

STATE OF CALIFORNIA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION  
320 W. 4<sup>th</sup> Street, Suite 200, Los Angeles

**FACT SHEET**  
**WASTE DISCHARGE REQUIREMENTS**  
**for**  
**CALIFORNIA SULPHUR COMPANY**

NPDES Permit No.: CA0059064  
Public Notice No.: 04-005

FACILITY ADDRESS

California Sulphur Company  
2509 East Grant Street  
Wilmington, CA 90744

FACILITY MAILING ADDRESS

California Sulphur Company  
PO BOX 176  
Wilmington, CA 90748  
Contact: John Babbitt  
Telephone: (562) 437-0768

**I. Public Participation**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for the above-referenced facility. As an initial step in the WDR process, the Regional Board staff has developed tentative WDRs. The Regional Board encourages public participation in the WDR adoption process.

**A. Written Comments**

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments should be submitted either in person or by mail to:

Executive Officer  
California Regional Water Quality Control Board  
Los Angeles Region  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

To be fully responded to by staff and considered by the Regional Board, written comments should be received at the Regional Board offices by 5:00 p.m. on March 5, 2004.

## **B. Public Hearing**

The Regional Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: April 1, 2004  
Time: 9:00 a.m.  
Location: City of Simi Valley Council Chambers  
2929 Tapo Canyon Road  
Simi Valley, CA

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

Please be aware that dates and venues may change. Our web address is [www.swrcb.ca.gov/rwgcb4](http://www.swrcb.ca.gov/rwgcb4) where you can access the current agenda for changes in dates and locations.

## **C. Waste Discharge Requirements Appeals**

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Board regarding the final WDRs. The petition must be submitted within 30 days of the Regional Board's action to the following address:

State Water Resources Control Board, Office of Chief Counsel  
ATTN: Elizabeth Miller Jennings, Senior Staff Counsel  
1001 I Street, 22<sup>nd</sup> Floor  
Sacramento, CA 95812

## **D. Information and Copying**

The Report of Waste Discharge (ROWD), related documents, tentative effluent limitations and special conditions, comments received, and other information are on file and may be inspected at 320 West 4<sup>th</sup> Street, Suite 200, Los Angeles, California 90013, 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 Regional Board by calling (213) 576-6600.

## **E. Register of Interested Persons**

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

## **II. Introduction**

California Sulphur Company (hereinafter CSC or Discharger) discharges wastewater to Dominguez Channel, a water of the United States within the estuary. Wastes discharged from California Sulphur Company are regulated by the WDRs and NPDES permit contained in Board Order No. 97-021 (NPDES Permit No. CA0059064). Order No. 97-021 expired on February 10, 2002.

CSC has filed a report of waste discharge and has applied for renewal of its WDRs and NPDES permit. The tentative Order is the reissuance of the WDRs and NPDES permit for discharges from CSC. A site visit was conducted on August 28, 2003, to observe operations and collect additional data to develop permit limits and conditions.

## **III. Description of Facility and Waste Discharge**

CSC is the owner and operator of a sulfur pelletizing and exporting plant (Plant) located at 2509 East Grant Street, Wilmington, California. Operations in the Plant consist of liquid sulfur storage, pelletizing, sulfur pellet dewatering, transfer, storage, and shipping.

CSC processes molten (liquid sulfur) into a solid state by freezing it in a continuous water bath. This process is called pelletizing. City water is used for pelletizing and is recycled at the pelletizer with make-up water from the City. The pellets (formed material) are mechanically dewatered and conveyed to the storage areas (Storage Nos. 1 and 2) to await shipment overseas. Residual moisture from the pellets and storm water runoff from the storage areas drains to the yard drains then to the clarifiers and subsequently routed to the recycle water treatment system. All water that may spill from the pelletizing system and water used to wash down the facility are also directed to the treatment system. The design capacity of the treatment system is 86,400 gallons per day (gpd). The treated water and untreated storm water runoff is sent to the lined retention ponds (Pond Nos. 1 and 2) for storage and reuse in the facility (i.e., pelletizing, wash down, on-site irrigation). The sludge from the clarifiers is discharged to the piping system that drains to the treatment system.

Overflow from Pond No. 2 is drained to Pond No. 1 through an overflow weir and pipe located within the pond. Overflow from Pond No.1 during storm events is discharged to Dominguez Channel estuary through Outfall No.1. Pond No. 1 is designed to contain a 100-year return rain event, 24-hour duration.

During heavy rainfall, CSC proposes to discharge up to 201,900 gpd of overflow from Pond No. 1 (storm water runoff from the sulfur pellet storage area, incidental bath water, and drainage from the sulfur stockpile) through Discharge Serial No. 001 (Latitude 33°46'38", Longitude 118°14'01"), to Dominguez Channel, a water of the United States, within the estuary.

During the site visit on August 28, 2003, the Discharger stated that CSC has not discharged to the surface water since 1994 because of lack of rainfall and there had been no overflow from Pond

No.1. The Discharger's discharge monitoring reports for the period from 1998 – 2003 also support this statement for those years.

The Regional Board and U.S. EPA have classified the CSC facility as a minor discharger.

Effluent limits contained in the existing permit for CSC Discharge Serial No. 001 are presented in the following table:

Constituent (units)	Effluent Limit (Daily maximum)
Oil and Grease (mg/L)	15
Phenols (mg/L)	1.0
Sulfides (mg/L)	0.1

Monitoring data are not available because the facility did not discharge once over the term of the previous permit.

On July 27, 2001, the Regional Board sent a letter to CSC to request monitoring of priority pollutants regulated under the California Toxics Rule for seven quarters (from August 2001 to March 2003). The facility did not provide monitoring data results for any of the seven quarters to the Regional Board because there had been no discharge from the facility over that time period.

#### **IV. Applicable Plans, Policies, Laws, and Regulations**

The requirements contained in the proposed Order are based on the requirements and authorities contained in the following:

1. The federal Clean Water Act (CWA). The federal Clean Water Act requires that any point source discharges of pollutants to a water of the United States must be done in conformance with an NPDES permit. NPDES permits establish effluent limitations that incorporate various requirements of the CWA designed to protect water quality.
2. Code of Regulations, Title 40 (40 CFR) – Protection of Environment, Chapter I, Environmental Protection Agency, Subchapter D, Water Programs, Parts 122-125 and Subchapter N, Effluent Guidelines. These CWA regulations provide effluent limits for certain dischargers and establish procedures for NPDES permitting, including how to establish effluent limits for certain pollutants discharged.
3. On June 13, 1994, the Regional Board adopted a revised *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan). The Basin Plan contains water quality objectives and beneficial uses for coastal waters and for the Pacific Ocean. The immediate receiving water body for the permitted discharge covered by this permit is Dominguez Channel, which then conveys water to Dominguez estuary. The Basin Plan contains beneficial uses and water quality objectives for Dominguez Channel estuary. The

beneficial uses listed in the Basin Plan for Dominguez Channel estuary are:

Dominguez Channel estuary – Hydro Unit No. 405.12

Existing: Water contact recreation (access prohibited by Los Angeles County Department of Public Works), non-contact water recreation, commercial and sports fishing, estuarine habitat, marine habitat, wildlife habitat, preservation of rare, threatened or endangered species, migration of aquatic species, spawning, reproduction, and/or early development.

Potential: Navigation.

4. **Ammonia Basin Plan Amendment.** The 1994 Basin Plan provided water quality objectives for ammonia to protect aquatic life, in Tables 3-1 through Tables 3-4. However, those ammonia objectives were revised on April 25, 2002, by the Regional Board with the adoption of Resolution No. 2002-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Update the Ammonia Objectives for Inland Surface Waters (Including Enclosed Bays, Estuaries and Wetlands) with Beneficial Use Designations for Protection of Aquatic Life*. The ammonia Basin Plan amendment was approved by the State Board, the Office of Administrative Law, and United States Environmental Protection Agency (U.S. EPA) on April 30, 2003, June 5, 2003, and June 19, 2003, respectively. Although the revised ammonia water quality objectives may be less stringent than those contained in the 1994 Basin Plan, they are still protective of aquatic life and are consistent with U.S. EPA's 1999 ammonia criteria update.
5. The State Water Resources Control Board (State Board) adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for the Dominguez Channel estuary.
6. On May 18, 2000, U.S. EPA promulgated numeric criteria for priority pollutants for the State of California [known as the *California Toxics Rule* (CTR) and codified as 40 CFR §131.38]. In the CTR, U.S. EPA promulgated criteria that protect the general population at an incremental cancer risk level of one in a million ( $10^{-6}$ ), for all priority toxic pollutants regulated as carcinogens. The CTR also allows for a schedule of compliance not to exceed 5 years from the date of permit renewal for an existing discharger if the Discharger demonstrates that it is infeasible to promptly comply with the effluent limitations derived from CTR criteria.
7. 40 CFR §122.44(d)(vi)(A) requires the establishment of numeric effluent limitations to attain and maintain applicable narrative water quality criteria to protect the designated beneficial uses. Where numeric water quality objectives have not been established in the Basin Plan, 40 CFR section 122.44(d) specifies that water quality-based effluent limits (WQBELs) may be set based on U.S. EPA criteria and supplemented, where necessary, by other relevant information to attain and maintain narrative water quality criteria to fully protect designated beneficial uses.

8. State and Federal antibacksliding and antidegradation policies require that Regional Board actions to protect the water quality of a water body and to ensure that the waterbody will not be further degraded. The antibacksliding provisions are specified in section 402(o) and 303(d)(4) of the CWA and in the Title 40 of the Code of Federal Regulations (40 CFR), section 122.44(l). Those provisions require a reissued permit to be as stringent as the previous permit with some exceptions where effluent limitations may be relaxed.
9. Effluent limitations are established in accordance with sections 301, 304, 306, and 307 of the federal CWA, and amendments thereto. These requirements, as they are met, will maintain and protect the beneficial uses of Dominguez Channel estuary.
10. Existing waste discharge requirements contained in Board Order No. 97-021, adopted by the Regional Board on March 3, 1997. In some cases, permit conditions (effluent limits and other special conditions) established in the existing waste discharge requirements have been carried over to this permit.

#### **V. Regulatory Basis for Effluent Limitations**

The CWA requires point source discharges to control the amount of conventional, nonconventional, and toxic pollutants that are discharged into the waters of the United States. The control of the discharge of pollutants is established through NPDES permits that contain effluent limitations and standards. The CWA establishes two principal bases for effluent limitations. First, dischargers are required to meet technology-based effluent limitations that reflect the best controls available considering costs and economic impact. Second, they are required to meet water quality-based effluent limitations (WQBELs) that are developed to protect applicable designated uses of the receiving water.

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

- Best practicable treatment control technology (BPT) is based on the average of the best performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional, and nonconventional pollutants.
- 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 nonconventional pollutants.
- Best conventional pollutant control technology (BCT) is a standard for the control from existing industrial point sources of conventional pollutants including BOD, TSS, fecal coliform, pH, and oil and grease. The BCT standard is established after considering the “cost reasonableness” of the relationship between the cost of attaining a reduction in effluent discharge and the benefits that would result, and also the cost effectiveness of additional industrial treatment beyond BPT.

- New source performance standards (NSPS) that 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 EPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BCT, BAT, and NSPS. Section 402(a)(1) of the CWA and 40 CFR 125.3 of the NPDES regulations 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.

If a reasonable potential exists for pollutants in a discharge to exceed water quality standards, WQBELs are also required under 40 CFR 122.44(d)(1)(i). WQBELs are established after determining that technology-based limitations are not stringent enough to ensure that state water quality standards are met for the receiving water. WQBELs are based on the designated use of the receiving water, water quality criteria necessary to support the designated uses, and the state's antidegradation policy. For discharges that are composed entirely of storm water, such as the potential discharges to inland surface waters, enclosed bays, and estuaries, the U.S. EPA's Technical Support Document for Water Quality-Based Toxics Control (TSD) of 1991 (U.S. EPA/505/2-90-001) established procedures for determining reasonable potential and establishing WQBELs for priority pollutant criteria promulgated by U.S. EPA through the CTR and NTR, as well as the Basin Plan. With respect to a reasonable potential analysis, the TSD identifies an appropriate step-wise approach that can be used to determine whether a discharge has a reasonable potential. The approach used in the TSD is equally valid for determining the reasonable potential for discharges not comprised entirely of storm water discharges.

There are several other specific factors affecting the development of limitations and requirements in the proposed Order. These are discussed as follows:

#### 1. **Pollutants of Concern**

The CWA requires that any pollutant that may be discharged by a point source in quantities of concern must be regulated through an NPDES permit. Further, the NPDES regulations require regulation of any pollutant that (1) causes; (2) has the reasonable potential to cause; or (3) contributes to the exceedance of a receiving water quality criteria or objective.

Effluent limitations for Discharge Serial No. 001 in the current permit were established for sulfides, oil and grease, and phenols. Sulfides are a pollutant of concern because they could be present in runoff from the sulfur stockpiles and phenols and oil and grease are also constituents commonly present in storm water, therefore, effluent limitations for oil and grease, phenols, and sulfides have been carried over from the previous permit.

Based on the Discharger's nature of operation and materials and/or wastes present at the site, the proposed permit prescribed effluent limits for BOD, turbidity, total suspended solids, settleable solids. These pollutants may be present in the discharge of storm water, and are

typically used to characterize storm water discharges; therefore, they are considered pollutants of concern.

## 2. **Technology-Based Effluent Limits**

This permit will require the Discharger to continue to develop and implement, consistent with the existing permit requirements, a *Storm Water Pollution Prevention Plan* (SWPPP). The SWPPP will outline site-specific management processes for minimizing storm water runoff contamination and for preventing contaminated storm water runoff from being discharged directly into surface waters. Because storm water discharges do occur at the CSC facility, this permit will require that CSC continue to implement the SWPPP.

Due to the lack of national ELGs for sulfur pelletizing facilities and the absence of data to apply BPJ, and pursuant to 40 CFR 122.44(k), the Regional Board will require the Discharger to develop and implement a Best Management Practices Plan (BMPP). The combination of the SWPPP and BMPP and existing permit limitations based on past performance and reflecting BPJ will 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. It should be noted that the previous Order states effluent limitations are based on the Basin Plan, U.S. EPA water quality criteria, the Ocean Plan, and/or best available technology economically feasible.

## 3. **Water Quality-Based Effluent Limits**

As specified in 40 CFR § 122.44(d)(1)(i), permits are required to include WQBELs for pollutants (including toxicity) that are or may be discharged at levels which cause, have reasonable potential to cause, or contribute to an excursion above any state water quality standard. The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses for 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 U.S. EPA water quality criteria contained in the CTR and NTR). The procedures for determining reasonable potential, and if necessary for calculating WQBELs, are contained in the TSD for storm water discharges. Further, in the best professional judgment of the Regional Board staff the TSD identifies an appropriate, rational step-wise approach that can be used to determine whether storm water discharges have a reasonable potential.

### ***(a) Reasonable Potential Analysis (RPA)***

Sufficient effluent and ambient 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 Regional Board to conduct the RPA. Upon review of the data, and if the Regional Board determines that WQBELs are needed to protect the beneficial uses, the permit will be reopened for appropriate modification.



As stated previously, CSC has not discharged storm water from the facility during the permit term, and therefore, there are insufficient monitoring data available to perform RPA on the priority pollutants. The TSD requires the dischargers to submit sufficient data to conduct the determination of priority pollutants requiring WQBELS and to calculate the effluent limitations. This permit includes an interim monitoring requirements to obtain the necessary data.

**(b) Calculating WQBELS**

If a reasonable potential exists to exceed applicable water quality criteria or objectives, then a WQBEL must be established in accordance with one of three procedures contained in Section 5.4 of the TSD. These procedures include:

- 1) If applicable and available, use of the wasteload allocation (WLA) established as part of a total maximum daily load (TMDL).
- 2) Use of a steady-state model to derive maximum daily effluent limitations (MDELs) and average monthly effluent limitations (AMELs).
- 3) Where sufficient effluent and receiving water data exist, use of a dynamic model which has been approved by the Regional Board.

**(c) Impaired Water Bodies in 303 (d) List**

Section 303(d) of the CWA requires states to identify specific water bodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources. For all 303(d)-listed water bodies and pollutants, the Regional Board plans to develop and adopt TMDLs that will specify WLAs for point sources and load allocations (LAs) for non-point sources, as appropriate.

U.S. EPA approved the State's 303(d) list of impaired water bodies on July 25, 2003. Certain receiving waters in the Los Angeles and Ventura County watersheds do not fully support beneficial uses and therefore have been classified as impaired on the 2002 303(d) list, some of which have been scheduled for TMDL development.

Dominguez Channel (estuary to Vermont) is located in Dominguez Channel Watershed. The 2002 State Board's California 303(d) List classifies Dominguez Channel as impaired. The pollutants of concern detected in fish tissue, sediment, and the water column include aldrin (tissue), ammonia, benthic communities effects, Chem A (tissue) [refers to the sum of aldrin, dieldrin, chlordane, endrin, heptachlor, heptachlor epoxide, HCH (including lindane), endosulfan, and toxaphene], chlordane (tissue), chromium (sediment), DDT (tissue and sediment), dieldrin (tissue), high coliform count, lead (tissue), PAHs (sediment), and zinc (sediment).

***(d) Whole Effluent Toxicity***

Whole Effluent Toxicity (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 measures 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 response on 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. The existing permit does not contain acute toxicity limitations but contains monitoring and reporting requirements.

In accordance with the Basin Plan, acute toxicity limitations dictate that the average survival in undiluted effluent for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, with no single test having less than 70% survival. Consistent with the Basin Plan, this Order includes acute toxicity limitations.

The discharges at the CSC facility occur only after a significant storm event; they are not continuous. The discharge at the CSC facility is not expected to contribute to long-term toxic effects, therefore the Discharger will not be required to monitor for chronic toxicity. Intermittent discharges are likely to have short-term effects; therefore at this facility, CSC will be required to conduct annual acute toxicity monitoring.

**4. Specific Rationale for Each Numerical Effluent Limitation**

Section 402(o) of the Clean Water Act and 40 CFR 122.44(l) require that effluent limitations standards or conditions in re-issued permits are at least as stringent as in the existing permit. Therefore, existing effluent limitations for the regulated pollutants (oil and grease, phenols, and sulfides) are carried over to this permit. The effluent limitations for pH and temperature are based on the Basin Plan. The proposed permit prescribed effluent limits for BOD, turbidity, total suspended solids, settleable solids and are based on best professional judgement (BPJ). The Regional Board considers all of these constituents to be pollutants of concern due to the nature of operation, raw materials and products handling, and storage at the site.

Average monthly effluent limitations are established in the Order for certain pollutants. These average monthly effluent limitations are based on BPJ and are consistent with current individual permits adopted by the Regional Board to industrial facilities of a similar nature. In addition, Section 402(o) of the Clean Water Act and 40 CFR 122.44(l) require

that effluent limitations standards or conditions in reissued permits be at least as stringent as those in the existing permit.

The following table presents the effluent limitations and the specific rationales for pollutants that are expected to be present in the discharge from CSC:

Constituents	Units	Discharge Limitations		Rationale
		Monthly Average <sup>1</sup>	Daily Maximum	
PH	pH Units	6.5 – 8.5		Basin Plan <sup>2</sup>
Temperature	<sup>o</sup> F	86		Thermal Plan, BPJ <sup>3</sup>
Total Suspended Solids	Mg/L	50	75	BPJ <sup>3</sup>
Turbidity	NTU	50	75	BPJ <sup>3</sup>
BOD <sub>5</sub> 20°C	Mg/L	20	30	BPJ <sup>3</sup>
Oil and Grease	Mg/L	10	15	E, BPJ <sup>3</sup>
Settleable solids	ml/L	---	0.3	BPJ <sup>3</sup>
Sulfides	mg/L	---	0.10	E
Phenols	mg/L	---	1.0	E
Acute toxicity	% survival	Average survival for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, with no single test producing less than 70% survival.		Basin Plan <sup>2</sup>

<sup>1</sup> Average monthly effluent limitations are established in the Order for certain pollutants. These average monthly effluent limitations are based on BPJ and are consistent with current individual permits adopted by the Regional Board to industrial facilities of a similar nature. In addition, Section 402(o) of the Clean Water Act and 40 CFR 122.44(l) require that effluent limitations standards or conditions in reissued permits be at least as stringent as those in the existing permit.

<sup>2</sup> Basin Plan Objectives are instantaneous maximum concentrations of pollutants that when not exceeded are protective of the beneficial uses of the particular water body. They are generally set at the level required to protect the most sensitive beneficial use or at an even lower level based on antidegradation principles.

<sup>3</sup> BPJ = Best professional judgement is the method used by permit writers to develop technology-based NPDES permit conditions on a case-by-case basis using all reasonably available and relevant data. BPJ limits are established in cases where effluent limitation guidelines are not available for a particular pollutant of concern. Authorization for BPJ limits is found under section 401(a)(1) of the Clean Water Act and under 40 CFR 125.3.

E - Existing Permit.

**5. Monitoring Requirements**

The previous permit for CSC required monitoring for temperature, flow, oil and grease, pH, sulfides, and phenols at a frequency of once per discharge event. It also required annual monitoring for acute toxicity and once in the lifetime of the permit monitoring (to be collected during the first storm discharge during the months of October through March) for priority pollutants.

The Regional Board also issued a letter on July 27, 2001 that required CSC to monitor for priority pollutants regulated in the CTR, and submit the data by May, 2003.

Monitoring requirements are discussed in greater detail in Section III of the *M&RP*.

**(a) Effluent Monitoring**

To demonstrate compliance with effluent limitations established in the permit, and to assess the impact of the discharge on the beneficial uses of the receiving water, this Order carries over the existing monitoring requirements for most parameters. Monitoring once per discharge event for flow, temperature, pH, suspended solids, BOD, settleable solids, turbidity, oil and grease, sulfides, phenols is required to ensure compliance with effluent limitations. In addition, the proposed permit carries over the annual monitoring requirements for acute toxicity. The Discharger is also required to monitor for priority pollutants once per storm event, where no more than two samples are required in the same calendar year for the first 2 years of the permit. After the first 2 years, the Discharger is required to monitor once per storm event, where no more than one sample is required each calendar year as described in Section IV.5(b) of the *M&RP*. The proposed permit also requires the Discharger to collect the effluent sample prior to the effluent entering the storm drain (at the exit of the discharge pipe from Pond No. 1). Based on the Discharger's nature of operation and materials and/or wastes present at the site, the proposed permit prescribed monitoring for dissolved oxygen, sulfates, sulfites, conductivity, total organic compounds, ammonia, methyl tertiary butyl ether, tertiary butyl alcohol, and total petroleum hydrocarbons.

**(b) Effluent Monitoring for Reasonable Potential Determination**

Consistent with the TSD, the Discharger is required to submit data sufficient for: (1) determining if WQBELs for priority pollutants are required, and (2) to calculate effluent limitations, if required. Therefore, the Discharger is required to conduct an interim monitoring program for all priority pollutants 2 years (i.e., until April 30, 2006), or until ordered otherwise by the Regional Board. As described in the Monitoring and Reporting Program, monitoring reports must be submitted quarterly.

**(c) Storm Water Monitoring**

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 storm water discharges of all storm water discharge locations to observe the presence of floating and suspended materials, oil and grease, discoloration, turbidity and odor. Furthermore, the Discharger shall implement the Storm Water Pollution Prevention Plan Requirements (SWPPP) as is enumerated in Attachment A of the WDR Order No. R4-2004-0053.