

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

1515 Clay Street, Suite 1400, Oakland, California 94612
waterboards.ca.gov/sanfranciscobay

**REVISED TENTATIVE ORDER R2-2021-00XX
NPDES PERMIT CA0038679**

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

Discharger **Livermore-Amador Valley Water Management Agency (LAVWMA)
Dublin San Ramon Services District
City of Livermore
City of Pleasanton**

Name of Facility **LAVWMA Export and Storage Facilities**

Facility Address **7176 Johnson Drive
Pleasanton, CA 94588
Alameda County**

Table 1. Discharge Locations

Discharge Points	Effluent Description	Discharge Point Latitude (North-South)	Discharge Point Longitude (East-West)	Receiving Water
002	Secondary-Treated Municipal Wastewater	37.675001°	-122.155278°	San Lorenzo Creek
003	Secondary-Treated Municipal Wastewater	37.684444°	-121.915278°	Alamo Canal

This Order was adopted on:
This Order shall become effective on:
This Order shall expire on:
CIWQS regulatory measure number:

**<Adoption Date>
July 1, 2021
June 30, 2026
<XXXXXX>**

The Discharger shall file a Report of Waste Discharge as an application for updated WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a National Pollutant Discharge Elimination System (NPDES) permit no later than **September 30, 2025**. The U.S. Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, San Francisco Bay Region (Regional Water Board) have classified this discharge as “minor.”

Livermore-Amador Valley Water Management Agency (LAVWMA)
LAVWMA Export and Storage Facilities
Intermittent Wet Weather Discharge

Order R2-2021-00XX
NPDES Permit CA0038679

I hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the Regional Water Board on the date indicated above.

Michael Montgomery, Executive Officer

CONTENTS

1. FACILITY INFORMATION.....	4
2. FINDINGS	4
3. DISCHARGE PROHIBITIONS	5
4. EFFLUENT LIMITATIONS	5
5. RECEIVING WATER LIMITATIONS.....	6
6. PROVISIONS.....	7

TABLES

TABLE 1. DISCHARGE LOCATIONS.....	1
TABLE 2. EFFLUENT LIMITATIONS.....	5

ATTACHMENTS

ATTACHMENT A – DEFINITIONS AND ABBREVIATIONS	A-1
ATTACHMENT B – MAPS	B-1
ATTACHMENT C – FLOW SCHEMATIC.....	C-1
ATTACHMENT D – STANDARD PROVISIONS.....	D-1
ATTACHMENT E – MONITORING AND REPORTING PROGRAM	E-1
ATTACHMENT F – FACT SHEET	F-1
ATTACHMENT G – REGIONAL STANDARD PROVISIONS, AND MONITORING AND REPORTING REQUIREMENTS (SUPPLEMENT TO ATTACHMENT D).....	G-1

1. FACILITY INFORMATION

Information describing the Livermore-Amador Valley Water Management Agency (LAVWMA), the Dublin San Ramon Services District, the City of Livermore, and the City of Pleasanton (collectively, the Discharger) and the intermittent wet weather discharge from the LAVWMA Export and Storage Facilities (collectively, the Facility) is summarized on the cover page and in Fact Sheet (Attachment F) sections 1 and 2. Fact Sheet section 1 also includes information regarding the permit application.

2. FINDINGS

The Regional Water Board finds the following:

- 2.1. Legal Authorities.** This Order serves as WDRs pursuant to California Water Code article 4, chapter 4, division 7 (commencing with § 13260). This Order is also issued pursuant to federal Clean Water Act (CWA) section 402 and implementing regulations adopted by U.S. EPA and Water Code chapter 5.5, division 7 (commencing with § 13370). It shall serve as an NPDES permit authorizing the Discharger to discharge into waters of the United States as described in Table 1 subject to the WDRs in this Order.
- 2.2. Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information the Discharger submitted as part of its application, information obtained through monitoring and reporting programs, and other available information. The Fact Sheet contains background information and rationale for the requirements in this Order and 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 Regional Water Board notified the Discharger and interested agencies and persons of its intent to prescribe these WDRs and has provided an opportunity to submit written comments and recommendations. Fact Sheet section 8.1 provides details regarding the notification.
- 2.4. Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Fact Sheet section 8.3 provides details regarding the public hearing.

THEREFORE, IT IS HEREBY ORDERED that Order R2-2016-0015 (previous order) is rescinded upon the effective date of this Order, except for enforcement purposes, and, in order to meet the provisions contained in Water Code division 7 (commencing with § 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 Regional Water Board from taking enforcement action for violations of the previous order.

3. DISCHARGE PROHIBITIONS

- 3.1. Discharge of treated or partially-treated wastewater at a location or in a manner different from that described in this Order is prohibited.
- 3.2. Discharge to San Lorenzo Creek is prohibited, except during peak wet weather flows after the Discharger fully utilizes the maximum allowed hydraulic capacity available in the East Bay Dischargers Authority (EBDA) pipeline and except during discharge exercises as described in Prohibition 3.5. Wet weather discharges to San Lorenzo Creek shall not exceed 21.5 million gallons per day (MGD). Discharge exercises shall not exceed 140,000 gallons per discharge event. Compliance shall be evaluated at Monitoring Location M-002 as described in the Monitoring and Reporting Program (MRP).
- 3.3. Discharge to Alamo Canal is prohibited, except during peak wet weather flows after the Discharger fully utilizes its maximum export pumping capacity of 41.2 MGD to the EBDA pipeline (or to the EBDA pipeline and the San Lorenzo Creek outfall) below and except during discharge exercises as described in Prohibition 3.5. Discharge exercises shall not exceed 140,000 gallons per discharge event. Compliance shall be evaluated at Monitoring Location M-003 as described in the MRP.
- 3.4. The bypass of untreated or partially-treated wastewater to waters of the United States is prohibited, except as provided for in Attachment D sections 1.7.2 and 1.7.3 of this Order.
- 3.5. Discharge to San Lorenzo Creek and Alamo Canal during discharge exercises is prohibited to no more than twice per year from Discharge Point 002 and no more than once per year from Discharge Point 003. Discharge shall only take place during the wet season, November 1 to April 30, and when there is also a significant flow increase in San Lorenzo Creek and Alamo Canal.

4. EFFLUENT LIMITATIONS

- 4.1. **Effluent Limitations.** Discharges at Discharge Points 002 and 003 shall meet the following effluent limitations, with compliance measured at Monitoring Locations M-002 and M-003 as described in the MRP:

Table 2. Effluent Limitations

Parameter	Units	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C	mg/L	-	40	-	-	-
Total Suspended Solids	mg/L	-	45	-	-	-

Parameter	Units	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
pH ^[1]	standard units	-	-	-	6.5	8.5
Oil and Grease	mg/L	-	-	20	-	-
Chlorine, Total Residual	mg/L	-	-	-	-	0.0
<i>Escherichia Coliform</i> Bacteria	CFU/100 mL	-	-	320	-	-

Footnote:

^[1] If the Discharger monitors pH continuously, pursuant to 40 C.F.R. section 401.17 the Discharger shall be in compliance with this pH limitation provided that both of the following conditions are satisfied: (i) the total time during which the pH is outside the required range shall not exceed 7 hours and 26 minutes in any calendar month; and (ii) no individual excursion from the required pH range shall exceed 60 minutes.

5. RECEIVING WATER LIMITATIONS

5.1. The discharge shall not cause the following conditions at any place in receiving waters:

- 5.1.1. Floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses;
- 5.1.2. Alteration of suspended sediment in such a manner as to cause nuisance or adversely affect beneficial uses or detrimental increase in the concentrations of toxic pollutants in sediments or aquatic life;
- 5.1.3. Suspended material in concentrations that cause nuisance or adversely affect beneficial uses;
- 5.1.4. Bottom deposits or aquatic growths to the extent that such deposits or growths cause nuisance or adversely affect beneficial uses;
- 5.1.5. Alteration of temperature beyond present natural background levels unless it can be demonstrated to the satisfaction of the Regional Water Board that such alteration in temperature does not adversely affect beneficial uses;
- 5.1.6. Changes in turbidity that cause nuisance or adversely affect beneficial uses, or increases from normal background light penetration or turbidity greater than 10 percent in areas where natural turbidity is greater than 50 nephelometric turbidity units, or above 55 nephelometric turbidity units in areas where natural turbidity is less than or equal to 50 nephelometric turbidity units;
- 5.1.7. Coloration that causes nuisance or adversely affects beneficial uses;
- 5.1.8. Visible, floating, suspended, or deposited oil or other products of petroleum origin; or

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

5.2. The discharge shall not cause the following limits to be exceeded at any place in receiving waters within one foot of the water surface:

5.2.1. Dissolved Oxygen 5.0 mg/L, minimum

The median dissolved oxygen concentration for any three consecutive months shall not be less than 80 percent of the dissolved oxygen content at saturation. When natural factors cause concentrations less than that specified above, the discharge shall not cause further reduction in ambient dissolved oxygen concentrations

5.2.2. Dissolved Sulfide Natural background levels

5.2.3. pH The pH shall not be depressed below 6.5 nor raised above 8.5. The discharge shall not cause changes greater than 0.5 pH units in normal ambient pH levels.

5.2.4. Nutrients Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.

5.3. The discharge shall not cause a violation of any water quality standard for receiving waters adopted by the Regional Water Board or State Water Resources Control Board (State Water Board) as required by the CWA and regulations adopted thereunder beyond any mixing zone established through this Order. If more stringent water quality standards are promulgated or approved pursuant to CWA section 303, or amendments thereto, the Regional Water Board may revise or modify this Order in accordance with the more stringent standards.

6. PROVISIONS

6.1. Standard Provisions

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

6.1.2. The Discharger shall comply with all applicable provisions of the “Regional Standard Provisions, and Monitoring and Reporting Requirements for NPDES Wastewater Discharge Permits” in Attachment G.

- 6.1.3. If there is any conflict, duplication, or overlap between provisions in this Order, the more stringent provision shall apply.

6.2. Monitoring and Reporting Provisions

The Discharger shall comply with the Monitoring and Reporting Program (MRP, Attachment E) and future revisions thereto, and applicable monitoring and reporting requirements in Attachments D and G.

6.3. Special Provisions

6.3.1. Reopener Provisions

The Regional Water Board may modify or reopen this Order prior to its expiration date in any of the following circumstances as allowed by law or as otherwise authorized by law. The Discharger may request a permit modification based on any of these circumstances. With any such request, the Discharger shall include antidegradation and anti-backsliding analyses as necessary.

- 6.3.1.1. If present or future investigations demonstrate that the discharges governed by this Order have or will have a reasonable potential to cause or contribute to adverse impacts on water quality or beneficial uses of the receiving waters;
- 6.3.1.2. If new or revised water quality objectives or total maximum daily loads (TMDLs) come into effect for San Francisco Bay or contiguous water bodies (whether statewide, regional, or site-specific). In such cases, effluent limitations in this Order may be modified as necessary to reflect the updated water quality objectives or wasteload allocations. Adoption of the effluent limitations in this Order is not intended to restrict in any way future modifications based on legally-adopted water quality objectives or TMDLs or as otherwise permitted under federal regulations governing NPDES permit modifications;
- 6.3.1.3. If translator, dilution, or other water quality studies provide a basis for determining that a permit condition should be modified;
- 6.3.1.4. If a State Water Board precedential decision, new policy, new law, or new regulation is adopted;
- 6.3.1.5. If an administrative or judicial decision on a separate NPDES permit or WDRs addresses requirements similar to this discharge; or
- 6.3.1.6. If the Discharger requests adjustments in effluent limits due to the implementation of stormwater diversion for redirecting dry weather and first flush discharges from a storm drain system to the sanitary sewer system as a stormwater pollutant control strategy.

6.3.2. Effluent Characterization Study and Report

6.3.2.1. **Study Elements.** The Discharger shall characterize and evaluate the discharge from Discharge Point 001 as required by the MRP to verify that the reasonable potential analysis conclusions of this Order remain valid and to inform the next permit reissuance. If concentrations of any of the priority pollutants listed in Attachment G, Table B, significantly increase over past performance, the Discharger shall investigate the cause of any such increase. The investigation may include, but need not be limited to, an increase in monitoring frequency, monitoring of internal process streams, and monitoring of influent sources. The Discharger shall establish remedial measures addressing any increase resulting in reasonable potential to cause or contribute to an exceedance of applicable water quality objectives. This requirement may be satisfied through identification of the constituent as a “pollutant of concern” in the Discharger’s Pollutant Minimization Program, described in Provision 6.3.3.

6.3.2.2. **Reporting Requirements.** The Discharger shall summarize the data evaluation and any applicable source investigation in the annual self-monitoring report associated with the year in which samples were collected. The Discharger shall also report the pollutants detected at or above applicable water quality objectives (see Fact Sheet Table F-5 for the objectives) in the report’s transmittal letter. This requirement does not apply to pollutants with effluent limitations (see Table 2 of this Order).

6.3.3. Pollutant Minimization Program

6.3.3.1. The Discharger shall develop and conduct a Pollutant Minimization Program as described below when there evidence is that a priority pollutant is present in the effluent above an effluent limitation (e.g., sample results reported as detected but not quantified [DNQ] when the effluent limitation is less than the method detection limit [MDL], sample results from analytical methods more sensitive than those methods required by this Order, presence of whole effluent toxicity, health advisories for fish consumption, or results of benthic or aquatic organism tissue sampling) and either:

6.3.3.1.1. A sample result is reported as DNQ and the effluent limitation is less than the Reporting Level (RL); or

6.3.3.1.2. A sample result is reported as not detected (ND) and the effluent limitation is less than the MDL, using definitions described in Attachment A and reporting protocols described in the MRP.

6.3.3.2. If triggered for a reason set forth in Provision 6.3.3.1, above, the Discharger’s Pollutant Minimization Program shall include, but not be limited to, the following actions and submittals:

- 6.3.3.2.1. An annual review and semi-annual monitoring of potential sources of the reportable priority pollutants, which may include fish tissue monitoring and other bio-uptake sampling, or alternative measures when source monitoring is unlikely to produce useful analytical data;
- 6.3.3.2.2. Quarterly monitoring for the reportable priority pollutants in the influent to the wastewater treatment system. The Executive Officer may approve alternative measures when influent monitoring is unlikely to produce useful analytical data;
- 6.3.3.2.3. Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutants in the effluent at or below the effluent limitation;
- 6.3.3.2.4. Implementation of appropriate cost-effective control measures for the reportable priority pollutants, consistent with the control strategy; and
- 6.3.3.2.5. Inclusion of the following specific items within the annual self-monitoring report required in MRP section 5.2.2:
 - 6.3.3.2.5.1. All Pollutant Minimization Program monitoring results for the previous year;
 - 6.3.3.2.5.2. List of potential sources of the reportable priority pollutants;
 - 6.3.3.2.5.3. Summary of all actions undertaken pursuant to the control strategy; and
 - 6.3.3.2.5.4. Description of actions to be taken in the following year.

6.3.4. **Other Special Provisions**

- 6.3.4.1. **Wet Weather Discharge Notification.** The Discharger shall notify the Regional Water Board of any wet weather discharge that complies with the discharge prohibitions in section 3 (Discharge Prohibitions) of this Order within three business days of the discharge occurring. This does not apply to the discharge exercises described in Discharge Prohibitions 3.2 and 3.3. The notice shall include the date and time the discharge initiated, and the estimated discharge duration and volume. Discharges (both wet weather and discharge exercise) violating a discharge prohibition or effluent limitation must comply with the notification and reporting requirements in section 5.5 of Attachments D and G.
- 6.3.4.2. **Wet Weather Discharge Annual Report.** The Discharger shall submit a summary of all wet weather and exercise discharges that occurred during the preceding wet season (November 1 to April 30) with its annual self-monitoring report (see MRP section 5.2.2), including a description of how the Facility was operated to maximize onsite storage and hydraulic export

capacity available in the EBDA pipeline to minimize the need to discharge to San Lorenzo Creek and Alamo Canal.

- 6.3.4.3. **Wet Weather Facilities Management Plan.** The Discharger shall include a Wet Weather Facilities Management Plan review with the annual self-monitoring report (see MRP section 5.2.2). The plan shall describe strategies to maximize onsite storage and export capacity available in the EBDA pipeline and minimize the need to discharge to San Lorenzo Creek and Alamo Canal.

ATTACHMENT A – DEFINITIONS AND ABBREVIATIONS

DEFINITIONS

Arithmetic Mean (μ)

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

$$\text{Arithmetic mean} = \mu = \Sigma x / n$$

where: Σx is the sum of the measured ambient water concentrations,
and n is the number of samples

Average Monthly Effluent Limitation (AMEL)

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)

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.

Bioaccumulative

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

Carcinogenic

Known to cause cancer in living organisms.

Coefficient of Variation (CV)

Measure of data variability calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

Daily Discharge

Either: (1) the total mass of a constituent discharged over a calendar day (12:00 a.m. through 11:59 p.m.) 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 a constituent over a 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 is considered the result for the calendar day in which the 24-hour period ends.

Detected, but Not Quantified (DNQ)

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

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)

Value derived from the water quality criterion or objective, dilution credit, and ambient background concentration that is used, in conjunction with the CV 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

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

Concentration that results from the confirmed detection of a substance below the ML by the analytical method.

Estuaries

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 are 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 are not the ocean, enclosed bays, or estuaries.

Instantaneous Maximum Effluent Limitation

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

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)

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

Middle measurement in a data set. The median of a data set 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 $n/2$ and $n/2+1$).

Method Detection Limit (MDL)

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 C.F.R. part 136, Appendix B.

Minimum Level (ML)

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

Limited volume of receiving water 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 less than the laboratory's MDL.

Persistent Pollutants

Substances for which degradation or decomposition in the environment is nonexistent or very slow.

Pollutant Minimization Program

Program of 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 a Pollutant Minimization Program is to reduce all potential sources of a priority pollutant 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. Cost effectiveness may be considered when establishing the requirements of a Pollutant Minimization Program. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), is considered to fulfill the Pollutant Minimization Program requirements.

Pollution Prevention

Any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant 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 or Regional Water Board.

Reporting Level (RL)

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. For priority pollutants, the MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Regional Water Board either from State Implementation Plan (SIP) Appendix 4 in accordance with SIP section 2.4.2 or established in accordance with SIP section 2.4.3. 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.

Source of Drinking Water

Any water designated as municipal or domestic supply (MUN) beneficial use.

Standard Deviation (σ)

Measure of variability calculated as follows:

$$\text{Standard deviation} = \sigma = (\sum[(x - \mu)^2]/(n - 1))^{0.5}$$

where: x is the observed value
 μ is the arithmetic mean of the observed values
 n is the number of samples

Toxicity Reduction Evaluation (TRE)

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 chemicals responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.

ABBREVIATIONS

°F	degrees Fahrenheit
°C	degrees Celsius
%	Percent
µg/L	Micrograms per liter
µS/cm	Microsiemens per centimeter
1/Blending Event	Once per blending event
1/Discharge	Once per discharge
1/Day	Once per day
1/Month	Once per month
1/Quarter	Once per quarter
1/Week	Once per week
1/Year	Once per year
2/Month	Two times per month
2/Week	Twice per week
2/Year	Twice per year
3/Week	Three times per week
4/Week	Four times per week
5/Week	Five times per week
AMEL	Average monthly effluent limitation
AWEL	Average weekly effluent limitation

B	Background concentration
C	Water quality criterion or objective
C-24	24-hour composite
CFU/100 mL	Colony forming units per 100 milliliters
Continuous	Measured continuously
Continuous/D	Measured continuously, and recorded and reported daily
Continuous/H	Measured continuously, and recorded and reported hourly
CTR	California Toxics Rule
CV	Coefficient of Variation
DMR	Discharge Monitoring Report
DNQ	Detected, but not quantified
DL	Detection level
ECA	Effluent Concentration Allowance
Grab	Grab sample
MDEL	Maximum Daily Effluent Limitation
MDL	Method detection limit
MEC	Maximum effluent concentration
MG	Million gallons
mg/L	Milligrams per liter
mg/L as N	Milligrams per liter as nitrogen
MGD	Million gallons per day
ML	Minimum level
MPN/100 mL	Most probable number per 100 milliliters
MRP	Monitoring and Reporting Program (Attachment E)
ND	Not detected
NTR	National Toxics Rule
NTU	Nephelometric turbidity units
ppt	Parts per thousand
RL	Reporting level
RPA	Reasonable potential analysis
SMR	Self-Monitoring Report
s.u.	Standard pH units

TIE	Toxicity identification evaluation
TRE	Toxicity reduction evaluation
TUa	Acute toxicity units
TUc	Chronic toxicity units

ATTACHMENT B – MAPS

Figure B-1. Facility and Outfall Locations

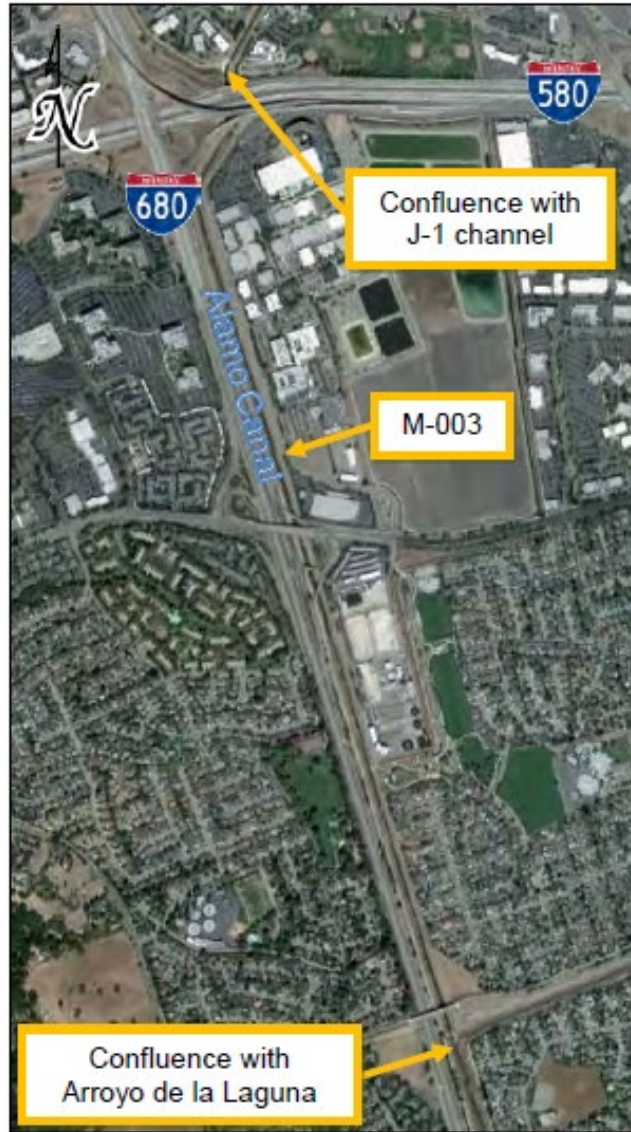


Background provided by Google Maps

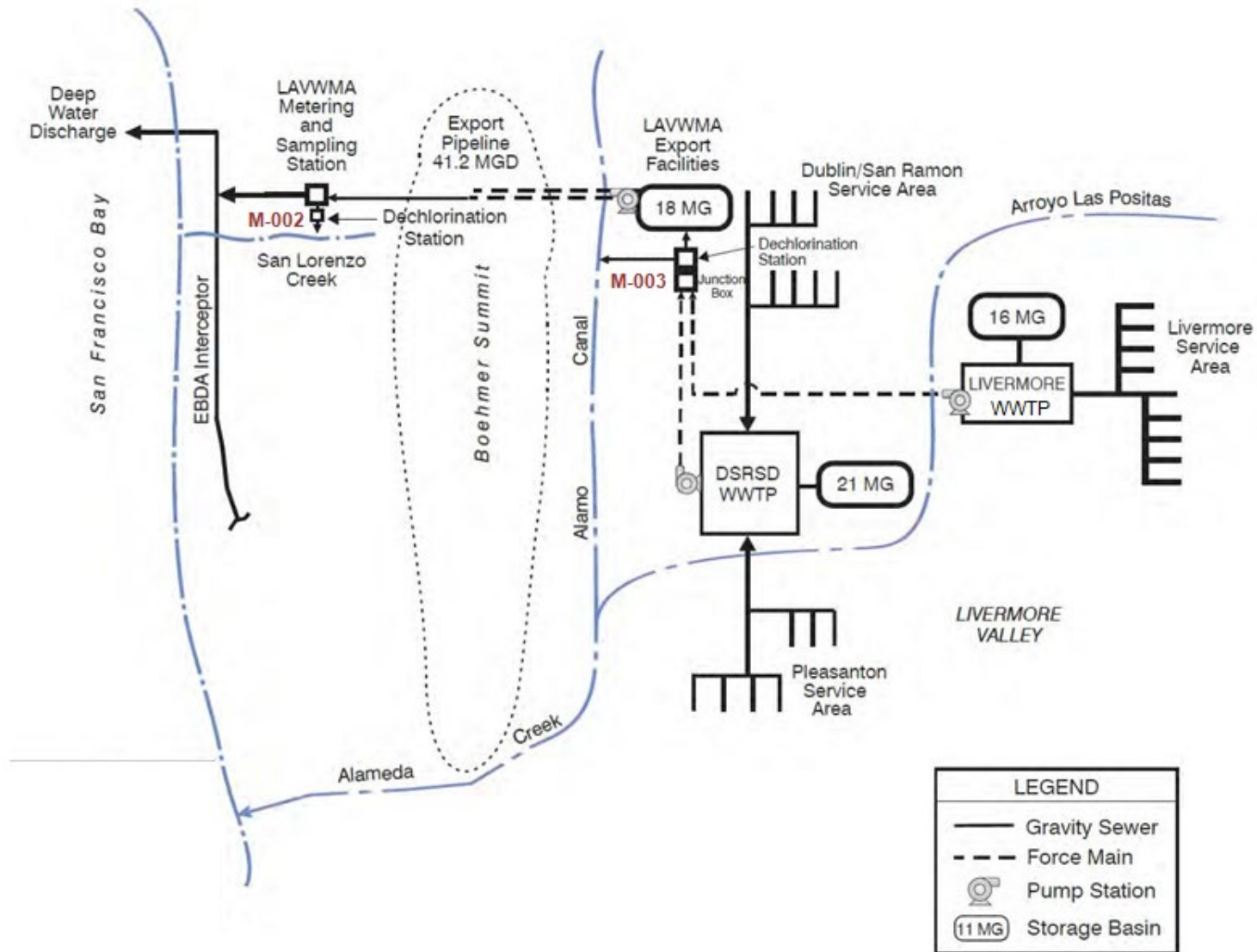
Figure B-2. Aerial View of San Lorenzo Creek Outfall and Surroundings



Figure B-3. Aerial View of Alamo Canal Outfall and Surroundings



ATTACHMENT C – FLOW SCHEMATIC



ATTACHMENT D – STANDARD PROVISIONS

CONTENTS

1.	STANDARD PROVISIONS – PERMIT COMPLIANCE	D-2
2.	STANDARD PROVISIONS – PERMIT ACTION	D-5
3.	STANDARD PROVISIONS – MONITORING	D-6
4.	STANDARD PROVISIONS – RECORDS.....	D-6
5.	STANDARD PROVISIONS – REPORTING	D-7
6.	STANDARD PROVISIONS – ENFORCEMENT	D-12
7.	ADDITIONAL PROVISIONS – NOTIFICATION LEVELS	D-12

ATTACHMENT D – STANDARD PROVISIONS

1. STANDARD PROVISIONS – PERMIT COMPLIANCE

1.1. Duty to Comply

- 1.1.1. The Discharger must comply with all of 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. (40 C.F.R. § 122.41(a); Wat. Code, §§ 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)
- 1.1.2. The Discharger shall comply with effluent standards or prohibitions established under CWA section 307(a) 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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) that 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.5(c).)

1.6. Inspection and Entry. The Discharger shall allow the Regional 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)(4)(B); 40 C.F.R. § 122.41(i); Wat. Code, §§ 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)(4)(B)(i); 40 C.F.R. § 122.41(i)(1); Wat. Code, §§ 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)(4)(B)(ii); 40 C.F.R. § 122.41(i)(2); Wat. Code, §§ 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)(4)(B)(ii); 40 C.F.R. § 122.41(i)(3); Wat. Code, §§ 13267, 13383); and
- 1.6.4. Sample or monitor, at reasonable times, for the purposes of ensuring 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)(4)(B); 40 C.F.R. § 122.41(i)(4); Wat. Code, §§ 13267, 13383.)

1.7. Bypass

1.7.1. Definitions

- 1.7.1.1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 C.F.R. § 122.41(m)(1)(i).)
- 1.7.1.2. "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 C.F.R. § 122.41(m)(1)(ii).)
- 1.7.2. **Bypass not exceeding limitations.** The Discharger may allow any bypass to occur that does not cause exceedances of effluent limitations, but only if it is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance sections 1.7.3, 1.7.4, and 1.7.5 below. (40 C.F.R. § 122.41(m)(2).)

- 1.7.3. **Prohibition of bypass.** Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. § 122.41(m)(4)(i)):
- 1.7.3.1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. § 122.41(m)(4)(i)(A));
 - 1.7.3.2. 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 C.F.R. § 122.41(m)(4)(i)(B)); and
 - 1.7.3.3. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance section 1.7.5 below. (40 C.F.R. § 122.41(m)(4)(i)(C).)
- 1.7.4. **Approval.** The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance section 1.7.3 above. (40 C.F.R. § 122.41(m)(4)(ii).)
- 1.7.5. **Notice**
- 1.7.5.1. **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. The notice shall be sent to the Regional Water Board. As of December 21, 2025, a notice shall also be submitted electronically to the initial recipient defined in Standard Provisions – Reporting section 5.10 below. Notices shall comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. (40 C.F.R. § 122.41(m)(3)(i).)
 - 1.7.5.2. **Unanticipated bypass.** The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions – Reporting section 5.5 below (24-hour notice). The notice shall be sent to the Regional Water Board. As of December 21, 2025, a notice shall also be submitted electronically to the initial recipient defined in Standard Provisions – Reporting section 5.10 below. Notices shall comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. (40 C.F.R. § 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 C.F.R. § 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 section 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 C.F.R. § 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 C.F.R. § 122.41(n)(3)):
 - 1.8.2.1. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. § 122.41(n)(3)(i));
 - 1.8.2.2. The permitted facility was, at the time, being properly operated (40 C.F.R. § 122.41(n)(3)(ii));
 - 1.8.2.3. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting section 5.5.2.2 below (24-hour notice) (40 C.F.R. § 122.41(n)(3)(iii)); and
 - 1.8.2.4. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance section 1.3 above. (40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.41(b).)

2.3. Transfers. This Order is not transferable to any person except after notice to the Regional Water Board. The Regional 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 Water Code. (40 C.F.R. §§ 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 C.F.R. § 122.41(j)(1).)
- 3.2.** Monitoring must be conducted according to test procedures approved under 40 C.F.R. part 136 for the analyses of pollutants unless another method is required under 40 C.F.R. chapter 1, subchapter N. Monitoring must be conducted according to sufficiently sensitive test methods approved under 40 C.F.R. part 136 for the analysis of pollutants or pollutant parameters or as required under 40 C.F.R. 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 C.F.R. part 136 or required under 40 C.F.R. 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 C.F.R. part 136 or otherwise required under 40 C.F.R. chapter 1, subchapter N, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 C.F.R. §§ 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 Regional Water Board Executive Officer at any time. (40 C.F.R. § 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 C.F.R. § 122.41(j)(3)(i));
- 4.2.2. The individual(s) who performed the sampling or measurements (40 C.F.R. § 122.41(j)(3)(ii));
- 4.2.3. The date(s) analyses were performed (40 C.F.R. § 122.41(j)(3)(iii));
- 4.2.4. The individual(s) who performed the analyses (40 C.F.R. § 122.41(j)(3)(iv));
- 4.2.5. The analytical techniques or methods used (40 C.F.R. § 122.41(j)(3)(v)); and
- 4.2.6. The results of such analyses. (40 C.F.R. § 122.41(j)(3)(vi).)

4.3. Claims of confidentiality for the following information will be denied (40 C.F.R. § 122.7(b)):

- 4.3.1. The name and address of any permit applicant or Discharger (40 C.F.R. § 122.7(b)(1)); and
- 4.3.2. Permit applications and attachments, permits, and effluent data. (40 C.F.R. § 122.7(b)(2).)

5. STANDARD PROVISIONS – REPORTING

5.1. Duty to Provide Information. The Discharger shall furnish to the Regional Water Board, State Water Board, or U.S. EPA within a reasonable time, any information that the Regional 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 Regional Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 C.F.R. § 122.41(h); Wat. Code, §§ 13267, 13383.)

5.2. Signatory and Certification Requirements

- 5.2.1. All applications, reports, or information submitted to the Regional Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting sections 5.2.2, 5.2.3, 5.2.4, 5.2.5, and 5.2.6 below. (40 C.F.R. § 122.41(k).)
- 5.2.2. For a corporation, all permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (2) the

manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to ensure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. (40 C.F.R. § 122.22(a)(1).)

For a partnership or sole proprietorship, all permit applications shall be signed by a general partner or the proprietor, respectively. (40 C.F.R. § 122.22(a)(2).)

For a municipal, state, federal, or other public agency, 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 (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA). (40 C.F.R. § 122.22(a)(3).)

- 5.2.3. All reports required by this Order and other information requested by the Regional Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting section 5.2.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 5.2.3.1. The authorization is made in writing by a person described in Standard Provisions – Reporting section 5.2.2 above (40 C.F.R. § 122.22(b)(1));
 - 5.2.3.2. 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 C.F.R. § 122.22(b)(2)); and
 - 5.2.3.3. The written authorization is submitted to the Regional Water Board and State Water Board. (40 C.F.R. § 122.22(b)(3).)
- 5.2.4. If an authorization under Standard Provisions – Reporting section 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 section 5.2.3 above must be

submitted to the Regional Water Board and State Water Board prior to or together with any reports, information, or applications to be signed by an authorized representative. (40 C.F.R. § 122.22(c).)

- 5.2.5. Any person signing a document under Standard Provisions – Reporting section 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 C.F.R. § 122.22(d).)

- 5.2.6. Any person providing the electronic signature for documents described in Standard Provisions – Reporting sections 5.2.1, 5.2.2, or 5.2.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting section 5.2, and shall ensure that all relevant requirements of 40 C.F.R. part 3 (Cross-Media Electronic Reporting) and 40 C.F.R. part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 C.F.R. § 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 C.F.R. § 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 Regional Water Board or State Water Board. All reports and forms must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting section 5.10 and comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. (40 C.F.R. § 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 C.F.R. part 136, or another method required for an industry-specific waste stream under 40 C.F.R. 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 Regional Water Board or State Water Board. (40 C.F.R. § 122.41(l)(4)(ii).)

5.3.4. Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this Order. (40 C.F.R. § 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 C.F.R. § 122.41(l)(5).)

5.5. Twenty-Four Hour Reporting

5.5.1. The Discharger shall report any noncompliance that 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 written 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 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 to the Regional Water Board and must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting section 5.10 The reports shall comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. The Regional 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 C.F.R. § 122.41(l)(6)(i).)

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

5.5.2.1. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(A).)

5.5.2.2. Any upset that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(B).)

5.5.3. The Regional 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 C.F.R. § 122.41(l)(6)(ii)(B).)

5.6. Planned Changes. The Discharger shall give notice to the Regional 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 C.F.R. § 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 40 C.F.R. section 122.29(b) (40 C.F.R. § 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 unless the discharge is an existing manufacturing, commercial, mining, or silvicultural discharge as referenced in 40 C.F.R. section 122.42(a). (40 C.F.R. § 122.41(l)(1)(ii).) If the discharge is an existing manufacturing, commercial, mining, or silvicultural discharge as referenced in 40 C.F.R. section 122.42(a), this notification applies to pollutants that are subject neither to effluent limitations in this Order nor to notification requirements under 40 C.F.R. section 122.42(a)(1) (see Additional Provisions – Notification Levels section 7.1.1). (40 C.F.R. § 122.41(l)(1)(ii).)

5.7. Anticipated Noncompliance. The Discharger shall give advance notice to the Regional Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with this Order's requirements. (40 C.F.R. § 122.41(l)(2).)

5.8. Other Noncompliance. The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting sections 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 section 5.5 above. For noncompliance related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting section 5.5 and the applicable required data in appendix A to 40 C.F.R. part 127. The Regional 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 C.F.R. § 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 Regional Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. § 122.41(l)(8).)

5.10. Initial Recipient for Electronic Reporting Data. The owner, operator, or duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 C.F.R. part 127 to the initial recipient defined in 40 C.F.R. 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 C.F.R. section 127.2(c)]. U.S. EPA will update and maintain this list. (40 C.F.R. § 122.41(l)(9).)

6. STANDARD PROVISIONS – ENFORCEMENT

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

7. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

7.1. Non-Municipal Facilities. Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Regional Water Board as soon as they know or have reason to believe (40 C.F.R. § 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 C.F.R. § 122.42(a)(1)):

7.1.1.1. 100 micrograms per liter ($\mu\text{g/L}$) (40 C.F.R. § 122.42(a)(1)(i));

7.1.1.2. 200 $\mu\text{g/L}$ for acrolein and acrylonitrile; 500 $\mu\text{g/L}$ for 2,4 dinitrophenol and 2-methyl 4,6 dinitrophenol; and 1 milligram per liter (mg/L) for antimony (40 C.F.R. § 122.42(a)(1)(ii));

7.1.1.3. Five (5) times the maximum concentration reported for that pollutant in the Report of Waste Discharge (40 C.F.R. § 122.42(a)(1)(iii)); or

7.1.1.4. The level established by the Regional Water Board in accordance with 40 C.F.R. section 122.44(f). (40 C.F.R. § 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 C.F.R. § 122.42(a)(2)):

7.1.2.1. 500 micrograms per liter ($\mu\text{g/L}$) (40 C.F.R. § 122.42(a)(2)(i));

7.1.2.2. 1 milligram per liter (mg/L) for antimony (40 C.F.R. § 122.42(a)(2)(ii));

- 7.1.2.3. Ten (10) times the maximum concentration reported for that pollutant in the Report of Waste Discharge (40 C.F.R. § 122.42(a)(2)(iii)); or
- 7.1.2.4. The level established by the Regional Water Board in accordance with 40 C.F.R. section 122.44(f). (40 C.F.R. § 122.42(a)(2)(iv).)

7.2 Publicly Owned Treatment Works (POTWs)

- 7.2.1. All POTWs shall provide adequate notice to the Regional Water Board of any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA sections 301 or 306 if it were directly discharging those pollutants (40 C.F.R. § 122.42(b)(1)).
- 7.2.2. All POTWs shall provide adequate notice to the Regional Water Board of any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of this Order. (40 C.F.R. § 122.42(b)(2).)
- 7.2.3. Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW. (40 C.F.R. § 122.42(b)(3).)

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

CONTENTS

1. GENERAL MONITORING PROVISIONS.....	E-2
2. MONITORING LOCATIONS	E-3
3. EFFLUENT MONITORING REQUIREMENTS.....	E-3
4. RECEIVING WATER MONITORING REQUIREMENTS	E-5
5. REPORTING REQUIREMENTS	E-6

TABLES

TABLE E-1. MONITORING LOCATIONS	E-3
TABLE E-2. EFFLUENT MONITORING — WET WEATHER.....	E-3
TABLE E-3. EFFLUENT MONITORING — DISCHARGE EXERCISES	E-4
TABLE E-4. EFFLUENT MONITORING — CHARACTERIZATION STUDY.....	E-5
TABLE E-5. RECEIVING WATER MONITORING — WET WEATHER DISCHARGES	E-5
TABLE E-6. RECEIVING WATER MONITORING — CHARACTERIZATION STUDY.....	E-6
TABLE E-7. CIWQS REPORTING.....	E-6
TABLE E-8. MONITORING PERIODS	E-7

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

Clean Water Act (CWA) section 308 and 40 C.F.R. 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 Regional Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. This MRP establishes monitoring, reporting, and recordkeeping requirements that implement the federal and State laws and regulations.

1. GENERAL MONITORING PROVISIONS

- 1.1. The Discharger shall comply with this MRP. The Executive Officer may amend this MRP pursuant to 40 C.F.R. section 122.63. If any discrepancies exist between this MRP and the “Regional Standard Provisions, and Monitoring and Reporting Requirements (Supplement to Attachment D) for NPDES Wastewater Discharge Permits” (Attachment G), this MRP shall prevail.
- 1.2. The Discharger shall conduct all monitoring in accordance with Attachment D section 3, as supplemented by Attachment G. Equivalent test methods must be more sensitive than those specified in 40 C.F.R. section 136 and must be specified in this permit.
- 1.3. For the analysis of monitoring samples, the Discharger shall use laboratories certified by the State Water Resources Control Board (State Water Board) in accordance with Water Code section 13176 and shall obtain quality assurance/quality control data with laboratory reports. For any onsite field tests (e.g., turbidity, pH, temperature, dissolved oxygen, conductivity, disinfectant residual) analyzed by a noncertified laboratory, the Discharger shall implement a Quality Assurance-Quality Control Program. The Discharger shall keep a manual onsite containing the steps followed in this program and shall demonstrate sufficient capability to adequately perform these field tests (e.g., qualified and trained employees, properly calibrated and maintained field instruments). The program shall conform to U.S. EPA guidelines or other approved procedures.
- 1.4. The Discharger shall ensure that the results of the Discharge Monitoring Report-Quality Assurance (DMR-QA) Study or 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

2. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements of this Order:

Table E-1. Monitoring Locations

Discharge Point	Monitoring Location	Monitoring Location Description
Effluent (San Leandro Sample Station)	M-001	A point after effluent from the Dublin San Ramon Services District Wastewater Treatment Plant and the City of Livermore Water Reclamation Plant effluent are combined and before release to the EBDA pipeline (Discharge Point 001).
Effluent (San Lorenzo Creek)	M-002	A point at which dechlorination has taken place, just prior to discharge to San Lorenzo Creek (Discharge Point 002).
Effluent (Alamo Canal)	M-003	A point at which dechlorination has taken place, just prior to discharge to Alamo Canal (Discharge Point 003).
Receiving Water (San Lorenzo Creek)	RSW-002U	A point in San Lorenzo Creek 100 feet upstream of Discharge Point 002 or, if access is limited, at the first accessible point upstream.
Receiving Water (San Lorenzo Creek)	RSW-002D	A point in San Lorenzo Creek 100 feet downstream of Discharge Point 002 or, if access is limited, at the first accessible point downstream.
Receiving Water (Alamo Canal)	RSW-003U	A point in Alamo Canal 100 feet upstream of Discharge Point 003 or, if access is limited, at the first accessible point upstream.
Receiving Water (Alamo Canal)	RSW-003D	A point in Alamo Canal 100 feet downstream of Discharge Point 003 or, if access is limited, at the first accessible point downstream.

3. EFFLUENT MONITORING REQUIREMENTS

3.1. Wet Weather Discharges

When discharging to San Lorenzo Creek during wet weather, the Discharger shall monitor effluent at Monitoring Location M-002 as follows. When discharging to Alamo Canal during wet weather, the Discharger shall monitor effluent at Monitoring Location M-003 as follows.

Table E-2. Effluent Monitoring — Wet Weather

Parameter	Unit	Sample Type	Minimum Sampling Frequency
Carbonaceous Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	C-24 ^[1]	1/Discharge
Total Suspended Solids	mg/L	C-24 ^[1]	1/Discharge

Parameter	Unit	Sample Type	Minimum Sampling Frequency
Oil and Grease	mg/L	Grab	1/Discharge
pH	standard units	Grab	1/Discharge
Chlorine, Total Residual	mg/L	Grab	Once every two hours during discharge ^{[2],[3]}
<i>Escherichia Coliform (E. coli)</i> Bacteria	CFU/100mL ^[4]	Grab	1/Discharge
Discharge Duration	hours and minutes	Continuous	1/Discharge
Discharge Volume	gallons	Continuous	1/Discharge

Footnotes:

- ^[1] If the discharge is expected to last less than 24 hours, the Discharger may take a grab sample or a composite sample by manually or mechanically compositing samples once every two hours for the discharge duration.
- ^[2] The Discharger shall collect at least one sample per discharge and continue sampling every two hours for longer duration discharges.
- ^[3] The Discharger may elect to use a continuous on-line monitoring system for measuring or determining that residual dechlorinating agent is present. This monitoring system may be used to prove that anomalous residual chlorine exceedances measured by on-line chlorine analyzers are false positives and are not valid total residual chlorine detections because it is chemically improbable to have chlorine present in the presence of a dechlorinating agent. If convincing evidence exists to demonstrate that chlorine residual exceedances are false positives, the exceedances will not be considered violations of the total chlorine residual effluent limit.
- ^[4] Results may be reported as either Most Probable Number (MPN)/100 mL if the laboratory method used provides results in MPN/100 mL or Colony Forming Units (CFU)/100 mL if the laboratory method used provides results in CFU/100 mL.

3.2. Discharge Exercises

When discharging to San Lorenzo Creek during discharge exercises, the Discharger shall monitor effluent at Monitoring Location M-002. When discharging to Alamo Canal during discharge exercises, the Discharger shall monitor effluent at Monitoring Location M-003 as follows.

Table E-3. Effluent Monitoring — Discharge Exercises

Parameter	Unit	Sample Type	Minimum Sampling Frequency
Chlorine, Total Residual	mg/L	Grab	Once every two hours during discharge ^{[1],[2]}
<i>E. coli</i> Bacteria	CFU/100mL ^[3]	Grab	1/Discharge
Discharge Duration	hours and minutes	Continuous	1/Discharge
Discharge Volume	gallons	Continuous	1/Discharge

Footnotes:

- ^[1] The Discharger shall collect at least one sample per discharge and continue sampling every two hours for longer duration discharges.
- ^[2] The Discharger may elect to use a continuous on-line monitoring system for measuring or determining that residual dechlorinating agent is present. This monitoring system may be used to prove that anomalous residual chlorine exceedances measured by on-line chlorine analyzers are false positives and are not valid total residual chlorine detections because it is chemically improbable to have chlorine present in the presence of a dechlorinating agent. If convincing evidence exists to demonstrate that chlorine residual exceedances are false positives, the exceedances will not be considered violations of the total chlorine residual effluent limit.
- ^[3] Results may be reported as either Most Probable Number (MPN)/100 mL if the laboratory method used provides results in MPN/100 mL or Colony Forming Units (CFU)/100 mL if the laboratory method used provides results in CFU/100 mL.

3.3. Effluent Characterization Study

The Discharger shall monitor effluent between November 1 and April 30 at Monitoring Location M-001 as follows.

Table E-4. Effluent Monitoring — Characterization Study

Parameter	Unit	Sample Type	Minimum Sampling Frequency
pH	standard units	Grab	1/Year ^[1]
Temperature	°C	Grab	1/Year ^[1]
Ammonia, Total	mg/L as N	C-24	1/Year ^[1]
Priority Pollutants ^[2]	µg/L	C-24	Once

Footnotes:

^[1] pH, temperature, and ammonia sampling shall occur on the same day to allow for the calculation of the un-ionized ammonia fraction.

^[2] The Discharger shall monitor for the pollutants listed in Attachment G, Table B.

4. RECEIVING WATER MONITORING REQUIREMENTS

4.1. Wet Weather Discharges

When discharging to San Lorenzo Creek, the Discharger shall monitor receiving waters at Monitoring Location RSW-002D as follows. When discharging to Alamo Canal, the Discharger shall monitor receiving waters at Monitoring Location RSW-003D as follows.

Table E-5. Receiving Water Monitoring — Wet Weather Discharges

Parameter	Unit	Sample Type	Minimum Sampling Frequency
Standard Observations ^[1]	-	-	1/Discharge
pH	standard units	Grab	Once ^[2]
Temperature	°C	Grab	Once ^[2]
Salinity	ppt	Grab	Once ^[2]
Ammonia, Total	mg/L as N	Grab	Once ^[2]
Dissolved Oxygen	ppt	Grab	Once

Footnotes:

^[1] Standard observations are set forth in Attachment G section 3.2.1.

^[2] pH, temperature, salinity, and ammonia sampling shall occur on the same day to allow for the calculation of the un-ionized ammonia fraction.

4.2. Receiving Water Characterization Study

The Discharger shall monitor receiving waters between November 1 and April 30 at Monitoring Locations RSW-002U and RSW-003U as follows.

Table E-6. Receiving Water Monitoring — Characterization Study

Parameter	Unit	Sample Type	Minimum Sampling Frequency
pH	standard units	Grab	Once
Temperature ^[1]	°C	Grab	Once
Hardness	°C	Grab	Once
Priority Pollutants ^[2]	µg/L	Grab	Once

Footnotes:

^[1] Upstream temperature sampling shall occur on the same day as downstream temperature sampling (see Table E-5) to assess any potential change in ambient temperature caused by the discharge.

^[2] The Discharger shall monitor for the pollutants listed in Attachment G, Table B.

5. REPORTING REQUIREMENTS

5.1. General Monitoring and Reporting Requirements. The Discharger shall comply with all Standard Provisions (Attachments D and G) related to monitoring, reporting, and recordkeeping.

5.2. Self-Monitoring Reports (SMRs)

5.2.1. **SMR Format.** The Discharger shall electronically submit SMRs using the State Water Board’s [California Integrated Water Quality System \(CIWQS\) Program website](http://waterboards.ca.gov/water_issues/programs/ciwqs) (waterboards.ca.gov/water_issues/programs/ciwqs). The CIWQS website will provide additional information for SMR submittal in the event of a planned service interruption for electronic submittal.

5.2.2. **Annual SMR** — Annual SMRs shall be due June 15 each year, covering the previous calendar year. The annual SMR shall contain the applicable items described in Provisions 6.3.2 (Effluent Characterization Study and Report), 6.3.3 (Pollutant Minimization Program), 6.3.4.2 (Wet Weather Discharge Annual Technical Report), and 6.3.4.3 (Wet Weather Facilities Management Plan) of the Order, and Attachment G section 5.3.1.6 (Annual Self-Monitoring Reports).

5.2.3. **Specifications for Submitting SMRs to CIWQS.** The Discharger shall submit analytical results and other information using one of the following methods:

Table E-7. CIWQS Reporting

Parameter	Method of Reporting: EDF/CDF data upload	Parameter
All parameters identified in influent, effluent, and receiving water monitoring tables (except Dissolved Oxygen and Temperature)	Required for all results	-

Parameter	Method of Reporting: EDF/CDF data upload	Parameter
Dissolved Oxygen, Temperature	Required for monthly maximum and minimum results only ^[1]	Discharger may use this method for all results or keep records
Antimony, Arsenic, Beryllium, Cadmium, Chromium, Copper, Cyanide, Lead, Mercury, Nickel, Selenium, Silver, Thallium, Zinc, Dioxins & Furans (by U.S. EPA Method 1613), Other Pollutants (by U.S. EPA Methods 601, 602, 608, 610, 614, 624, and 625)	Required for all results ^[2]	-
Volume and Duration of Blended Discharge ^[3]	Required for all blended effluent discharges	-
Analytical Method	Not required (Discharger may select "data unavailable") ^[1]	-
Collection Time, Analysis Time	Not required	-

Footnotes:

- ^[1] The Discharger shall continue to monitor at the minimum frequency specified in this MRP, keep records of the measurements, and make the records available upon request.
- ^[2] These parameters require EDF/CDF data upload or manual entry regardless of whether monitoring is required by this MRP or other provisions of this Order (except for biosolids, sludge, or ash provisions).
- ^[3] The requirement for volume and duration of blended discharge applies only if this Order authorizes the Discharger to discharge blended effluent.

The Discharger shall arrange all reported data in a tabular format and summarize data to clearly illustrate whether the Facility is operating in compliance with effluent limitations. The Discharger is not required to duplicate the submittal of data 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, the Discharger shall electronically submit the data in a tabular format as an attachment.

5.2.4. Monitoring Periods. Monitoring periods for all required monitoring shall be as set forth below unless otherwise specified:

Table E-8. Monitoring Periods

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period
Continuous/D	Order effective date	All times
1/Hour	Order effective date	Every hour on the hour
1/Day	Order effective date	Any 24-hour period that reasonably represents a calendar day for sampling purposes (e.g., beginning at midnight and continuing through 11:59 p.m.)
1/Week 2/Week 4/Week 5/Week	First Sunday following or on Order effective date	Sunday through Saturday

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period
1/Month	First day of calendar month following or on Order effective date	First day of calendar month through last day of calendar month
1/Quarter	Closest January 1, April 1, July 1, or October 1 before or after Order effective date ^[1]	January 1 through March 31 July 1 through September 30 April 1 through June 30 October 1 through December 31
1/Year	Closest January 1 before or after Order effective date ^[1]	January 1 through December 31
2/Year	Closest November 1 or February 1 before or after Order effective date ^[1]	Once after the first storm of the season during the interval from November 1 through January 31, and once during the interval from February 1 through May 31
1/Discharge	First moment of discharge	Anytime during a discharge event, defined as all discharges that occur within a 24-hour period following the start of the initial discharge
Once	Order effective date	Once during the Order term

Footnote:

^[1] Monitoring performed during the previous order term may be used to satisfy monitoring required by this Order.

5.2.5. RL and MDL Reporting. The Discharger shall report with each sample result the Reporting Level (RL) and Method Detection Limit (MDL) as determined by the procedure in 40 C.F.R. 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:

- 5.2.5.1. 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).
- 5.2.5.2. 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 purposes of data collection, the Discharger shall require the laboratory to 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 (\pm a percentage of the reported value), numerical ranges (low to high), or any other means the laboratory considers appropriate.

- 5.2.5.3. Sample results less than the laboratory's MDL shall be reported as "Not Detected", or ND.
- 5.2.5.4. The Discharger shall instruct laboratories to establish calibration standards so that the minimum level (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.

5.2.6. **Compliance Determination.** Compliance with effluent limitations shall be determined using sample reporting protocols defined above, in the Fact Sheet, and in Attachments A, D, and G. For purposes of reporting and administrative enforcement by the Regional Water Board and State Water Board, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and, if applicable, greater than or equal to the RL.

5.3. **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 the latest upgraded version. Electronic DMR submittal shall be in addition to electronic SMR submittal. Information about electronic DMR submittal is available at the [DMR website](https://waterboards.ca.gov/water_issues/programs/discharge_monitoring) (waterboards.ca.gov/water_issues/programs/discharge_monitoring).

ATTACHMENT F – FACT SHEET

CONTENTS

1. PERMIT INFORMATION	F-3
2. FACILITY DESCRIPTION	F-5
3. APPLICABLE PLANS, POLICIES, AND REGULATIONS	F-9
4. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS..	F-12
4.1. DISCHARGE PROHIBITIONS	F-12
4.2. TECHNOLOGY-BASED EFFLUENT LIMITATIONS.....	F-16
4.2.1. <i>Scope and Authority</i>	F-16
4.2.2. <i>Technology-Based Effluent Limitations</i>	F-16
4.3. WATER QUALITY-BASED EFFLUENT LIMITATIONS	F-17
4.3.1. <i>Scope and Authority</i>	F-17
4.3.2. <i>Beneficial Uses and Water Quality Criteria and Objectives</i>	F-17
4.3.3. <i>Reasonable Potential Analysis</i>	F-19
4.3.4. <i>Water Quality-Based Effluent Limitations</i>	F-33
4.4. DISCHARGE REQUIREMENT CONSIDERATIONS.....	F-33
5. RATIONALE FOR RECEIVING WATER LIMITATIONS	F-35
6. RATIONALE FOR PROVISIONS.....	F-35
6.1. STANDARD PROVISIONS.....	F-35
6.2. MONITORING AND REPORTING PROVISIONS.....	F-35
6.3. SPECIAL PROVISIONS.....	F-35
6.3.1. <i>Reopener Provisions</i>	F-35
6.3.2. <i>Effluent Characterization Study and Report</i>	F-36
6.3.3. <i>Pollutant Minimization Program</i>	F-36
6.3.4. <i>Other Special Provisions</i>	F-36
7. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS	F-36
8. PUBLIC PARTICIPATION	F-38

TABLES

TABLE F-1. FACILITY INFORMATION..... F-3
TABLE F-2. PREVIOUS EFFLUENT LIMITATIONS AND MONITORING DATA F-7
TABLE F-3. BENEFICIAL USES F-10
TABLE F-4. SECONDARY TREATMENT STANDARDS F-16
TABLE F-5. REASONABLE POTENTIAL ANALYSIS F-20
TABLE F-6. MONITORING REQUIREMENTS SUMMARY F-37

FIGURES

FIGURE 1. AERIAL VIEW OF PROPOSED SAN LORENZO CREEK MIXING ZONE..... F-28
FIGURE 2. AERIAL VIEW OF PROPOSED ALAMO CANAL MIXING ZONE..... F-28

ATTACHMENT F – FACT SHEET

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

1. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

Table F-1. Facility Information

WDID	2 019129001
CIWQS Place ID	236689
Discharger	Livermore-Amador Valley Water Management Agency (LAVWMA) Dublin San Ramon Services District City of Livermore City of Pleasanton
Facility Name	LAVWMA Export and Storage Facilities
Facility Address	7176 Johnson Drive Pleasanton, CA 94588 Alameda County
Facility Contact, Title, Phone, and Email	Charles V. Weir, LAVWMA General Manager, (510) 410-5923, weir@lavwma.com
Authorized Person to Sign and Submit Reports	LAVWMA General Manager or Dublin San Ramon Services District Operations Director, (925) 875-2345
Mailing Address	7051 Dublin Boulevard Dublin, CA 94568 Alameda County
Billing Address	Same as Mailing Address
Facility Type	Publicly-Owned Treatment Works (POTW)
Major or Minor Facility	Minor
Water Quality Threat	2
Complexity	B
Pretreatment Program	No
Mercury and PCBs Requirements	NPDES Permit CA0038849
Nutrients Requirements	NPDES Permit CA0038873
Discharge Exercise Permitted Flow	140,000 gallons per discharge
EBDA Pipeline Contract Capacity	41.2 million gallons per day (MGD) – total capacity <ul style="list-style-type: none"> • 19.7 MGD – firm capacity • 21.5 MGD – interruptible capacity
Watersheds	San Lorenzo Creek and Alameda Creek
Receiving Water	San Lorenzo Creek and Alamo Canal
Receiving Water Type	Freshwater (during wet weather events)

1.1. The Livermore-Amador Valley Water Management Agency (LAVWMA), Dublin San Ramon Services District, City of Livermore, and City of Pleasanton (collectively, the Discharger) own the LAVWMA Export and Storage Facilities (Facility). LAVWMA is a Joint Powers Agency comprised of the Dublin San Ramon Services District, City of Livermore, and City of Pleasanton. The Dublin San Ramon Services District operates the Facility, which receives secondary-treated wastewater from the Dublin San Ramon Services District and City of Livermore wastewater treatment plants. During wet weather, the Facility sometimes discharges treated effluent to San Lorenzo Creek and Alamo Canal, waters of the United States within the San Lorenzo Creek and Alameda Creek watersheds.

At all other times (except during limited discharge exercises), the Facility discharges wastewater through the East Bay Dischargers Authority (EBDA) pipeline and dechlorination station (near the San Leandro Marina) to a deepwater outfall into San Francisco Bay. Discharges from the deepwater outfall are regulated under National Pollutant Discharge Elimination System (NPDES) Permit CA0037869. EBDA operates under a Joint Exercise of Powers Agreement among the City of Hayward, City of San Leandro, Union Sanitary District, Oro Loma Sanitary District, and Castro Valley Sanitary District. The Discharger has a contract with EBDA that specifies the terms and conditions of its discharge through the EBDA system.

The Dublin San Ramon Services District and City of Livermore separately own and operate collection and treatment facilities for domestic, commercial, and industrial wastewater that are regulated by NPDES Permits CA0037613 and CA0038008, respectively. The Dublin San Ramon Services District treats wastewater from the City of Pleasanton, which owns and operates its own collection system but does not own or operate a wastewater treatment plant. The City of Pleasanton has enrolled its collection system under State Water Board Order 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended by State Water Board Order WQ 2013-0058-EXEC.

For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and State laws, regulations, plans, and policies are held to be equivalent to references to the Discharger herein.

- 1.2.** The Discharger is regulated pursuant to NPDES Permit CA0038679. The Discharger was previously subject to Order R2-2016-0015 (previous order). The Discharger filed a Report of Waste Discharge and submitted an application for reissuance of its Waste Discharge Requirements (WDRs) and NPDES permit on January 20, 2021.
- 1.3.** The Discharger is authorized to discharge subject to the WDRs in this Order at the discharge locations described in Table 1 of this Order. Regulations in 40 C.F.R. section 122.46 limit the duration of NPDES permits to a fixed term not to exceed five years. Accordingly, this Order limits the effective period for the discharge

authorization. Pursuant to 40 C.F.R. section 122.6(d) 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 requirements for continuation of expired permits.

- 1.4. The Discharger is also regulated under NPDES Permits CA0038849 and CA0038873, which establish requirements on mercury and polychlorinated biphenyls (PCBs) and nutrients from wastewater discharges to San Francisco Bay. This Order does not affect those permits.
- 1.5. When applicable, State law requires dischargers to file a petition with the State Water Resources Control Board (State Water Board), Division of Water Rights, and receive approval for any change in the point of discharge, place of use, or purpose of use of treated wastewater that decreases the flow in any portion of a watercourse. The State Water Board retains separate jurisdictional authority to enforce such requirements under Water Code section 1211. This is not an NPDES permit requirement.

2. FACILITY DESCRIPTION

2.1. Wastewater Collection and Treatment

- 2.1.1. **Location and Service Area.** The Facility is located at 7176 Johnson Drive in Pleasanton. It receives secondary-treated and disinfected domestic, commercial, and industrial wastewater from the cities of Dublin, Livermore, and Pleasanton. The estimated service area population is about 252,700. Attachment B provides a map of the area around the Facility.
- 2.1.2. **Wastewater Treatment.** The Facility receives wastewater that has already been treated to secondary treatment standards through screening, primary sedimentation, activated sludge, secondary clarification, and chlorination from the Dublin San Ramon Services District and City of Livermore wastewater treatment plants. Typically, this treated wastewater is discharged through the EBDA pipeline. Prior to any discharge to San Lorenzo Creek or Alamo Canal, the wastewater is dechlorinated. Attachment C provides a flow schematic.
- 2.1.3. **Stormwater Management.** All stormwater flows in contact with equipment or wastewater at the Facility are collected and directed to the headworks of the Dublin San Ramon Services District Wastewater Treatment Plant for treatment. Therefore, no additional stormwater requirements are necessary.

2.2. Discharge Points and Receiving Waters

This Order covers two intermittent wet weather discharge points for secondary-treated, disinfected, and dechlorinated municipal wastewater. These discharges occur in San Lorenzo Creek (Discharge Point 002) and Alamo Canal (Discharge Point 003), a constructed flood control channel.

In San Lorenzo Creek, the wet weather outfall is a shallow water outfall that does not have a diffuser. The discharge location is approximately 3,000 feet upstream of Lower San Francisco Bay. In Alamo Canal, the wet weather outfall is a shallow water outfall that also does not have a diffuser. The discharge enters a drainage channel adjacent to the Facility and then flows approximately one mile before entering Alamo Canal. The outfall to Alamo Canal is approximately 2,600 feet upstream of the confluence with the Arroyo de la Laguna stream. The discharge location into Alamo Canal is approximately 25 miles upstream of Lower San Francisco Bay. Attachment B shows the two outfalls in relation to the Facility and Lower San Francisco Bay.

The Discharger's contract with EBDA allots the Discharger 41.2 MGD of discharge capacity in the EBDA pipeline. This allotment is also the Facility's maximum hydraulic pumping capacity. Of this allotment, 19.7 MGD is a firm capacity and 21.5 MGD is an interruptible capacity. This means that, under the most extreme wet weather conditions, the Discharger may only have a capacity of 19.7 MGD in the EBDA pipeline. The amount of interruptible capacity available depends on the capacity of the EBDA pipeline not occupied by wet weather flows from the other EBDA member agencies. Therefore, the Discharger's capacity in the EBDA pipeline ranges between 19.7 MGD and 41.2 MGD during wet weather.

During peak wet weather events, the Discharger can maintain its maximum export capacity of 41.2 MGD by discharging up to 21.5 MGD through the San Lorenzo Creek wet weather outfall, while continuing to route at least 19.7 MGD to the EBDA pipeline. The Discharger stops discharging to San Lorenzo Creek when the EBDA pipeline's available capacity equals or exceeds the Discharger's effluent flow. The average discharge rate to the EBDA pipeline over the previous order term was 10.6 MGD.

If the influent flow to the Facility exceeds the Facility's 41.2 MGD-maximum export capacity to the EBDA pipeline (or to the EBDA pipeline and the San Lorenzo Creek outfall), the Discharger must discharge to the Alamo Canal wet weather outfall to avoid flooding and damaging the Facility. The Discharger stops discharging to Alamo Canal when influent flow to the Facility is less than or equal to 41.2 MGD. Discharges to Alamo Canal are not expected to exceed 55 MGD.

The Discharger also discharges briefly to San Lorenzo Creek up to twice per year during the wet season (November 1 through April 30) when there is a significant flow increase in San Lorenzo Creek. The purpose of these discharges is to test the discharge flap gate located in the San Lorenzo Creek outfall. These discharge exercises ensure that the discharge line is flushed and the discharge gate and dechlorination equipment are operational when it is necessary to use the outfall during peak wet weather. Similar to the discharge exercises for the San Lorenzo Creek outfall, this Order allows the Discharger to begin annual discharge exercises at the Alamo Canal outfall during the wet season when there is a significant flow increase in Alamo Canal. Since the last discharge to Alamo Canal

occurred over two decades ago, the purpose of these discharges is to evaluate the hydraulics in the drainage channel (the initial discharge point) that leads to Alamo Canal and determine necessary maintenance to the drainage channel and related infrastructure.

Wet weather discharges are expected to be relatively short, small, and infrequent, and are only expected during peak wet weather when natural flows in San Lorenzo Creek and Alamo Canal are high. The Discharger minimizes discharges to Alamo Canal by using three flow-equalization basins that together provide 18 million gallons (MG) of storage. The Dublin San Ramon Services District and City of Livermore also use two storage ponds (21 MG and 16 MG) to minimize flows to the Facility.

Although the Discharger’s December 2010 *Mixing Zone Analysis for Wet Weather Discharges* projected wet weather discharges once every 1.5 years to San Lorenzo Creek and once every 10 years to Alamo Canal, discharges may occur less frequently during this Order term due to new contract agreements with EBDA member agencies that have reduced their allotted discharge capacities to the EBDA pipeline. This may allow the Discharger to more frequently discharge up to its full 41.2 MGD export capacity to the EBDA pipeline, thereby reducing the need to discharge into San Lorenzo Creek.

The last wet weather discharge occurred on February 20, 2017, when approximately 2.8 MG was discharged to San Lorenzo Creek over three hours. Prior to that discharge, the last wet weather discharge occurred in January 2010. No discharges to Alamo Canal have occurred during the past 22 years.

2.3. Previous Requirements and Monitoring Data. The table below presents the previous order’s effluent limitations and representative monitoring data from the previous order term:

Table F-2. Previous Effluent Limitations and Monitoring Data

Parameter	Unit	Average Monthly Limit	Average Weekly Limit	Maximum Daily Limit	Other Limit	Long-Term Average	Highest Daily Value
Carbonaceous Biochemical Oxygen Demand (5 day @ 20°C) (CBOD)	mg/L	-	40	-	-	[1]	19 [1]
Total Suspended Solids (TSS)	mg/L	-	45	-	-	[1]	14 [1]
Oil and Grease	mg/L	-	-	20	-	[1]	2.0 DNQ [1]
pH	s.u.	-	-	-	6.5 – 8.5 [2]	[1]	7.1 [1]
Chlorine, Total Residual	mg/L	-	-	-	0.0 [3]	0.0 [4]	0.0 [4]

Parameter	Unit	Average Monthly Limit	Average Weekly Limit	Maximum Daily Limit	Other Limit	Long-Term Average	Highest Daily Value
Lead, Total Recoverable	µg/L	5.5	-	11	-	[1]	1.9 [1]
Fecal Coliform	MPN/100 mL	-	-	400	-	20 [5]	30
Discharge Exercise Volume	gallons				140,000 [6]	[7]	29,800

Footnotes:

- [1] The Discharger only had one wet weather discharge, from Discharge Point 002 on February 20, 2017, during the previous order term. Therefore, the long-term average is equal to the single-sample result measured during that discharge. The single-sample result is the highest daily value.
- [2] The limit was expressed as an instantaneous minimum and instantaneous maximum.
- [3] The limit was expressed as an instantaneous maximum.
- [4] Total residual chlorine was not detected.
- [5] This value is based on the average of samples taken from the Discharger's wet weather discharge, exercise discharge, and unauthorized discharge, the latter of which is described in Fact Sheet section 2.4 (Compliance Summary).
- [6] The previous order prohibited discharge exercises greater than 140,000 gallons per discharge event.
- [7] The Discharger only had one discharge exercise event, from Discharge Point 002 on March 21, 2019, during the previous order term. Therefore, the long-term average is equal to the single discharge volume measured during that discharge. The single discharge volume is the highest daily value.

2.4. Compliance Summary

From March 10, 2018, until March 12, 2018, the Discharger discharged 21.7 MG of fully treated and dechlorinated wastewater into San Lorenzo Creek without authorization. Because the discharge did not take place during wet weather, it violated Discharge Prohibition III.B of the previous order. The discharge occurred because a valve that normally conveys effluent to the EBDA pipeline closed due to a loss of communications between the Supervisory Control and Data Acquisition (SCADA) system at the Discharger's San Lorenzo Creek discharge monitoring location and the SCADA system at the Facility. The closed valve diverted effluent flow from the EBDA pipeline to the San Lorenzo Creek wet weather outfall (Discharge Point 002).

The Regional Water Board settled this violation through Administrative Civil Liability Order R2-2018-1021, which imposed a penalty of \$30,000. The Discharger paid \$15,000 to the State Water Pollution Cleanup and Abatement account and \$15,000 to the Regional Monitoring Program to implement a Supplemental Environmental Project. The Supplemental Environmental Project funded an effort to monitor stormwater for polychlorinated biphenyls (PCBs) in the San Leandro Bay watershed.

2.5. Sea Level Rise. Sea level rise does not threaten most of the Facility's infrastructure (e.g., flow-equalization basins, pump stations, and pipelines), which is located in Pleasanton, and is over 12 miles inland from Lower San Francisco Bay. This includes the Alamo Canal outfall, where discharges must travel 25 miles downstream to Lower San Francisco Bay. The San Lorenzo Creek outfall is

located approximately 3,000 feet upstream of Lower San Francisco Bay. The Discharger has budgeted \$100,000 to evaluate potential sea level rise impacts on the San Lorenzo Creek outfall and San Leandro Sample Station (Monitoring Location M-001) and identify solutions to those impacts to protect this infrastructure. The Discharger plans to complete this evaluation before the end of fiscal year 2023.

- 2.6. Planned Changes.** During this Order term, the Discharger plans to upgrade the San Leandro Sample Station (Monitoring Location M-001) to allow remote operation. This will reduce the need to send personnel to the sample station during extreme wet weather.

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 California Water Code article 4, chapter 4, division 7 (commencing with § 13260). This Order is also issued pursuant to federal Clean Water Act (CWA) section 402 and implementing regulations adopted by the U.S. EPA, and Water Code chapter 5.5, division 7 (commencing with § 13370). It serves as an NPDES permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 1 subject to the WDRs in this Order.

- 3.2. California Environmental Quality Act (CEQA).** Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resources Code division 13, chapter 3 (commencing with § 21100).

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

- 3.3.1. Water Quality Control Plan.** The Regional Water Board adopted the *Water Quality Control Plan for the San Francisco Bay Basin* (Basin Plan), which designates beneficial uses, establishes water quality objectives, 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. In addition, this Order implements State Water Board Resolution 88-63, which established State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. The Basin Plan designates the municipal and domestic supply (MUN) beneficial use to San Lorenzo Creek but not to Alamo Canal. Consistent with State Water Board Resolution 88-63, the municipal and domestic supply beneficial use does not apply to Alamo Canal because total dissolved solids levels there exceed 3,000 mg/L (see Fact Sheet section 4.3.3.3). Alamo Canal may exhibit freshwater conditions during peak wet weather when discharges are necessary, but these short-term circumstances are too short-lived to provide a good source

of drinking water and support the municipal and domestic supply beneficial use. Therefore, the beneficial uses applicable to San Lorenzo Creek and Alamo Canal are as follows:

Table F-3. Beneficial Uses

Discharge Points	Receiving Water	Beneficial Uses
002	San Lorenzo Creek	Municipal and Domestic Supply (MUN) Freshwater Replenishment (FRSH) Cold Freshwater Habitat (COLD) Fish Migration (MIGR) Fish Spawning (SPWN) Warm Freshwater Habitat (WARM) Wildlife Habitat (WILD) Water Contact Recreation (REC-1) Non-Contact Water Recreation (REC-2)
003	Alamo Canal	Groundwater Recharge (GWR) Cold Freshwater Habitat (COLD) Preservation of Rare and Endangered Species (RARE) Warm Freshwater Habitat (WARM) Wildlife Habitat (WILD) Water Contract Recreation (REC-1) Non-Contact Water Recreation (REC-2)

3.3.2. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** The NTR and CTR contain federal water quality criteria for priority pollutants. U.S. EPA adopted the NTR on December 22, 1992, and amended it on May 4, 1995, and November 9, 1999. About 40 NTR criteria apply in California. U.S. EPA adopted the CTR on May 18, 2000. The CTR promulgated new toxics criteria for California and incorporated the NTR criteria that applied in the State. U.S. EPA amended the CTR on February 13, 2001.

3.3.3. **State Implementation Policy.** 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) on March 2, 2000. The SIP establishes implementation provisions for priority pollutant criteria and objectives, and provisions for chronic toxicity control. The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria U.S. EPA promulgated for California through the NTR and the priority pollutant objectives the Regional Water Board established through the Basin Plan. The SIP became effective on May 18, 2000, with respect to the priority pollutant criteria U.S. EPA promulgated through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005, that became effective on July 13, 2005. Requirements of this Order implement the SIP.

3.3.4. **Bacteria Objectives.** The State Water Board adopted the *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of*

California – Part 3, Bacteria Provisions and a Water Quality Standards Variance Policy on August 7, 2018, and it became effective on March 22, 2019. This plan establishes *Escherichia coli* bacteria water quality objectives and related implementation provisions for discharges to freshwaters that support the water contact recreation beneficial use.

- 3.3.5. **Mercury Provisions.** The State Water Board adopted Resolution 2017-0027, which approved *Final 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* (Mercury Provisions) on May 2, 2017, thereby establishing water quality objectives for mercury in most State waters. The Mercury Provisions establish mercury fish tissue water quality objectives based on beneficial uses and translate those objectives into mercury water column criteria. Requirements of this Order implement the Mercury Provisions.
- 3.3.6. **Antidegradation Policy.** Federal regulations at 40 C.F.R. section 131.12 require that state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy through State Water Board Resolution 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California*, which incorporates 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 Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. Permitted discharges must be consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and State Water Board Resolution 68-16.
- 3.3.7. **Anti-Backsliding Requirements.** CWA sections 402(o) and 303(d)(4) and 40 C.F.R. section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed.
- 3.3.8. **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 Federal Endangered Species Act (16 U.S.C.A. §§ 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, including protecting rare, threatened, or endangered species. The Discharger is responsible for meeting all applicable Endangered Species Act requirements.

3.4. Impaired Water Bodies on CWA section 303(d) List. On April 6, 2018, U.S. EPA approved a revised list of impaired waters pursuant to CWA section 303(d), which requires identification of specific water bodies where it is expected that water quality standards will not be met after implementation of technology-based effluent limitations on point sources. Where it has not done so already, the Regional Water Board plans to adopt total maximum daily loads (TMDLs) for pollutants on the 303(d) list. TMDLs establish wasteload allocations for point sources and load allocations for nonpoint sources and are established to achieve water quality standards.

San Lorenzo Creek is listed as impaired by diazinon, a pesticide. On May 21, 2007, U.S. EPA approved the diazinon and pesticide-related toxicity TMDL for San Lorenzo Creek in Basin Plan section 7.1.1. According to the TMDL, the Discharger is not a source of diazinon or pesticide-related toxicity; therefore, the TMDL does not contain a specific wasteload allocation or other implementation requirements for the Discharger.

Alamo Canal is not listed as impaired by any pollutant.

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 discharged into 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: 40 C.F.R. section 122.44(a) requires that permits include applicable technology-based limitations and standards, and 40 C.F.R. 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 receiving waters.

4.1. Discharge Prohibitions

4.1.1. Prohibitions in this Order

4.1.1.1. Discharge Prohibition 3.1 (No discharge other than as described): This prohibition is based on 40 C.F.R. section 122.21(a) and Water Code section 13260, which require filing an application and Report of Waste Discharge before a discharge can occur. Discharges not described in the application and Report of Waste Discharge, and subsequently in this Order, are prohibited.

4.1.1.2. Discharge Prohibition 3.2 (No discharge to San Lorenzo Creek, except during wet weather): This prohibition ensures that discharges to San Lorenzo Creek occur only during peak wet weather when the maximum export capacity available in the EBDA pipeline is less than 41.2 MGD and the Discharger's effluent flow exceeds the available export capacity, or when

conducting discharge exercises. Discharges above 140,000 gallons are prohibited during discharge exercises so such discharges only occur to the extent necessary to complete the maintenance tests. Prohibiting discharges except under these conditions and the conditions under Discharge Prohibition 3.5 are consistent with Basin Plan Discharge Prohibition 1 (Basin Plan Table 4-1).

- 4.1.1.3. **Discharge Prohibition 3.3 (No discharge to Alamo Canal, except during wet weather):** This prohibition ensures that discharges to Alamo Canal occur only during peak wet weather when the Discharger's effluent flow exceeds the maximum export capacity of 41.2 MGD to the EBDA pipeline (or the EBDA pipeline and San Lorenzo Creek outfall), or when performing a discharge exercise. Discharges above 140,000 gallons are prohibited during discharge exercises so such discharges only occur to the extent necessary to complete the maintenance tests. Prohibiting discharges except under these conditions and the conditions under Discharge Prohibition 3.5 are consistent with Basin Plan Discharge Prohibition 1 (Basin Plan Table 4-1).
- 4.1.1.4. **Discharge Prohibition 3.4 (No bypass to waters of the United States):** This prohibition is based on 40 C.F.R. section 122.41(m) (see Attachment D section 1.7).
- 4.1.1.5. **Discharge Prohibition 3.5 (No discharge exercise more than twice per year in San Lorenzo Creek and once per year in Alamo Canal):** This prohibition restricts potential water quality impacts to San Lorenzo Creek and Alamo Canal resulting from discharge exercises by limiting the number of such discharges and requiring that they occur in the wet season (November 1 through April 30), when flows in San Lorenzo Creek and Alamo Canal increase. This prohibition ensures that discharges only occur when San Lorenzo Creek and Alamo Canal flows provide significant mixing and dilution, and during conditions that reflect the assumptions underlying the reasonable potential analysis, effluent limitations, and other requirements of this Order. Prohibiting discharges except under these conditions and the conditions under Discharge Prohibitions 3.2 and 3.3 are consistent with Basin Plan Discharge Prohibition 1 (Basin Plan Table 4-1).
- 4.1.2. **Basin Plan Discharge Prohibition 1.** Basin Plan Table 4-1, Discharge Prohibition 1, prohibits discharges of wastewater that has particular characteristics of concern to beneficial uses at any point at which the wastewater does not receive a minimum initial dilution of 10:1 or discharges into any nontidal water, dead-end slough, or similar confined waters and their tributaries. Discharge from Discharge Points 002 and 003 will not receive an initial dilution of at least 10:1 as they enter the shallow waters of San Lorenzo

Creek or Alamo Canal. The purpose of Discharge Prohibition 1 is to protect against the following:

- continuous effects of waste discharge;
- effects of abnormal discharges caused by temporary plant upsets or malfunctions;
- public contact with undiluted waste; and
- visual impacts.

Discharge Prohibition 1 does not apply to this discharge for the following reasons:

- Discharges are short, infrequent, and not continuous. Wet weather discharges are expected to occur at most approximately once every 1.5 years in San Lorenzo Creek and once every 10 years in Alamo Canal. The last wet weather discharge that occurred was in San Lorenzo Creek on February 20, 2017. That discharge took place over the course of three hours. Prior to that discharge, the last wet weather discharge occurred in January 2010. No discharge to Alamo Canal has occurred in the past 22 years. Discharge exercises will occur no more than twice per year in San Lorenzo Creek and no more than once per year in Alamo Canal. Additionally, discharges will occur only during wet weather, when discharges are flushed and diluted by increased creek flows and stormwater outfalls located downstream of Discharge Points 002 and 003. For these reasons, the discharges will not have continuous effects on San Lorenzo Creek or Alamo Canal beneficial uses.
- The discharge of inadequately treated waste is reliably prevented because both the Dublin San Ramon Services District and City of Livermore treatment plants, which export treated wastewater to the Facility, have good compliance records. They have not violated any effluent limitations in their NPDES permits throughout the last two order terms. Moreover, if an upset were to occur at one of the treatment plants, effluent would likely flow to the EBDA common outfall. Discharge to the wet weather outfalls would require an intentional flow diversion, and it is highly unlikely that an upset would occur simultaneously with a rare wet weather discharge. Wet weather discharges receive reliable treatment because, at the San Lorenzo Creek outfall (Discharge Point 002), the discharge exercises ensure that the equipment necessary for discharge (e.g., dechlorination equipment at San Lorenzo Creek) remains in good working order. At the Alamo Canal outfall (Discharge Point 003), which is located near the Dublin San Ramon Services District plant, plant operators are available to ensure full dechlorination and are notified of potential discharges hours before they occur because Alamo Canal discharges only occur after San Lorenzo Creek discharges commence.

- There is little potential for public contact with undiluted waste. Discharges occur only during wet weather, when they are flushed and diluted by increased creek flows and downstream stormwater outfalls.
- The discharge will not cause visual impacts. Discharges are treated to Secondary Treatment Standards, which address potentially objectionable color and turbidity.

Basin Plan section 4.2 also provides for exceptions to Discharge Prohibition 1 under certain circumstances:

- An inordinate burden would be placed on the Discharger relative to the beneficial uses protected, and an equivalent level of environmental protection can be achieved by alternate means;
- A discharge is approved as part of a reclamation project;
- Net environmental benefits will be derived as a result of the discharge; or
- A discharge is approved as part of a groundwater cleanup project.

The Basin Plan further states:

In reviewing requests for exceptions, the Water Board will consider the reliability of the discharger's system in preventing inadequately treated wastewater from being discharged to the receiving water and the environmental consequences of such discharges.

These discharges would qualify for an exception to Basin Plan Discharge Prohibition 1 for the following reasons:

- An inordinate burden would be placed on the Discharger relative to the beneficial uses protected to require the discharges to achieve 10:1 initial dilution. Achieving 10:1 dilution would require the Discharger to construct a deepwater outfall or upgrade the Facility to expand its hydraulic export capacity to the EBDA pipeline while ensuring EBDA member agencies maintain their current contract capacities. Doing either of these tasks would be unreasonably costly and infeasible for short and intermittent discharges that are unlikely to occur more than once every 1.5 years.
- The Discharger achieves a level of environmental protection equivalent to adherence to the discharge prohibition by preventing discharges more frequently than once every 1.5 years in San Lorenzo Creek and once every 10 years in Alamo Canal. Moreover, the Discharger reliably prevents inadequately-treated wastewater from being discharged because, under most possible upset conditions, effluent would flow to the EBDA common outfall, not San Lorenzo Creek or Alamo Canal.

4.2. Technology-Based Effluent Limitations

4.2.1. Scope and Authority

CWA section 301(b) and 40 C.F.R. section 122.44 require that permits include conditions meeting technology-based requirements, at a minimum, and any more stringent effluent limitations necessary to meet water quality standards. The discharges authorized by this Order must meet minimum federal technology-based requirements based on the Secondary Treatment Standards at 40 C.F.R. section 133 as summarized below. Basin Plan Table 4-2 contains additional requirements for certain pollutants.

Table F-4. Secondary Treatment Standards

Parameter	Monthly Average	Weekly Average
Biochemical Oxygen Demand (BOD) ^{[1],[2]}	30 mg/L	45 mg/L
Carbonaceous Biochemical Oxygen Demand (CBOD) ^[1,2]	25 mg/L	40 mg/L
Total Suspended Solids (TSS) ^[2]	30 mg/L	45 mg/L
pH	6.0 – 9.0 standard units	

Footnotes:

^[1] CBOD effluent limitations may be substituted for BOD limitations.

^[2] The monthly average percent removal, by concentration, is not to be less than 85 percent.

4.2.2. Technology-Based Effluent Limitations

4.2.2.1. **CBOD and TSS.** The CBOD and TSS effluent limitations of 40 mg/L and 45 mg/L are based on the Secondary Treatment Standards and Basin Plan Table 4-2. Due to the infrequent nature of the discharge, this Order contains only the weekly average limitations, not the monthly average limitations. NPDES Permits CA0037613 (for the Dublin San Ramon Services District Wastewater Treatment Plant) and CA0038008 (for the City of Livermore Water Reclamation Plant) ensure that the Facility's effluent satisfies the monthly average effluent limitations in accordance with the Secondary Treatment Standards. The data summary in Table F-2 shows that these two treatment facilities fully comply with the monthly limitations.

4.2.2.2. **Oil and Grease.** The oil and grease effluent limitations are based on Basin Plan Table 4-2. Due to the infrequent nature of the discharge, this Order contains only the maximum daily limitation, not the monthly average limitation. NPDES Permits CA0037613 (for the Dublin San Ramon Services District Wastewater Treatment Plant) and CA0038008 (for the City of Livermore Water Reclamation Plant) ensure that the Facility satisfies the monthly average effluent limitation in accordance with the Basin Plan.

4.2.2.3. **pH.** The pH effluent limitations are based on the secondary treatment standards and Basin Plan Table 4-2.

- 4.2.2.4. **Total Residual Chlorine.** The total residual chlorine effluent limitation is based on Basin Plan Table 4-2.

4.3. Water Quality-Based Effluent Limitations

4.3.1. Scope and Authority

CWA section 301(b) and 40 C.F.R. section 122.44(d) require permits to include limitations more stringent than federal technology-based requirements where necessary to achieve water quality standards. According to 40 C.F.R. section 122.44(d)(1)(i), permits must include effluent limitations for all pollutants that are or may be discharged at levels that have a 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, 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 a narrative criterion, supplemented with relevant information. The process for determining reasonable potential and calculating WQBELs when necessary is intended to achieve applicable water quality objectives and criteria, and thereby protect designated beneficial uses of receiving waters.

4.3.2. Beneficial Uses and Water Quality Criteria and Objectives

Discharge Points 002 and 003 discharge to San Lorenzo Creek and Alamo Canal. Fact Sheet section 3.3.1 identifies the beneficial uses of these receiving waters. Water quality criteria and objectives to protect these beneficial uses are described below.

- 4.3.2.1. **Basin Plan Objectives.** The Basin Plan specifies numerous water quality objectives, including numeric objectives for 10 priority pollutants, un-ionized ammonia, and temperature. In addition, the Basin Plan specifies numeric water quality objectives for total dissolved solids (TDS) and chlorides for the Alameda Creek watershed above Niles. The Basin Plan also contains various narrative objectives, such as for toxicity.
- 4.3.2.2. **CTR Criteria.** The CTR specifies numeric aquatic life and human health criteria for numerous priority pollutants. These criteria apply to inland surface waters and enclosed bays and estuaries. Some human health criteria are for consumption of “water and organisms” and others are for consumption of “organisms only.” The criteria applicable to “water and organisms” apply to the San Lorenzo Creek because it is a potential source of drinking water.

- 4.3.2.3. **NTR Criteria.** The NTR establishes numeric aquatic life and human health criteria for a number of toxic pollutants for San Francisco Bay waters upstream to and including Suisun Bay and the Sacramento-San Joaquin Delta. The NTR criteria apply to San Lorenzo Creek and Alamo Canal.
- 4.3.2.4. **Bacteria Objectives.** The *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Part 3, Bacteria Provisions and a Water Quality Standards Variance Policy* establishes *Escherichia Coliform (E. coli)* bacteria water quality objectives to limit cases of gastrointestinal illness from water contact recreation. The *E. coli* bacteria objectives apply to freshwater.
- 4.3.2.5. **Mercury Objectives.** The Mercury Provisions specify water column criteria for mercury depending on water body type and beneficial uses. San Lorenzo Creek and Alamo Canal are flowing water bodies that support cold freshwater habitat; warm freshwater habitat; preservation of rare, threatened, or endangered species; and wildlife habitat beneficial uses. Mercury Provisions section IV.D.2.b, Table 1, establishes an annual average total mercury criterion of 0.012 µg/L for San Lorenzo Creek and Alamo Canal.
- 4.3.2.5. **Receiving Water Salinity.** Basin Plan section 4.6.2 (like the CTR and NTR) states that the salinity characteristics (i.e., freshwater vs. saltwater) of the receiving water are to be considered in determining the applicable water quality objectives. Freshwater criteria apply to discharges to waters with salinities equal to or less than one part per thousand (ppt) at least 95 percent of the time. Saltwater criteria apply to discharges to waters with salinities equal to or greater than 10 ppt at least 95 percent of the time in a normal water year. For discharges to water with salinities in between these two categories, or tidally-influenced freshwaters that support estuarine beneficial uses, the water quality objectives are the lower of the salt or freshwater criteria (the latter calculated based on ambient hardness) for each substance.

San Lorenzo Creek receives upstream freshwater flows but is tidally-influenced, being located approximately 3,000 feet upstream from Lower San Francisco Bay. However, under peak wet weather conditions, the receiving water is freshwater because of the large amount of stormwater flow upstream. Alamo Canal receives upstream freshwater flows. Because the receiving water is freshwater in San Lorenzo Creek and Alamo Canal during wet weather discharges, this Order's effluent limitations are based on the freshwater water quality objectives and criteria in the Basin Plan, NTR, and CTR.

- 4.3.2.6. **Receiving Water Hardness.** Ambient hardness data were used to calculate freshwater water quality objectives that are hardness dependent. The Discharger collected receiving water hardness data between November 1989

and March 2019 for San Lorenzo Creek and between April 1971 and March 2012 for Alamo Canal. Within these data sets, 43 data points reflect freshwater conditions (i.e., the data are paired with salinity data less than or equal to 1 ppt). The geometric means for the San Lorenzo Creek and Alamo Canal data sets are 189 mg/L and 226 mg/L. As a conservative approach, this Order uses the lower geometric mean of 189 mg/L to calculate the water quality objectives for both locations.

- 4.3.2.7. **Metals Translators.** Regulations at 40 C.F.R. section 122.45(c), require effluent limitations for metals to be expressed as total recoverable metal. Since the water quality objectives for metals are typically expressed as dissolved metal, translators must be used to convert metals concentrations from dissolved to total recoverable and vice versa. The CTR contains default translators; however, site-specific conditions, such as water temperature, pH, total suspended solids, and organic carbon may affect the form of metal (dissolved, non-filterable, or otherwise) present and therefore available to cause toxicity. In general, dissolved metals are more available and more toxic to aquatic life than other forms. Site-specific translators can account for site-specific conditions, thereby preventing overly stringent or under-protective water quality objectives.

CTR default translators were used for all metals in this Order's reasonable potential analysis and WQBEL calculations.

4.3.3. Reasonable Potential Analysis

- 4.3.3.1. **Available Information.** The reasonable potential analyses for this Order are based on effluent data the Discharger collected in May 2020 and ambient background data the Discharger collected from February 2017 through May 2020 for San Lorenzo Creek and Alamo Canal.

This Order does not contain WQBELs for constituents that do not demonstrate reasonable potential; however, the MRP still requires monitoring for those pollutants. If effluent concentrations are found to have increased significantly, Provision 6.3.2 of the Order requires the Discharger to investigate the sources of the increases and implement remedial measures if the increases pose a threat to receiving water quality.

- 4.3.3.2. **Priority Pollutants.** SIP section 1.3 sets forth the methodology used to assess whether priority pollutants have reasonable potential to exceed CTR and NTR water quality objectives. The analysis begins with identifying the maximum effluent concentration (MEC) observed for each pollutant based on available effluent concentration data and the ambient background concentrations (B). SIP section 1.4.3 states that ambient background concentrations are either the maximum ambient concentration observed or, for water quality objectives intended to protect human health, the arithmetic

mean of observed concentrations. There are three triggers in determining reasonable potential:

- **Trigger 1** is activated if the maximum effluent concentration is greater than or equal to the lowest applicable water quality objective (MEC ≥ water quality objective).
- **Trigger 2** is activated if the ambient background concentration observed in the receiving water is greater than the lowest applicable water quality objective (B > water quality objective) and the pollutant is detected in any effluent sample.
- **Trigger 3** is activated if a review of other information indicates that a WQBEL is needed to protect beneficial uses.

The maximum effluent concentrations, most stringent applicable water quality criteria and objectives, and ambient background concentrations used in the analysis are presented in Table F-5, below, along with the reasonable potential analysis results (yes, no, or unknown) for each pollutant. Based on this analysis, no priority pollutant demonstrates reasonable potential.

Table F-5. Reasonable Potential Analysis

CTR No.	Pollutant	C or Governing Criterion or Objective (µg/L)	MEC or Minimum DL (µg/L) ^{[1],[2]}	B or Minimum DL (µg/L) ^{[1],[2]}	RPA Result ^[3]
1	Antimony	4,300	0.32 DNQ	0.59	No
2	Arsenic	150	0.45	3.0	No
3	Beryllium	No Criteria	<0.090	<0.090	U
4	Cadmium	1.86	<0.050	<0.050	No
5a	Chromium (III) ^[4]	347	0.44 DNQ	1.9 DNQ	No
5b	Chromium (VI)	11	0.70 DNQ	<1.5	No
6	Copper	16	6.6	3.8	No
7	Lead	7.1	0.10 DNQ	0.68	No
8	Mercury ^[5]	-	-	-	^[6]
9	Nickel	89	2.9	8.9	No
10	Selenium	5.0	<0.40	0.50 DNQ	No
11	Silver	12	<0.20	<0.020	No
12	Thallium	1.7	<0.050	<0.050	No
13	Zinc	205	21	13	No
14	Cyanide	5.2	<0.00090	<0.00090	No
15	Asbestos (fibers/L)	-	-	-	^[7]
16	2,3,7,8-TCDD	1.3 x 10 ⁻⁸	<3.5 x 10 ⁻⁷	<3.5 x 10 ⁻⁷	U
17	Acrolein	320	<0.80	<0.80	No
18	Acrylonitrile	0.059	<0.75	<0.75	U

CTR No.	Pollutant	C or Governing Criterion or Objective (µg/L)	MEC or Minimum DL (µg/L) ^{[1],[2]}	B or Minimum DL (µg/L) ^{[1],[2]}	RPA Result ^[3]
19	Benzene	1	<0.18	<0.18	No
20	Bromoform	4.3	<0.15	<0.15	No
21	Carbon Tetrachloride	0.25	<0.16	<0.16	No
22	Chlorobenzene	70	<0.18	<0.18	No
23	Chlorodibromomethane	0.41	<0.17	<0.17	No
24	Chloroethane	No Criterion	<0.15	<0.15	U
25	2-Chloroethylvinyl ether	No Criterion	<0.28	<0.28	U
26	Chloroform	No Criterion	1.6	<0.19	U
27	Dichlorobromomethane	0.56	<0.16	<0.16	No
28	1,1-Dichloroethane	5	<0.19	<0.19	No
29	1,2-Dichloroethane	0.38	<0.18	<0.18	No
30	1,1-Dichloroethylene	0.057	<0.19	<0.19	U
31	1,2-Dichloropropane	0.52	<0.18	<0.18	No
32	1,3-Dichloropropylene	10	<0.16	<0.16	No
33	Ethylbenzene	300	<0.10	<0.10	No
34	Methyl Bromide	48	<0.30	<0.30	No
35	Methyl Chloride	No Criterion	<0.30	<0.30	U
36	Methylene Chloride	4.7	<0.40	<0.40	No
37	1,1,2,2-Tetrachloroethane	0.17	<0.15	<0.15	No
38	Tetrachloroethylene	0.8	<0.19	<0.19	No
39	Toluene	150	0.26 DNQ	<0.19	No
40	1,2-Trans-Dichloroethylene	10	<0.22	<0.22	No
41	1,1,1-Trichloroethane	200	<0.19	<0.19	No
42	1,1,2-Trichloroethane	0.60	<0.16	<0.16	No
43	Trichloroethylene	2.7	<0.20	<0.20	No
44	Vinyl Chloride	0.5	<0.25	<0.25	No
45	2-Chlorophenol	120	<0.90	<0.90	No
46	2,4-Dichlorophenol	93	<0.70	<0.70	No
47	2,4-Dimethylphenol	540	<0.40	<0.40	No
48	2-Methyl- 4,6-Dinitrophenol	13.4	<0.90	<0.90	No
49	2,4-Dinitrophenol	70	<0.70	<0.70	No
50	2-Nitrophenol	No Criterion	<1.0	<1.0	U
51	4-Nitrophenol	No Criterion	<0.50	<0.50	U
52	3-Methyl 4-Chlorophenol	No Criterion	<0.50	<0.50	U
53	Pentachlorophenol	0.28	<0.50	0.027 DNQ	U
54	Phenol	21,000	<0.30	<0.30	No
55	2,4,6-Trichlorophenol	2.1	<0.50	<0.50	No
56	Acenaphthene	1,200	<0.020	<0.020	No
57	Acenaphthylene	No Criterion	<0.020	<0.020	U
58	Anthracene	9,600	<0.030	<0.030	No
59	Benzidine	0.00012	<4.0	<4.0	U

CTR No.	Pollutant	C or Governing Criterion or Objective (µg/L)	MEC or Minimum DL (µg/L) ^{[1],[2]}	B or Minimum DL (µg/L) ^{[1],[2]}	RPA Result ^[3]
60	Benzo(a)Anthracene	0.0044	<0.020	<0.020	U
61	Benzo(a)Pyrene	0.0044	<0.020	<0.020	U
62	Benzo(b)Fluoranthene	0.0044	<0.020	<0.020	U
63	Benzo(ghi)Perylene	No Criterion	<0.020	<0.020	U
64	Benzo(k)Fluoranthene	0.0044	<0.020	<0.020	U
65	Bis(2-Chloroethoxy)Methane	No Criterion	<0.050	<0.050	U
66	Bis(2-Chloroethyl)Ether	0.031	<0.90	<0.90	U
67	Bis(2-Chloroisopropyl)Ether	1,400	<0.90	<0.90	No
68	Bis(2-Ethylhexyl)Phthalate	1.8	0.60 DNQ	0.60 DNQ	No
69	4-Bromophenyl Phenyl Ether	No Criterion	<0.50	<0.50	U
70	Butylbenzyl Phthalate	3,000	<0.50	<0.50	No
71	2-Chloronaphthalene	1,700	<1.0	<1.0	No
72	4-Chlorophenyl Phenyl Ether	No Criterion	<0.50	<0.50	U
73	Chrysene	0.0044	<0.020	<0.020	U
74	Dibenzo(a,h)Anthracene	0.0044	<0.020	<0.020	U
75	1,2-Dichlorobenzene	600	<0.18	<0.18	No
76	1,3-Dichlorobenzene	400	<0.27	<0.27	No
77	1,4-Dichlorobenzene	5	<0.18	<0.18	No
78	3,3 Dichlorobenzidine	0.04	<5.0	<5.0	U
79	Diethyl Phthalate	23,000	<0.50	<0.50	No
80	Dimethyl Phthalate	313,000	<0.50	<0.50	No
81	Di-n-Butyl Phthalate	2,700	<0.40	<0.40	No
82	2,4-Dinitrotoluene	0.11	<0.90	<0.90	U
83	2,6-Dinitrotoluene	No Criterion	<0.40	<0.40	U
84	Di-n-Octyl Phthalate	No Criterion	<0.40	<0.40	U
85	1,2-Diphenylhydrazine	0.040	<0.50	<0.50	U
86	Fluoranthene	300	<0.020	<0.020	No
87	Fluorene	1,300	<0.010	<0.010	No
88	Hexachlorobenzene	0.00075	<0.40	<0.40	U
89	Hexachlorobutadiene	0.44	<0.40	<0.40	U
90	Hexachlorocyclopentadiene	50	<0.90	<0.90	No
91	Hexachloroethane	1.9	<0.90	<0.90	No
92	Indeno(1,2,3-cd)Pyrene	0.0044	<0.020	<0.020	U
93	Isophorone	8.4	<0.50	<0.50	No
94	Naphthalene	No Criterion	<0.020	<0.020	U
95	Nitrobenzene	17	<0.50	<0.50	No
96	N-Nitrosodimethylamine	0.00069	<0.70	<0.70	U
97	N-Nitrosodi-n-Propylamine	0.005	<0.50	<0.50	U
98	N-Nitrosodiphenylamine	5.0	<0.70	<0.70	No
99	Phenanthrene	No Criterion	<0.020	<0.020	U
100	Pyrene	960	<0.020	<0.020	No

CTR No.	Pollutant	C or Governing Criterion or Objective (µg/L)	MEC or Minimum DL (µg/L) ^{[1],[2]}	B or Minimum DL (µg/L) ^{[1],[2]}	RPA Result ^[3]
101	1,2,4-Trichlorobenzene	5	<0.25	<0.25	No
102	Aldrin	0.00013	<0.0030	<0.0030	U
103	Alpha-BHC	0.0039	<0.0040	<0.0040	No
104	Beta-BHC	0.014	<0.0030	<0.0030	No
105	Gamma-BHC	0.019	<0.0030	<0.0030	No
106	Delta-BHC	No Criterion	<0.0040	<0.0040	U
107	Chlordane	0.00057	<0.020	<0.020	U
108	4,4'-DDT	0.00059	<0.0040	<0.0040	U
109	4,4'-DDE	0.00059	<0.0040	<0.0040	U
110	4,4'-DDD	0.00083	<0.0030	<0.0030	U
111	Dieldrin	0.00014	<0.0040	<0.0040	U
112	Alpha-Endosulfan	0.056	<0.0040	<0.0040	No
113	beta-Endosulfan	0.056	<0.0040	<0.0040	No
114	Endosulfan Sulfate	110	<0.0030	<0.0030	No
115	Endrin	0.036	<0.0030	<0.0030	No
116	Endrin Aldehyde	0.76	<0.0040	<0.0040	No
117	Heptachlor	0.00021	<0.0040	<0.0040	U
118	Heptachlor Epoxide	0.00010	<0.0040	<0.0040	U
119-125	PCBs sum ^[5]	-	-	-	-
126	Toxaphene	0.0002	<0.20	<0.20	U

Footnotes:

- ^[1] The MEC and ambient background concentration are the actual detected concentrations unless preceded by a "<" sign, in which case the value shown is the minimum detection level (MDL).
- ^[2] The MEC or ambient background concentration is "Unavailable" when there are no monitoring data for the constituent.
- ^[3] RPA Results = Yes, if MEC ≥ WQC, B > WQC and MEC is detected, or Trigger 3
= No, if MEC and B are < WQC or all effluent data are undetected
= Unknown (U) if no criteria have been promulgated or data are insufficient.
- ^[4] The maximum effluent and ambient background concentrations are the total chromium concentration. The chromium (III) concentrations are unknown but less than these values.
- ^[5] SIP section 1.3 excludes from its reasonable potential analysis procedure priority pollutants for which a TMDL has been developed. TMDLs have been developed for mercury and PCBs in San Francisco Bay. Mercury and PCBs from wastewater discharges are regulated by NPDES Permit CA0038849, which implements the San Francisco Bay Mercury and PCBs TMDLs.
- ^[6] The Mercury Provisions established freshwater objectives that apply to San Lorenzo Creek and Alamo Canal. However, consistent with the Mercury Provisions, the Discharger has no reasonable potential to cause an exceedance in the objectives because discharges are infrequent and insignificant, and the objectives protect against annual average exposure.
- ^[7] The Discharger is not required to sample for asbestos because it does not have reasonable potential to cause or contribute to an exceedance of this objective (see Fact Sheet section 4.3.3.3).

4.3.3.3. Municipal and Domestic Supply Pollutants. San Lorenzo Creek has a beneficial use for municipal and domestic supply (MUN). Basin Plan section 3.3.22 sets forth maximum contaminant levels as water quality objectives to protect this beneficial use. However, because Facility discharges are expected to be short and intermittent, there is no reasonable potential for these discharges to cause or contribute to exceedances of these objectives,

which were established to prevent impacts from exposure periods greater than the Discharger's projected discharge frequency of once every 1.5 years. The objectives to protect the MUN beneficial use are intended to protect against annual average exposure periods.

Additionally, ambient receiving water sampling conducted by the Discharger indicates that San Francisco Bay's tidal influence does not allow suitable waters for municipal and domestic supply in the portion of San Lorenzo Creek that receives the Facility's discharge. In May 2020, TDS and specific conductance samples taken upstream of the Discharger's wet weather outfall (Discharge Point 002) were 7,800 mg/L and 13,000 $\mu\text{S}/\text{cm}$, well above thresholds established in State Water Board Resolution 88-63 that exempt waters from being considered suitable or potentially suitable for municipal and domestic supply. Therefore, there is no reasonable potential for Facility discharges to cause exceedances of water quality objectives that protect the MUN beneficial use because the receiving waters are not suitable for municipal and domestic supply.

4.3.3.4. **Ammonia**

4.3.3.4.1. **Water Quality Objective.** Basin Plan section 3.3.20 contains water quality objectives for un-ionized ammonia of 0.025 mg/L as an annual median and 0.4 mg/L (as nitrogen) as a maximum for Lower San Francisco Bay, the water body to which San Lorenzo Creek and old Alamo Canal flow. The annual median objective is not applicable to this Order because discharges are so infrequent that they cannot affect the annual median concentrations in San Lorenzo Creek and Alamo Canal.

4.3.3.4.2. **Methodology.** Ammonia is a toxic pollutant but not a priority pollutant as defined by the CTR; therefore, the procedure outlined in *the Technical Support Document for Water Quality-based Toxics Control* (Technical Support Document) (EPA/505/2-90-001, March 1991) was used to determine if ammonia in the discharge has reasonable potential to cause a water quality objective to be exceeded in the receiving water. According to the Technical Support Document, the reasonable potential analyses can be performed based on the receiving water concentrations projected using effluent data or measured receiving water concentrations. Both values may be compared directly with the Basin Plan un-ionized ammonia objectives. The following summarizes the steps using effluent data:

- **Step 1.** Determine the total number of samples (n) and the maximum effluent concentration (MEC) in the dataset.
- **Step 2.** Determine the coefficient of variation (CV). For a data set where $n < 10$, the CV is estimated to equal 0.6. For a dataset where

$n \geq 10$, the CV is calculated as the standard deviation divided by the mean.

- **Step 3.** Determine a ratio (R) for projecting the upper bound concentration based on a selected confidence interval (e.g., 95th or 99th percentile) and assuming a lognormal distribution as follows:

Calculate the percentile (P_n) represented by the MEC in the data set of n samples based on the selected confidence level.

$$P_n = (1 - \text{confidence interval})^{1/n}$$

Calculate the concentration-multiplying factors (C_P) for the MEC percentile (P_n) and the chosen upper bound percentile ($P_{\text{upper bound}}$), typically the 99th percentile, using the following equation:

$$C_P = \exp(Z_P\sigma - 0.5\sigma^2)$$

Where: $\sigma^2 = \ln(\text{CV}^2 + 1)$

P is the percentile (either P_n or the selected $P_{\text{upper bound}}$)

Z_p is the standard normal distribution value for the percentile P (available from statistical references)

Finally, calculate R as:

$$R = C_{\text{upper bound}} / C_{P_n}$$

- **Step 4.** Calculate the projected maximum receiving water concentration (RWC) as follows:

$$\text{RWC} = (\text{MEC} \times R) / \text{dilution ratio}$$

The dilution ratio can be defined as:

$$\text{Dilution ratio} = (D + [1 \text{ part effluent}]) / (1 \text{ part effluent})$$

Where D is the parts receiving water available to dilute 1 part effluent

Therefore:

$$\text{RWC} = (\text{MEC} \times R) / (D + 1)$$

- **Step 5.** Compare the RWC to the most stringent water quality objective for the pollutant. There is reasonable potential if the RWC is greater than or equal to the lowest applicable water quality objective.

- 4.3.3.4.3. **Data Translation.** Effluent and receiving water data are available for total ammonia, but not un-ionized ammonia, because (1) sampling and laboratory methods are unavailable to analyze for un-ionized ammonia, and (2) the fraction of total ammonia that exists in the toxic un-ionized form depends on pH, salinity, and temperature of the receiving water. Total ammonia concentrations (as nitrogen) were translated into un-ionized ammonia concentrations for comparison with the Basin Plan un-ionized ammonia objectives based on the following equations (U.S. EPA, 1989, Ambient Water Quality Criteria for Ammonia (Saltwater)—1989, EPA Publication 440/5-88-004, 1989):

$$\text{Fraction of un-ionized ammonia} = (1 + 10^{[pK - pH]})^{-1}$$

Where, for salinity less than 1 ppt:

$$pK = 0.09018 + 2729.92/T$$

T = temperature in Kelvin

Where, for salinity greater than 10 ppt:

$$pK = 9.245 + 0.116*(I) + 0.0324*(298-T) + 0.0415*(P)/T$$

I = molal ionic strength of saltwater = $19.9273*(S)/(1000-1.005109*S)$
S = salinity (parts per thousand)
T = temperature in Kelvin
P = pressure (one atmosphere)

- 4.3.3.4.4. **Mixing Zone and Dilution Credit.** The Technical Support Document allows for mixing zones and dilution credits to be considered when conducting a reasonable potential analysis. This Order authorizes an ammonia mixing zone corresponding to a dilution credit of 4:1 (4 parts total water [mixed effluent plus receiving water] to 1 part effluent; D=3) at Discharge Points 002 and 003 in accordance with SIP section 1.4.2.2. The receiving water concentration was assumed to be the same as the projected upper bound concentration, i.e., $RWC = (MEC \times R)/(D+1)$ (see Step 4 above).

The Discharger's mixing zone study, *Mixing Zone Analysis for Wet Weather Discharges* (RMC, December 8, 2010), proposed two mixing zones with boundaries beginning at the discharge outfalls, Discharge Points 002 (San Lorenzo Creek) and 003 (Alamo Canal), and ending at downstream stormwater outfalls that result in complete mixing of the discharge.

For San Lorenzo Creek, the proposed mixing zone covered 4,000 square feet (i.e., 50 feet downstream from the outfall and encompassed the entire width [80 feet] and depth of the creek). At 50 feet downstream from Discharge Point 002, the Alameda County Flood Control and Water

Conservation District operates a pump station and flood control stormwater outfall that results in complete mixing of the discharge. This proposed mixing zone, shown in Figure 1 below, corresponded to a dilution credit of $D=10$ (the dilution ratio is 11:1, or one part effluent to 11 parts effluent plus receiving water).

For Alamo Canal, the proposed mixing zone covered 6,400 square feet (i.e., 200 feet downstream from the outfall and encompassing the entire width [32 feet] and depth of the canal). At 200 feet downstream from Discharge Point 003 a stormwater outfall results in complete mixing of the discharge. This proposed mixing zone, shown in Figure 2 below, corresponds to a dilution credit of $D=14$ (the dilution ratio is 15:1).

In accordance with SIP section 1.4.2.2.A, the proposed mixing zones would not do any of the following:

- 4.3.3.4.4.1. **Compromise the integrity of the water body.** The proposed mixing zones would not compromise the integrity of San Lorenzo Creek or Alamo Canal because they are small relative to the sizes of the receiving waters. They modeled above, corresponding to a dilution ratio of 11:1 and 15:1, cover only 1.7 percent of San Lorenzo Creek and 2.1 percent of Alamo Canal.
- 4.3.3.4.4.2. **Cause acutely toxic conditions to aquatic life passing through the mixing zone.** Acutely toxic conditions would not exist inside the proposed mixing zones because, during wet weather, the estimated travel times for organisms that drift or swim through them would be less than one minute. Most acute water quality criteria are expressed as one-hour averages, and the limited exposures in the proposed mixing zones would be much shorter. Additionally, the Discharger's effluent is subject to whole effluent toxicity requirements in accordance with the EBDA common outfall NPDES permit (NPDES Permit CA0037869).
- 4.3.3.4.4.3. **Restrict the passage of aquatic life.** The proposed mixing zones would not interfere with the movement of aquatic species or restrict the passage of aquatic life because, during storms, potential exposure times for aquatic species drifting or swimming downstream through the proposed mixing zones would be less than one minute. Moreover, discharges will be of short duration and thus have little effect on passage of aquatic life heading upstream.

Figure 1. Aerial View of Proposed San Lorenzo Creek Mixing Zone



Figure 2. Aerial View of Proposed Alamo Canal Mixing Zone



- 4.3.3.4.4.4. **Adversely impact biologically sensitive or critical habitats, including, but not limited to, habitats of species under federal or State endangered species laws.** The proposed mixing zones would not adversely affect biologically sensitive or critical habitats because of the short and infrequent nature of the discharges (at most, approximately once every 1.5 years in San Lorenzo Creek and approximately once every 10 years in Alamo Canal). Furthermore, toxic, un-ionized ammonia is expected to attenuate rapidly to safe levels.

In San Lorenzo Creek, the area surrounding the wet weather outfall consists primarily of intertidal mudflats and low vegetated riverine banks that do not provide critical habitat to any State or federally-listed endangered or sensitive species. The estuarine portion of San Lorenzo Creek, where the outfall is located, and adjacent areas provide habitat to the endangered Ridgway's rail, but this habitat is outside of the proposed mixing zone. Upstream, San Lorenzo Creek provides habitat for juvenile and adult steelhead trout.

In Alamo Canal, the area surrounding the wet weather outfall to Alamo Canal consists primarily of steep vegetated riverine banks with introduced grasses and no riparian cover. Potential habitat exists for special status wildlife species, including Ricksecker's water scavenger beetle, the curved-foot hygrotus diving beetle, and the western pond turtle.

- 4.3.3.4.4.5. **Produce undesirable or nuisance aquatic life.** The proposed mixing zones would not produce undesirable or nuisance aquatic life because the effluent receives secondary treatment and disinfection prior to discharge. Moreover, section 5.1.4 of this Order imposes receiving water limitations that prohibit bottom deposits or aquatic growths to the extent that such deposits or growths cause nuisance or adversely affect beneficial uses. This Order also requires the Discharger to conduct standard observations after each discharge to ensure nuisance conditions are not present.

- 4.3.3.4.4.6. **Result in floating debris, oil, or scum.** The proposed mixing zones would not result in floating debris, oil, or scum. The Dublin San Ramon Services District and City of Livermore wastewater treatment plants are equipped with scum baffles (collection devices) that collect and dispose of debris, oil, and scum. In addition, the treatment plants have screens that remove any remaining floatables from the effluent. Moreover, section 5.1.1 of this Order imposes receiving water limitations that prohibit floating debris, oil, or scum at any place and at any time. This Order also requires the Discharger to conduct standard observations

after each discharge to ensure floating debris, oil, or scum are not present.

4.3.3.4.4.7. **Produce objectionable color, odor, taste, or turbidity.** The proposed mixing zones would not produce objectionable color, odor, taste, or turbidity because the effluent receives secondary treatment and is disinfected prior to discharge. Secondary treatment addresses objectionable odor, taste, and turbidity through the biological degradation of organic compounds and clarification. In addition, sections 5.1.6 and 5.1.7 of this Order prohibit alteration of color or turbidity beyond natural background levels.

4.3.3.4.4.8. **Cause objectionable bottom deposits.** The proposed mixing zones would not cause objectionable bottom deposits because the effluent receives secondary treatment and is free of settleable solids. Moreover, section 5.1.4 of this Order prohibits bottom deposits or aquatic growths to the extent that such deposits or growths cause nuisance or adversely affect beneficial uses.

4.3.3.4.4.9. **Cause nuisance.** Water Code section 13050(m) defines “nuisance” to mean anything that meets all three of the following criteria:

- Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property;
- Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal; and
- Occurs during, or as a result of, the treatment or disposal of wastes.

Section 5.1 of this Order prohibits discharges from causing a nuisance. Furthermore, the Discharger conducts regular effluent monitoring that includes standard observations to confirm that nuisance conditions are not present.

4.3.3.4.4.10. **Dominate the receiving water body or overlap a mixing zone from a different outfall.** The proposed mixing zones would not dominate the receiving waters (see Fact Sheet section 4.3.4.2 and Figures 1 and 2, above) or overlap any other mixing zones. As discussed above in Fact Sheet section 4.3.4.2.1, the proposed mixing zones represent relatively small portions of the receiving waters, covering less than 1.7 percent of San Lorenzo Creek and less than 2.1 percent of Alamo Canal. The Regional Water Board has not established any other mixing zones nearby.

- 4.3.3.4.4.11. **Be located at or near any drinking water intake.** There are no drinking water intakes near the proposed mixing zones. In San Lorenzo Creek, the proposed mixing zone is located in a tidally influenced segment that is not generally suitable for drinking water supplies.

SIP section 1.4.2.2 requires that mixing zones be as small as practicable. While the Discharger proposed ammonia mixing zones corresponding to dilution ratios as high as 15:1, the mixing zones this Order actually authorizes are smaller. They are based on a dilution ratio of 4:1, which is the smallest dilution credit ($D=3$) that results in un-ionized ammonia effluent limitations the Discharger can reasonably comply with. Therefore, the mixing zones also comply with all regulatory requirements.

- 4.3.3.4.5. **Analysis Based on Effluent Data.** Effluent total ammonia, pH, and temperature data collected in May 2020 were used to evaluate reasonable potential for ammonia. The steps used to determine reasonable potential based on the acute ammonia objective with effluent data are identical to Steps 1 through 5 outlined in Fact Sheet section 4.3.3.4. Based on the data set of $n = 1$ with a calculated un-ionized ammonia MEC of 0.14 mg/L, P_n at a 95% confidence interval is 0.05, indicating that the MEC represents the 5th percentile of all ammonia effluent data. With the upper bound set at the 99th percentile, R is 9.0 (C_{P_n} is 0.34 and $C_{\text{upper bound}}$ is 3.1), and with $D=3$, the projected RWC is 0.33 mg/L, which is less than the Basin Plan's acute un-ionized ammonia water quality objective of 0.4 mg/L. Therefore, there is no reasonable potential for ammonia based on effluent data.

- 4.3.3.4.6. **Analysis Based on Receiving Water Data.** Reasonable potential based on receiving water data could only be evaluated for San Lorenzo Creek. No downstream ammonia samples were collected from Alamo Canal because there were no discharges to Alamo Canal during the previous order term.

Total ammonia, pH, salinity, and temperature data collected from Monitoring Location RSW-002D, about 100 feet downstream of Discharge Point 002, between February 2017 and March 2019 were used to evaluate reasonable potential for ammonia. The maximum calculated un-ionized ammonia concentration of 0.011 mg/L is less than the Basin Plan's acute un-ionized ammonia water quality objective of 0.4 mg/L. Therefore, there is no reasonable potential for ammonia based on San Lorenzo Creek receiving water data.

- 4.3.3.4.7. **Conclusion.** The analyses based on effluent and receiving water data conclude there is no reasonable potential for ammonia to exceed the acute water quality objective of 0.4 mg/L. Therefore, this Order does not include total ammonia effluent limitations.

4.3.3.5. ***E. coli* Bacteria.** The *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Part 3, Bacteria Provisions and a Water Quality Standards Variance Policy* requires *E. coli* bacteria effluent limitations for discharges to freshwater receiving waters that support the water contact recreation (REC1) beneficial use.

4.3.3.6. **Temperature.** San Lorenzo Creek and Alamo Canal support warm water and cold water habitat beneficial uses; therefore, the temperature water quality objectives in Basin Plan section 3.3.17 apply:

- The natural receiving water temperature of inland surface waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Board that such alteration in temperature does not adversely affect beneficial uses.
- The temperature of any cold or warm freshwater habitat shall not be increased by more than 5°F (2.8°C) above natural receiving water temperature.

Effluent and receiving water monitoring conducted on May 2020 showed no significant difference in temperature between effluent and the upstream monitoring stations in San Lorenzo Creek and Alamo Canal. In San Lorenzo Creek, effluent temperature was approximately 4°C cooler than the ambient temperature. In Alamo Canal, effluent temperature was within 2.8°C of ambient temperature. Additionally, discharges to San Lorenzo Creek and Alamo Canal occur intermittently and only during peak wet weather events when flows in the receiving waters are elevated. With increased dilution and flushing of the discharge within the receiving waters, wet weather discharges are unlikely to affect the ambient temperatures of San Lorenzo Creek and Alamo Canal, particularly on a long-term basis. Therefore, there is no reasonable potential for the discharge to alter natural receiving water temperatures or increase the ambient temperatures by greater than 2.8°C.

4.3.3.7. **Total Dissolved Solids (TDS) and Chlorides.** Basin Plan Table 3-7 contains TDS and chlorides objectives for Alameda Creek and its tributaries above Niles, including Alamo Canal. These objectives are based on historic South Bay Aqueduct water quality to prevent degradation by imported aqueduct water used for groundwater recharge during dry weather periods, when Alameda Creek consists primarily of aqueduct water and the groundwater basin is not saturated. Because discharges to Alamo Canal are small, intermittent, and occur only during peak wet weather events when Alamo Canal flows are high and the groundwater basin is already saturated, these discharges are unlikely to affect groundwater quality. Therefore, there is no reasonable potential for TDS and chlorides to exceed water quality objectives.

4.3.3.8. **Toxicity.** Basin Plan section 3.3.18 states, “All waters shall be maintained free of toxic substances in concentrations that are lethal to or that produce other detrimental responses in aquatic organisms... Attainment of this objective will be determined by analyses of indicator organisms, species diversity, population density, growth anomalies, or toxicity tests... or other methods selected by the Water Board.” Because wet weather discharges are rare (occurring at most approximately once every 1.5 years), toxicity effluent limitations are unwarranted due to the short-term and infrequent nature of the discharge. Moreover, toxicity is indirectly limited as part of the Discharger’s requirements for discharges to the EBDA common outfall as set forth in NPDES Permit CA0037869. Thus, this Order does not require the Discharger to conduct acute or chronic toxicity bioassays.

4.3.4. **Water Quality-Based Effluent Limitations**

As explained above, with the exception of *E. coli* bacteria, no pollutants to be discharged from Discharge Points 002 or 003 have reasonable potential to cause or contribute to exceedances of water quality objectives; therefore, no WQBELs (other than those for *E. coli* bacteria) are needed.

The *E. coli* effluent limitation is based on the *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Part 3, Bacteria Provisions and a Water Quality Standards Variance Policy*, which requires weekly geometric mean and 90th percentile limitations for discharges to receiving waters with the water contact recreation beneficial use. Due to the infrequent and short duration of the discharge, this Order does not require a weekly geometric mean limitation and implements the 90th percentile objective as a daily maximum limitation of 320 CFU/100 mL. Expressing the limitation as a daily maximum is more practicable and more stringent than expressing it as a 90th percentile.

4.4. **Discharge Requirement Considerations**

4.4.1. **Anti-Backsliding.** This Order complies with the anti-backsliding provisions of CWA sections 402(o) and 303(d)(4), and 40 C.F.R. section 122.44(l), which generally require effluent limitations in a reissued permit to be as stringent as those in the previous order. The requirements of this Order are at least as stringent as those in the previous order.

This Order does not retain effluent limits for lead from the previous order because data no longer indicate reasonable potential for those pollutants to exceed water quality objectives. This is consistent with State Water Board Order WQ 2001-16.

The Order contains a new *E. coli* effluent limitation based on the *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Part 3, Bacteria Provisions and a Water Quality Standards Variance*

Policy, which supersedes the bacteria effluent limitations in the Basin Plan. The new effluent limitation replaces the previous order's fecal coliform limitation and is based on a different averaging period; therefore, it is not directly comparable to the previous limitation.

- 4.4.2. **Antidegradation.** This Order complies with the antidegradation provisions of 40 C.F.R. section 131.12 and State Water Board Resolution 68-16. It does not authorize lowering water quality as compared to the level of discharge authorized in the previous order, which is the baseline by which to measure whether degradation will occur. This Order does not allow for an increased flow, a reduced level of treatment, or increased effluent limitations relative to the previous order.

The new authorization for discharge exercises at the Alamo Canal outfall (Discharge Point 003) will not degrade water quality because these discharges will be brief and relatively small (at most 140,000 gallons) compared to wet weather creek flows. They are also limited to once per year. Similar to the discharge exercises at the San Lorenzo Creek outfall (Discharge Point 002), the discharge exercises at Discharge Point 003 will serve to protect Alamo Canal water quality by evaluating how discharges affect the drainage channel that connects to Alamo Canal and ensuring proper maintenance of that channel (e.g., erosion control).

- 4.4.3. **Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based requirements implement minimum, applicable federal technology-based requirements. In addition, this Order contains more stringent effluent limitations as necessary to meet water quality standards. Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement CWA requirements.

This Order's WQBELs have been derived to implement water quality objectives that protect beneficial uses. The beneficial uses and water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that WQBELs were derived from the CTR, the CTR is the applicable standard pursuant to 40 C.F.R. section 131.38. The procedures for calculating these WQBELs are based on the CTR, as implemented in accordance with the SIP, which U.S. EPA approved on May 18, 2000. U.S. EPA approved most Basin Plan beneficial uses and water quality objectives prior to May 30, 2000. Beneficial uses and water quality objectives 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 C.F.R. section 131.21(c)(1). U.S. EPA approved the remaining beneficial uses and water quality objectives, so they are also applicable water quality standards pursuant to 40 C.F.R. section 131.21(c)(2).

5. RATIONALE FOR RECEIVING WATER LIMITATIONS

The receiving water limitations in sections 5.1 and 5.2 of the Order are based on Basin Plan narrative and numeric water quality objectives. The receiving water limitation in section 5.3 of the Order requires compliance with federal and State water quality standards in accordance with the CWA and regulations adopted thereunder.

6. RATIONALE FOR PROVISIONS

6.1. Standard Provisions

Attachment D contains standard provisions that apply to all NPDES permits in accordance with 40 C.F.R. section 122.41 and additional conditions applicable to specific categories of permits in accordance with 40 C.F.R. section 122.42. The Discharger must comply with these provisions. The conditions set forth in 40 C.F.R. sections 122.41(a)(1) and (b) through (n) apply to all state-issued NPDES permits and must be incorporated into permits either expressly or by reference.

In accordance with 40 C.F.R. section 123.25(a)(12), states may omit or modify conditions to impose more stringent requirements. Attachment G contains standard provisions that supplement the provisions in Attachment D. This Order omits the federal conditions that address enforcement authority specified in 40 C.F.R. sections 122.41(j)(5) and (k)(2) because the State's enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates Water Code section 13387(e) by reference.

6.2. Monitoring and Reporting Provisions

CWA section 308 and 40 C.F.R. sections 122.41(h), 122.41(j)-(l), 122.44(i), and 122.48 require that NPDES permits specify monitoring and reporting requirements. Water Code section 13383 also authorizes the Regional Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The MRP establishes monitoring, reporting, and recordkeeping requirements that implement federal and State requirements. For more information, see Fact Sheet section 7.

6.3. Special Provisions

6.3.1. Reopener Provisions

These provisions are based on 40 C.F.R. sections 122.62 and 122.63 and allow modification of this Order and its effluent limitations as necessary in response to updated water quality objectives, regulations, or other new and relevant information that may become available in the future, and other circumstances as allowed by law.

6.3.2. **Effluent Characterization Study and Report**

This Order does not include WQBELs for pollutants that do not demonstrate reasonable potential, but this provision requires the Discharger to evaluate monitoring data to verify that the reasonable potential analysis conclusions of this Order remain valid. This requirement is authorized pursuant to 40 C.F.R. section 122.41(h) and Water Code section 13383, and is necessary to inform the next permit reissuance and to ensure that the Discharger takes timely steps in response to any unanticipated change in effluent quality during the term of this Order.

6.3.3. **Pollutant Minimization Program**

This provision is based on Basin Plan section 4.13.2 and SIP section 2.4.5.

6.3.4. **Other Special Provisions**

6.3.4.1. **Wet Weather Discharge Notification.** This provision is necessary to inform the Regional Water Board of authorized discharges and the extent of those discharges.

6.3.4.2. **Wet Weather Discharge Annual Report.** This provision is necessary to evaluate compliance with the discharge prohibitions in section 3 of this Order and the monitoring requirements in Attachment E sections 3 and 4.

6.3.4.3. **Wet Weather Facilities Management Plan.** This provision is necessary to ensure that the Discharger evaluates and manages its Facility to minimize future discharges. Many requirements of this Order are based on the continued infrequency of discharges to San Lorenzo Creek and Alamo Canal.

7. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

The following provides the rationale for the monitoring and reporting requirements in the MRP.

7.1. **Monitoring Requirements Rationale**

7.1.1. **Effluent Monitoring.** Effluent monitoring at Monitoring Location M-001 is necessary to conduct future reasonable potential analyses. Effluent monitoring at Monitoring Locations M-002 and M-003 is necessary to evaluate compliance with this Order's effluent limitations and Discharge Prohibitions 3.2 (discharges to San Lorenzo Creek during peak wet weather), 3.3 (discharges to Alamo Canal during peak wet weather), and 3.5 (discharges during discharge exercises). It is also necessary to conduct future reasonable potential analyses.

The allowance for determining false positives for chlorine residual when using continuous devices is based on the fact that continuous instruments occasionally have anomalous spikes, and it is chemically improbable to have free chlorine present in the presence of the dechlorinating agent.

7.1.2. **Receiving Water Monitoring.** Monitoring at Monitoring Locations RSW-002D and 003D (downstream monitoring) is necessary to ascertain the effect of the discharge on San Lorenzo Creek and Alamo Canal and to evaluate compliance with this Order’s receiving water limitations. Downstream ammonia, pH, temperature, and salinity monitoring is also necessary to estimate un-ionized ammonia concentrations from total ammonia measurements. Monitoring at Monitoring Locations RSW-002U and 003U (upstream monitoring) is necessary to ascertain background conditions to conduct future reasonable potential analyses. Upstream pH and hardness monitoring is also necessary to calculate applicable water quality objectives.

7.1.3. **Other Monitoring Requirements.** Pursuant to CWA section 308, U.S. EPA requires some dischargers to participate in a Discharge Monitoring Report-Quality Assurance (DMR-QA) Study Program that evaluates the analytical abilities of laboratories that perform or support NPDES permit-required monitoring. The program applies to discharger laboratories and contract laboratories, and evaluates each laboratory’s ability to analyze wastewater samples to produce quality data that ensure the integrity of the NPDES program. There are two options to comply: (1) the Discharger may obtain and analyze DMR-QA samples, or (2) pursuant to a waiver U.S. EPA issued to the State Water Board, the Discharger may submit results from the most recent Water Pollution Performance Evaluation Study. MRP section 1.4 requires the Discharger to ensure that the results of the DMR-QA Study or most recent Water Pollution Performance Evaluation Study are submitted to the State Water Board, which forwards the results to U.S. EPA.

7.2. **Monitoring Requirements Summary.** The table below summarizes routine monitoring requirements. This table is for informational purposes only. The actual requirements are specified in the MRP and elsewhere in this Order. In addition to undertaking the monitoring below, the Discharger must conduct receiving water monitoring by continuing to participate in the Regional Monitoring Program.

Table F-6. Monitoring Requirements Summary

Parameter	Effluent M-001 ^[1]	Effluent M-002 ^[1]	Effluent M-003 ^[1]	Receiving Water RSW-002U ^[1]	Receiving Water RSW-002D ^[1]	Receiving Water RSW-003U ^[1]	Receiving Water RSW-003D ^[1]
CBOD	-	1/Discharge	1/Discharge	-	-	-	-
TSS	-	1/Discharge	1/Discharge	-	-	-	-
Oil and Grease	-	1/Discharge	1/Discharge	-	-	-	-
pH	1/Year	1/Discharge	1/Discharge	Once	Once	Once	Once

Parameter	Effluent M-001 ^[1]	Effluent M-002 ^[1]	Effluent M-003 ^[1]	Receiving Water RSW-002U ^[1]	Receiving Water RSW-002D ^[1]	Receiving Water RSW-003U ^[1]	Receiving Water RSW-003D ^[1]
Temperature	1/Year	-	-	Once	Once	Once	Once
Salinity	-	-	-	-	Once	-	Once
Ammonia, Total	1/Year	-	-	-	Once	-	Once
Hardness	-	-	-	Once		Once	
Dissolved Oxygen	-	-	-	-	Once	-	Once
Chlorine, Total Residual	-	Once every two hours during discharge	Once every two hours during discharge	-	-	-	-
<i>E. coli</i> bacteria	-	1/Discharge	1/Discharge	-	-	-	-
Discharge Duration	-	1/Discharge	1/Discharge	-	-	-	-
Discharge Volume	-	1/Discharge	1/Discharge	-	-	-	-
Priority Pollutants	Once	-	-	Once	-	Once	-
Standard Observations ^[2]	-	-	-	-	1/Discharge	-	1/Discharge

Footnotes:

^[1] The MRP defines these monitoring locations and sampling frequencies.

^[2] Standard observations are set forth in Attachment G section 3.2.1.

8. PUBLIC PARTICIPATION

The Regional Water Board considered the issuance of WDRs that will serve as an NPDES permit for the Facility. As a step in the WDR adoption process, Regional Water Board staff developed tentative WDRs and encouraged public participation in the WDR adoption process.

8.1. Notification of Interested Parties. The Regional 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. The public had access to the agenda and any changes in dates and locations through the [Regional Water Board's website](http://waterboards.ca.gov/sanfranciscobay) (waterboards.ca.gov/sanfranciscobay).

8.2. Written Comments. Interested persons were invited to submit written comments concerning the tentative WDRs as explained through the notification process. Comments were to be submitted either in person or by mail to the Executive Office at the Regional Water Board at 1515 Clay Street, Suite 1400, Oakland, California 94612, to the attention of James Parrish.

For full staff response and Regional Water Board consideration, the written comments were due at the Regional Water Board office by 5:00 p.m. on March 22, 2021.

8.3. Public Hearing. The Regional Water Board held a public hearing on the tentative WDRs during its meeting at the following date and time:

Date: May 12, 2021
Time: 9:00 a.m.

Contact: James Parrish, (510) 622-2381, James.Parrish@waterboards.ca.gov

Interested persons were provided notice of the hearing and information on how to participate. At the public hearing, the Regional Water Board heard testimony pertinent to the discharge, WDRs, and permit. For accuracy of the record, important testimony was requested to be in writing.

If the date or venue of any public hearing changes, the changes will be reflected in the most current agenda posted on the [Regional Water Board's website](http://waterboards.ca.gov/sanfranciscobay) (waterboards.ca.gov/sanfranciscobay).

8.4. Reconsideration of Waste Discharge Requirements. Any person aggrieved by this Regional Water Board action 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. The State Water Board must receive the petition at the following address within 30 calendar days of the date of Regional Water Board action:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

A petition may also be filed by email at waterqualitypetitions@waterboards.ca.gov.

For instructions on how to file a water quality petition for review, see the [Water Board's petition instructions](http://waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml) (waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml).

8.5. Information and Copying. The Report of Waste Discharge, related supporting documents, and comments received are on file and may be inspected at the Regional Water Board address above at any time online or by making an appointment with the Regional Water Board's custodian of records. Document copying may be arranged by calling (510) 622-2300.

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 Regional Water Board, reference the 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 James Parrish, (510) 622-2381, James.Parrish@waterboards.ca.gov.

**ATTACHMENT G – REGIONAL STANDARD PROVISIONS,
AND MONITORING AND REPORTING REQUIREMENTS
(SUPPLEMENT TO ATTACHMENT D)**

Contents

1. STANDARD PROVISIONS – PERMIT COMPLIANCEG-2

1.1. DUTY TO COMPLY – NOT SUPPLEMENTED G-2

1.2. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE – NOT SUPPLEMENTED G-2

1.3. DUTY TO MITIGATE – SUPPLEMENT TO ATTACHMENT D, PROVISION 1.3. G-2

1.4. PROPER OPERATION AND MAINTENANCE – SUPPLEMENT TO ATTACHMENT D, PROVISION 1.4..... G-3

1.5. PROPERTY RIGHTS – NOT SUPPLEMENTED G-4

1.6. INSPECTION AND ENTRY – NOT SUPPLEMENTED G-4

1.7. BYPASS – NOT SUPPLEMENTED G-4

1.8. UPSET – NOT SUPPLEMENTED G-4

1.9. OTHER – ADDITION TO ATTACHMENT D G-4

2. STANDARD PROVISIONS – PERMIT ACTION – NOT SUPPLEMENTEDG-4

3. STANDARD PROVISIONS – MONITORING G-4

3.1. SAMPLING AND ANALYSES – SUPPLEMENT TO ATTACHMENT D, PROVISIONS 3.1 AND 3.2 G-4

3.2. STANDARD OBSERVATIONS – ADDITION TO ATTACHMENT D..... G-7

4. STANDARD PROVISIONS – RECORDS.....G-8

4.1. RECORDS TO BE MAINTAINED – SUPPLEMENT TO ATTACHMENT D, PROVISION 4.1 G-8

4.2. RECORDS OF MONITORING – SUPPLEMENT TO ATTACHMENT D, PROVISION 4.2 G-8

4.3. CLAIMS OF CONFIDENTIALITY – NOT SUPPLEMENTED G-10

5. STANDARD PROVISIONS – REPORTINGG-10

5.1. DUTY TO PROVIDE INFORMATION – NOT SUPPLEMENTED..... G-10

5.2. SIGNATORY AND CERTIFICATION REQUIREMENTS – NOT SUPPLEMENTED..... G-10

5.3. MONITORING REPORTS – SUPPLEMENT TO ATTACHMENT D, PROVISION 5.3 G-10

5.4. COMPLIANCE SCHEDULES – NOT SUPPLEMENTED G-13

5.5. TWENTY-FOUR HOUR REPORTING – SUPPLEMENT TO ATTACHMENT D, PROVISION 5.5 G-14

5.6. PLANNED CHANGES – NOT SUPPLEMENTED G-16

5.7. ANTICIPATED NONCOMPLIANCE – NOT SUPPLEMENTED..... G-16

5.8. OTHER NONCOMPLIANCE – NOT SUPPLEMENTED..... G-16

5.9. OTHER INFORMATION – NOT SUPPLEMENTED..... G-16

6. STANDARD PROVISIONS – ENFORCEMENT – NOT SUPPLEMENTED.....G-16

7. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS – NOT SUPPLEMENTEDG-16

8. DEFINITIONS – ADDITION TO ATTACHMENT D.....G-16

ATTACHMENT G – REGIONAL STANDARD PROVISIONS, AND MONITORING AND REPORTING REQUIREMENTS (SUPPLEMENT TO ATTACHMENT D)

APPLICABILITY

This document supplements the requirements of Federal Standard Provisions (Attachment D). For clarity, these provisions are arranged using to the same headings as those used in Attachment D.

1. STANDARD PROVISIONS – PERMIT COMPLIANCE

1.1. Duty to Comply – Not Supplemented

1.2. Need to Halt or Reduce Activity Not a Defense – Not Supplemented

1.3. Duty to Mitigate – Supplement to Attachment D, Provision 1.3.

1.3.1. Contingency Plan. The Discharger shall maintain a Contingency Plan as prudent in accordance with current facility emergency planning. The Contingency Plan shall describe procedures to ensure that existing facilities remain in, or are rapidly returned to, operation in the event of a process failure or emergency incident, such as employee strike, strike by suppliers of chemicals or maintenance services, power outage, vandalism, earthquake, or fire. The Discharger may combine the Contingency Plan and Spill Prevention Plan (see Provision 1.3.2, below) into one document. In accordance with Regional Water Board Resolution No. 74-10, discharge in violation of the permit where the Discharger has failed to develop and implement a Contingency Plan as described below may be the basis for considering the discharge a willful and negligent violation of the permit pursuant to California Water Code section 13387. The Contingency Plan shall, at a minimum, provide for the following:

1.3.1.1. Sufficient personnel for continued facility operation and maintenance during employee strikes or strikes against contractors providing services;

1.3.1.2. Maintenance of adequate chemicals or other supplies, and spare parts necessary for continued facility operations;

1.3.1.3. Emergency standby power;

1.3.1.4. Protection against vandalism;

1.3.1.5. Expeditious action to repair failures of, or damage to, equipment, including any sewer lines;

- 1.3.1.6. Reporting of spills and discharges of untreated or inadequately treated wastes, including measures taken to clean up the effects of such discharges; and
- 1.3.1.7. Maintenance, replacement, and surveillance of physical condition of equipment and facilities, including any sewer lines.
- 1.3.2. **Spill Prevention Plan.** The Discharger shall maintain a Spill Prevention Plan to prevent accidental discharges and to minimize the effects of any such discharges. The Spill Prevention Plan shall do the following:
 - 1.3.2.1. Identify the possible sources of accidental discharge, untreated or partially-treated waste bypass, and polluted drainage;
 - 1.3.2.2. State when current facilities and procedures became operational and evaluate their effectiveness; and
 - 1.3.2.3. Predict the effectiveness of any proposed facilities and procedures and provide an implementation schedule with interim and final dates when the proposed facilities and procedures will be constructed, implemented, or operational.
- 1.4. **Proper Operation and Maintenance** – Supplement to Attachment D, Provision 1.4
 - 1.4.1. **Operation and Maintenance Manual.** The Discharger shall maintain an Operation and Maintenance Manual to provide the plant and regulatory personnel with a source of information describing all equipment, recommended operational strategies, process control monitoring, and maintenance activities. To remain a useful and relevant document, the Operation and Maintenance Manual shall be kept updated to reflect significant changes in treatment facility equipment and operational practices. The Operation and Maintenance Manual shall be maintained in usable condition and be available for reference and use by all relevant personnel and Regional Water Board staff.
 - 1.4.2. **Wastewater Facilities Status Report.** The Discharger shall maintain a Wastewater Facilities Status Report and regularly review, revise, or update it, as necessary. This report shall document how the Discharger operates and maintains its wastewater collection, treatment, and disposal facilities to ensure that all facilities are adequately staffed, supervised, financed, operated, maintained, repaired, and upgraded as necessary to provide adequate and reliable transport, treatment, and disposal of all wastewater from both existing and planned future wastewater sources under the Discharger's service responsibilities.
 - 1.4.3. **Proper Supervision and Operation of Publicly-Owned Treatment Works (POTWs).** POTWs shall be supervised and operated by persons possessing

certificates of appropriate grade pursuant to Title 23, section 3680, of the California Code of Regulations.

1.5. Property Rights – Not Supplemented

1.6. Inspection and Entry – Not Supplemented

1.7. Bypass – Not Supplemented

1.8. Upset – Not Supplemented

1.9. Other – Addition to Attachment D

1.9.1. Neither the treatment nor the discharge of pollutants shall create pollution, contamination, or nuisance as defined by California Water Code section 13050.

1.9.2. Collection, treatment, storage, and disposal systems shall be operated in a manner that precludes public contact with wastewater. If public contact with wastewater could reasonably occur on public property, warning signs shall be posted.

1.9.3. If the Discharger submits a timely and complete Report of Waste Discharge for permit reissuance, this permit shall continue in force and effect until the permit is reissued or the Regional Water Board rescinds the permit.

2. STANDARD PROVISIONS – PERMIT ACTION – NOT SUPPLEMENTED

3. STANDARD PROVISIONS – MONITORING

3.1. Sampling and Analyses – Supplement to Attachment D, Provisions 3.1 and 3.2

3.1.1. **Certified Laboratories.** Water and waste analyses shall be performed by a laboratory certified for these analyses in accordance with California Water Code section 13176.

3.1.2. **Minimum Levels.** For the 126 priority pollutants, the Discharger should use the analytical methods listed in Table B unless the Monitoring and Reporting Program (MRP, Attachment E) requires a particular method or minimum level (ML). All monitoring instruments and equipment shall be properly calibrated and maintained to ensure accuracy of measurements.

3.1.3. **Monitoring Frequency.** The MRP specifies the minimum sampling and analysis schedule.

3.1.3.1. Sample Collection Timing

3.1.3.1.1. The Discharger shall collect influent samples on varying days selected at random and shall not include any plant recirculation or other sidestream

wastes, unless otherwise stipulated in the MRP. The Executive Officer may approve an alternative influent sampling plan if it is representative of plant influent and complies with all other permit requirements.

- 3.1.3.1.2. The Discharger shall collect effluent samples on days coincident with influent sampling, unless otherwise stipulated by the MRP. If influent sampling is not required, the Discharger shall collect effluent samples on varying days selected at random, unless otherwise stipulated in the MRP. The Executive Officer may approve an alternative effluent sampling plan if it is representative of plant discharge and in compliance with all other permit requirements.
- 3.1.3.1.3. The Discharger shall collect effluent grab samples during periods of daytime maximum peak flows (or peak flows through secondary treatment units for facilities that recycle effluent).
- 3.1.3.1.4. Effluent sampling for conventional pollutants shall occur on at least one day of any multiple-day bioassay the MRP requires. During the course of the bioassay, on at least one day, the Discharger shall collect and retain samples of the discharge. In the event that a bioassay result does not comply with effluent limitations, the Discharger shall analyze the retained samples for pollutants that could be toxic to aquatic life and for which it has effluent limitations.
 - 3.1.3.1.4.1. The Discharger shall perform bioassays on final effluent samples; when chlorine is used for disinfection, bioassays shall be performed on effluent after chlorination and dechlorination; and
 - 3.1.3.1.4.2. The Discharger shall analyze for total ammonia nitrogen and calculate the amount of un-ionized ammonia whenever test results fail to meet effluent limitations.

3.1.3.2. **Conditions Triggering Accelerated Monitoring**

- 3.1.3.2.1. **Average Monthly Effluent Limitation Exceedance.** If the results from two consecutive samples of a constituent monitored in a particular month exceed the average monthly effluent limitation for any parameter (or if the required sampling frequency is once per month or less and the monthly sample exceeds the average monthly effluent limitation), the Discharger shall, within 24 hours after the results are received, increase its sampling frequency to daily until the results from the additional sampling show that the parameter complies with the average monthly effluent limitation.
- 3.1.3.2.2. **Maximum Daily Effluent Limitation Exceedance.** If a sample result exceeds a maximum daily effluent limitation, the Discharger shall, within 24 hours after the result is received, increase its sampling frequency to

daily until the results from two samples collected on consecutive days show compliance with the maximum daily effluent limitation.

- 3.1.3.2.3. **Acute Toxicity.** If final or intermediate results of an acute bioassay indicate a violation or threatened violation (e.g., the percentage of surviving test organisms of any single acute bioassay is less than 70 percent), the Discharger shall initiate a new test as soon as practical or as described in applicable State Water Board plan provisions that become effective after adoption of these Regional Standard Provisions. The Discharger shall investigate the cause of the mortalities and report its findings in the next self-monitoring report.
- 3.1.3.2.4. **Chlorine.** The Discharger shall calibrate chlorine residual analyzers against grab samples as frequently as necessary to maintain accurate control and reliable operation. If an effluent violation is detected, the Discharger shall collect grab samples at least every 30 minutes until compliance with the limitation is achieved, unless the Discharger monitors chlorine residual continuously. In such cases, the Discharger shall continue to conduct continuous monitoring.
- 3.1.3.2.5. **Bypass.** Except as indicated below, if a Discharger bypasses any portion of its treatment facility, it shall monitor flows and collect samples at affected discharge points and analyze samples for all constituents with effluent limitations on a daily basis for the duration of the bypass. The Discharger need not accelerate chronic toxicity monitoring. The Discharger also need not collect and analyze samples for mercury, dioxin-TEQ, and PCBs after the first day of the bypass. The Discharger may satisfy the accelerated acute toxicity monitoring requirement by conducting a flow-through test or static renewal test that captures the duration of the bypass (regardless of the method specified in the MRP). If bypassing disinfection units only, the Discharger shall only monitor bacteria indicators daily.
- 3.1.3.2.5.1. **Bypass for Essential Maintenance.** If a Discharger bypasses a treatment unit for essential maintenance pursuant to Attachment D section 1.7.2, the Executive Officer may reduce the accelerated monitoring requirements above if the Discharger (i) monitors effluent at affected discharge points on the first day of the bypass for all constituents with effluent limitations, except chronic toxicity; and (ii) identifies and implements measures to ensure that the bypass will continue to comply with effluent limitations.
- 3.1.3.2.5.2. **Approved Wet Weather Bypasses.** If a Discharger bypasses a treatment unit or permitted outfall during wet weather with Executive Officer approval pursuant to Attachment D section 1.7.4, the Discharger shall monitor flows and collect and retain samples for affected

discharge points on a daily basis for the duration of the bypass. The Discharger shall analyze daily for TSS using 24 hour composites (or more frequent increments) and for bacteria indicators with effluent limitations using grab samples. If TSS exceeds 45 mg/L in any composite sample, the Discharger shall also analyze daily the retained samples for all other constituents with effluent limitations, except oil and grease, mercury, PCBs, dioxin-TEQ, and acute and chronic toxicity. Additionally, at least once each year, the Discharger shall analyze the retained samples for one approved bypass for all other constituents with effluent limitations, except oil and grease, mercury, PCBs, dioxin-TEQ, and acute and chronic toxicity. This monitoring shall be in addition to the minimum monitoring specified in the MRP.

3.2. Standard Observations – Addition to Attachment D

- 3.2.1. **Receiving Water Observations.** The following requirements only apply when the MRP requires standard observations of receiving waters. Standard observations shall include the following:
- 3.2.1.1. **Floating and Suspended Materials (e.g., oil, grease, algae, and other macroscopic particulate matter)** — presence or absence, source, and size of affected area.
 - 3.2.1.2. **Discoloration and Turbidity** — color, source, and size of affected area.
 - 3.2.1.3. **Odor** — presence or absence, characterization, source, and distance of travel.
 - 3.2.1.4. **Beneficial Water Use** — estimated number of water-associated waterfowl or wildlife, fisherpeople, and other recreational activities.
 - 3.2.1.5. **Hydrographic Condition** — time and height of high and low tides (corrected to nearest National Oceanic and Atmospheric Administration location for the sampling date and time).
 - 3.2.1.6. **Weather Conditions** — wind direction, air temperature, and total precipitation during five days prior to observation.
- 3.2.2. **Wastewater Effluent Observations.** The following requirements only apply when the MRP requires standard observations of wastewater effluent. Standard observations shall include the following:
- 3.2.2.1. **Floating and Suspended Material of Wastewater Origin** (e.g., oil, grease, algae, and other macroscopic particulate matter) — presence or absence.
 - 3.2.2.2. **Odor** — presence or absence, characterization, source, distance of travel, and wind direction.

3.2.3. **Beach and Shoreline Observations.** The following requirements only apply when the MRP requires standard observations of beaches or shorelines. Standard observations shall include the following:

3.2.3.1. **Material of Wastewater Origin** — presence or absence, description of material, estimated size of affected area, and source.

3.2.3.2. **Beneficial Use** — estimate of number of people participating in recreational water contact, non-water contact, and fishing activities.

3.2.4. **Waste Treatment and/or Disposal Facility Periphery Observations.** The following requirements only apply when the MRP requires standard observations of the periphery of waste treatment or disposal facilities. Standard observations shall include the following:

3.2.4.1. **Odor** — presence or absence, characterization, source, and distance of travel.

3.2.4.2. **Weather Conditions** — wind direction and estimated velocity.

4. STANDARD PROVISIONS – RECORDS

4.1. Records to be Maintained – Supplement to Attachment D, Provision 4.1

The Discharger shall maintain records in a manner and at a location (e.g., the wastewater treatment plant or the Discharger's offices) such that the records are accessible to Regional Water Board staff. The minimum retention period specified in Attachment D, Provision IV, shall be extended during the course of any unresolved litigation regarding permit-related discharges, or when requested by Regional Water Board or U.S. EPA, Region IX, staff.

A copy of the permit shall be maintained at the discharge facility and be available at all times to operating personnel.

4.2. Records of Monitoring – Supplement to Attachment D, Provision 4.2

Monitoring records shall include the following:

4.2.1. **Analytical Information.** Records shall include analytical method detection limits, minimum levels, reporting levels, and related quantification parameters.

4.2.2. **Disinfection Process.** For the disinfection process, records shall include the following:

4.2.2.1. For bacteriological analyses:

4.2.2.1.1. Wastewater flow rate at the time of sample collection; and

- 4.2.2.1.2. Required statistical parameters for cumulative bacterial values (e.g., moving median or geometric mean for the number of samples or sampling period identified in the MRP).
- 4.2.2.2. For the chlorination process (when chlorine is used for disinfection), at least daily average values for the following:
 - 4.2.2.2.1. Chlorine residual of treated wastewater as it enters the chlorine contact basin (mg/L);
 - 4.2.2.2.2. Chlorine dosage (kg/day); and
 - 4.2.2.2.3. Dechlorination chemical dosage (kg/day).
- 4.2.3. **Wastewater Treatment Process Solids.** For each treatment unit process that involves solids removal from the wastewater stream, records shall include the following:
 - 4.2.3.1. Total volume or mass of solids removed from each collection unit (e.g., grit, skimmings, undigested biosolids, or combination) for each calendar month or other time period as appropriate, but not to exceed annually; and
 - 4.2.3.2. Final disposition of such solids (e.g., landfill, other subsequent treatment unit).
- 4.2.4. **Treatment Process Bypasses.** For all treatment process bypasses, including wet weather blending, records shall include the following:
 - 4.2.4.1. Chronological log of treatment process bypasses;
 - 4.2.4.2. Identification of treatment processes bypassed;
 - 4.2.4.3. Beginning and ending dates and times of bypasses;
 - 4.2.4.4. Bypass durations;
 - 4.2.4.5. Estimated bypass volumes; and
 - 4.2.4.6. Description of, or reference to other reports describing, the bypasses, their cause, the corrective actions taken (except for wet weather blending explicitly approved within the permit and in compliance with any related permit conditions), and any additional monitoring conducted.
- 4.2.5. **Treatment Plant Overflows.** The Discharger shall retain a chronological log of overflows at the treatment plant, including the headworks and all units and appurtenances downstream, and records supporting the information provided in accordance with Provision 5.5.2, below.

4.3. Claims of Confidentiality – Not Supplemented

5. STANDARD PROVISIONS – REPORTING

5.1. Duty to Provide Information – Not Supplemented

5.2. Signatory and Certification Requirements – Not Supplemented

5.3. Monitoring Reports – Supplement to Attachment D, Provision 5.3

5.3.1. **Self-Monitoring Reports.** For each reporting period established in the MRP, the Discharger shall submit a self-monitoring report to the Regional Water Board in accordance with the requirements listed in the MRP and below:

5.3.1.1. **Transmittal Letter.** Each self-monitoring report shall be submitted with a transmittal letter that includes the following:

- 5.3.1.1.1. Identification of all violations of effluent limitations or other waste discharge requirements found during the reporting period;
- 5.3.1.1.2. Details regarding the violations, such as parameters, magnitude, test results, frequency, and dates;
- 5.3.1.1.3. Causes of the violations;
- 5.3.1.1.4. Corrective actions taken or planned to resolve violations and prevent recurrences, and dates or time schedules for implementation (the Discharger may refer to previously submitted reports that address the corrective actions);
- 5.3.1.1.5. Explanation for any data invalidation. Data should not be submitted in a self-monitoring report if it does not meet quality assurance/quality control standards. However, if the Discharger wishes to invalidate a measurement after submitting it in a self-monitoring report, the Discharger shall identify the measurement suspected to be invalid and state the Discharger's intent to submit, within 60 days, a formal request to invalidate the measurement. The formal request shall include the original measurement in question, the reason for invalidating the measurement, all relevant documentation that supports invalidation (e.g., laboratory sheet, log entry, test results), and a discussion of the corrective actions taken or planned (with a time schedule for completion) to prevent recurrence of the sampling or measurement problem;
- 5.3.1.1.6. Description of blending, if any. If the Discharger blends, it shall describe the duration of blending events and certify whether the blending complied with all conditions for blending;

- 5.3.1.1.7. Description of other bypasses, if any. If the Discharger bypasses any treatment units (other than blending), it shall describe the duration of the bypasses and effluent quality during those times; and
- 5.3.1.1.8. Signature. The transmittal letter shall be signed in accordance with Attachment D, Provision 5.2.
- 5.3.1.2. **Compliance Evaluation Summary.** Each self-monitoring report shall include a compliance evaluation summary that addresses each parameter for which the permit specifies effluent limitations, the number of samples taken during the monitoring period, and the number of samples that exceed the effluent limitations.
- 5.3.1.3. **More Frequent Monitoring.** If the Discharger monitors any pollutant more frequently than required by the MRP, the Discharger shall include the results of such monitoring in the calculation and reporting of the data submitted in the self-monitoring report.
- 5.3.1.4. **Analysis Results**
- 5.3.1.4.1. **Tabulation.** Each self-monitoring report shall include tabulations of all required analyses and observations, including parameters, dates, times, sample stations, types of samples, test results, method detection limits, method minimum levels, and method reporting levels (if applicable), signed by the laboratory director or other responsible official.
- 5.3.1.4.2. **Multiple Samples.** Unless the MRP specifies otherwise, when determining compliance with effluent limitations (other than instantaneous effluent limitations) and more than one sample result is available, the Discharger shall compute the arithmetic mean. If the data set contains one or more results that are “Detected, but Not Quantified (DNQ) or “Not Detected” (ND), the Discharger shall instead compute the median in accordance with the following procedure:
- 5.3.1.4.2.1. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
- 5.3.1.4.2.2. The median of the data set shall be determined. If the data set has an odd number of data points, the median is the middle value. If the data set has an even number of data points, the median is the average of the two values around the middle, unless one or both of these values is ND or DNQ, in which case the median shall be the lower of the two results (where DNQ is lower than a quantified value and ND is lower than DNQ).

5.3.1.4.3. **Duplicate Samples.** The Discharger shall report the average of duplicate sample analyses when reporting for a single sample result (or the median if one or more of the duplicates is DNQ or ND [see Provision 5.3.1.4.2, above]). For bacteria indicators, the Discharger shall report the geometric mean of the duplicate analyses.

5.3.1.4.4. **Dioxin-TEQ.** The Discharger shall report for each dioxin and furan congener the analytical results of effluent monitoring, including the reporting level, the method detection limit, and the measured concentration. The Discharger shall report all measured values of individual congeners, including data qualifiers. When calculating dioxin-TEQ, the Discharger shall set congener concentrations below the minimum levels (MLs) to zero. The Discharger shall calculate and report dioxin-TEQ using the following formula, where the MLs, toxicity equivalency factors (TEFs), and bioaccumulation equivalency factors (BEFs) are as provided in Table A:

$$\text{Dioxin-TEQ} = \sum (C_x \times \text{TEF}_x \times \text{BEF}_x)$$

where: C_x = measured or estimated concentration of congener x
 TEF_x = toxicity equivalency factor for congener x
 BEF_x = bioaccumulation equivalency factor for congener x

Table A
Minimum Levels, Toxicity Equivalency Factors,
and Bioaccumulation Equivalency Factors

Dioxin or Furan Congener	Minimum Level (pg/L)	2005 Toxicity Equivalency Factor (TEF)	Bioaccumulation Equivalency Factor (BEF)
2,3,7,8-TCDD	10	1.0	1.0
1,2,3,7,8-PeCDD	50	1.0	0.9
1,2,3,4,7,8-HxCDD	50	0.1	0.3
1,2,3,6,7,8-HxCDD	50	0.1	0.1
1,2,3,7,8,9-HxCDD	50	0.1	0.1
1,2,3,4,6,7,8-HpCDD	50	0.01	0.05
OCDD	100	0.0003	0.01
2,3,7,8-TCDF	10	0.1	0.8
1,2,3,7,8-PeCDF	50	0.03	0.2
2,3,4,7,8-PeCDF	50	0.3	1.6
1,2,3,4,7,8-HxCDF	50	0.1	0.08
1,2,3,6,7,8-HxCDF	50	0.1	0.2
1,2,3,7,8,9-HxCDF	50	0.1	0.6
2,3,4,6,7,8-HxCDF	50	0.1	0.7
1,2,3,4,6,7,8-HpCDF	50	0.01	0.01
1,2,3,4,7,8,9-HpCDF	50	0.01	0.4
OCDF	100	0.0003	0.02

- 5.3.1.5. **Results Not Yet Available.** The Discharger shall make all reasonable efforts to obtain analytical data for required parameter sampling in a timely manner. Certain analyses may require additional time to complete analytical processes and report results. In these cases, the Discharger shall describe the circumstances in the self-monitoring report and include the data for these parameters and relevant discussions of any violations in the next self-monitoring report due after the results are available.
- 5.3.1.6. **Annual Self-Monitoring Reports.** By the date specified in the MRP, the Discharger shall submit an annual self-monitoring report covering the previous calendar year. The report shall contain the following:
- 5.3.1.6.1. Comprehensive discussion of treatment plant performance, including documentation of any blending or other bypass events, and compliance with the permit. This discussion shall include any corrective actions taken or planned, such as changes to facility equipment or operation practices that may be needed to achieve compliance, and any other actions taken or planned that are intended to improve the performance and reliability of wastewater collection, treatment, or disposal practices;
 - 5.3.1.6.2. List of approved analyses, including the following:
 - 5.3.1.6.2.1. List of analyses for which the Discharger is certified;
 - 5.3.1.6.2.2. List of analyses performed for the Discharger by a separate certified laboratory (copies of reports signed by the laboratory director of that laboratory need not be submitted but shall be retained onsite); and
 - 5.3.1.6.2.3. List of “waived” analyses, as approved;
 - 5.3.1.6.3. Plan view drawing or map showing the Discharger’s facility, flow routing, and sampling and observation station locations; and
 - 5.3.1.6.4. Results of facility report reviews. The Discharger shall regularly review, revise, and update, as necessary, the Operation and Maintenance Manual, Contingency Plan, Spill Prevention Plan, and Wastewater Facilities Status Report so these documents remain useful and relevant to current practices. At a minimum, reviews shall be conducted annually. The Discharger shall describe or summarize its review and evaluation procedures, recommended or planned actions, and estimated time schedule for implementing these actions. The Discharger shall complete changes to these documents to ensure that they remain up-to-date.

5.4. Compliance Schedules – Not supplemented

5.5. Twenty-Four Hour Reporting – Supplement to Attachment D, Provision 5.5

5.5.1. Oil or Other Hazardous Material Spills

5.5.1.1. Within 24 hours of becoming aware of a spill of oil or other hazardous material not contained onsite and completely cleaned up, the Discharger shall report as follows:

5.5.1.1.1. If the spill exceeds reportable quantities for hazardous materials listed in 40 C.F.R. part 302. The Discharger shall call the California Office of Emergency Services (800 852-7550).

5.5.1.1.2. If the spill does not exceed reportable quantities for hazardous materials listed in 40 C.F.R., part 302, the Discharger shall call the Regional Water Board (510-622-2369).

5.5.1.2. The Discharger shall submit a written report to the Regional Water Board within five working days following either of the above telephone notifications unless directed otherwise by Regional Water Board staff. A report submitted electronically is acceptable. The written report shall include the following:

5.5.1.2.1. Date and time of spill, and duration if known;

5.5.1.2.2. Location of spill (street address or description of location);

5.5.1.2.3. Nature of material spilled;

5.5.1.2.4. Quantity of material spilled;

5.5.1.2.5. Receiving water body affected, if any;

5.5.1.2.6. Cause of spill;

5.5.1.2.7. Estimated size of affected area;

5.5.1.2.8. Observed impacts to receiving waters (e.g., oil sheen, fish kill, water discoloration);

5.5.1.2.9. Corrective actions taken to contain, minimize, or clean up the spill;

5.5.1.2.10. Future corrective actions planned to prevent recurrence, and implementation schedule; and

5.5.1.2.11. Persons or agencies notified.

5.5.2. **Unauthorized Municipal Wastewater Treatment Plant Discharges**¹

5.5.2.1. **Two-Hour Notification.** For any unauthorized discharge that enters a drainage channel or surface water, the Discharger shall, as soon as possible, but not later than two hours after becoming aware of the discharge, notify the California Office of Emergency Services (800-852-7550) and the local health officer or director of environmental health with jurisdiction over the affected water body. Notification shall include the following:

- 5.5.2.1.1. Incident description and cause;
- 5.5.2.1.2. Location of threatened or involved waterways or storm drains;
- 5.5.2.1.3. Date and time that the unauthorized discharge started;
- 5.5.2.1.4. Estimated quantity and duration of the unauthorized discharge (to the extent known), and estimated amount recovered;
- 5.5.2.1.5. Level of treatment prior to discharge (e.g., raw wastewater, primary-treated wastewater, or undisinfected secondary-treated wastewater); and
- 5.5.2.1.6. Identity of person reporting the unauthorized discharge.

5.5.2.2. **Five-Day Written Report.** Within five business days following the two-hour notification, the Discharger shall submit a written report that includes, in addition to the information listed in Provision 5.5.2.1, above, the following:

- 5.5.2.2.1. Methods used to delineate the geographical extent of the unauthorized discharge within receiving waters;
- 5.5.2.2.2. Efforts implemented to minimize public exposure to the unauthorized discharge;
- 5.5.2.2.3. Visual observations of the impacts (if any) noted in the receiving waters (e.g., fish kill, discoloration of receiving water) and extent of sampling if conducted;

¹ California Code of Regulations, Title 23, section 2250(b), defines an unauthorized discharge to be a discharge, not regulated by waste discharge requirements, of treated, partially-treated, or untreated wastewater resulting from the intentional or unintentional diversion of wastewater from a collection, treatment, or disposal system.

- 5.5.2.2.4. Corrective measures taken to minimize the impact of the unauthorized discharge;
- 5.5.2.2.5. Measures to be taken to minimize the potential for a similar unauthorized discharge in the future;
- 5.5.2.2.6. Summary of Spill Prevention Plan or Operation and Maintenance Manual modifications to be made, if necessary, to minimize the potential for future unauthorized discharges; and
- 5.5.2.2.7. Quantity and duration of the unauthorized discharge, and the amount recovered.

5.6. Planned Changes – Not supplemented

5.7. Anticipated Noncompliance – Not supplemented

5.8. Other Noncompliance – Not supplemented

5.9. Other Information – Not supplemented

6. STANDARD PROVISIONS – ENFORCEMENT – NOT SUPPLEMENTED

7. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS – NOT SUPPLEMENTED

8. DEFINITIONS – ADDITION TO ATTACHMENT D

More definitions can be found in Attachment A of this NPDES Permit.

8.1. Arithmetic Calculations

- 8.1.1. **Geometric Mean.** The antilog of the log mean or the back-transformed mean of the logarithmically transformed variables, which is equivalent to the multiplication of the antilogarithms. The geometric mean can be calculated with either of the following equations:

$$\text{Geometric Mean} = \text{Anti log} (1/N \sum \text{Log } C_i)$$

or

$$\text{Geometric Mean} = (C_1 \times C_2 \times \dots \times C_N)^{1/N}$$

Where “N” is the number of data points for the period analyzed and “C” is the concentration for each of the “N” data points.

- 8.1.2. **Mass Emission Rate.** The rate of discharge expressed in mass. The mass emission rate is obtained from the following calculation for any calendar day:

$$\text{Mass emission rate (lb/day)} = \frac{8.345}{N} \sum_{i=1}^N Q_i C_i$$

$$\text{Mass emission rate (kg/day)} = \frac{3.785}{N} \sum_{i=1}^N Q_i C_i$$

In which “N” is the number of samples analyzed in any calendar day and “Q_i” and “C_i” are the flow rate (MGD) and the constituent concentration (mg/L) associated with each of the “N” grab samples that may be taken in any calendar day. If a composite sample is taken, “C_i” is the concentration measured in the composite sample and “Q_i” is the average flow rate occurring during the period over which the samples are composited. The daily concentration of a constituent measured over any calendar day shall be determined from the flow weighted average of the same constituent in the combined waste streams as follows:

$$C_d = \text{Average daily concentration} = \frac{1}{Q_t} \sum_{i=1}^N Q_i C_i$$

In which “N” is the number of component waste streams and “Q” and “C” are the flow rate (MGD) and the constituent concentration (mg/L) associated with each of the “N” waste streams. “Q_t” is the total flow rate of the combined waste streams.

8.1.3. **Removal Efficiency.** The ratio of pollutants removed by the treatment facilities to pollutants entering the treatment facilities (expressed as a percentage). The Discharger shall determine removal efficiencies using monthly averages (by calendar month unless otherwise specified) of pollutant concentration of influent and effluent samples collected at about the same time and using the following equation (or its equivalent):

$$\text{Removal Efficiency (\%)} = 100 \times [1 - (\text{Effluent Concentration} / \text{Influent Concentration})]$$

8.2. **Blending** – the practice of bypassing biological treatment units and recombining the bypass wastewater with biologically-treated wastewater.

8.3. **Composite Sample** – a sample composed of individual grab samples collected manually or by an automatic sampling device on the basis of time or flow as specified in the MRP. For flow-based composites, the proportion of each grab sample included in the composite sample shall be within plus or minus five percent (+/-5%) of the representative flow of the waste stream being measured at the time of grab sample collection. Alternatively, equal volume grab samples may be individually analyzed with the flow-weighted average calculated by averaging flow-

weighted ratios of each grab sample analytical result. Grab samples comprising time-based composite samples shall be collected at intervals not greater than those specified in the MRP. The quantity of each grab sample comprising a time-based composite sample shall be a set of flow proportional volumes as specified in the MRP. If a particular time-based or flow-based composite sampling protocol is not specified in the MRP, the Discharger shall determine and implement the most representative protocol.

- 8.4. Duplicate Sample** – a second sample taken from the same source and at the same time as an initial sample (such samples are typically analyzed identically to measure analytical variability).
- 8.5. Grab Sample** – an individual sample collected during a short period not exceeding 15 minutes. Grab samples represent only the condition that exists at the time the sample is collected.
- 8.6. Overflow** – the intentional or unintentional spilling or forcing out of untreated or partially-treated waste from a transport system (e.g., through manholes, at pump stations, or at collection points) upstream of the treatment plant headworks or from any part of a treatment plant.
- 8.7. Priority Pollutants** – those constituents referred to in 40 C.F.R. part 122 as promulgated in the Federal Register, Vol. 65, No. 97, Thursday, May 18, 2000, also known as the California Toxics Rule.
- 8.8. Untreated waste** – raw wastewater.

Table B
List of Monitoring Parameters, Analytical Methods, and Minimum Levels (µg/L)^[1]

CTR No.	Pollutant / Parameter	Analytical Method ^[2]	GC	GC MS	LC	Color	FAA	GFAA	ICP	ICP MS	SPGF AA	HYD RIDE	CVAA	DCP
1	Antimony	204.2	-	-	-	-	10	5	50	0.5	5	0.5	-	1000
2	Arsenic	206.3	-	-	-	20	-	2	10	2	2	1	-	1000
3	Beryllium	-	-	-	-	-	20	0.5	2	0.5	1	-	-	1000
4	Cadmium	200 or 213	-	-	-	-	10	0.5	10	0.25	0.5	-	-	1000
5a	Chromium (III)	SM 3500	-	-	-	-	-	-	-	-	-	-	-	-
5b	Chromium (VI)	SM 3500	-	-	-	10	5	-	-	-	-	-	-	1000
	Chromium (total) ^[3]	SM 3500	-	-	-	-	50	2	10	0.5	1	-	-	1000
6	Copper	200.9	-	-	-	-	25	5	10	0.5	2	-	-	1000
7	Lead	200.9	-	-	-	-	20	5	5	0.5	2	-	-	10,000
8	Mercury	1631 ^[4]	-	-	-	-	-	-	-	-	-	-	-	-
9	Nickel	249.2	-	-	-	-	50	5	20	1	5	-	-	1000
10	Selenium	200.8 or SM 3114B or C	-	-	-	-	-	5	10	2	5	1	-	1000
11	Silver	272.2	-	-	-	-	10	1	10	0.25	2	-	-	1000
12	Thallium	279.2	-	-	-	-	10	2	10	1	5	-	-	1000
13	Zinc	200 or 289	-	-	-	-	20	-	20	1	10	-	-	-
14	Cyanide	SM 4500 CN ⁻ C or I	-	-	-	5	-	-	-	-	-	-	-	-
15	Asbestos (only required for dischargers to MUN waters) ^[5]	0100.2 ^[6]	-	-	-	-	-	-	-	-	-	-	-	-
16	2,3,7,8-TCDD and 17 congeners (Dioxin)	1613	-	-	-	-	-	-	-	-	-	-	-	-
17	Acrolein	603	2.0	5	-	-	-	-	-	-	-	-	-	-
18	Acrylonitrile	603	2.0	2	-	-	-	-	-	-	-	-	-	-
19	Benzene	602	0.5	2	-	-	-	-	-	-	-	-	-	-
33	Ethylbenzene	602	0.5	2	-	-	-	-	-	-	-	-	-	-
39	Toluene	602	0.5	2	-	-	-	-	-	-	-	-	-	-
20	Bromoform	601	0.5	2	-	-	-	-	-	-	-	-	-	-

CTR No.	Pollutant / Parameter	Analytical Method ^[2]	GC	GC MS	LC	Color	FAA	GFAA	ICP	ICP MS	SPGF AA	HYD RIDE	CVAA	DCP
21	Carbon Tetrachloride	601	0.5	2	-	-	-	-	-	-	-	-	-	-
22	Chlorobenzene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
23	Chlorodibromomethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
24	Chloroethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
25	2-Chloroethylvinyl Ether	601	1	1	-	-	-	-	-	-	-	-	-	-
26	Chloroform	601	0.5	2	-	-	-	-	-	-	-	-	-	-
75	1,2-Dichlorobenzene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
76	1,3-Dichlorobenzene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
77	1,4-Dichlorobenzene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
27	Dichlorobromomethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
28	1,1-Dichloroethane	601	0.5	1	-	-	-	-	-	-	-	-	-	-
29	1,2-Dichloroethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
30	1,1-Dichloroethylene or 1,1-Dichloroethene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
31	1,2-Dichloropropane	601	0.5	1	-	-	-	-	-	-	-	-	-	-
32	1,3-Dichloropropylene or 1,3-Dichloropropene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
34	Methyl Bromide or Bromomethane	601	1.0	2	-	-	-	-	-	-	-	-	-	-
35	Methyl Chloride or Chloromethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
36	Methylene Chloride or Dichloromethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
37	1,1,2,2-Tetrachloroethane	601	0.5	1	-	-	-	-	-	-	-	-	-	-
38	Tetrachloroethylene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
40	1,2-Trans-Dichloroethylene	601	0.5	1	-	-	-	-	-	-	-	-	-	-
41	1,1,1-Trichloroethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
42	1,1,2-Trichloroethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
43	Trichloroethene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
44	Vinyl Chloride	601	0.5	2	-	-	-	-	-	-	-	-	-	-
45	2-Chlorophenol	604	2	5	-	-	-	-	-	-	-	-	-	-

CTR No.	Pollutant / Parameter	Analytical Method ^[2]	GC	GC MS	LC	Color	FAA	GFAA	ICP	ICP MS	SPGF AA	HYD RIDE	CVAA	DCP
46	2,4-Dichlorophenol	604	1	5	-	-	-	-	-	-	-	-	-	-
47	2,4-Dimethylphenol	604	1	2	-	-	-	-	-	-	-	-	-	-
48	2-Methyl-4,6-Dinitrophenol or Dinitro-2-methylphenol	604	10	5	-	-	-	-	-	-	-	-	-	-
49	2,4-Dinitrophenol	604	5	5	-	-	-	-	-	-	-	-	-	-
50	2-Nitrophenol	604	-	10	-	-	-	-	-	-	-	-	-	-
51	4-Nitrophenol	604	5	10	-	-	-	-	-	-	-	-	-	-
52	3-Methyl-4-Chlorophenol	604	5	1	-	-	-	-	-	-	-	-	-	-
53	Pentachlorophenol	604	1	5	-	-	-	-	-	-	-	-	-	-
54	Phenol	604	1	1	-	50	-	-	-	-	-	-	-	-
55	2,4,6-Trichlorophenol	604	10	10	-	-	-	-	-	-	-	-	-	-
56	Acenaphthene	610 HPLC	1	1	0.5	-	-	-	-	-	-	-	-	-
57	Acenaphthylene	610 HPLC	-	10	0.2	-	-	-	-	-	-	-	-	-
58	Anthracene	610 HPLC	-	10	2	-	-	-	-	-	-	-	-	-
60	Benzo(a)Anthracene or 1,2 Benzanthracene	610 HPLC	10	5	-	-	-	-	-	-	-	-	-	-
61	Benzo(a)Pyrene	610 HPLC	-	10	2	-	-	-	-	-	-	-	-	-
62	Benzo(b) Fluoranthene or 3,4 Benzofluoranthene	610 HPLC	-	10	10	-	-	-	-	-	-	-	-	-
63	Benzo(ghi)Perylene	610 HPLC	-	5	0.1	-	-	-	-	-	-	-	-	-
64	Benzo(k)Fluoranthene	610 HPLC	-	10	2	-	-	-	-	-	-	-	-	-
74	Dibenzo(a,h)Anthracene	610 HPLC	-	10	0.1	-	-	-	-	-	-	-	-	-
86	Fluoranthene	610 HPLC	10	1	0.05	-	-	-	-	-	-	-	-	-
87	Fluorene	610 HPLC	-	10	0.1	-	-	-	-	-	-	-	-	-
92	Indeno(1,2,3-cd)Pyrene	610 HPLC	-	10	0.05	-	-	-	-	-	-	-	-	-
100	Pyrene	610 HPLC	-	10	0.05	-	-	-	-	-	-	-	-	-
68	Bis(2-Ethylhexyl)Phthalate	606 or 625	10	5	-	-	-	-	-	-	-	-	-	-
70	Butylbenzyl Phthalate	606 or 625	10	10	-	-	-	-	-	-	-	-	-	-
79	Diethyl Phthalate	606 or 625	10	2	-	-	-	-	-	-	-	-	-	-
80	Dimethyl Phthalate	606 or 625	10	2	-	-	-	-	-	-	-	-	-	-
81	Di-n-Butyl Phthalate	606 or 625	-	10	-	-	-	-	-	-	-	-	-	-

CTR No.	Pollutant / Parameter	Analytical Method ^[2]	GC	GC MS	LC	Color	FAA	GFAA	ICP	ICP MS	SPGF AA	HYD RIDE	CVAA	DCP
84	Di-n-Octyl Phthalate	606 or 625	-	10	-	-	-	-	-	-	-	-	-	-
59	Benzidine	625	-	5	-	-	-	-	-	-	-	-	-	-
65	Bis(2-Chloroethoxy)Methane	625	-	5	-	-	-	-	-	-	-	-	-	-
66	Bis(2-Chloroethyl)Ether	625	10	1	-	-	-	-	-	-	-	-	-	-
67	Bis(2-Chloroisopropyl) Ether	625	10	2	-	-	-	-	-	-	-	-	-	-
69	4-Bromophenyl Phenyl Ether	625	10	5	-	-	-	-	-	-	-	-	-	-
71	2-Chloronaphthalene	625	-	10	-	-	-	-	-	-	-	-	-	-
72	4-Chlorophenyl Phenyl Ether	625	-	5	-	-	-	-	-	-	-	-	-	-
73	Chrysene	625	-	10	5	-	-	-	-	-	-	-	-	-
78	3,3'-Dichlorobenzidine	625	-	5	-	-	-	-	-	-	-	-	-	-
82	2,4-Dinitrotoluene	625	10	5	-	-	-	-	-	-	-	-	-	-
83	2,6-Dinitrotoluene	625	-	5	-	-	-	-	-	-	-	-	-	-
85	1,2-Diphenylhydrazine ^[7]	625	-	1	-	-	-	-	-	-	-	-	-	-
88	Hexachlorobenzene	625	5	1	-	-	-	-	-	-	-	-	-	-
89	Hexachlorobutadiene	625	5	1	-	-	-	-	-	-	-	-	-	-
90	Hexachlorocyclopentadiene	625	5	5	-	-	-	-	-	-	-	-	-	-
91	Hexachloroethane	625	5	1	-	-	-	-	-	-	-	-	-	-
93	Isophorone	625	10	1	-	-	-	-	-	-	-	-	-	-
94	Naphthalene	625	10	1	0.2	-	-	-	-	-	-	-	-	-
95	Nitrobenzene	625	10	1	-	-	-	-	-	-	-	-	-	-
96	N-Nitrosodimethylamine	625	10	5	-	-	-	-	-	-	-	-	-	-
97	N-Nitrosodi-n-Propylamine	625	10	5	-	-	-	-	-	-	-	-	-	-
98	N-Nitrosodiphenylamine	625	10	1	-	-	-	-	-	-	-	-	-	-
99	Phenanthrene	625	-	5	0.05	-	-	-	-	-	-	-	-	-
101	1,2,4-Trichlorobenzene	625	1	5	-	-	-	-	-	-	-	-	-	-
102	Aldrin	608	0.005	-	-	-	-	-	-	-	-	-	-	-
103	α-BHC	608	0.01	-	-	-	-	-	-	-	-	-	-	-
104	β-BHC	608	0.005	-	-	-	-	-	-	-	-	-	-	-
105	γ-BHC (Lindane)	608	0.02	-	-	-	-	-	-	-	-	-	-	-
106	δ-BHC	608	0.005	-	-	-	-	-	-	-	-	-	-	-

CTR No.	Pollutant / Parameter	Analytical Method ^[2]	GC	GC MS	LC	Color	FAA	GFAA	ICP	ICP MS	SPGF AA	HYD RIDE	CVAA	DCP
107	Chlordane	608	0.1	-	-	-	-	-	-	-	-	-	-	-
108	4,4'-DDT	608	0.01	-	-	-	-	-	-	-	-	-	-	-
109	4,4'-DDE	608	0.05	-	-	-	-	-	-	-	-	-	-	-
110	4,4'-DDD	608	0.05	-	-	-	-	-	-	-	-	-	-	-
111	Dieldrin	608	0.01	-	-	-	-	-	-	-	-	-	-	-
112	Endosulfan (alpha)	608	0.02	-	-	-	-	-	-	-	-	-	-	-
113	Endosulfan (beta)	608	0.01	-	-	-	-	-	-	-	-	-	-	-
114	Endosulfan Sulfate	608	0.05	-	-	-	-	-	-	-	-	-	-	-
115	Endrin	608	0.01	-	-	-	-	-	-	-	-	-	-	-
116	Endrin Aldehyde	608	0.01	-	-	-	-	-	-	-	-	-	-	-
117	Heptachlor	608	0.01	-	-	-	-	-	-	-	-	-	-	-
118	Heptachlor Epoxide	608	0.01	-	-	-	-	-	-	-	-	-	-	-
119-125	PCBs: Aroclors 1016, 1221, 1232, 1242, 1248, 1254, 1260	608	0.5	-	-	-	-	-	-	-	-	-	-	-
126	Toxaphene	608	0.5	-	-	-	-	-	-	-	-	-	-	-

Footnotes:

- ^[1] Minimum levels are from the *State Implementation Policy*. They are the concentration of the lowest calibration standard for that technique based on a survey of contract laboratories. Laboratory techniques are defined as follows: GC = Gas Chromatography; GCMS = Gas Chromatography/Mass Spectrometry; LC = High Pressure Liquid Chromatography; Color = Colorimetric; FAA = Flame Atomic Absorption; GFAA = Graphite Furnace Atomic Absorption; ICP = Inductively Coupled Plasma; ICPMS = Inductively Coupled Plasma/Mass Spectrometry; SPGF AA = Stabilized Platform Graphite Furnace Atomic Absorption (i.e., U.S. EPA 200.9); Hydride = Gaseous Hydride Atomic Absorption; CVAA = Cold Vapor Atomic Absorption; DCP = Direct Current Plasma.
- ^[2] The suggested method is the U.S. EPA Method unless otherwise specified (SM = Standard Methods). The Discharger may use another U.S. EPA-approved or recognized method if that method has a level of quantification below the applicable water quality objective. Where no method is suggested, the Discharger has the discretion to use any standard method.
- ^[3] Analysis for total chromium may be substituted for analysis of chromium (III) and chromium (VI) if the concentration measured is below the lowest hexavalent chromium criterion (11 ug/l).
- ^[4] The Discharger shall use ultra-clean sampling (U.S. EPA Method 1669) and ultra-clean analytical methods (U.S. EPA Method 1631) for mercury monitoring. The minimum level for mercury is 2 ng/l (or 0.002 ug/l).
- ^[5] MUN = Municipal and Domestic Supply. This designation, if applicable, is in the Findings of the permit.
- ^[6] Determination of Asbestos Structures over 10 [micrometers] in Length in Drinking Water Using MCE Filters, U.S. EPA 600/R-94-134, June 1994.
- ^[7] Detected as azobenzene.