

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Robert Schlipf)  
MEETING DATE: June 9, 2010

ITEM: 6

SUBJECT: **Tesoro Refining and Marketing Company, Golden Eagle Refinery, Martinez, Contra Costa County - Reissuance of NPDES Permit**

CHRONOLOGY: September 2005 - NPDES Permit Reissued  
March 2010 – NPDES Permit Amended

DISCUSSION: The Revised Tentative Order (Appendix A) would reissue the NPDES permit that covers discharges from Tesoro's wastewater treatment plant and storm water outfalls. Tesoro operates a petroleum refinery that processes about 157,000 barrels per day of crude oil. This production results in a discharge of 4.1 million gallons per day of treated wastewater to Suisun Bay via a deepwater diffuser that is about 1,200 feet offshore. Tesoro also discharges storm water associated with industrial activities to Walnut Creek, Hastings Slough, and Pacheco Slough (all tributaries to Suisun Bay or Carquinez Strait).

Tesoro and the San Francisco Baykeeper commented (Appendix B) on the tentative order that Board staff distributed for public review. We have responded to all comments (Appendix C) and made appropriate changes, all of which are reflected in the Revised Tentative Order. We resolved many issues; however, some remain.

The most significant issues are from Baykeeper. Its main concerns are that the tentative order does not properly address anti-backsliding or antidegradation for technology-based effluent limits. We disagree. The Revised Tentative Order includes slightly increased production-based mass loading limits to reflect Tesoro's more recent production rates. The proposed new limits are in accordance with federal technology-based regulations. In such cases, federal regulations allow for backsliding because such changes are considered a material and substantial alteration. On the issue of antidegradation, the proposed allowance of a small increase in loadings will not result in a reduction in water quality, and therefore, an antidegradation analysis is not required. This is because (1) the overall crude throughput at the refinery is not

expected to change even though there has been variation in production rates from specific process units, and (2) the wastewater treatment process and resulting discharge flow are expected to remain the same.

We anticipate that some commenters may reiterate their concerns at the Board meeting.

RECOMMEND-  
ATION:

Adoption of the Revised Tentative Order

CIWQS Place ID:

228968 (RS)

Appendices:

- A. Revised Tentative Order
- B. Correspondence
- C. Response to Comments