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

ORDER NO. R4-2002-0093
NPDES PERMIT NO. CA0060267

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
WASTE DISCHARGE REQUIREMENTS
FOR
HARRIS WATER CONDITIONING, INC.

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

Background

1. Harris Water Conditioning, Inc. (hereinafter Harris or Discharger), dba Culligan Water Conditioning, discharges wastewater under waste discharge requirements (WDRs) contained in Order No. 96-095 adopted by the Regional Board on December 9, 1996. Order 96-095 serves as the National Pollutant Discharge Elimination System (NPDES) permit (CA0060267).

2. Harris has filed a report of waste discharge (ROWD) and has applied for renewal of its WDRs and NPDES permit.

Purpose of Order

3. The purpose of this order is to renew the WDRs for the Harris Water Conditioning, Inc. facility. This NPDES permit regulates the discharge of up to 110,000 gallons per day of non-industrial water softener regeneration backwash water and final rinse water via Arundell Barranca to the Ventura Marina, a water of the United States. The point of discharge is located at Latitude 34º, 15', 43" North and Longitude 119º, 14', 32" West.

Facility Description

4. The Harris facility is located at 1371 Fleet Avenue, Ventura, California. Harris installs individual water softening tanks filled with cation exchange resins at the customer's residential locations. The exhausted tanks are brought to the facility for servicing and processing for future use. Harris services individual water softener tanks by regenerating the cation resin with a sodium chloride solution. The facility consists of a warehouse area that houses a processing system comprised of a series of tanks and aboveground piping. Figures 1 and 2 show the location and plan view of the facility, respectively.

Discharge Description

5. Individual water softening tanks when exhausted are brought to the Harris facility to be regenerated. Spent resins are emptied from the exhausted tanks into a resin pit and then transferred to the backwash tank. The backwash rinse loosens and flushes out suspended particles from the resin. After backwash, the resins are passed through a sodium chloride solution in the regeneration tank. The large excess of sodium ions displaces hardness (i.e., calcium and magnesium) ions picked up through the preceding service cycle and returns the resin to its sodium state. After regeneration, the resins are sent to the final fresh water rinse tank. This rinse flushes out all remaining displaced calcium and magnesium ions, any residual suspended particles, and any unused salt brine. Process wastewaters generated at the Harris facility include any materials that are removed from the water during the preceding service cycle, spent brine solution, and wastewater generated from the fresh water rinse cycles. Wastewater from the backwash tanks are sent to a backwash clarifier that allows solids to settle out of the wastewater before being sent to the main clarifier. Spent brine solution and wastewater generated from the fresh water rinse cycles are sent directly to the main clarifier.

6. All process wastewater flows through the main clarifier before being discharged to a storm drain located at Latitude 34º, 15‘, 39” North and Longitude 119º, 14‘, 36” West. The storm drain is equipped with a sump that pumps all wastewater from the main clarifier, as well as collected storm water, to the Arundell Barranca, a concrete-lined flood control channel managed by the Ventura County Flood Control District. Arundell Barranca flows to the Ventura Marina, a water of the United States, within the tidal prism. The storm water that is collected in the Market Street storm drain sump is from a variety of facilities located along Market Street.

7. Monitoring data from the past 5 years shows the average wastewater flow is 67,101 gallons per day. Figure 3 shows the schematic diagram of the wastewater flow.

8. Under the previous permit, annual monitoring for metals was required. Monitoring data during the previous permit term indicates that Harris has discharged copper in concentrations above the daily maximum effluent limitation. Data also indicates that during two monitoring events (September 1998 and 1999), total chromium, lead, and silver were discharged at concentrations above the daily maximum effluent limitations. The previous permit also required quarterly monitoring for oil and grease, BOD_5, and total suspended solids. On two occasions, the concentration of total suspended solids exceeded the 30-day average effluent limitation (51 and 70 μg/L). On one occasion, the concentration of BOD_5 exceeded the 30-day average effluent limitation (48 μg/L).

Storm Water Management

9. Harris has implemented a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the existing individual permit, and is consistent with the SWPPP requirements in the NPDES General Permit for Storm Water Discharges Associated with Industrial Activity [State Water Resources Control Board (State Board) Order No. 97-03-DWQ. The permit requires the Discharger to update and implement its 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.

Applicable Plans, Policies, and Regulations

10. 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) as amended on January 27, 1997 by Regional Board Resolution No. 97-02. The Basin Plan (i) designates beneficial uses for surface and groundwaters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state antidegradation policy (*Statement of Policy with Respect to Maintaining High Quality Waters in California*, State Board Resolution No. 68-16, October 28, 1968), and (iii) describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates (by reference) applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. The Regional Board prepared the 1994 update of the Basin Plan to be consistent with all previously adopted State and Regional Board plans and policies. This Order implements the plans, policies and provisions of the Regional Board's Basin Plan.

11. The Basin Plan contains water quality objectives and beneficial uses for inland surface waters and for the Pacific Ocean. Inland surface waters consist of rivers, streams, lakes, reservoirs, and inland wetlands. Beneficial uses for a surface water can be designated, whether or not they have been attained on a waterbody, in order to implement either federal or state mandates and goals (such as fishable and swimmable for regional waters). Beneficial uses of streams that have intermittent flows, as is true for many Southern California streams, are designated as intermittent. The beneficial uses of inland surface waters generally include water contact recreation, warm freshwater habitat, cold freshwater habitat, inland saline water habitat and commercial and sport fishing.

12. The receiving water for the permitted discharge covered by this permit is the Arundell Barranca, one of many Ventura miscellaneous coastal streams. The Arundell Barranca is a channelized waterway, which primarily conveys storm water, industrial discharges, and any other discharges to Ventura Marina and subsequently to the Pacific Ocean. The beneficial uses of water contact recreation, warm freshwater habitat and cold freshwater habitat, inland saline water habitat and commercial and sport fishing have been associated with this waterbody (fishable) in compliance with the Clean Water Act. The potential beneficial use of municipal and domestic supply (MUN) for the Arundell Barranca is consistent with Regional Board Resolution 89-03; however the Regional Board has only conditionally designated the MUN beneficial uses and at this time cannot establish effluent limitations designed to protect the conditional designation. Subsequently, the discharge travels to the Ventura Marina. The beneficial uses for the Ventura Marina:

    Existing: industrial service supply, navigation, water contact recreation, non-contact water recreation, commercial and sport fishing, marine habitat, wildlife habitat, and shellfish harvesting.

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

14. On May 18, 2000, the U.S. Environmental Protection Agency (USEPA) promulgated numeric criteria for priority pollutants for the State of California [known as the *California Toxics Rule* (CTR) and codified as 40 CFR section 131.38]. In the CTR, USEPA 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 provides a schedule of compliance not to exceed 5 years from the date of permit issuance for a point source discharge if the Discharger demonstrates that it is infeasible to promptly comply with the CTR criteria.

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

16. Under 40 CFR 122.44(d), Water Quality Standards and State Requirements, "Limitations must control all pollutants or pollutant parameters (either conventional, non-conventional, or toxic pollutants), which the Director [permitting authority] determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." Where numeric effluent limitations for a pollutant or pollutant parameter have not been established in the applicable state water quality control plan, 40 CFR Part section 122.44(d)(1)(vi) specifies that WQBELs may be set based on USEPA criteria, and may be supplemented where necessary by other relevant information to attain and maintain narrative water quality criteria, and to fully protect designated beneficial uses.

17. Effluent limitation guidelines requiring the application of best practicable control technology currently available (BPT), best conventional pollutant control technology (BCT), and best available technology economically achievable (BAT), were promulgated by the USEPA for some pollutants in this discharge. Effluent limitations for pollutants not subject to the USEPA effluent limitation guidelines are based on one of the following: best professional judgment (BPJ) of BPT, BCT or BAT; current plant performance; or WQBELs. The WQBELs are based on the Basin Plan, other State plans and policies, or USEPA water quality criteria which are taken from the California Toxics Rule (CTR). These requirements, as they are met, will protect and maintain existing beneficial uses of the receiving water. The attached fact sheet for this Order includes specific bases for the effluent limitations.

18. 40 CFR section 122.45(f)(1) requires that except under certain conditions, all permit limits, standards, or prohibitions be expressed in terms of mass units. 40 CFR section 122.45(f)(2) allows the permit writer, at his its discretion, to express limits in additional units (e.g., concentration units). The regulations mandate that, where limits are expressed in more than one unit, the permittee must comply with both.

    Generally, mass-based limits ensure that proper treatment, and not dilution is employed to comply with the final effluent concentration limits. Concentration-based effluent limits, on the other hand, discourage the reduction in treatment efficiency during low-flow periods and require proper operation of the treatment units at all times. In the absence of concentration-based effluent limits, a permittee would be able to increase its effluent concentration (i.e., reduce its level of treatment) during low-flow periods and still meet its mass-based limits. To account for this, this permit includes mass and concentration limits for some constituents.

19. 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) of the Clean Water Act (CWA) and in Title 40, 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.

20. Effluent limitations are established in accordance with sections 301, 304, 306, and 307 of the federal CWA, and amendments thereto. These requirements, as they are met, will maintain and protect the beneficial uses of the Miscellaneous Ventura Coastal Streams.

Watershed Management Approach and Total Maximum Daily Loads (TMDLs)

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

22. There is very little data available on the water quality in the Arundell Barranca and it is not on the 1988 State Board's California 303(d) List of impaired water bodies. Ventura Marina and Ventura Harbor, which are the receiving waters for discharges from the Arundell Barranca, are located in the northern portion of the Ventura watershed. The 1998 State Board's California 303(d) List classifies the Ventura Harbor as impaired. The pollutant of concern is coliform bacteria.

Data Availability and Reasonable Potential Monitoring

23. 40 CFR 122.44(d)(1)(i) and (ii) require that each toxic pollutant be analyzed with respect to its reasonable potential to (1) cause; (2) have the reasonable potential to cause; or (3) contribute to the exceedance of a receiving water quality objective. This is done by performing a reasonable potential analysis (RPA) for each pollutant.

24. Section 1.3 of the SIP requires that a limit be imposed for a toxic pollutant if (1) the maximum effluent concentration (MEC) is greater than the most stringent CTR criteria, or (2) the background concentration is greater than the CTR criteria, or (3) other information is available. For the pollutants on the 303(d) list, no background concentration data is necessary for RPA. Sufficient effluent data are needed for this analysis.

25. The Regional Board has determined that reasonable potential exists for all pollutants that are regulated under the current permit; therefore effluent limitations have been established for these pollutants. Furthermore, the effluent limitations for metals have been modified based on the revised water quality criteria contained in the CTR and the requirements contained in Section 1.4 of the SIP.

26. Limited data exist to perform a RPA for the remaining toxic parameters for which water quality criteria exist. In such circumstance, the SIP recommends that additional data be gathered prior to permit issuance, or that additional data be gathered during the term of the permit.

Compliance Schedules and Interim Limitations

27. Harris may not be able to achieve immediate compliance with WQBELs for copper, lead, mercury, nickel, silver, and zinc contained in Section I.B.4. of this permit. Data submitted in self-monitoring reports indicate that these constituents have been detected at a concentration greater than the new limit proposed in this Order. This data provides a demonstration of necessity for interim limits.

28. 40 CFR section 131.38(e) provides conditions under which interim effluent limits and compliance schedules may be issued. The SIP does allow inclusion of an interim limit with a specific compliance schedule included in a NPDES permit for priority pollutants if the limit for the priority pollutant is CTR-based. Interim limits for copper, lead, mercury, nickel, silver, and zinc are contained in this Order based on the demonstration of necessity for the interim limit.

29. The SIP requires that the Regional Board establish other interim requirements, such as requiring the discharger to develop a pollutant minimization plan and/or source control measures, and participate in the activities necessary to develop final effluent limitations. When interim requirements have been completed, the Regional Board shall calculate final WQBELs for that pollutant based on the collected data, reopen the permit, and include the final effluent limitations in the permit provisions. Once final limitations become effective, the interim limitations will no longer apply.

CEQA and Notifications

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

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

32. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the Federal Clean Water Act or amendments thereto, and shall take effect at the end of ten days from the date of its adoption provided the Regional Administrator, USEPA, has no objections.

33. Pursuant to California Water Code section 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board. A petition must be sent to the State Water Resources Control Board, P. O. Box 100, Sacramento, California, 95812, within 30 days of adoption of this Order.

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

IT IS HEREBY ORDERED that Harris Water Conditioning, Inc., in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, and the provisions of the Federal Clean Water Act and regulations and guidelines adopted there under, shall comply with the following:

I. DISCHARGE REQUIREMENTS

A. Discharge Prohibition

1. Wastes discharged from Outfall 001 shall be limited to 110,000 gallons per day of water softener regeneration wastes and uncontaminated storm water, as proposed.

2. Discharges of water, materials, thermal wastes, elevated temperature wastes, toxic wastes, deleterious substances, or wastes other than those authorized by this Order, to a storm drain system, Arundell Barranca, tributaries to the Ventura Marina, or waters of the State, are prohibited.

B. Effluent Limitations

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

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

2. A temperature greater than 100º F.

3. Toxicity limitations:

   a) Acute Toxicity Limitation and Requirements

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

      2. If any acute toxicity bioassay test result is less than 90% survival, the Discharger shall conduct six additional tests over a six-week period. The Discharger shall ensure that they receive results of a failing acute toxicity test within 24 hours of the completion of the test, and the additional tests shall begin within 3 business days of the receipt of the result. If the additional tests indicate compliance with acute toxicity limitation, the discharger may resume regular testing. However if the results of any two of the six accelerated tests are less than 90% survival, then the Discharger shall begin a Toxicity Identification Evaluation (TIE). The TIE shall include all reasonable steps to identify the source(s) of toxicity. Once the source(s) of toxicity is identified, the Discharger shall take all reasonable steps to reduce the toxicity to meet the objective.

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

      4. The Discharger shall conduct acute toxicity monitoring as specified in Monitoring and Reporting Program No. 6818.

   b) Chronic Toxicity Limitation and Requirements

      1. This Order includes a chronic testing toxicity trigger defined as an exceedance of 1.0 TU_c in a critical life stage test for 100% effluent. (The monthly median for chronic toxicity of 100% effluent shall not exceed 1 TU_c in a critical life stage test.)

      2. If the chronic toxicity of the effluent exceeds 1.0 TU_c, the Discharger shall immediately implement accelerated chronic toxicity testing according to Monitoring and Reporting Program (MRP) 6818, Item V.D.1. If the results of two of the six accelerated tests exceed 1.0 TU_c, the Discharger shall initiate a TIE and implement the Initial Investigation TRE Workplan. (see MRP 6818 Item V.E.)

      3. The Discharger shall conduct chronic toxicity monitoring as specified in MRP No. 6818.

4. The chronic toxicity of the effluent shall be expressed and reported in toxic units, where:

$$TU_c = \frac{100}{NOEC}$$

The No Observable Effect Concentration (NOEC) is expressed as the maximum percent effluent concentration that causes no observable effect on test organisms, as determined by the results of a critical life stage toxicity test.

5. Preparation of an Initial Investigation TRE Workplan

   i. The Discharger shall submit a copy of the Discharger's initial investigation Toxicity Reduction Evaluation (TRE) workplan (1-2 pages) to the Executive Officer of the Regional Board for approval within 90 days of the effective date of this permit. If the Regional Board Executive Officer does not disapprove the workplan within 60 days, the workplan shall become effective. The Discharger shall use EPA manuals EPA/600/2-88/070 (industrial) or EPA/833B-99/002 (municipal) as guidance. This workplan shall describe the steps the Discharger intends to follow if toxicity is detected, and should include, at a minimum:

   ii. A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency;

   iii. 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 operation of the facility; and,

   iv. If a TIE is necessary, an indication of the person who would conduct the TIEs (i.e., an in-house expert or an outside contractor) (See MRP Section IV.E.3. for guidance manuals.)

4. Final effluent limitations: The discharge of an effluent with constituents in excess of the following limitations is prohibited:

Constituents	Discharge Limitations			
	Daily Maximum		Monthly Average	
	Concentration	Mass[1] (lbs/day)	Concentration	Mass[1] (lbs/day)
Oil and Grease	15 (mg/L)	13.8	10 (mg/L)	6
BOD_5	30 (mg/L)	27.5	20 (mg/L)	12
Total Suspended Solids	150 (mg/L)	138	50 (mg/L)	29
Arsenic[2]	80 (µg/L)	0.05	---	---
Cadmium[2, 3]	4 (µg/L)	0.004	2 (µg/L)	0.001
Chromium (total)[2]	20 (µg/L)	0.011	---	---
Copper[2, 3]	14 (µg/L)	0.01	7 (µg/L)	0.004
Lead[2, 3]	5 (µg/L)	0.005	3 (µg/L)	0.002
Mercury[2, 3]	0.1 (µg/L)	0.00009	0.05 (µg/L)	0.00003
Nickel[2, 3]	86 (µg/L)	0.08	43 (µg/L)	0.025
Silver[2, 3]	4 (µg/L)	0.004	2 (µg/L)	0.001
Zinc[2, 3]	120 (µg/L)	0.1	61 (µg/L)	0.036

[1] The mass-based effluent limitations for the daily maximum are based on the maximum permitted flow of 0.110 million gallons per day (mgd), the long-term average flow rate of 0.068850 mgd is used to calculate the monthly average.

The equation used to calculate the mass is :

m = 8.34*C*Q where:

m = mass limit for a pollutant in lbs/day

C = concentration limit for a pollutant, mg/L

Q = daily maximum discharge flow rate for daily maximum and long term average of for the monthly average

[2] Discharge limitations for these metals are expressed as total recoverable.

[3] Limitations for these parameters are not effective until 2 years after the effective date of this Order.

5. Interim Effluent Limitations. From the effective date of this Order until that date 2 years later, the discharge of an effluent with constituents in excess of the following limitations is prohibited:

Constituents	Discharge Limitations			
	Daily Maximum		Monthly Average	
	Concentration (µg/L)	Mass[1] (lbs/day)	Concentration (µg/L)	Mass[1] (lbs/day)
Copper[2]	50	0.03	---	---
Lead[2]	80	0.05	---	---
Mercury[2]	0.5	0.0003	0.5	0.0003
Nickel[2]	86[3]	0.05	80	0.05
Silver[2]	4.5	0.003	---	---
Zinc[2]	120	0.06	95	0.05

[1] The mass-based effluent limitations are based on the maximum permitted discharge of 0.110 mgd or on the long-term average flow rate of 0.068850 mgd for the monthly average.

The equation used to calculate the mass is :

m = 8.34*C*Q where:

m = mass limit for a pollutant in lbs/day

C = concentration limit for a pollutant, mg/L

Q = daily maximum discharge flow rate for daily maximum and long term average of for the monthly average

[2] Discharge limitations for these metals are expressed as total recoverable.

[3] This is the final effluent limit. No interim limit was required for the daily maximum for nickel.

C. Receiving Water Limitations

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

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

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

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

   d) Bottom deposits or aquatic growths; or,

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

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

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

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

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

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

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

   d) Total ammonia (as N) shall not exceed concentrations specified in the Basin Plan (June 13, 1994, Attachment H), subject to the following conditions:

      The Discharger will have until June 13, 2002, to (1) make the necessary adjustment and/or improvements to meet these objectives, or (2) conduct studies leading to an approved, less-restrictive, site-specific objective for ammonia. If it is determined that there is an immediate threat or impairment of beneficial uses due to ammonia, the objective in Attachment H shall apply, and the timing of compliance will be determined on a case-by-case basis by the Executive Officer; and

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

II. REQUIREMENTS

A. Pollution Prevention and Best Management Practices Plans

The Discharger shall develop and implement, within 90 days of the effective date of this Order, the following plans. If necessary, the plans shall be updated to address any changes in operation and/or management of the facility. Updated plans shall be submitted to the Regional Board within 30 days of revision.

1. A *Storm Water Pollution Prevention Plan* (SWPPP) that describes site-specific management practices for minimizing storm water runoff from being contaminated, and for preventing contaminated storm water runoff from being discharged directly to waters of the State. The SWPPP shall be developed in accordance with the requirements contained in Attachment A and submitted to the Regional Board within 90 days of the effective date of this Order.

2. A *Best Management Practices Plan* (BMPP). The purpose of the BMPP is to establish site-specific procedures that will prevent the discharge of pollutants in non-storm water discharges (e.g., water softener regeneration backwash water

and final rinse water). The BMPP shall be site-specific and shall cover all areas of the facility.

B. Compliance Plan

1. The Discharger shall submit a compliance plan within six months after the adoption of this permit. The compliance plan shall include investigations, facility upgrades (if required), operational changes implemented with not more than one year between interim dates.

2. The Discharger shall submit quarterly progress reports to describe the progress of studies and or actions undertaken to reduce these compounds in the effluent, and to achieve compliance with the limits in this Order by the deadline specified in provision I.B.4. The first progress report shall be received by the Regional Board by September 15, 2002.

3. Harris shall submit within six months after the adoption of this permit, an engineering work plan detailing how the final limitations contained in this Order will be met. The plan shall include, at a minimum, the following elements:

   i. An engineering analysis of all water quality data collected since the adoption of the Order, along with an identification of the type of source reductions planned;

   ii. An evaluation of treatment methods or other corrective actions to be taken to meet the requirements of this Order;

   iii. A layout of the implementation plan, along with the cost estimates for same;

   iv. An explanation regarding any additional monitoring that will be required in order to finalize the implementation plan; and,

   v. A schedule setting forth compliance implementation dates. There shall be no more than one year between events in the compliance implementation schedule.

3. The interim limits stipulated shall be in effect for a period not to extend beyond April 25, 2004. Thereafter, the Discharger shall comply with the limitations specified in Section I.B.4. of this Order.

4. The Discharger must notify the Regional Board's Executive Officer, in writing, no later than 14 days following each interim date, compliance implementation event, or quarterly report, of the Discharger's compliance or noncompliance with the interim requirements.

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

occurred, or will occur, in concentrations that exceed the specified limitations in 40 CFR 122.42(a).

D. In the determination of compliance with the monthly average limitations, the following provisions shall apply to all constituents:

1. If the analytical result of a single sample, monitored monthly or at a lesser frequency, does not exceed the monthly average limit for that constituent, the Discharger will have demonstrated compliance with the monthly average limit for that month.

2. If the analytical result of a single sample, monitored monthly or at a lesser frequency, exceeds the monthly average limit for any constituent, the Discharger shall collect three additional samples at approximately equal intervals during the month. All four analytical results shall be reported in the monitoring report for that month, or 45 days after the sample was obtained, whichever is later.

   If the numerical average of the analytical result of these four samples does not exceed the monthly average limit for that constituent, compliance with the monthly average limit has been demonstrated for that month. Otherwise, the monthly average limit has been violated.

3. If Item II.B.2. has not been implemented, and the result of one sample (Item II.B.1.) exceeds the monthly average, then the Discharger is in violation of the monthly average limit.

4. In the event of noncompliance with a monthly average effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the monthly average effluent limitation has been demonstrated.

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

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

G. There shall be no discharge of PCB compounds such as those once commonly used for transformer fluid.

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

a. Name and general composition of the chemical,
b. Frequency of use,
c. Quantities to be used,
d. Proposed discharge concentrations, and
e. USEPA registration number, if applicable.

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

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

III. PROVISIONS

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

B. This Order includes the attached Monitoring and Reporting Program CI 6818. If there is any conflict between provisions stated in the Monitoring and Reporting Program and the Standard Provisions, those provisions stated in the former shall prevail.

C. This Order includes the attached *Storm Water Pollution Prevention Plan Requirements* (Attachment A).

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

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

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

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

IV. REOPENERS

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

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

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

D. This Order may be reopened and modified, to revise effluent limitations as a result of future Basin Plan Amendments, or the adoption of a TMDL for the Miscellaneous Ventura Coastal Watershed Management Area.

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

F. This Order may be reopened and modified, to revise the toxicity language once that language becomes standardized.

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

V. EXPIRATION DATE

This Order expires on March 10, 2007.

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

VI. RESCISSION

Order No. 96-095, adopted by this Regional Board on December 9, 1996, is hereby rescinded except for enforcement purposes.

I, Dennis Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on April 25, 2002.

_____
Dennis A. Dickerson
Executive Officer