# **Proposed 2022 Construction Stormwater General Permit – Change Sheet #2**

Order, Section VI.O, page 46 – add new section as follows:

**VI.O.4.** **This General Permit may be reopened before March 23, 2032 to revise the requirements implementing the Los Angeles and Long Beach Harbor Waters TMDL for copper, lead, and zinc, for dischargers that discharge to the Dominguez Channel or the Torrance Lateral Channel. State Water Board staff will work with interested stakeholders to develop a plan to collect additional data related to the forthcoming implementation of the 100 mg/L TSS numeric effluent limitation. The State Water Board will evaluate whether the additional data and other available information warrants revising the 100 mg/L TSS numeric effluent limitation for Los Angeles and Long Beach Harbor Waters TMDL for copper, lead, and zinc at a publicly noticed Board meeting no later than August 31, 2028.**

Attachment B, page B-11 – revise the “Qualifying Precipitation Event” definition as follows:

**Qualifying Precipitation Event**

Qualifying precipitation event is any weather pattern that is forecast to have a 50 percent or greater Probability of Precipitation (PoP) and a Quantitative Precipitation Forecast (QPF) of 0.5 inches or more within a 24-hour period. The event begins with the 24-hour period when 0.5 inches has been forecast and continues on subsequent 24-hour periods when 0.25 inches of precipitation or more is forecast. **~~The precipitation event ends when there are two sequential 24-hour periods with less than 0.25 inches of precipitation forecast for each period.~~**

Attachment D, Section III.C.1, page D-8 – revise the section as follows:

III.C.1 Dischargers shall perform visual inspections, based on their Risk Level, in accordance with Table 2 below. The purpose of visual inspections is**~~,~~** to identify and record BMPs that need maintenance to operate effectively, that have failed, or that could fail to operate as intended. **Except as specified in Section III.C.3 below, i~~I~~**nspectors shall be the Q**ualified** S**WPPP** D**eveloper**, Q**ualified** S**WPPP** P**ractitioner**, or be trained by the Q**ualified** S**WPPP** P**ractitioner**.

Attachment D, Section III.C.2, page D-8 – revised section as follows:

III.C.2. Dischargers shall conduct weekly visual inspections to ensure that BMPs are properly installed and maintained. **A pre-, during, or post-qualifying precipitation event inspection satisfies the weekly visual inspection requirement.**

Attachment D, Section III.C.4, page D-9 – revise the sections as follows:

III.C.4. Dischargers shall conduct visual inspections at least once every 24-hour period during Qualifying Precipitation Events. Qualifying Precipitation Events are extended for each subsequent 24-hour period forecast to have at least
0.25 inches of precipitation. **~~The Qualifying Precipitation Event ends when there are two consecutive 24-hour periods of less than 0.25 inches of precipitation forecast. The QSP shall check the National Weather Service forecast at least once per day during the entire Qualifying Precipitation Event.~~**

Attachment D, Section III.C.5, page D-9 – revise the sections as follows:

III.C.5. Dischargers shall conduct post-Qualifying Precipitation Event visual inspections within 96 hours after each Qualifying Precipitation Event **if 0.5 inches or more precipitation is measured during the duration of the Qualifying Precipitation Event using the onsite rain gauge**. **~~The 96-hour time frame may include the two consecutive 24-hour periods with less than 0.25 inches forecast, which mark the end of the precipitation event.~~**

Attachment E, Section III.C.1, page E-9 – revise the section as follows:

III.C.1 Linear project dischargers shall perform visual inspections, based on their Risk Type, in accordance with Table 2 below. The purpose of the visual inspections is to identify and record BMPs that need maintenance to operate effectively, that have failed, or that could fail to operate as intended. **Except as specified in Section III.C.3 below, i~~I~~**nspectors shall be the Qualified SWPPP Developer, Qualified SWPPP Practitioner, or be trained by the Qualified SWPPP Practitioner.

Attachment E, Section III.C.2, page E-9 – add a section as follows:

III.C.2. Dischargers shall conduct weekly visual inspections to ensure that BMPs are properly installed and maintained. **A pre-, during, or post-qualifying precipitation event inspection satisfies the weekly visual inspection requirement.**

Attachment E, Section III.C.4, page E-10 – revise the sections as follows:

III.C.4. Dischargers shall conduct visual inspections at least once every 24-hour period during Qualifying Precipitation Events. Qualifying Precipitation Events are extended for each subsequent 24-hour period forecast to have at least
0.25 inches of precipitation. **~~The Qualifying Precipitation Event ends when there are two consecutive 24-hour periods of less than 0.25 inches of precipitation forecast. The QSP shall check the National Weather Service forecast at least once per day during the entire Qualifying Precipitation Event.~~**

Attachment E, Section III.C.5, page E-10 – revise the sections as follows:

III.C.5. Dischargers shall conduct post-Qualifying Precipitation Event visual inspections within 96 hours after each Qualifying Precipitation Event **if 0.5 inches or more precipitation is measured during the duration of the Qualifying Precipitation Event using the onsite rain gauge**.

Attachment H, Section I.G.5.a, page H-59 – revise language as follows:

I.G.5.a. To comply with the Los Angeles Area Lakes TMDL for chlordane, DDT, dieldrin, and PCBs and, beginning March 23, 2032, the Los Angeles and Long Beach Harbor Waters **TMDL** for copper, lead, and zinc, dischargers that discharge to: 1) Peck Road Park Lake, Echo Park Lake, or Puddingstone Reservoir; or 2) Dominguez Channel or Torrance Lateral Channel shall use the following soil screening investigation as part of their pollutant source assessment and comply with the numeric effluent limitation for TSS, if applicable. **As set forth in Order, Section VI.O.4, this General Permit may be reopened prior to March 23, 2032, to revise the
100 mg/L TSS numeric effluent limitation for the Los Angeles and Long Beach Harbor Waters TMDL for copper, lead, and zinc.**

Attachment H, Section I.G.5.a.ii.2, page H-60 – insert the word “soil” as follows:

I.G.5.a.ii.2. The discharger shall collect at least one **soil** sample from a randomly selected location within each sampling plot. To ensure randomness, each plot shall be further divided into nine equal subsections, each assigned a unique number from one to nine. The discharger shall use a random number generator to select which subsection will be sampled; the **soil** sample location may be anywhere within the selected subsection.

Attachment H, Section I.G.5.a.iii, page H-60-61 – insert the word “soil” as follows:

I.G.5.a.iii.1. The discharger may utilize hand sampling methods or devices such as mechanical or hydraulic earth drills to collect soil samples. Hand methods may be economically preferable as the required **soil** sample depths are less than two feet.

I.G.5.a.iii.2. The discharger shall obtain a three-point composite sample of in-situ soil, consisting of roughly equal volumes from 6 inches, 12 inches, and 18 inches below surface at each **soil** sample location. The listed depths are the ‘start depths’ or ‘top depths’ for each composite portion. **Soil ~~S~~s**amples shall be obtained from below the grass or forb root zone if present. The total quantity of each **soil** sample shall be approximately 20 cubic inches of volume, or one pound (0.5 kilograms) by weight.

I.G.5.a.iii.3. The discharger shall immediately seal brass or acrylic sampling tubes sealed with Teflon™ squares and plastic caps. Otherwise, **soil** samples shall be placed in 500 milliliter glass jars with tightly sealable caps.

I.G.5.a.iii.4. The discharger shall label each **soil** sample with a unique identifier, the address or location of the site, the name of the person that collected the sample, and the collection date.

I.G.5.a.iii.5. The Responsible Discharger shall maintain **soil** samples at a temperature of 4°Celsius until delivered to an ELAP-accredited analytical laboratory under chain-of-custody for analysis.

Attachment H, Section I.G.5.a.iv.1, page H-61 – revise the section as follows:

I.G.5.a.iv.1. **For total copper, total lead, and total zinc, the discharger shall use EPA method 6010D, 6020B, or a comparable method validated for the analysis of metals in soil samples.** **For chlordane, DDT, and dieldrin, the discharger shall use EPA method 8081B or a comparable method validated for the analysis of chlordane, DDT, and dieldrin in soil samples. For PCBs, the discharger shall use EPA method 8082A or a comparable method validated for the analysis of PCBs in soil samples. ~~For some analytes, more than one EPA method may be available, and the most suitable method may be selected by the analytical laboratory. Typical methods include:~~**

* + - * 1. **~~Chlordane, DDT, and dieldrin: EPA Method 8081B.~~**
				2. **~~PCBs: EPA Method 8082A.~~**
				3. **~~Total copper, lead, and zinc: EPA Method 6010D.~~**

Attachment H, Section I.G.5.a.vi. page H-61 – revise the section as follows:

I.G.5.a.vi.1. If all **soil** sample analysis results for each applicable TMDL analyte are below their respective analytical reporting limit**s**, the discharger is not considered a Responsible Discharger and does not have to sample for the TMDL-specific pollutant(s) under the non-visible pollutant monitoring requirements in Attachments D or E Section III.D.3, of this General Permit.

I.G.5.a.vi.2. If one or more of the specified TMDL analytes are measured above the respective **analytical reporting limits ~~monitoring thresholds~~**, the discharger is considered a Responsible Discharger and shall:

Fact Sheet, Section I.G.5.g, page FS-35 – revise the language as follows:

I.G.5.g. For the Los Angeles Area Lakes TMDL, the waste load allocations for organochlorine pesticides and PCBs are below the analytical **~~laboratory~~** reporting limits.

Fact Sheet, Section I.G.5.g, page FS-35 – revise the language as follows:

The **~~threshold values for~~** **soil screening investigation is used to determine the presence of the applicable** metals, organochlorine pesticides, **~~and the~~or** PCBs **by comparing the concentration of pollutants in the soil to** **~~are~~** the analytical **~~laboratory~~** reporting limit for each substance. **~~This value~~** **The analytical reporting limit** is the lowest concentration at which an analyte can be measured in a sample and its concentration can be reported with a reasonable degree of accuracy and precision.

Fact Sheet, Section I.G.5.g, pages FS-35-36 – revise the language as follows:

If the **~~threshold are values~~ analytical reporting limit for any of the TMDL-specific pollutants is** exceeded in any soil sample obtained for the soil screening investigation, the Responsible Discharger will be required to sample for TSS as a proxy for the **identified** TMDL pollutants if the non-visible sampling requirements are triggered. The numeric effluent limitation for TSS is 100 mg/L, and any exceedances require corrective actions detailed in Attachment D, Section III.G and Attachment E, Section III.G.

**The value of 100 mg/L TSS is derived from several lines of evidence, including a study where the probability curve between organochlorine pesticides and TSS was modeled to determine that 100 mg/L TSS is protective of water quality when the criteria for 4,4 DDE was 0.00059 mg/L which is equal to the waste load allocation concentrations for chlordane and 4,4 DDT listed in the Los Angeles Area Lakes TMDL. Additionally, a 2018 study found that 100 mg/L TSS correlated with the boundary between particulate and dissolved phase metals in multiple watersheds when the Kd (distribution coefficient) for the metal is 10,000 L/kg.**

**~~Based on reasonably accessible research, 100 mg/L of TSS represents a concentration adequate to detect the target pollutants at levels comparable to the respective waste load allocations. As shown Figures 1 and 2 below, where TSS is 100 mg/L or lower, concentrations of organochlorine pesticides and PCBs are reportedly significantly than the reporting limits, and concentrations of copper, lead, and zinc are reported lower than the waste load allocations set forth in the TMDLs.~~**

Fact Sheet, Section I.G.5.g., page FS-36-37 – delete Figures 1 and 2:

**~~Figure 1 – Comparison of Reported Pesticide/Polychlorinated Biphenyls (PCB) Concentrations in Total Suspended Solids (TSS) to Reporting Limit~~**

**[Figure deleted]**

**~~Figure 2 – Comparison of Reported Metals Concentrations in Total Suspended Solids (TSS) to Waste Load Allocations~~**

**[Figure deleted]**

Fact Sheet, Section I.U., pages FS-114, FS-117, FS-118 – update figure numbers and references due to the deletion of Figures 1 and 2. Updated Table of Figures on page
FS-2.

Fact Sheet, Section I.W.6.g.vii, pages FS-206-207 – revise the language as follows:

Starting at the effective date of the final waste load allocations, **March ~~May~~** 23, 2032, dischargers that discharge to the Dominguez Channel and Torrance Lateral are to conduct a soil screening investigation for copper, lead, and zinc as part of the pollutant source assessment to determine whether they are Responsible Dischargers per Attachment H Section I.G.5. Dischargers are considered Responsible Dischargers if the TMDL analytes are measured above the **~~monitoring threshold values, which are equivalent to the waste load allocations,~~ analytical reporting limit** and will be required to comply with a numeric effluent limitation of 100 mg/L total suspended solids (TSS) as the applicable limitation for each of the applicable TMDL-pollutants identified through the soil screening investigation, instead of the numeric effluent limitations for total copper, lead, and zinc.

Fact Sheet, Section I.W.6.g.vi, page FS-207 – revise the language as follows:

Staff determined the measurement of TSS at or above 100 mg/L is an appropriate indicator of the presence of copper, lead, and zinc in runoff, if the pre-project soil monitoring (described in Attachment H, Section I.G.5) demonstrated these pollutants are present in the soil. There is a strong positive correlation between TSS and metals, indicating that concentrations of pollutants increase and decline proportionally with the TSS concentrations. If the constituents were measured in the soil at or above the **~~monitoring threshold value~~ analytical reporting limit**, a small faction will be in the TSS sample as well.