs for the Los Angeles River, to which Compton Creek is a tributary, for total ammonia (nitrogen), nitrate-nitrogen, nitrite-nitrogen, and nitrate-nitrogen plus nitrite-nitrogen. Effluent limitations based on these WLAs have been established in this Order. On December 6, 2012, the Los Angeles Water Board further amended the Nitrogen TMDL, which became effective August 7, 2014. The revised Nitrogen TMDL did not change the WLAs applicable to the Facility.

3.4.3. **Los Angeles River and Tributaries Metals TMDL (Metals TMDL)**. The Los Angeles Water Board adopted the Metals TMDL (Basin Plan Chapter 7, Page 7-139) on June 2, 2005, and amended the Basin Plan to incorporate the Metals TMDL. The State Water Board approved the Metals TMDL on October 20, 2005, and OAL approved the TMDL on December 9, 2005. The U.S. EPA approved the Metals TMDL on December 22, 2005, and it became effective on January 11, 2006. The Metals TMDL established numeric water quality targets that are based on objectives established by U.S. EPA in the CTR. An amendment to the Metals TMDL was adopted by the Los Angeles Water Board on September 6, 2007. The State Water Board and OAL approved the Metals TMDL, on June 17, 2008, and October 17, 2008, respectively. U.S. EPA approved the Metals TMDL on October 14, 2008, and it became effective on October 29, 2008.

The Metals TMDL was revised again by the Los Angeles Water Board on April 9, 2015. The State Water Board approved the revised TMDL on November 17, 2015, and the OAL approved the revised TMDL on July 11, 2016. The U.S. EPA approved of the revised TMDL on December 12, 2016, and it became effective on the same date. This revised Metals TMDL established new WLAs in Compton Creek for cadmium, copper, lead, and zinc based on new multiples of its Water Effect Ratio for dry and wet weather numeric targets.

3.4.4. **Los Angeles River Bacteria TMDL (Bacteria TMDL)**. The Los Angeles Water Board adopted the Bacteria TMDL (Basin Plan Chapter 7, Page 7-467) on July 09. 2010. The Bacteria TMDL was approved by the State Water Board on November 1, 2011, by OAL on March 21, 2012, and became effective on March 23, 2012, when it was approved by U.S. EPA. The Bacteria TMDL has a numeric target based on the bacteriological water quality objectives for fresh water to protect the water contact recreation use (REC-1) and assigns an allowable number of exceedance days for dry-weather and wet-weather WLAs for the single sample target. This Bacteria TMDL establishes WLAs in Compton Creek for *E. coli*.

On February 13, 2020, the Los Angeles Water Board adopted Resolution No. R20-001 amending the Basin Plan to update the numeric bacteria objectives for fresh, estuarine, and marine waters designated for REC-1, based on the Statewide Bacteria Provisions. This Basin Plan amendment became effective on June 27, 2022. Pursuant to the Statewide Bacteria Provisions, fresh and estuarine waters in which the salinity is equal to or less than 1 part per thousand (ppth) 95 percent or more of the time during the calendar year are subject to a water quality objective for *E. coli*. Consistent with the assumptions and

requirements of the Bacteria TMDL, this Order includes an effluent limitation for *E. coli*.

3.4.5. **Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDL (Harbor Toxics TMDL)**. The Los Angeles Water Board adopted the Harbor Toxics TMDL (Basin Plan Chapter 7, Page 7-489 on May 5, 2011), and amended the Basin Plan to incorporate the *D*. The Harbor Toxics TMDL was approved by the State Water Board on February 7, 2012, the OAL on March 21, 2012, and the U.S. EPA on March 23, 2012. The Los Angeles Water Board adopted the reconsiderations of the Harbor Toxics TMDL on October 13, 2022, under Resolution No. R22-005 and is pending approval by the OAL and U.S. EPA. The Harbor Toxics TMDL contains monitoring requirements applicable to this discharge.

Responsible parties identified in the Los Angeles River and Tributaries Metals TMDL are responsible for conducting water and sediment monitoring above the Los Angeles River Estuary to determine the river's contribution to impairments in the Greater Harbor waters. The Discharger shall continue to participate in a monitoring group or develop a site-specific monitoring plan. The following components shall be included in the monitoring plan.

Water Column Monitoring

Water samples and total suspended solids samples shall be collected at least one site during two wet weather events and one dry weather event each year. The first large storm event of the season shall be included as one of the wet weather monitoring events. Water samples and total suspended solid samples shall be analyzed for metals, DDT, PCBs, and PAHs. Sampling shall be designed to collect sufficient volumes of suspended solids to allow for analysis of the listed pollutants in the bulk sediment.

General water chemistry (temperature, dissolved oxygen, pH, and electrical conductivity) and a flow measurement shall be required at each sampling event. General chemistry measurements may be taken in the laboratory immediately following sample collection if auto samplers are used for sample collection or if weather conditions are unsuitable for field measurements.

Upon U.S. EPA approval of Resolution No. R22-005, PCBs monitoring shall be required for 44 congeners using recommended U.S. EPA methods 8270 and 1668 or equivalent method and shall be reported with a target reporting limit of 10 to 20 pg/L.

Sediment Monitoring

For sediment chemistry, sediment samples shall be collected at least one site every two years for analysis of general sediment quality constituents and the full

chemical suite as specified in the Sediment Quality Provisions (SQP). All samples shall be collected in accordance with SWAMP protocols.

Quality Assurance Project Plan

The Quality Assurance Project Plan (QAPP) shall describe the project objectives and organization, functional activities, and quality assurance/quality control protocols for the water and sediment monitoring. The QAPP shall include protocols for sample collection, standard analytical procedures, and laboratory certification. All samples shall be collected in accordance with Surface Water Ambient Monitoring Program (SWAMP) protocols.

The proposed Monitoring and Reporting Program (MRP) will outline all necessary details of the Monitoring Program, such as the sampling location and methodologies. Both the Los Angeles Water Board and the public will review the proposed MRP, ensuring transparency and accountability. Once any necessary updates have been made, the Executive Officer will approve the MRP.

3.5. Other Plans, Polices and Regulations

3.5.1. **Climate Change Adaptation and Mitigation**. On March 07, 2017, the State Water Board adopted a resolution in recognition of the challenges posed by climate change that requires a proactive approach to climate change in all State Water Board actions, including drinking water regulation, water quality protection, and financial assistance (Resolution No. 2017-0012). The resolution lays the foundation for a response to climate change that is integrated into all State Water Board actions, by giving direction to the State Water Board divisions and encouraging coordination with the Los Angeles Water Board. The Los Angeles Water Board also adopted “A Resolution to Prioritize Actions to Adapt and Mitigate the Impacts of Climate Change on the Los Angeles Region’s Water Resources and Associated Beneficial Uses” (Resolution No. R18-004) on May 10, 2018. The resolution summarizes the steps taken so far to address the impacts of climate change within the Los Angeles Water Board’s programs and lists a series of steps to move forward. These include the identification of potential regulatory adaptation and mitigation measures that could be implemented on a short-term and long-term basis by each of the Los Angeles Water Board’s programs to take into account, and assist in mitigating where possible, the effects of climate change on water resources and associated beneficial uses. This Order contains provisions to require planning and actions to address climate change impacts in accordance with both the State and Los Angeles Water Boards’ resolutions.

The Permittee shall develop a Climate Change Effects Vulnerability Assessment and Management Plan (Climate Change Plan) and submit the Climate Change Plan no later than 12 months after the effective date of this Order. The Climate Change Plan shall include an assessment of short and long term vulnerabilities of the Facility and operations as well as plans to address any Facility vulnerabilities, treatment systems, and outfalls for predicted impacts to ensure that facility operations are not disrupted, compliance with permit conditions is achieved, and receiving waters are not adversely impacted by discharges.

Control measures shall include, but are not limited to, emergency procedures, contingency plans, alarm/notification systems, training, backup power and equipment, and the need for planned mitigations to ameliorate climate-induced impacts including, but not limited to, changing influent and receiving water quality and conditions, as well as the impact of rising sea level, wildfires, storm surges, and back-to-back severe storms which are expected to become more frequent.

3.5.2. **Environmental Justice and Advancing Racial Equity**. When issuing or reissuing individual waste discharge requirements or waivers of waste discharge requirements that regulate activity or a facility that may impact a disadvantaged or tribal community, and that includes a time schedule in accordance with subdivision (c) of Section 13263 for achieving an applicable water quality objective, an alternative compliance path that allows time to come into compliance with water quality objectives, or a water quality variance, the Los Angeles Water Board shall make a finding on potential environmental justice, tribal impact, and racial equity considerations. (Water Code § 13149.2, effective Jan. 1, 2023) Water Code section 189.7 requires the Los Angeles Water Board to conduct outreach in affected disadvantaged and/or tribal communities. The Los Angeles Water Board is also committed to developing and implementing policies and programs to advance racial equity and environmental justice so that race can no longer be used to predict life outcomes, and outcomes for all groups are improved.

This Order regulates a discharge that does not disproportionately impact the water quality of an economically disadvantaged community defined at Water Code section1 89.7(d)(1) but may impact tribal communities. According to the 2021 U.S. Census, the median household income (MHI) in California was $84,097, and the MHI for Compton was $62,297, which is 35% below the state MHI. Since Compton's MHI is not < 80% the state's MHI, it is not considered to be economically disadvantaged as defined by Water Code 79505.5. This Order does not include a time schedule, alternative compliance path, or variance. Therefore, Water Code section 13149.2 does not apply to this permit reissuance. Nevertheless, the area around the Facility has an average pollution burden score of 99.4, cleanup site core of 94, and a groundwater threat score of 99 on California's Office of Environmental Health Hazard Assessment (OEHHA's) CalEnviroScreen 4.0 tool, which indicates that the surrounding communities is disproportionally burdened by pollution for these indicators, in comparison to the rest of the State. The Los Angeles Water Board has therefore conducted outreach consistent with Water Code section 189.7 by reaching out to surrounding communities and tribal communities about this Order. Pursuant to Water Code section 13149.2, the Los Angeles Water Board reviewed readily available information and any information raised to the Board by interested persons concerning anticipated water quality impacts in disadvantaged or tribal communities resulting from adoption of this Order, which is the reissuance of an NPDES permit. Additionally, the Board has considered any environmental justice concerns within the Board's authority and by any interested persons regarding those impacts.

In accordance with the Water Boards' efforts to advance racial equity, the Order requires the Permittee to meet water quality standards to protect public health and the environment, thereby benefitting all persons and communities within the Region. This Order regulates primarily stormwater and hydrostatic test water from industrial areas that includes limitations to protect the receiving water. Therefore, the Los Angeles Water Board anticipates that the issuance of this Order will not result in water quality impacts to disadvantaged or tribal communities or raise environmental justice concerns.

4. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

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

The Facility operates a tank farm and receives and ships petroleum products. The pollutants of concern for the discharges covered under this Order were identified based on constituents regulated in the previous Order No. R4-2016-0141. Pollutants commonly associated with stormwater discharges include pH, BOD, oil and grease, settleable solids, sulfides, TPH, total phenols, TSS, turbidity, temperature, and metals. Pollutants of concern were also identified based on the Facility's past monitoring history at Discharge Point 001, impairments of the receiving water as identified by the State's 2020-2022 303(d) list, waste load allocations as established in applicable TMDLs for the receiving water, and detected pollutants in the Facility's effluent. This Order carries over the effluent limitations of the previous Order R4-2016-0141, in addition to (1) new effluent limits for *E. coli*, (2) revised limits for temperature, dry weather zinc, and revised average monthly limits for total ammonia.

4.1. Discharge Prohibitions.

Discharge Prohibitions in this Order are based on the federal CWA, the Code of Federal Regulations (CFR), the Basin Plan, the Water Code, State Water Board's plans and policies, U.S. EPA guidance and regulations, and previous permit provisions. The discharge prohibitions included in this Order are consistent with the requirements set for other dischargers within the Los Angeles Region that are regulated by NPDES permits.

4.2. Technology-based Effluent Limitations

4.2.1. **Scope and Authority.** Section 301(b) of the CWA and implementing U.S. EPA permit regulations at 40 CFR section 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal

technology-based requirements based on Best Professional Judgment (BPJ) in accordance with 40 CFR section 125.3(c), (d).

The CWA requires that technology-based effluent limitations be established based on several levels of controls:

a. Best practicable treatment control technology (BPT) represents the average of the best performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional, and non-conventional pollutants.

b. Best available technology economically achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable within an industrial point source category. BAT standards apply to toxic and non-conventional pollutants.

c. Best conventional pollutant control technology (BCT) represents the control from existing industrial point sources of conventional pollutants including BOD, TSS, coliform, pH, and oil and grease. The BCT standard is established after considering a two-part reasonableness test. The first test compares the relationship between the costs of attaining a reduction in effluent discharge and the resulting benefits. The second test examines the cost and level of reduction of pollutants from the discharge from publicly owned treatment works to the cost and level of reduction of such pollutants from a class or category of industrial sources. Effluent limitations must be reasonable under both tests.

d. New source performance standards (NSPS) represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.

The CWA requires U.S. EPA to develop ELGs representing application of BPT, BAT, BCT, and NSPS. Section 402(a)(1) of the CWA and 40 CFR section 125.3 authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis where ELGs are not available for certain industrial categories and/or pollutants of concern. Where BPJ is used, the Los Angeles Water Board must consider specific factors outlined in 40 CFR section 125.3.

4.2.2. **Applicable Technology-Based Effluent Limitations**

This Order includes technology-based effluent limitations based on BPJ in accordance with 40 CFR section 125.3. Numeric maximum daily effluent limitations (MDELs) for BOD_5, oil and grease, settleable solids, total petroleum hydrocarbons (TPH), total phenols, total suspended solids (TSS), and turbidity from the existing Order (No. R4-2016-0141) for Discharge Point 001 are included in this Order. The numeric effluent limitations for these pollutants are consistent with technology-based limitations included in other Orders for similar facilities within the Los Angeles Region to ensure that discharges from the Facility meet

the level of treatment attainable by other industrial facilities within the state using existing technologies that are practical, available, and economically achievable.

Previous Orders contained effluent limitations for sulfides, benzene, ethylbenzene, toluene, and xylene. These effluent limitations are carried over to this Order since the discharge has been able to meet these final effluent limitations and to prevent backsliding.

In addition, due to the lack of national ELGs for stormwater runoff from petroleum tank farms and pursuant to section 122.44(k), this Order requires the Discharger to update and continue to implement the SWPPP and BMPP to prevent hazardous waste/material from being discharged to waters of the State. To prevent major oil spills from coming into contact with surface water, this Order requires the Discharger to update and implement a Spill Contingency Plan (SCP). Further discussion of SWPPP, BMPP, and SCP are provided in Section 6.2.3 of this Fact Sheet and Attachment G.

The combination of the SWPPP, BMPP, SCP, and existing Order limitations based on ELGs shall serve as the equivalent of technology-based effluent limitations, in the absence of established ELGs, in order to carry out the purposes and intent of the CWA.

A summary of the technology-based effluent limitations is shown in Table F-4.

Table F-4. Summary of Technology-based Effluent Limitations – Discharge Point 001

Parameter	Units	Average Monthly Effluent Limitations	Maximum Daily
BOD_5 @ 20°C	mg/L	20	30
Oil and Grease	mg/L	10	15
Settleable Solids	ml/L	--	0.2
Sulfides, Total (as S)	mg/L	--	1.0
Total Petroleum Hydrocarbons (TPH)	mg/L	--	0.1
Total Phenols	mg/L	--	1.0
Total Suspended Solids (TSS)	mg/L	50	75
Turbidity	NTU	50	75
Benzene	µg/L	--	1.0
Ethylbenzene	µg/L	--	680
Toluene	µg/L	--	10
Xylene	µg/L	--	1,750

4.3. Water Quality-Based Effluent Limitations (WQBELs)

4.3.1. **Scope and Authority.** CWA Section 301(b) and 40 CFR section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44(d)(1)(i) of 40 CFR requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) U.S. EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in 40 CFR section 122.44(d)(1)(vi). WQBELs must also be consistent with the assumptions and requirements of TMDL Waste Load Allocations (WLAs).

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

4.3.2. **Applicable Beneficial Uses and Water Quality Criteria and Objectives**

The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for water bodies in the Los Angeles region. The beneficial uses applicable to Compton Creek are summarized in section 3.3.1 of this Fact Sheet. The Basin Plan includes both narrative and numeric water quality objectives applicable to the receiving water as described below:

a. **pH.** This Order includes effluent limitations for pH to ensure compliance with Basin Plan Objectives for pH. "The pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharges. Ambient pH levels shall not be changed more than 0.5 units from natural conditions as a result of waste discharge."

b. **Bacteria.** As of February 4, 2019 with the introduction of Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays and Estuaries in California (Bacteria Provisions), this Order implements the Bacteria Provisions to address bacteria. The Bacteria Provisions include objectives for *E. coli*. in waters where the salinity is equal to or less than 1 part per thousand (ppth) 95 percent or more of the time during the calendar year. Since the Bacteria Provisions supersede numeric water quality objectives for

bacteria for the REC-1 beneficial use contained in the Basin Plan, this Order establishes effluent limitations for *E. coli*. based on the objectives found in the Bacteria Provisions.

c. **Temperature.** The Basin Plan establishes a Water Quality Objective (WQO) for temperature that is applicable to inland surface waters with WARM beneficial use designation, such as Compton Creek. The applicable WQO states:

"For waters designated WARM, water temperature shall not be altered by more than 5 ?F above the natural temperature. At no time shall these WARM-designated waters be raised above 80 ?F as a result of waste discharges."

This Order establishes the effluent limitation at 80°F for temperature consistent with the Water Quality Objectives in the Basin Plan.

d. **Total Residual Chlorine.** The Basin Plan requires that "chloride residual shall not be present in surface water discharges at concentrations that exceed 0.1 mg/L and shall not persist in receiving waters at any concentration that causes impairment of beneficial uses." Order R4-2016-0141 established an MDEL for total residual chlorine equal to 0.1 mg/L and that limitation is retained in this Order.

e. **Total Suspended Solids.** The Basin Plan requires that, "Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses." This narrative objective has been translated into a numeric effluent limit. The effluent limitation of 75 mg/L expressed as a maximum daily limit for Discharge Point 001 is included in this Order. The effluent limitation for TSS is protective of the Basin Plan narrative water quality objective for solids.

f. **Turbidity.** Where natural turbidity is between 0 to 50 NTU, increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%. This Order applies the water quality objective for turbidity as a receiving water limitation in addition to the technology-based effluent limitation.

Priority pollutant water quality criteria in the CTR are applicable to Compton Creek. The CTR criteria for freshwater or human health for consumption of organisms only, whichever is more stringent, are used to prescribe the effluent limitations to protect the beneficial uses of Compton Creek, a water of the United States.

The table below summarizes the applicable water quality criteria/objective for priority pollutants reported in detectable concentrations in the effluent for Discharge Point 001 or from the receiving water based on data submitted to the Los Angeles Water Board. These criteria were used to develop effluent limitations included in this Order.

Table F-5. Applicable Water Quality Criteria

CTR No	Constituent	Selected Criteria (µg/L)	CTR Acute Freshwater Criteria (µg/L)	CTR Chronic Freshwater Criteria (µg/L)	CTR Human Health for Consumption of Organisms only (µg/L)	Metals TMDL Waste Load Allocation (µg/L)	Notes
1	Antimony, Total Recoverable	4,300	--	--	4,300	---	---
2	Arsenic, Total Recoverable	150	340	150	---	---	---
4	Cadmium, Total Recoverable (Dry)	1.20	1.61	1.20	Narrative	---	---
4	Cadmium, Total Recoverable (Wet)	3.1	3.1	3.1	Narrative	3.1	a
5a	Chromium (III)	97.73	819.91	97.73	Narrative	---	---
5b	Chromium (VI)	11.43	16.29	11.43	Narrative	---	---
6	Copper, Total Recoverable (Dry)	63.84	63.84	63.84	---	63.84	a
6	Copper, Total Recoverable (Wet)	67.49	67.49	67.49	---	67.49	a
7	Lead, Total Recoverable (Dry)	73	73	73	Narrative	73	a
7	Lead, Total Recoverable (Wet)	94	94	94	Narrative	94	a
8	Mercury, Total Recoverable	0.051	---	---	0.051	---	---
9	Nickel, Total Recoverable	24.03	216.11	24.03	4,600	---	---
10	Selenium, Total Recoverable	5	20	5	Narrative	---	---
13	Zinc, Total Recoverable (Dry)	55.12	55.12	55.12	---	---	---
13	Zinc, Total Recoverable (Wet)	159	159	159	---	159	a
19	Benzene	71	---	---	71	---	---
29	1,2-Dichloroethane	99	---	---	99	---	---
33	Ethylbenzene	29,000	---	---	29,000	---	---
39	Toluene	200,000	---	---	200,000	---	---
53	Pentachlorophenol	8.2	14	11	8.2	---	---
54	Phenol	4,600,000	---	---	4,600,000	---	---
68	Bis(2-Ethylhexyl)Phthalate	5.9	---	---	5.9	---	---
70	Butylbenzyl Phthalate	5,200	---	---	5,200	---	---

CTR No	Constituent	Selected Criteria (µg/L)	CTR Acute Freshwater Criteria (µg/L)	CTR Chronic Freshwater Criteria (µg/L)	CTR Human Health for Consumption of Organisms only (µg/L)	Metals TMDL Waste Load Allocation (µg/L)	Notes
80	Dimethyl Phthalate	2,900,000	---	---	2,900,000	---	---
81	Di-n-Butyl Phthalate	12,000	---	---	12,000	---	---
112	alpha-Endosulfan	0.056	0.22	0.056	240	---	---
119 – 125	Polychlorinated biphenyls (PCBs)	0.00017	---	0.014	0.00017	---	b
--	Total Ammonia	2300	10100	2300	--	---	c

Footnotes to Table F-5

a. Waste Load Allocations are established in the Los Angeles River and Tributaries Metals TMDL (Metals TMDL).
b. CTR human health criteria for PCBs applies to total PCBs, e.g., the sum of all congener or isomer or homolog or aroclor analyses. Total PCBs as aroclors shall mean the sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260.
c. The Waste Load Allocations specified in the Los Angeles River Nitrogen Compounds and Related Effects TMDL (Nitrogen TMDL) for "Los Angeles River Tributaries" are set at 2.3 mg/L for total ammonia.

End of Footnotes to Table F-5

Table F-5 above summarizes the applicable TMDL-based WLAs for cadmium, copper, lead, and zinc contained in the Metals TMDL and total ammonia contained in the Nitrogen TMDL. The Metals TMDL addresses cadmium (wet-weather), copper (wet and dry-weather), lead (wet and dry-weather), and zinc (wet-weather) discharges. The Nitrogen TMDL addresses total ammonia discharges. These WLAs are applicable to the discharges at Discharge Point 001 to Compton Creek and are converted into effluent limitations by applying the CTR-SIP procedures to calculate the averaging period in accordance with the Metals TMDL and Nitrogen TMDL.

4.3.3. Determining the Need for WQBELs

a. Reasonable Potential Analysis (RPA) Methodology

In accordance with section 1.3 of the SIP, the Los Angeles Water Board conducts a reasonable potential analysis (RPA) for each priority pollutant with an applicable criterion or objective to determine if a WQBEL is required in the permit. If there is an applicable TMDL-based WLA, then WQBELs are developed using the WLA pursuant to 40 CFR section 122.44(d)(1)(vii)(B). Otherwise, the Los Angeles Water Board analyzes effluent and receiving water data and identifies the maximum observed effluent concentration (MEC) and maximum background concentration (B) in the receiving water for each constituent. To determine reasonable potential, the MEC and the B are

then compared with the applicable water quality objectives (C) outlined in the CTR, NTR, as well as the Basin Plan. For all pollutants that have a reasonable potential to cause or contribute to an excursion above a state water quality standard, numeric WQBELs are required.

Section 1.3 of the SIP provides the procedures for determining reasonable potential to exceed applicable water quality criteria and objectives. The SIP specifies three triggers to complete an RPA:

1) Trigger 1 - If the MEC≥C a limit is needed.
2) Trigger 2 - If the background concentration (B) > C and the pollutant is detected in the effluent, a limit is needed.
3) Trigger 3 - If other related information such as CWA 303(d) listing for a pollutant, discharge type, compliance history, etc. indicates that a WQBEL is required.

Sufficient effluent and receiving water data are needed to conduct a complete RPA. If data are not sufficient, the Discharger will be required to gather the appropriate data for the Los Angeles Water Board to conduct the RPA. Upon review of the data, and if the Los Angeles Water Board determines that WQBELs are needed to protect the beneficial uses, the permit will be reopened for appropriate modification.

The RPA was performed using data collected by the Discharger at Monitoring Location EFF-001 from April 1 2016 through March 31, 2023. This period represents data collected during the term of Order No. R4-2016-0141. Based on the RPA, pollutants that demonstrate reasonable potential include cadmium, copper, lead, zinc, and total ammonia.

Additionally, the Los Angeles Water Board developed WQBELs for pollutants that have specified WLAs under the Metals TMDL (cadmium, copper, lead, and zinc) and the Nitrogen TMDL (total ammonia, nitrate, nitrite, and nitrate+nitrite). The effluent limitations for these pollutants were established for wet and dry weather discharges regardless of whether or not there is reasonable potential for the pollutants to be present in the discharge at levels that would cause or contribute to a violation of water quality standards. The Los Angeles Water Board developed WQBEL's for these pollutants pursuant to 40 CFR section 122.44(d)(1)(vii), which does not require or contemplate a reasonable potential analysis. Similarly, the SIP at section 1.3 recognizes that reasonable potential analysis is not appropriate if a TMDL has been developed.

The final WQBELs for cadmium, copper, lead, zinc, and total ammonia were calculated statistically, in line with the Metals TMDL and the Nitrogen TMDL. These calculations were based on the water column's final concentration-based WLAs. As for nitrate, nitrite, and nitrite + nitrate, their WLAs were directly translated into average monthly effluent limitations (AMELs).

Table F-6. Summary Reasonable Potential Analysis–Discharge Point 001

CTR No.	Constituent	Applicable Water Quality Criteria (µg/L) (C)	Max Effluent Conc. (µg/L) (MEC)	Maximum Detected Receiving Water Conc. (µg/L) (B)	RPA Result - Need Limit?	Reason
1	Antimony, Total Recoverable	4,300	0.57	4.13	No	MEC<C & B<=C
2	Arsenic, Total Recoverable	150	3.0	2.22	No	MEC<C & B<=C
4	Cadmium, Total Recoverable (Dry)	1.20	< 0.064	0.149	No	MEC<C & B<=C
4	Cadmium, Total Recoverable (Wet)	3.1	< 0.064	0.149	Yes	TMDL
5a	Chromium (III)	97.73	1.6	2.7	No	MEC<C & B<=C
5b	Chromium (VI)	11.43	0.26	1	No	MEC<C & B<=C
6	Copper, Total Recoverable (Dry)	63.84	15.0	16	Yes	TMDL
6	Copper, Total Recoverable (Wet)	67.49	15.0	16	Yes	TMDL
7	Lead, Total Recoverable (Dry)	73	4.7	13	Yes	TMDL
7	Lead, Total Recoverable (Wet)	94	4.7	13	Yes	TMDL
8	Mercury, Total Recoverable	0.051	< 0.023	0.0598	No	B>C & Effluent ND
9	Nickel, Total Recoverable	24.03	2.00	4.16	No	MEC<C & B<=C
10	Selenium, Total Recoverable	5	0.25	2.56	No	MEC<C & B<=C
13	Zinc, Total Recoverable (Dry)	55.12	170	100	Yes	MEC>=C
13	Zinc, Total Recoverable (Wet)	159	170	100	Yes	MEC>=C & TMDL
19	Benzene	71	< 0.065	< 0.065	No	MEC<C & B is ND
29	1,2-Dichloroethane	99	0.33	< 0.125	No	MEC<C & B is ND
33	Ethylbenzene	29,000	< 0.070	0.41	No	MEC<C & B<=C
39	Toluene	200,000	< 0.039	0.37	No	MEC<C & B<=C
53	Pentachlorophenol	8.2	4.8	4.95	No	MEC<C & B<=C
54	Phenol	4,600,000	97	< 0.015	No	MEC<C & B is ND
68	Bis(2-Ethylhexyl)Phthalate	5.9	< 1.1	2.0	No	MEC<C & B<=C
70	Butylbenzyl Phthalate	5,200	0.45	1.7	No	MEC<C & B<=C
80	Dimethyl Phthalate	2,900,000	< 0.031	0.6	No	MEC<C & B<=C
81	Di-n-butyl Phthalate	12,000	< 0.0335	2.3	No	MEC<C & B<=C

CTR No.	Constituent	Applicable Water Quality Criteria (µg/L) (C)	Max Effluent Conc. (µg/L) (MEC)	Maximum Detected Receiving Water Conc. (µg/L) (B)	RPA Result - Need Limit?	Reason
112	alpha-Endosulfan	0.056	< 0.0015	0.12	No	B>C & Effluent ND
119-125	PCBs, Total	0.00017	< 0.14	< 0.015	No	Effluent ND, MDL>C, & B is ND
--	Total Ammonia	2300	300	280	Yes	TMDL

b. **Priority Pollutants with a Total Maximum Daily Load (TMDL)**

The wet-weather WQBELs for cadmium, copper, lead, and zinc, as well as the dry-weather WQBELs for copper and lead, are determined based on the final WLAs established in the Metals TMDL and the procedures outlined in section 1.4 of the SIP. As for the dry-weather WQBELs for cadmium and zinc, they are determined through the reasonable potential assessment and calculated in accordance with section 1.4 of the SIP. In this Order, the term "dry-weather" refers to days when the maximum daily flow in the Los Angeles River measures less than 500 cubic feet per second (cfs), as recorded at Wardlow Station. In the event that Wardlow Station is non-functional, the Discharger may use flow measurements from the nearest downstream gage or submit a manual flow measurement taken in the vicinity of Wardlow Station. Information on alternative measurements shall be documented in the corresponding quarterly SMR.

The Los Angeles Water Board developed WQBELs for pollutants that have specified WLAs under the Nitrogen TMDL (total ammonia, nitrate, nitrite, and nitrate+nitrite). The WQBELs for total ammonia are established based on the final WLAs determined in the Nitrogen TMDL and the procedures specified in section 1.4 of the SIP. WQBELs for nitrate, nitrite, and nitrate+nitrite were translated directly into average monthly effluent limitations (AMELs).

The Los Angeles Water Board developed wet and dry weather water quality-based effluent limitations for these pollutants pursuant to 40 CFR section 122.44(d)(1)(vii), which does not require or contemplate a separate reasonable potential analysis during the permitting stage when there is an available WLA for the discharge in a TMDL. Similarly, the SIP at Section 1.3 recognizes that reasonable potential analysis at the permit development stage is not conducted if a TMDL has been developed.

c. **Reasonable Potential Analysis Results for Mercury – Mercury Provisions**

Table 1 of the Mercury Provisions establishes a water quality objective of 12 ng/L (0.012 µg/L) for flowing water bodies with WILD beneficial use designations such as Compton Creek. The Mercury Provisions outline

modified Reasonable Potential Analysis procedures that consist of comparing the highest observed annual average mercury concentration with the Table 1 criteria. However, discharges from the facility during Order R4-2016-0141 have not detected mercury in its effluent, so there is no reasonable potential to cause or exceed the water quality standard for mercury at this time. A monitoring requirement for mercury in effluent is included in Attachment E with a new detection limit of 0.5 ng/L.

4.3.4. **WQBEL Calculations**

a. If a reasonable potential exists to exceed applicable water quality criteria or objectives, then a WQBEL must be established in accordance with one or more of the three procedures contained in section 1.4 of the SIP. These procedures include:

   i. If applicable and available, use the WLA established as part of a TMDL.

   ii. Use of a steady-state model to derive maximum daily effluent limitations (MDELs) and average monthly effluent limitations (AMELs).

   iii. Where sufficient effluent and receiving water data exist, use of a dynamic model, which has been approved by the Los Angeles Water Board.

b. The wet-weather WQBELs for cadmium, copper, lead, and zinc, as well as the dry-weather WQBELs for copper and lead, are determined based on the final WLAs established in the Metals TMDL and the procedures outlined in section 1.4 of the SIP.

c. Since many of the streams in the Region have minimal upstream flows, mixing zones and dilution credits are usually not appropriate. No dilution credit is included in this Order.

d. **WQBELs Calculation Example**

   Using dry-weather total recoverable lead and wet-weather total recoverable lead as examples, the following demonstrates how WQBEL's were established for this Order. The calculation for dry-weather and wet-weather total recoverable lead is based on the established WLA within the Metals TMDL. The development and calculation of all WQBELs for this Order uses the process described below. The process for developing these limits is in accordance with the Metals TMDL and section 1.4 of the SIP.

   Calculation of aquatic life AMEL and MDEL:

   Step 1: For each constituent requiring an effluent limit, identify the applicable water quality criteria or objective. For each criterion, determine the effluent concentration allowance (ECA) using the following steady state equation:

   $$ECA = C + D(C-B) \quad \text{when } C>B, \text{ and}$$
   $$ECA = C \quad \text{when } C \leq B,$$

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

B = The ambient background concentration

As discussed above, this Order does not allow dilution; therefore

ECA = C

When a WLA has been established through a TMDL for a parameter, the WLA is set equal to the ECA.

The applicable WLAs for Compton Creek, based on the Metals TMDL, are specific to "Minor NPDES permits" and are dependent on hardness and a Water-effect ratio (WER). The following are the applicable WLAs:

- Dry-Weather Copper (WER x 19 = 63.84 µg/L, where WER = 3.36)
- Dry-Weather Lead (WER x 73 = 73 µg /L, where WER = 1.0)
- Wet-Weather Cadmium (WER x 3.1 = 3.1 µg /L, where WER = 1)
- Wet-Weather Copper (WER x 17 = 67.49 µg /L, where WER = 3.97)
- Wet-Weather Lead (WER x 94 = 94 µg /L, where WER = 1)
- Wet-Weather Zinc (WER x 159 = 159 µg /L, where WER = 1)

For dry-weather total recoverable lead, the applicable water quality criteria are based on Chronic lead criteria. Thus, for dry-weather total recoverable lead:

$ECA = WLA_{\text{Metals TMDL/acute}}$ = Not Applicable

$ECA = WLA_{\text{Metals TMDL/chronic}}$ = 73 µg/L

For wet-weather total recoverable lead, the applicable water quality criteria are based on Acute lead criteria. Thus, for wet-weather total recoverable lead:

$ECA = WLA_{\text{Metals TMDL/acute}}$ = 94 µg/L

$ECA = WLA_{\text{Metals TMDL/chronic}}$ = Not Applicable

Step 2: For each ECA based or aquatic life criterion/objective, determine the long-term average discharge condition (LTA) by multiplying the ECA by a factor (multiplier). The multiplier is a statistically based factor that adjusts the ECA to account for effluent variability. The value of the multiplier varies depending on the coefficient of variation (CV) of the data set and whether it is an acute or chronic criterion/objective. Table 1 of the SIP provides pre-calculated values for the multipliers based on the value of the CV. Equations to develop the multipliers in place of using values in the tables are provided in section 1.4, Step 3 of the SIP and will not be repeated here.

$LTA_{acute} = ECA_{acute} \times Multiplier_{acute99}$

$LTA_{chronic} = ECA_{chronic} \times Multiplier_{chronic99}$

The CV for the data set must be determined before the multipliers can be selected and will vary depending on the number of samples and the standard deviation of a data set. If the data set is less than 10 samples, or at least 80% of the samples in the data set are reported as non-detect, the CV shall

be set equal to 0.6. If the data set is greater than 10 samples, and at least 20% of the samples in the data set are reported as detected, the CV shall be equal to the standard deviation of the data set divided by the average of the data set.

For both dry-weather and wet-weather total recoverable lead, the following data were used to develop the acute and chronic LTAs using equations provided in Section 1.4, Step 3 of the SIP (Table 1 of the SIP also provides this data up to three decimals):

No. of Samples	CV	ECA Multiplier$_{acute}$	ECA Multiplier$_{chronic}$
27	1.97	0.118	0.207

Dry-weather total recoverable lead:

LTA_{acute} = Not Applicable

$LTA_{chronic}$ = 73 µg/L x 0.207 = 15.11 µg/L

Wet-weather total recoverable lead:

LTA_{acute} = 94 µg/L x 0.118 = 11.11 µg/L

$LTA_{chronic}$ = Not Applicable

Step 3: Select the most limiting (lowest) of the LTA.

For dry-weather total recoverable lead, since only a dry-weather LTA is calculated, the most limiting LTA is $LTA_{chronic}$.

LTA = $LTA_{chronic}$ = 15.11 µg/L

For wet-weather total recoverable lead, since only a wet-weather LTA is calculated the most limiting LTA is LTA_{acute}.

LTA = LTA_{acute} = 11.11 µg/L

Step 4: Calculate the WQBELs by multiplying the LTA by a factor (multiplier). WQBELs are expressed as AMEL and MDEL. The multiplier is a statistically based factor that adjusts the LTA for the averaging periods and exceedance frequencies of the criteria/objectives and the effluent limitations. The value of the multiplier varies depending on the probability basis, the CV of the data set, the number of samples (for AMEL) and whether it is a monthly or daily limit. Table 2 of the SIP provides pre-calculated values for the multipliers based on the value of the CV and the number of samples. Equations to develop the multipliers in place of using values in the tables are provided in section 1.4, Step 5 of the SIP and will not be repeated here.

$AMEL_{aquatic\ life}$ = LTA x $AMEL_{multiplier95}$

$MDEL_{aquatic\ life}$ = LTA x $MDEL_{multiplier99}$

AMEL multipliers are based on a 95th percentile occurrence probability, and the MDEL multipliers are based on the 99th percentile occurrence probability. If the number of samples is less than four (4), the default number of samples to be used is four (4).

For both dry-weather and wet-weather lead, the following data were used to develop the AMEL and MDEL for aquatic life using equations provided in Section 1.4, Step 5 of the SIP (Table 2 of the SIP also provides this data up to two decimals):

No. of Samples Per Month	CV	$Multiplier_{MDEL99}$	$Multiplier_{AMEL95}$
4	1.97	8.46	2.76

Dry-weather total recoverable lead:

$$AMEL_{aquatic\ life} = 15.11\ \mu g/L \times 2.76 = 41.7\ \mu g/L$$

$$MDEL_{aquatic\ life} = 15.11\ \mu g/L \times 8.46 = 127.8\ \mu g/L$$

Wet-weather total recoverable lead:

$$AMEL_{aquatic\ life} = 11.11\ \mu g/L \times 2.76 = 30.7\ \mu g/L$$

$$MDEL_{aquatic\ life} = 11.11\ \mu g/L \times 8.46 = 94.0\ \mu g/L$$

Calculation of human health AMEL and MDEL.

Step 5: For the ECA based on human health, set the AMEL equal to the $ECA_{human\ health}$

In the case of total recoverable lead, there are no human health criteria. Therefore, there will be no AMEL or MDEL calculated for human health criteria. For demonstration purposes, the calculated effluent limitations for Benzene are shown.

$$AMEL_{human\ health} = ECA_{human\ health}$$

For Benzene:

$$ECA_{human\ health} = AMEL_{human\ health} = 71\ \mu g/L$$

Step 6: Calculate the MDEL for human health by multiplying the AMEL by the ratio of $Multipler_{MDEL}$ to the $Multiplier_{AMEL}$. Table 2 of the SIP provides pre-calculated ratios to be used in this calculation based on the CV and the number of samples.

$MDEL_{human\ health} = AMEL_{human\ health} \times (Multiplier_{MDEL} / Multiplier_{AMEL})$

For Benzene, the following data were used to develop the $MDEL_{human\ health}$:

No. of Samples Per Month	CV	$Multiplier_{MDEL\ 99}$	$Multiplier_{AMEL\ 95}$	Ratio
4	0.6	3.11	1.55	2.01

$MDEL_{human\ health}$ = 71 µg/L x 2.01 = 142.43 µg/L

Step 7: Select the lower of the AMEL and MDEL based on aquatic life and human health criteria as the WQBELs for the Order.

For the parameters subject to the Metals TMDL, such as cadmium, copper, lead, and zinc, a comparison between aquatic life and human health is not necessary since there are no human health criteria for these metals.

Therefore, the final WQBEL are:

Dry-weather total recoverable lead

$AMEL_{aquatic\ life}$ = 15.11 µg/L x 2.76 = 41.7 µg/L

$MDEL_{aquatic\ life}$ = 15.11 µg/L x 8.46 = 127.8 µg/L

Wet-weather total recoverable lead

$AMEL_{aquatic\ life}$ = 11.11 µg/L x 2.76 = 30.7 µg/L

$MDEL_{aquatic\ life}$ = 11.11 µg/L x 8.46 = 94.0 µg/L

4.3.5. Whole Effluent Toxicity (WET)

WET protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. WET tests measure the degree of response of exposed aquatic test organisms to an effluent. The WET approach allows for protection of the narrative “no toxics in toxic amounts” criterion while implementing numeric criteria for toxicity. There are two types of WET tests: acute and chronic. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth.

The Basin Plan specifies a narrative objective for toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are lethal to or produce other detrimental responses by aquatic organisms. Detrimental response includes, but is not limited to, decreased growth rate, decreased reproductive success of resident or indicator species, and/or significant alterations in population, community ecology, or receiving water biota.

Order No. R4-2016-0141 contained chronic toxicity effluent limitations. The Discharger is subject to determination of “Pass” or “Fail” and “Percent Effect” from a single-effluent concentration chronic toxicity test at the discharge IWC using the Test of Significant Toxicity (TST) statistical approach described in National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document (EPA 833-R-10-003, 2010), Appendix A, Figure A-1,

and Table A-1, and rejecting the null hypothesis in accordance with the TST statistical approach described in Section III.B.3. of the Toxicity Provisions

The null hypothesis (H_o) for the TST approach is:

H_o: Mean response (IWC in % effluent) ≤ 0.75 mean response (Control).

A test result that rejects the null hypothesis is reported as “Pass.” A test result that does not reject this null hypothesis is reported as “Fail.”

Considering the nature of its operation, the Facility has the potential to discharge several petroleum product-related pollutants, including copper, lead, zinc, and volatile organic compounds, that could result in instances of toxicity that may result in widespread impacts. The Discharger has reported “Pass” results for chronic toxicity analysis conducted of the discharge with the highest percent effect of 40.09%. Although the reported "Pass" results and percent effect falls within the Toxicity Provisions' permissible limit, the potential for toxic discharges remains. Therefore, this Order carries over the chronic toxicity effluent limitation from the Order R4-2016-0141 to ensure that the beneficial uses of the receiving water are protected.

4.4. Final Effluent Limitation Considerations

4.4.1. Anti-Backsliding Requirements

Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 CFR section 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in Order R4-2016-0141 with the exception of those discussed below.

Some of the effluent limitations for the metal priority pollutants (cadmium, copper, lead, and zinc) both dry-weather and wet-weather were calculated to be less stringent during the RPA. These calculations were based on the most recent effluent data submitted by the discharger and followed the procedures outlined in Section 1.3 of the SIP. However, the existing effluent limitations included in Order R4-2016-0141 were carried over to this Order since the Discharger has been able to meet these effluent limitations and to prevent backsliding.

4.4.2. Antidegradation Policies

40 CFR section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. On October 28, 1968, the State Water Board established California’s antidegradation policy when it adopted Resolution Number 68-16, Statement of Policy with Respect to Maintaining the Quality of the Waters of the State (Resolution 68-16). Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings.

The renewal of this NPDES permit is consistent with Resolution 68-16 because it is not expected to allow degradation of receiving water quality. The permitted discharge is not a new discharge, and this Order does not provide for an increase in the permitted design flow or allow for a reduction in the level of treatment. The final limitations in this Order, which include concentration-based and mass-based limitations, hold the Discharger to performance levels that will not cause or contribute to water quality impairment or degradation of water quality. Therefore, the permitted discharge is consistent with the antidegradation provision of section 131.12 and State Water Board Resolution 68-16.

4.4.3. **Mass-Based Effluent Limitations**

Generally, mass-based effluent limitations ensure that proper treatment, and not dilution, is employed to comply with the final effluent concentration limitations. 40 CFR 122.45(f)(1) requires that all permit limitations, standards or prohibitions be expressed in terms of mass units except under the following conditions: (1) for pH, temperature, radiation or other pollutants that cannot appropriately be expressed by mass limitations; (2) when applicable standards or limitations are expressed in terms of other units of measure; or (3) if in establishing technology-based permit limitation on a case-by-case basis limitation based on mass are infeasible because the mass or pollutant cannot be related to a measure of production. The limitations, however, must ensure that dilution will not be used as a substitute for treatment. This Order includes mass-based effluent limitations, where appropriate, to comply with Section 122.45(f)(1).

Mass-based effluent limitations are established using the following formula:

Mass (lbs/day) = flow rate (MGD) x 8.34 x effluent limitation (mg/L)

Where:

Mass = mass limitation for a pollutant (lbs/day)

Effluent limitation = concentration limit for a pollutant (mg/L)

Flow rate = discharge flow rate (MGD)

Mass-based effluent limitations applicable to Discharge Point 001 for stormwater discharges are based on a maximum flow of 0.91 MGD for the Facility.

4.4.4. **Stringency of Requirements for Individual Pollutants**

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD, TSS, oil and grease, sulfides, turbidity, phenols, and total petroleum hydrocarbons. Restrictions on these pollutants are discussed in section 4.2.2 of the Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements.

Water quality-based effluent limitations have been derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the

applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR section 131.38. The procedures for calculating the individual water quality-based effluent limitations for priority pollutants are based on the CTR implemented by the SIP, which was approved by U.S. EPA on May 18, 2000. Most beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by U.S. EPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to U.S. EPA prior to May 30, 2000, but not approved by U.S. EPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to 40 CFR section 131.21(c)(1). The remaining water quality objectives and beneficial uses implemented by this Order were approved by U.S. EPA and are applicable water quality standards pursuant to section 131.21(c)(2). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

Table F-7. Summary of Final Effluent Limitations for Discharge Point 001

Parameter	Units	Average Monthly	Maximum Daily	Basis for Limit	Notes
Biochemical Oxygen Demand 5-day @ 20?C (BOD)	milligram per liter (mg/L)	20	30	E, BPJ	---
BOD	pounds per day (lbs/day)	152	228	E, BPJ	a
Oil and Grease	mg/L	10	15	E, BPJ	---
Oil and Grease	lbs/day	76	114	E, BPJ	a
pH	standard units	---	6.5 to 8.5	E, BP	b
Temperature	degrees Fahrenheit (°F)	---	80	E, BP	c
Total Suspended Solids (TSS)	mg/L	50	75	E, BPJ	---
TSS	lbs/day	380	570	E, BPJ	a
Ammonia Nitrogen Total (as N)	mg/L	1.68	4	E, TMDL	---
Ammonia Nitrogen Total (as N)	lbs/day	12.9	30	E, TMDL	a
Chloride	mg/L	---	150	E, BP	---
Chloride	lbs/day	---	1,138	E, BP	a
Chronic Toxicity	Pass or Fail, and % Effect (TST)	Pass	Pass and % Effect <50	E, BP	d
E. coli	CFU/100mL	---	---	BAC	e
Nitrate-nitrogen (as N)	mg/L	8.0	---	E, TMDL	---

Parameter	Units	Average Monthly	Maximum Daily	Basis for Limit	Notes
Nitrate-nitrogen (as N)	lbs/day	61	---	E, TMDL	a
Nitrite-nitrogen (as N)	mg/L	1.0	---	E, TMDL	---
Nitrite-nitrogen (as N)	lbs/day	7.6	---	E, TMDL	a
Nitrate-nitrogen + Nitrite-nitrogen (as N)	mg/L	8.0	---	E, TMDL	---
Nitrate-nitrogen + Nitrite-nitrogen (as N)	lbs/day	61	---	E, TMDL	a
Phenols	mg/L	--	1.0	E, BPJ	---
Phenols	lbs/day	--	7.6	E, BPJ	a
Settleable Solids	ml/L	0.2	0.2	E, BPJ	
Sulfate	mg/L	--	350	E, BP	
Sulfate	lbs/day	--	2,656	E, BP	a
Sulfides	mg/L	--	1.0	E, BPJ	---
Sulfides	lbs/day	--	7.6	E, BPJ	a
Total Dissolved Solids	mg/L	--	1,500	E, BP	---
Total Dissolved Solids	lbs/day	--	11,384	E, BP	a
Total Petroleum Hydrocarbons (TPH)	mg/L	--	0.1	E, BPJ	f
TPH	lbs/day	--	0.76	E, BPJ	a
Total Residual Chlorine	mg/L	--	0.1	E, BP	
Total Residual Chlorine	lbs/day	--	0.76	E, BP	a
Turbidity	NTU	50	75	E, BPJ	---
Benzene	µg/L	--	1.0	E, BPJ	---
Benzene	lbs/day	--	0.0076	E, BPJ	a
Ethylbenzene	µg/L	--	680	E, BPJ	---
Ethylbenzene	lbs/day	--	5.2	E, BPJ	a
Toluene	µg/L	--	10	E, BPJ	---
Toluene	lbs/day	--	0.076	E, BPJ	a
Xylene	µg/L	--	1,750	E, BPJ	---
Xylene	lbs/day	--	13.2	E, BPJ	a
Cadmium, Wet Weather	µg/L	1.5	3.1	E, CTR, TMDL	g
Cadmium, Wet Weather	lbs/day	0.011	.024	E, CTR, TMDL	a
Copper, Total Recoverable, Wet Weather	µg/L	8.0	17	E, CTR, TMDL	g
Copper, Total Recoverable, Wet Weather	lbs/day	0.061	0.13	E, CTR, TMDL	a

Parameter	Units	Average Monthly	Maximum Daily	Basis for Limit	Notes
Copper, Total Recoverable, Dry Weather	µg/L	15	32	E, CTR, TMDL	g and h
Copper, Total Recoverable, Dry Weather	lbs/day	0.11	0.24	E, CTR, TMDL	a
Lead, Total Recoverable, Wet Weather	µg/L	22	62	E, CTR, TMDL	g
Lead, Total Recoverable, Wet Weather	lbs/day	0.17	0.47	E, CTR, TMDL	a
Lead, Total Recoverable, Dry Weather	µg/L	5.9	16	E, CTR, TMDL	g and h
Lead, Total Recoverable, Dry Weather	lbs/day	0.045	0.12	E, CTR, TMDL	a
Zinc, Total Recoverable, Wet Weather	µg/L	57	159	E, CTR, TMDL	g
Zinc, Total Recoverable, Wet Weather	lbs/day	0.43	1.2	E, CTR, TMDL	a
Zinc, Total Recoverable, Dry Weather	µg/L	21	55	E, CTR	h
Zinc, Total Recoverable, Dry Weather	lbs/day	0.16	0.42	E, CTR	a

Footnotes for Table F-7

BAC = Bacteria Provision; BP = Basin Plan; BPJ = Best Practical Judgment; CTR = California Toxic Rule; E = Existing Requirement; TMDL= Total Maximum Daily Load; TP = Thermal Plan;

a. The mass (lbs/day) limitations are based on a maximum flow of 0.91 MGD from Discharge Point 001, and are calculated as follows: Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day.
b. The effluent limitations for pH are 6.5 as an Instantaneous Minimum and 8.5 as an Instantaneous Maximum.
c. The effluent limitation for temperature is 80?F as an Instantaneous Maximum.
d. The maximum daily effluent limitation (MDEL) for chronic toxicity shall be reported as “Pass” or “Fail” and “% Effect”. The MDEL is exceeded when a toxicity test results in a “Fail,” and the percent effect is greater than or equal to 0.50.
e. The bacteria water quality objective for all waters where the salinity is equal to or less than 1 part per thousand (ppth) 95 percent or more of the time during the calendar year is: a six-week rolling geometric mean of *Escherichia coli* (*E. coli*) not to exceed 100 colony forming units (CFU) per 100

milliliters (mL), calculated weekly, and a statistical threshold value (STV) of 320 CFU/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

f. Total Petroleum Hydrocarbons (TPH) equals the sum of TPH as gasoline (C4-C12), TPH as diesel (C13-C22), and TPH waste oil (C23+).
g. Final effluent limitations are based on the Waste Load Allocations established in the Los Angeles River and Tributaries Metals TMDL and using section 1.4 of the SIP.
h. Within this Order, "dry-weather" applies to days when the maximum daily flow in the Los Angeles River is less than 500 cubic feet per second (cfs) as measured at Wardlow Station. In the event that Wardlow Station is non-functional, the Discharger may use flow measurements from the nearest downstream gage or submit a manual flow measurement taken in the vicinity of Wardlow Station. Information on alternative measurements shall be documented in the corresponding quarterly SMR.

End of Footnotes for Table F-7

4.5. Interim Effluent Limitations – Not Applicable

4.6. Land Discharge Specifications – Not Applicable

4.7. Recycling Specifications – Not Applicable

5. RATIONALE FOR RECEIVING WATER LIMITATIONS

The receiving water limitations in the proposed Order are based upon the water quality objectives contained in the Basin Plan and applicable statewide water quality control plans. As such, they are a required part of the proposed Order.

5.1. Surface Water

The Basin Plan contains numeric and narrative water quality objectives applicable to all surface waters within the Los Angeles Region. These water quality objectives include the requirement to maintain existing or historically high-quality waters pursuant to federal regulations (40 CFR section 131.12) and State Water Board Resolution Number 68-16. Receiving water limitations in this Order are included to ensure protection of beneficial uses of the receiving water and are based on water quality objectives contained in the Basin Plan and applicable statewide water quality control plans. If there is reasonable potential or a U.S. EPA-approved TMDL, then WQBELs are included in this Order to ensure protection of water quality standards.

5.2. Groundwater – Not Applicable

6. RATIONALE FOR PROVISIONS

6.1. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR section 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR section 122.42, are provided in Attachment D. The Discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Sections 122.41(a)(1) and (b) through (n) of 40 CFR establish conditions that apply to all state-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation

to the regulations must be included in the Order. Section 123.25(a)(12) of 40 CFR allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 CFR section 123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR sections 122.41(j)(5) and (k)(2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

6.2. Special Provisions

6.2.1. **Reopener Provisions**

These provisions are based on 40 CFR part 123. The Los Angeles Water Board may reopen the permit to modify permit conditions and requirements. Causes for modifications include the promulgation of new federal regulations, modification in toxicity requirements, or adoption of new regulations by the State Water Board or Los Angeles Water Board, including revisions to the Basin Plan or revisions to a TMDL.

6.2.2. **Special Studies and Additional Monitoring Requirements**

a. **Initial Investigation Toxicity Reduction Evaluation Workplan.** This provision is based on section 4 of the SIP, Toxicity Control Provisions, which establishes minimum toxicity control requirements for implementing the narrative toxicity objective for aquatic life protection established in the basin plans of the State of California.

b. **Harbor Toxics TMDL Water Column and Sediment Monitoring for Responsible Parties in the Los Angeles River and Tributaries.** This provision implements the Compliance Monitoring Program as required in the Harbor Toxics TMDL. The Compliance Monitoring Program includes water column monitoring and sediment monitoring at monitoring stations in the Los Angeles River Estuary. The Discharger may join a collaborating group or develop a site-specific plan to comply with this requirement. Details on these requirements are provided in Section 6.3.2.b. and Attachment E, Section 8.3 of this Order.

6.2.3. **Best Management Practices and Pollution Prevention**

a. **Stormwater Pollution Prevention Plan (SWPPP).** Order No. R4-2016-0141 required the Discharger to develop and implement a SWPPP. This Order requires the Discharger to update the SWPPP and continue to implement a SWPPP approved by the Executive Officer of the Los Angeles Water Board. The SWPPP shall outline site-specific management processes for minimizing stormwater runoff pollution and for preventing contaminated stormwater runoff from being discharged directly into Compton Creek. At a minimum, the management practices shall ensure that raw materials and chemicals do not come into contact with stormwater. SWPPP requirements are included as Attachment G, based on 40 CFR section 122.44(k).

b. **Best Management Practices Plan (BMPP).** Order No. R4-2016-0141 required the Discharger to develop and implement BMPs in order to reduce

the number of pollutants entering the discharge. This Order requires the Discharger to update and continue to implement the BMPP. The BMPP may be included as a component of the SWPPP. The purpose of the BMPP is to establish site-specific procedures that ensure proper operation and maintenance of equipment and to ensure that unauthorized non-stormwater discharges (i.e., spills) do not occur at the Facility. The BMPP shall incorporate the requirements contained in Attachment G. Attachment G requires a discussion on the effectiveness of each BMP to reduce or prevent pollutants in stormwater discharges.

c. **Spill Contingency Plan (SCP).** This Order requires the Discharger to update and continue to implement a SCP to control the discharge of pollutants. The SCP shall include a technical report on the preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events at the site. This provision is included in this Order to minimize and control the amount of pollutants discharged in case of a spill. The SCP shall be site specific and shall cover all areas of the Facility.

6.2.4. **Construction, Operation, and Maintenance Specifications**

This provision included in Section 6.3.4 of the Waste Discharge Requirements of this Order is based on the requirements of 40 CFR section 122.41(e).

6.2.5. **Climate Change Effects Vulnerability Assessment and Mitigation Plan**

The Permittee is required to address potential climate change impacts through the development and implementation of a Climate Change Effects Vulnerability Assessment and Mitigation Plan (Climate Change Plan), which is due 12 months after the effective date of this Order. This requirement is based on the need to adapt to and mitigate the effects of climate change on permitted facilities as described in State Water Board's Resolution No. 2017-0012 and the Los Angeles Water Board's Resolution No. R18-004.

6.2.6. **Other Special Provisions – Not Applicable**

6.2.7. **Compliance Schedules – Not Applicable**

7. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

CWA section 308 and 40 CFR sections 122.41(h), (j)-(l), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code section 13383 also authorizes the Los Angeles Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The Monitoring and Reporting Program (MRP), Attachment E of this Order establishes monitoring, reporting, and recordkeeping requirements that implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility.

7.1. Influent Monitoring – Not Applicable

7.2. Effluent Monitoring

Monitoring for pollutants expected to be present in the discharge is required as established in the MRP (Attachment E) and as required in the SIP. To demonstrate compliance with effluent limitations, the Order retains and updates the monitoring requirements from Order No. R4-2016-0141 to determine compliance with the effluent limitations in section 4.1.1 of the Order.

The SIP states that the Los Angeles Water Board will require periodic monitoring for pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires the Discharger to conduct annual monitoring for the remaining CTR priority pollutants, including TCDD equivalents, at Monitoring Location EFF-001. The Los Angeles Water Board will use the additional data to conduct an RPA and determine if additional WQBELs are required. The Los Angeles Water Board may reopen the permit to incorporate additional effluent limitations and requirements, if necessary.

7.3. Whole Effluent Toxicity Testing Requirements

WET protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth. A chemical at a low concentration can have chronic effects but no acute effects. For this permit, chronic toxicity monitoring in the discharge is required. The chronic toxicity testing requirements are based on U.S. EPA's 2010 TST statistical approach.

7.4. Receiving Water Monitoring

7.4.1. **Surface Water**

This Order includes receiving water limitations and therefore, monitoring requirements are included in the MRP to determine compliance with the receiving water limitations established in Limitations and Discharge Requirements. The Facility is also required to perform general observations of the receiving water when discharges occur and report the observations in the monitoring report. Attention shall be given to the presence or absence of floating or suspended matter, discoloration, aquatic life, visible film, sheen or coating, fungi, slime, or objectionable growths.

According to the SIP, the Discharger is required to monitor the upstream receiving water for the CTR priority pollutants to determine reasonable potential. Accordingly, the Los Angeles Water Board is requiring that the Discharger conduct upstream receiving water monitoring of the CTR priority pollutants at Monitoring Location RSW-001 at the same time the samples are collected for priority pollutant analysis.

7.4.2. **Groundwater – Not Applicable**

7.5. Other Monitoring Requirements

7.5.1. **Stormwater Monitoring Requirements.** Because the discharge is comprised, in part, of stormwater, the Discharger is required to measure and record the rainfall each day of the month. The Discharger is also required to conduct visual observations of all stormwater discharges in the vicinity of the discharge to observe the presence of floating and suspended materials, oil and grease, discoloration, turbidity, and odor.

7.5.2. **Regional Monitoring.** Monitoring is required to determine compliance with the assigned wasteload and load allocations specified in the Harbor Toxics TMDL. The Discharger may join a group of stakeholders in the development of Regional Monitoring program(s) to address pollutants as specified in the Harbor Toxics TMDL.

8. PUBLIC PARTICIPATION

The Los Angeles Water Board is considering the issuance of WDRs that will serve as a NPDES permit for the Facility. As a step in the WDR adoption process, the Los Angeles Water Board staff has developed tentative WDRs. The Los Angeles Water Board encourages public participation in the WDR adoption process.

8.1. Notification of Interested Parties

The Los Angeles Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and provided an opportunity to submit written comments and recommendations. Notification was provided through email and public notice.

The public was provided access to the agenda and any changes in dates and locations through the Los Angeles Water Board's website at: https://www.waterboards.ca.gov/losangeles

8.2. Written Comments

Interested persons were invited to submit written comments concerning tentative WDRs as provided through the notification process electronically at: losangeles@waterboards.ca.gov with a copy to randy.ly@waterboards.ca.gov.

To be fully responded to by staff and considered by the Los Angeles Water Board, the written comments were due at the Los Angeles Water Board office by **5:00 p.m. on October 23, 2023.** Written comments submitted after the deadline may not be accepted into the record or considered by the Los Angeles Water Board if doing so would prejudice any party or the Board.

8.3. Public Hearing

The Los Angeles Water Board held a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date:	**November 16, 2023**
Time:	**9:00 AM**
Location:	**Junipero Serra Building (Carmel Room)** **320 West 4th Street**

Los Angeles, CA 90013

Interested people were invited to attend. At the public hearing, the Los Angeles Water Board heard testimony pertinent to the discharge, WDRs, and permit. For accuracy of the record, important testimony was requested in writing.

8.4. Reconsideration of Waste Discharge Requirements

Any person aggrieved by this action of the Los Angeles 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 and following. The State Water Board must receive the petition by 5:00 p.m., within 30 calendar days of the date of adoption of this Order at the following address, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100
Or by email at waterqualitypetitions@waterboards.ca.gov

For instructions on how to file a water quality petition for review, see:

https://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml

8.5. Information and Copying

The Report of Waste Discharge, other supporting documents, and comments received are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Los Angeles Water Board by calling 213-576-6600.

The tentative WDRs, comments received and response to comments are also available on the Los Angeles Water Board's website at:

https://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/index.shtml

8.6. 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 Los Angeles Water Board**,** reference this facility, and provide a name, address, and phone number.

8.7. Additional Information

Requests for additional information or questions regarding this order should be directed to Randy Ly at randy.ly@waterboards.ca.gov.

ATTACHMENT G – STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS

1. IMPLEMENTATION SCHEDULE

A stormwater pollution prevention plan (SWPPP) shall be developed and submitted to the Los Angeles Water Board within 90 days following the effective date of this Order. The SWPPP shall be implemented for each facility covered by this Permit within 10 days of approval from the Los Angeles Water Board, or no later than 90 days from the date of the submittal of the SWPPP to the Los Angeles Water Board (whichever comes first).

2. OBJECTIVES

The SWPPP is a written document that shall contain a compliance activity schedule, a description of industrial activities and pollutant sources, descriptions of BMPs, drawings, maps, and relevant copies or references of parts of other plans. The SWPPP has two major objectives: (a) to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of stormwater discharges and authorized non-stormwater discharges from the facility; and (b) to identify and implement site-specific best management practices (BMPs) to reduce or prevent pollutants associated with industrial activities in stormwater discharges and authorized non-stormwater discharges. BMPs may include a variety of pollution prevention measures or other low-cost and pollution control measures. They are generally categorized as non-structural BMPs (activity schedules, prohibitions of practices, maintenance procedures, and other low-cost measures) and as structural BMPs (treatment measures, run-off controls, over-head coverage). To achieve these objectives, facility operators should consider the five-phase process for SWPPP development and implementation as shown in Table A.

The SWPPP requirements are designed to be sufficiently flexible to meet the needs of various facilities. SWPPP requirements that are not applicable to a facility should not be included in the SWPPP.

A facility's SWPPP is a written document that shall contain a compliance activity schedule, a description of industrial activities and pollutant sources, descriptions of BMPs, drawings, maps, and relevant copies or references of parts of other plans. The SWPPP shall be revised whenever appropriate and shall be readily available for review by facility employees or Los Angeles Water Board inspectors.

3. PLANNING AND ORGANIZATION

3.1. Pollution Prevention Team.

The SWPPP shall identify a specific individual or individuals and their positions within the facility organization as members of a stormwater pollution prevention team responsible for developing the SWPPP, assisting the facility manager in SWPPP implementation and revision, and conducting all monitoring program activities. The SWPPP shall clearly identify the permit related responsibilities, duties, and activities of each team member. For small facilities, stormwater pollution prevention teams may consist of one individual where appropriate.

3.2 Review Other Requirements and Existing Facility Plans

The SWPPP may incorporate or reference the appropriate elements of other regulatory requirements. Facility operators should review all local, state, and federal requirements that impact, complement, or are consistent with the requirements of this permit. Facility operators should identify any existing facility plans that contain stormwater pollutant control measures or relate to the requirements of this Permit. As examples, facility operators whose facilities are subject to federal Spill Prevention Control and Countermeasures' requirements should already have instituted a plan to control spills of certain hazardous materials. Similarly, facility operators whose facilities are subject to air quality related permits and regulations may already have evaluated industrial activities that generate dust or particulates.

TABLE A
FIVE PHASES FOR DEVELOPING AND IMPLEMENTING INDUSTRIAL STORMWATER POLLUTION PREVENTION PLANS

Phase	Tasks
Planning and Organization	Form Pollution Prevention Team Review other plans
Assessment Phase	Develop a site map Identify potential pollutant sources Inventory of materials and chemicals List significant spills and leaks Identify non-stormwater discharges Assess pollutant risks
Best management Practices Identification Phase	Non-structural BMPs Structural BMPs Select activity and site-specific BMPs
Implementation Phase	Train employees Implement BMPs Conduct recordkeeping and reporting
Evaluation/Monitoring	Conduct annual site evaluation Review monitoring information Evaluate BMPs Review and revise SWPPP

4. SITE MAP

The SWPPP shall include a site map. The site map shall be provided on an 8-½ x 11 inch or larger sheet and include notes, legends, and other data as appropriate to ensure that

the site map is clear and understandable. If necessary, facility operators may provide the required information on multiple site maps.

The following information shall be included on the site map:

4.1. The facility boundaries; the outline of all stormwater drainage areas within the facility boundaries; portions of the drainage area impacted by run-on from surrounding areas; and direction of flow of each drainage area, on-site surface water bodies, and areas of soil erosion. The map shall also identify nearby water bodies (such as rivers, lakes, and ponds) and municipal storm drain inlets where the facility's stormwater discharges and authorized non-stormwater discharges may be received.

4.2. The location of the stormwater collection and conveyance system, associated points of discharge, and direction of flow. Include any structural control measures that affect stormwater discharges, authorized non-stormwater discharges, and run-on. Examples of structural control measures are catch basins, berms, detention ponds, secondary containment, skim ponds, diversion barriers, etc.

4.3. An outline of all impervious areas of the facility, including paved areas, buildings, covered storage areas, or other roofed structures.

4.4. Locations where materials are directly exposed to precipitation and the locations where significant spills or leaks identified in section 6.1.4. below have occurred.

4.5. Areas of industrial activity. This shall include the locations of all storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, cleaning and rinsing areas, and other areas of industrial activity which are potential pollutant sources.

5. LIST OF SIGNIFICANT MATERIALS

The SWPPP shall include a list of significant materials[1] handled and stored at the site. For each material on the list, describe the locations where the material is being stored, received, shipped, and handled, as well as the typical quantities and frequency. Materials shall include raw materials, intermediate products, final or finished products, recycled materials, and waste or disposed materials.

6. DESCRIPTION OF POTENTIAL POLLUTANT SOURCES

The SWPPP shall include a narrative description of the facility's industrial activities, as identified in section 4.5. above, associated potential pollutant sources and potential

[1] "Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to section 313 of Title III of Superfund Amendments and Reauthorization Act (SARA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges.

pollutants that could be discharged in stormwater discharges or authorized non-stormwater discharges. At a minimum, the following items related to the facility's industrial activities shall be considered:

6.1. **Industrial Processes.** Describe each industrial process, the type, characteristics, and quantity of significant materials used in or resulting from the process, and a description of the manufacturing, cleaning, rinsing, recycling, disposal, or other activities related to the process.

6.2. **Material Handling and Storage Areas.** Describe each handling and storage area, type, characteristics, and quantity of significant materials handled or stored, description of the shipping, receiving, and loading procedures, and the spill or leak prevention and response procedures. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

6.3. **Dust and Particulate Generating Activities.** Describe all industrial activities that generate dust or particulates that may be deposited within the facility's boundaries and identify their discharge locations; the characteristics of dust and particulate pollutants; the approximate quantity of dust and particulate pollutants that may be deposited within the facility boundaries; and a description of the primary areas of the facility where dust and particulate pollutants would settle.

6.4. **Significant Spills and Leaks.** Describe materials that have spilled or leaked in significant quantities in stormwater discharges or authorized non-stormwater discharges since April 17, 1994. Include toxic chemicals (listed in 40 Code of Federal Regulations (CFR), part 302) that have been discharged to stormwater as reported on U.S. Environmental Protection Agency (U.S. EPA) Form R, and oil and hazardous substances in excess of reportable quantities (see 40 CFR, parts 110, 117, and 302).

The description shall include the type, characteristics, and approximate quantity of the material spilled or leaked, the cleanup or remedial actions that have occurred or are planned, the approximate remaining quantity of materials that may be exposed to stormwater or non-stormwater discharges, and the preventative measures taken to ensure spills or leaks do not reoccur. The list shall be updated as appropriate during the term of this Order.

6.5. **Non-Stormwater Discharges.** Facility operators shall investigate the facility to identify all non-stormwater discharges and their sources. As part of this investigation, all drains (inlets and outlets) shall be evaluated to identify whether they connect to the storm drain system.

All non-stormwater discharges shall be described. This shall include the source, quantity, frequency, and characteristics of the non-stormwater discharges and associated drainage area.

Non-stormwater discharges that are not authorized by this Permit, other waste discharge requirements, or other NPDES permits are prohibited. The SWPPP must include BMPs to prevent or reduce contact of authorized non-stormwater discharges with significant materials (as defined in Footnote 1 of section 5 above) or equipment,

6.6. **Soil Erosion.** Describe the facility locations where soil erosion may occur as a result of industrial activity, stormwater discharges associated with industrial activity, or authorized non-stormwater discharges.

6.7. **Trash**. Describe the facility locations where trash may be generated as a result of facility operations and on-site activities.

The SWPPP shall include a summary of all areas of industrial activities, potential pollutant sources, and potential pollutants. This information should be summarized similarly to Table B. The last column of Table B, "Control Practices", should be completed in accordance with section 8 below.

7. ASSESSMENT OF POTENTIAL POLLUTANT SOURCES

The SWPPP shall include a narrative assessment of all industrial activities and potential pollutant sources as described in section 6 above to determine:

7.1 Which areas of the facility are likely sources of pollutants in stormwater discharges and authorized non-stormwater discharges, and

7.2 Which pollutants are likely to be present in stormwater discharges and authorized non-stormwater discharges. Facility operators shall consider and evaluate various factors when performing this assessment such as current stormwater BMPs; quantities of significant materials handled, produced, stored, or disposed of; likelihood of exposure to stormwater or authorized non-stormwater discharges; history of spill or leaks; and run-on from outside sources.

Facility operators shall summarize the areas of the facility that are likely sources of pollutants and the corresponding pollutants that are likely to be present in stormwater discharges and authorized non-stormwater discharges.

Facility operators are required to develop and implement additional BMPs as appropriate and necessary to prevent or reduce pollutants associated with each pollutant source.

8. STORMWATER BEST MANAGEMENT PRACTICES

8.1. The SWPPP shall include a narrative description of the stormwater BMPs to be implemented at the facility for each potential pollutant and its source identified in the site assessment phase (Sections 5 and 6 above). The BMPs shall be developed and implemented to reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. Each pollutant and its source may require one or more BMPs. Some BMPs may be implemented for multiple pollutants and their sources, while other BMPs will be implemented for a very specific pollutant and its source.

TABLE B
EXAMPLE

ASSESSMENT OF POTENTIAL POLLUTION SOURCES AND CORRESPONDING BEST MANAGEMENT PRACTICES SUMMARY

Area	Activity	Pollutant Source	Pollutant	Best Management Practices
Vehicle & Equipment Fueling	Fueling	Spill and leaks during delivery. Spills caused by topping off fuel tanks. Hosing or washing down fuel oil fuel area. Leaking storage tanks. Rainfall running off fuel oil, and rainfall running onto and off fueling area.	Fuel oil	Use spill and overflow protection. Minimize run-on of stormwater into the fueling area. Cover fueling area. Use dry cleanup methods rather than hosing down area. Implement proper spill prevention control program. Implement adequate preventative maintenance program to preventive tank and line leaks. Inspect fueling areas regularly to detect problems before they occur. Train employees on proper fueling, cleanup, and spill response techniques.

The description of the BMPs shall identify the BMPs as (1) existing BMPs, (2) existing BMPs to be revised and implemented, or (3) new BMPs to be implemented. The description shall also include a discussion on the effectiveness of each BMP to reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. The SWPPP shall provide a summary of all BMPs implemented for each pollutant source similar to Table B.

8.2. Facility operators shall consider the following BMPs for implementation at the facility:

8.2.1. Non-Structural BMPs

Non-structural BMPs generally consist of processes, prohibitions, procedures, schedule of activities, etc., that prevent pollutants associated with industrial activity from contacting with stormwater discharges and authorized non-stormwater discharges. They are considered low technology, cost-effective measures. Facility operators should consider all possible non-structural BMPs before considering additional structural BMPs. Below is a list of non-structural BMPs that should be considered:

- **Good Housekeeping.** Consists of practical procedures to maintain a clean and orderly facility.

- **Preventive Maintenance.** Includes the regular inspection and maintenance of structural stormwater controls (catch basins, oil/water separators, etc.) as well as other facility equipment and systems.
- **Spill Response.** Includes spill clean-up procedures and necessary clean-up equipment based upon the quantities and locations of significant materials that may spill or leak.
- **Material Handling and Storage.** Includes all procedures to minimize the potential for spills and leaks and to minimize exposure of significant materials to stormwater and authorized non-stormwater discharges.
- **Employee Training.** Includes training of personnel who are responsible for (1) implementing activities identified in the SWPPP, (2) conducting inspections, sampling, and visual observations, and (3) managing stormwater. Training should address topics such as spill response, good housekeeping, and material handling procedures, and actions necessary to implement all BMPs identified in the SWPPP. The SWPPP shall identify periodic dates for such training. Records shall be maintained of all training sessions held.
- **Waste Handling/Recycling.** This includes the procedures or processes to handle, store, or dispose of waste materials or recyclable materials.
- **Recordkeeping and Internal Reporting.** Includes the procedures to ensure that all records of inspections, spills, maintenance activities, corrective actions, visual observations, etc., are developed, retained, and provided, as necessary, to the appropriate facility personnel.
- **Erosion Control and Site Stabilization.** Includes a description of all sediment and erosion control activities. This may include the planting and maintenance of vegetation, diversion of run-on and runoff, placement of sandbags, silt screens, or other sediment control devices, etc.
- **Inspections.** This includes, in addition to the preventative maintenance inspections identified above, an inspection schedule of all potential pollutant sources. Tracking and follow-up procedures shall be described to ensure adequate corrective actions are taken and SWPPPs are made.
- **Quality Assurance.** Includes the procedures to ensure that all elements of the SWPPP and Monitoring Program are adequately conducted.

8.2.2. Structural BMPs

When non-structural BMPs as identified above are ineffective, structural BMPs shall be considered. Structural BMPs generally consist of structural devices that reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. Below is a list of potential structural BMPs:

- **Overhead Coverage.** Includes structures that provide horizontal coverage of materials, chemicals, and pollutant sources from contact with stormwater and authorized non-stormwater discharges.
- **Retention Ponds.** Includes basins, ponds, surface impoundments, bermed areas, etc. that do not allow stormwater to discharge from the facility.
- **Control Devices.** This includes berms or other devices that channel or route run-on and runoff away from pollutant sources.
- **Secondary Containment Structures.** Includes containment structures around storage tanks and other areas for the purpose of collecting any leaks or spills.
- **Treatment.** Includes inlet controls, infiltration devices, oil/water separators, detention ponds, vegetative swales, etc. that reduce the pollutants in stormwater discharges and authorized non-stormwater discharges.

9. ANNUAL COMPREHENSIVE SITE COMPLIANCE EVALUATION

The facility operator shall conduct one comprehensive site compliance evaluation each year. The SWPPP shall be revised, as appropriate, and submitted to the Los Angeles Water Board along with the annual monitoring report. The revisions shall be implemented no later than 90 days after submission. The evaluation is subject to review by the Los Angeles Water Board Executive Officer and modifications may be required. Evaluations shall include the following:

9.1. A review of all visual observation records, inspection records, and sampling and analysis results.

9.2 A visual inspection of all potential pollutant sources for evidence of, or the potential for, pollutants entering the drainage system.

9.3 A review and evaluation of all BMPs (both structural and non-structural) to determine whether the BMPs are adequate, properly implemented and maintained, or whether additional BMPs are needed. A visual inspection of equipment needed to implement the SWPPP, such as spill response equipment, shall be included.

9.4 An evaluation report that includes, (i) identification of personnel performing the evaluation, (ii) the date(s) of the evaluation, (iii) necessary SWPPP revisions, (iv) schedule, as required in section 10.3. below for implementing SWPPP revisions, (v) any incidents of non-compliance and the corrective actions taken, and (vi) a certification that the facility operator is in compliance with this Permit. If the above certification cannot be provided, explain in the evaluation report why the facility operator is not in compliance with this Permit. The evaluation report shall be submitted as part of the annual report, retained for at least five years, and signed and certified in accordance with Standard Provisions 5.4.5 of Attachment D.

10. SWPPP GENERAL REQUIREMENTS

10.1. The SWPPP shall be retained onsite and made available upon request of a representative of the Los Angeles Water Board and/or local stormwater management agency (local agency) which receives the stormwater discharges.

10.2. The Los Angeles Water Board and/or local agency may notify the facility operator when the SWPPP does not meet one or more of the minimum requirements of this Section. As requested by the Los Angeles Water Board and/or local agency, the facility operator shall submit an SWPPP revision and implementation schedule that meets the minimum requirements of this section to the Los Angeles Water Board and/or local agency that requested the SWPPP revisions. Within 14 days after implementing the required SWPPP revisions, the facility operator shall provide written certification to the Los Angeles Water Board and/or local agency that the revisions have been implemented.

10.3. The SWPPP shall be revised, as appropriate, and implemented prior to changes in industrial activities which (i) may significantly increase the quantities of pollutants in stormwater discharge, (ii) cause a new area of industrial activity at the facility to be exposed to stormwater, or (iii) begin an industrial activity which would introduce a new pollutant source at the facility.

10.4. The SWPPP shall be revised and implemented in a timely manner, but in no case more than 90 days after a facility operator determines that the SWPPP is in violation of any requirement(s) of this Order.

10.5. When any part of the SWPPP is infeasible to implement by the deadlines specified in this Order due to proposed significant structural changes, the facility operator shall submit a report to the Los Angeles Water Board prior to the applicable deadline that (i) describes the portion of the SWPPP that is infeasible to implement by the deadline, (ii) provides justification for a time extension, (iii) provides a schedule for completing and implementing that portion of the SWPPP, and (iv) describes the BMPs that will be implemented in the interim period to reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges. Such reports are subject to Los Angeles Water Board approval and/or modifications. Facility operators shall provide written notification to the Los Angeles Water Board within 14 days after the SWPPP revisions are implemented.

10.6. The SWPPP shall be provided, upon request, to the Los Angeles Water Board. The SWPPP is considered a report that shall be available to the public by the Los Angeles Water Board under Section 308(b) of the Clean Water Act.