

FACT SHEET

This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of Order No. R3-2011-0222.

I. PERMIT INFORMATION

Dischargers are subject to waste discharge requirements as set forth in this Order. Administrative information includes:

Table 1. Discharger Information

Discharger Types	Any person, partnership, firm, corporation, association, trust estate, or any other legal entity
Facility Address	Locations throughout the Central Coast Region
Facility Types	Groundwater extraction and treatment operations at any active leak and spill cleanup sites.
Waste Types	Petroleum or other chemicals, such as perchlorate or chlorinated solvents, which were illegally discharged from underground storage tanks (USTs), dry cleaning operations, oil field operations, or other industrial operations. Wastes may be generated by aquifer pumping tests; dual-phase extraction or other remedial pilot tests; and excavation dewatering during the removal or installation of USTS, or during the excavation of contaminated soils.
Discharge Flow Rates	These discharges may be treated and discharged on either continuous or batch bases. Discharge flow rates are limited to those rates specified in this Order and do not exceed 0.2 million gallons per day (MGD) for continuous discharges or 0.25 MGD for a batch discharge.
The U.S. Environmental Protection Agency (USEPA) and the Central Coast Regional Water Quality Control Board (Central Coast Water Board) have classified this discharge as a minor discharge.	

Discharges to the discharge locations identified below are subject to waste discharge requirements as set forth in this Order.

Table 2. Discharge Locations

Discharge Point(s)	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Discharge Point Description
001	Highly Treated Groundwater	Varies per discharge	Varies per discharge	Varies per discharge

II. FACILITY INFORMATION

Because leak and spill sites can be located at active or inactive, private, public, residential, or industrial properties in either rural communities or highly populated areas, the layout of each facility will differ based on the facility configuration and how the site is currently being used.

To be considered for enrollment under this Order, extracted groundwater at leak and spill sites must be highly treated prior to discharge. Simple groundwater treatment is generally performed using double-redundant treatment units and commonly involves conventional granular activated carbon (GAC) filtration systems. GAC units typically consist of three carbon vessels in series. Each carbon vessel is designed and sized to treat the worst case influent waste design loading for the sampling period and is required to ensure that the system poses no significant threat to water quality and protects beneficial uses of the

receiving water. For highly polluted groundwater, the treatment system may include additional vessels and treatment types to remove all detected wastes that exist above water quality standards.

Treated groundwater may be discharged continuously or on a batch basis to surface waters. Treated groundwater must also be discharged at low flow rates as specified in this Order. The intent of the low flow is to limit is to ensure that the groundwater extraction and treatment system poses no significant water quality and protects beneficial uses of the receiving water.

Discharges to locations identified below are subject to waste discharge requirements as set forth in this Order.

Types of Discharges Covered by this General Permit

Below is a list of discharges potentially meeting the above stated criteria. This is not a complete list of discharges eligible for consideration of coverage under the General Permit. Other proposed discharges may be submitted to the Central Coast Water Board for consideration of coverage. Also, local governmental agencies may require controls or management measures for discharges occurring within their jurisdiction in addition to or more stringent than the controls specified in this General Permit.

1. **Highly treated groundwater:** Discharge of highly treated groundwater extracted and treated for the purpose of cleaning up groundwater degraded by leaks of petroleum or other chemicals from underground and aboveground storage tank systems, pipelines, tanker trucks, rail cars, drums, manufacturing facilities, or any other sources of pollution.
2. **Aquifer test water:** Discharge of highly treated groundwater extracted and treated for the purpose of conducting aquifer pumping tests to evaluate remedial alternatives at cleanup sites.
3. **Dual-phase extraction test water:** Discharge of highly treated groundwater extracted and treated for the purpose of conducting dual-phase (vapor and water), extraction pilot tests, or other approved groundwater treatment system pilot test to evaluate remedial alternatives.
4. **Excavation dewatering:** Discharge of highly treated groundwater generated during removal and installation of underground storage tanks and during the excavation of contaminated soils.

Discharges with low threat to water quality generally have low flows. The following guidelines generally define low flows:

Table 3: Flow Rates for Continuous Discharges

Type of Continuous Discharge	Max Daily Flow (million gallons per day - MGD)
Treated Groundwater	0.20
Other Low Threat	0.20

Table 4: Flow Rates for Intermittent or One-Time Discharges

Type of Intermittent/ One-Time Discharge	Max Daily Flow (MGD)	Duration
(Treated) Aquifer Pumping-Test Water	0.20	1 Month
(Treated) Dual-Phase Extraction, or Other Extraction Pilot Test Water	0.20	1 Month
(Treated) Underground Storage Tank or Contaminated Soil Excavation Water	0.25	1 Month

USEPA and State Water Resources Control Board classify these discharges as minor discharges. These discharges may be treated and discharged on either continuous or batch bases.

This General Permit meets the requirements of 40 CFR 122.28(a)(2)(ii). The categories of waste discharge permitted under this order:

- a. Involve similar threats to water quality.
- b. Discharge similar type of wastes.
- c. Require similar effluent limitations.
- d. Require similar monitoring.
- e. Are more appropriately controlled under a general permit than by individual permits.

Existing and future discharges of extracted and treated groundwater to surface waters of the Central Coast Region from groundwater cleanup projects:

- a. Result from similar operations: all involve extraction, treatment and discharge of groundwater.
- b. Are the same type of waste: all are groundwater treated for the removal of contaminants present from leaks and spills of hazardous materials.
- c. Require similar effluent limitations for discharge to surface waters in the Central Coast Region.
- d. Require similar minimum frequency of monitoring.
- e. Are more effectively regulated with a general NPDES permit rather than by individual permits.

This General Permit, therefore, establishes requirements for regulation of discharges of extracted and highly treated groundwater resulting from cleanup of contaminants at spill sites that can be effectively regulated through a general NPDES permit.

Types of Discharges Not Covered by this General Permit

Discharges that may be a significant threat to water quality and which are therefore excluded from coverage under this General Permit include (1) discharges from domestic wastewater treatment facilities; (2) discharges from secondary containment structures; (3) discharges exhibiting acute or chronic toxicity, containing chemical or organic constituents above water quality objectives or having a temperature adversely impacting beneficial uses; and (4) discharges that are regulated under another general or individual NPDES permit.

III. BACKGROUND INFORMATION:

In 1972, the Federal Water Pollution Control Act (Clean Water Act [CWA]) was amended to prohibit the discharge of pollutants to waters of the United States from any point source unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The federal regulations allow authorized states to issue general NPDES permits or individual NPDES permits to regulate discharges of pollutants to waters of the United States.

The September 22, 1989, Memorandum of Agreement between the U.S. Environmental Protection Agency (USEPA) and the State Water Resources Control Board (State Water Board) authorized and established procedures for the State Water Board to issue general NPDES permits pursuant to CFR 122.28 and 122.44.

The purpose of general permits is to facilitate permitting of discharges that the Central Coast Water Board determines to be of low threat in a timely and cost-effective manner. General permits can be used in concert with the Central Coast Water Board's general waiver policy for regulating low threat discharges to land; this permit does not eliminate the general waiver, but provides an option for regulation of discharges to surface waters.

On October 18, 1996, the Central Coast Water Board adopted Order No. 96-4 (NPDES No. CAG993001) allowing discharges of low threat to water quality. On December 7, 2001, the Central Coast Water Board

adopted Order No. 01-134 (NPDES No. CAG993002) for discharges of highly treated groundwater to surface waters, which was a reissuance of Order No. 96-4. The Central Coast Water Board adopted Order No. R3-2006-0067, General NPDES Permit for Discharges of Highly Treated Groundwater to Surface Waters on December 1, 2006. Order No. R3-2006-0067 expires on December 1, 2011.

To date, the Central Coast Water Board has authorized approximately 35 discharges under the General Permit and ten highly treated groundwater dischargers are still actively enrolled. Many of these authorized dischargers will wish to continue their coverage under the General Permit. Unless they submit notices of termination or staff notifies authorized dischargers that they no longer qualify for General Permit coverage, they will automatically be reenrolled in the reissued permit and must comply with any new (i.e., more stringent) provisions. We receive approximately two new applications for coverage under the General Permit each year. Streamlining the permitting process through renewal of this General Permit will result in the appropriate regulation of many discharges of highly treated groundwater to surface waters in the Central Coast Region.

Since the Central Coast Water Board adopted the 2006 General Permit, the State Water Board has prepared several statewide general permits in an effort to promote consistency among the nine regional boards and to streamline our agency's permitting process. An example of these statewide, general, NPDES Permits include those for aquatic pesticide applications: Vector Control, Weed Control, Aquatic Animal Invasive Species Control, and Spray Application NPDES permits.

As shown on the table below, all other eight Regional Boards have adopted general NPDES permits for similar types of groundwater cleanup discharges in its respective region, as follows:

Table 5: General NPDES Permits for Highly Treated Water by Region

Region	Description	Order No.	NPDES No.
North Coast (1)	Discharges of Highly Treated Groundwater to surface Waters following extraction and Treatment of Groundwater polluted with Petroleum Hydrocarbons and Volatile Organic Compounds	R1-2011-0028	CAG911001
San Francisco Bay (2)	General Groundwater Polluted by Volatile Organic Compounds	R2-2009-0059	CAG912003
Los Angeles (4)	Discharges of Treated Groundwater from Investigation and/or Cleanup of Volatile Organic Compound Contaminated-Sites to Surface Waters.	R4-2007-0022	CAG914001
Los Angeles (4)	Treated Groundwater and Other Wastewaters from Investigation and/or Cleanup of Petroleum Fuel-Contaminated Sites to Surface Waters.	R4-2007-0021	CAG834001
Central Valley (5)	Waste Discharge Requirements for Discharge to surface Waters of Groundwater from cleanup of Petroleum Fuel Pollution	R5-2008-0085	CAG915001
Central Valley (5)	Waste Discharge Requirements, general Order for Limited Threat Discharges of Treated/Untreated Groundwater from cleanup Sites, Wastewater from Supercyhalorination Projects, and other Limited Threat Wastewaters to surface Waters	R5-2008-0082	CAG995002
Lahontan (6)	Waste Discharge Requirements for surface Water Disposal of Treated Groundwater	R6T-2010-0024	CAG916001
Colorado River Basin (7)	General Waste Discharge Requirements of Extracted and Treated Groundwater Resulting from the Cleanup of Groundwater Polluted by volatile Organic Constituents into Surface Water	R7-2009-0400	CAG917001
Region	Description	Order No.	NPDES No.

Santa Ana (8)	General Groundwater Cleanup Permit for Discharges to Surface Waters of Extracted and Treated Groundwater Resulting From the Cleanup of Groundwater Polluted by Petroleum Hydrocarbons, Solvents, Metals and/or Salts,	R8-2007-0008	CAG918001
Santa Ana (8)	Amendment to General Waste Discharge Requirements for Discharges to Surface Waters of Process Wastewater Associated with Certain Wellhead Treatment systems	R8-2009-0004	CAG648001
San Diego (9)	General waste discharge requirements for discharges from temporary groundwater extraction and similar waste discharges to San Diego Bay, tributaries thereto under tidal influence, and storm drains or other conveyance systems tributary thereto.	R9-2007-0034	CAG919001
San Diego (9)	General Waste Discharge Requirements and NPDES Permit for discharges from groundwater extraction waste to surface waters within the San Diego Region except for San Diego Bay.	R9-2008-0002	CAG919002

Central Coast Water Board staff expects that the State Water Board will be preparing a statewide, general NPDES permit for groundwater cleanup discharges within the next two to three years. As the statewide permit will take some time to prepare, Central Coast Water Board staff proposes to reissue our General Permit on December 1, 2011, as this will allow dischargers to continue to perform groundwater clean up in our region.

Because a statewide general permit will be comprehensive and all inclusive, Central Coast Water Board staff did not substantively revise the new General Permit (Order No. R3-2011-0222). Central Coast Water Board staff did update Appendix D (Priority Pollutant List) and the waste effluent table in the General Permit to include changes in regulatory standards since the General Permit Order No. R3-2006-0067 was adopted.

The Central Coast Water Board may determine that a waste discharge eligible for authorization by this General Permit is more appropriately regulated under an individual NPDES permit, another general NPDES permit, or waste discharge requirements (WDR). If an individual NPDES permit, another general NPDES permit, or WDRs are issued for a discharge, then the applicability of this General Permit for the discharge is immediately terminated on the effective date of the alternative permit.

IV. CRITERIA FOR ENROLLMENT UNDER THIS GENERAL PERMIT

The General Permit covers all new or existing discharges of highly treated groundwater to surface waters. To be covered by the General Permit, discharges must meet the following criteria:

1. Pollutant concentrations in the discharge do not (a) cause, or (b) contribute to an excursion above any applicable water quality objectives, including prohibitions of discharge, in the receiving water. Pollutant discharges that have a reasonable potential to cause or contribute to an excursion above any water quality objective must meet applicable effluent limitations.
2. The discharge does not include water added for the purpose of diluting pollutant concentrations.
3. Pollutant concentrations in the discharge will not cause or contribute to degradation of water quality or impair beneficial uses of receiving waters.

V: APPLICATION REQUIREMENTS

1. Dischargers satisfying the following criteria and criteria stated in Finding No. 2 of the Order are eligible for authorization to discharge by this General Permit, provided:
 - a. The Discharger submits a complete NOI (Attachment A) and appropriate first annual fee for each discharge.
 - b. The Discharger submits the following:
 1. A list of all chemicals (including Material Safety Data Sheets) added to the water and the concentration of such additives in the discharged effluent.
 2. Unless the discharge meets all requirements for a conditional exception (State Implementation Policy Section 5.3), or is solely an ocean surface water discharge as defined in the State Implementation Policy, the Discharger must provide certified analytical results of the effluent for inland surface waters, enclosed bays, and estuaries priority toxic pollutants listed in Attachment D as chemical constituents. These analyses are required to fulfill the requirements set forth in the California Toxics Rule to evaluate the potential for water quality degradation and to establish effluent limits.
 3. If the discharge is solely an ocean surface water discharge as defined in the State Implementation Policy, the Discharger must provide certified analytical results of the effluent for ocean discharge priority toxic pollutants listed in Attachment D as chemical constituents. These analyses are required to fulfill the requirements set forth in the Ocean Plan to evaluate the potential for ocean water quality degradation.
 4. In addition to the requirements of (1) and (2) above, discharges to inland surface waters, enclosed bays, and estuaries must submit certified analytical results of a representative sample of the effluent for the following: **total chlorine, pH, nitrate, turbidity, and total dissolved solids**.
 5. In addition to the requirements of (1) and (3) above, discharges solely to ocean waters must submit certified analytical results of a representative sample of the effluent for the following: **oil and grease, suspended solids, settleable solids, turbidity, ph, and acute toxicity**.
 6. In addition to the requirements of (1), (2), (3), and (5) above, flow through seawater systems with potential to contain fecal pollution must submit certified analytical results of a representative sample of the effluent for **total coliform**.
 7. Certified analytical results of a representative sample of the receiving surface water at a point 50-feet upstream and 50-feet downstream from the point of discharge into the receiving water, or if access is limited, at the first point upstream and downstream which is accessible for the following constituents: **pH, temperature, color, turbidity, and dissolved oxygen**.
 8. For proposed low threat discharges from a yet to be constructed facility, analytical results for similar existing systems, or anticipated results based on specific facility design, will be adequate for submittal with the NOI. As part of facility startup, the Discharger shall submit all analytical results required in Section A - Application Requirements of this Order.
 9. If the effluent concentration of any constituent sampled under (2) or (3) above exceeds the applicable criterion listed in Attachment D, the Discharger may submit the reasonable potential analysis in Section 1.3 of the State Implementation Policy or Appendix VI of the

Ocean Plan, as applicable. If the Discharger elects not to submit the reasonable potential analysis, or if the Executive Officer determines that one or more constituents would require effluent limitations, then the discharge is not eligible for coverage under this General Permit and the Discharger is required to obtain coverage under an individual permit or coverage by a different general NPDES permit. This provision only applies to effluent limitations for priority toxic pollutants (State Implementation Policy) or Table B Water Quality Objectives (Ocean Plan). For Dischargers already enrolled in this permit, General Permit coverage shall continue until the Discharger receives an individual permit or enrolls under another applicable general permit. Authorization for coverage under this General Permit may be revoked in the event of violations of receiving water limitations, which includes causing or contributing to water quality objective/criteria excursions.

2. If the Discharger is seeking an exception under Section 5.3 of the State Implementation Policy, the Discharger shall submit the following information and receive subsequent Executive Officer approval:
 - a. A detailed description of the proposed action (i.e., pump and treat system, well purging, etc.), including the proposed method of completing the action;
 - b. A time schedule;
 - c. A discharge and receiving water quality monitoring plan (before project initiation, during the project, and after project completion, with the appropriate quality assurance and quality control procedures);
 - a. Completed CEQA documentation;
 - b. Contingency plans;
 - f. Identification of alternate water supply (if needed);
 - g. Residual waste disposal plans;
 - h. Evidence that the Discharger has notified potentially affected public and governmental agencies of the project.
 - i. Upon completion of the project, the discharger shall provide certification by a qualified biologist that the receiving water beneficial uses have been restored.
3. The Discharger, upon request, submits any additional information the Central Coast Water Board determines is necessary to ascertain whether the discharge meets criteria for authorization under this permit.
4. If the Discharger discharges wastewater to or from property not owned by the Discharger and/or is leased or rented by the Discharger, then a letter, signed by the property owner, authorizing the discharge of wastewater to or from his/her property shall be kept with the General Permit (See Standard Provision G.2), where it will be available to operating personnel. If the discharge is to a storm water conveyance system, then notification must be sent to the owner of the storm water conveyance system.
5. If the discharge exceeds 0.3 MGD and is longer than six months in duration or if the discharge qualifies for a State Implementation Policy Categorical Exception then, the Discharger shall submit a

contingency plan to immediately address violations or threatened violations of water quality standards (as described in Standard Provision G.4 below).

6. After submittal of an NOI and first annual fee, the Discharger will receive one of the following:
 - a. written authorization and effective date of permit coverage;
 - b. request to submit an application and consideration for coverage under another general or individual permit; or
 - c. written notification of exclusion (NOE) of enrollment under this General Permit.
7. In no case may the discharge occur until the applicant receives written confirmation of enrollment.
8. Authorization to discharge under this General Permit shall terminate upon receipt of a Notice of Termination (NOT) adoption of an individual permit, or coverage by a different general NPDES permit.
9. As of the effective date of this Order, Dischargers covered under Order No. R3-2006-0067 shall be enrolled under Order No. R3-2011-0223. Such Dischargers must comply with all requirements of Order No. R3-2011-0223 beginning with the effective date. Dischargers who are reenrolled shall comply with all provisions of the reissued General Permit. The analytical results required by Section A - Application Requirements of this Order shall be submitted with the Discharger's next annual report or on the date(s) specified in the Monitoring and Reporting Program.

VI. APPLICABLE PLANS, POLICIES, AND REGULATIONS

A. Legal Authorities. This Order is issued pursuant to the federal Clean Water Act (CWA) §402 and implementing regulations adopted by the USEPA and California Water Code (CWC) Chapter 5.5, division 7, commencing with §13370. It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as waste discharge requirements pursuant to article 4, chapter 4, division 7 of the CWC, commencing with §13260.

B. State and Federal Regulations, Policies, and Plans

1. **Water Quality Control Plans.** The Central Coast Water Board has adopted the *Water Quality Control Plan for the Central Coast Region* (the Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for receiving waters addressed through the Plan. In addition, the Basin Plan implements State Water Board Resolution No. 88-63, which establishes State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply.

In accordance with Chapter 2 of the Basin Plan, surface water bodies may not have beneficial uses specifically identified by the Basin Plan, such as an unnamed ephemeral receiving stream. Assigned beneficial uses for all surface waters include: municipal and domestic supply; and protection of both recreation and aquatic life.

In accordance with Chapter 2 of the Basin Plan, specific surface water bodies may have beneficial uses identified by the Basin Plan. Assigned beneficial uses may or may not include the following uses:

Table 6 Basin Plan Surface Water Assigned Beneficial Uses

<ul style="list-style-type: none"> • Municipal and domestic water supply (MUN) • Agricultural supply (AGR) • Industrial supply (IND and PRC) • Ground water recharge (GWR) • Freshwater replenishment • Navigation (NAV) • Hydropower generation • Contact water recreation (REC-1) • Non-contact (REC-2) water recreation • Aquaculture • Wildlife habitat (WILD) • Cold freshwater habitat (COLD) 	<ul style="list-style-type: none"> • Warm freshwater habitat (WARM) • Inland saline water habitat • Estuarine habitat • Marine habitat • Preservation of biological habitats of special significance • Migration of aquatic organisms (MIGR) • Spawning, reproduction, and/or early development (SPWN) • Rare, threatened or endangered species (RARE) • Commercial and sport fishing (COMM) • Shellfish harvesting • Areas of special biological significance
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Requirements of this Order implement the Basin Plan.

Many surface waters within the Central Coast Region recharge underlying groundwater basins. Groundwater throughout the Central Coastal Region, except for that found in the Soda Lake Sub-basin, is suitable for:

Table 7. Groundwater Basin Plan Beneficial Uses

<ul style="list-style-type: none"> • Municipal and domestic water supply (MUN) • Agricultural supply (AGR) 	<ul style="list-style-type: none"> • Industrial supply (IND and PRC)
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Requirements of this Order implement the Basin Plan.

2. National Toxics Rule (NTR) and California Toxics Rule (CTR). USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the State. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants that are applicable to the receiving water for discharges from the City’s wastewater treatment facility.

3. State Implementation Policy. On March 2, 2000, 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). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Central Coast Water Board in the Basin Plan. The SIP became effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005, that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control that are applicable to discharges to the surface water. Requirements of this Order implement the SIP.

General Permit Applicants

In compliance with the SIP, applicants applying for coverage under this General Permit are required to sample representative influent (i.e., groundwater) for the priority pollutants listed in Attachment D of the General Permit. Attachment D lists the priority pollutants, their corresponding effluent

limitations, minimum reporting levels, and acceptable analytical methods. If the applicant detects a priority pollutant at a concentration greater than the effluent limitation, the applicant must treat extracted groundwater to below the effluent limitation listed in Attachment D. This treatment would be in addition to the treatment for the chemicals of concern at the leak or spill site. The applicant would also be required to monitor the effluent for the exceeded priority pollutant(s) in accordance with the monitoring program established for the specific leak or spill site. Alternatively, the applicant may apply for an individual NPDES permit.

Current Dischargers

In compliance with the SIP, current dischargers enrolled in General Permit No. 01-134 are also required to sample treatment system influent for the priority pollutants listed in Attachment D. If the Discharger detects a priority pollutant in the influent at a concentration greater than the effluent limit in Attachment D, the Discharger must immediately sample the effluent for the priority pollutant(s) detected above the effluent limit(s). The Discharger shall compare influent and effluent samples to determine if the treatment system is effectively removing the priority pollutant(s) below the effluent limit(s). The Discharger may redesign the treatment system to reduce all priority pollutant concentrations to below the effluent limit(s). Alternatively, the Discharger may choose to submit an NOT to terminate coverage under the General Permit and/or submit an application for an individual NPDES permit.

If the Discharger does not detect a priority pollutant above the reporting limit, no more sampling is required. If the Discharger detects a priority pollutant above the reporting limit, but below the water quality criteria, the Discharger will be required to sample for that constituent quarterly.

4. Ocean Plan. Dischargers proposing to discharge to the ocean must test the influent (i.e., groundwater) for the constituents listed in Table B of the Ocean Plan. The discharge shall not exceed the concentrations set forth in water quality objectives listed in the Ocean Plan Table B. To date, no ocean discharges have been enrolled under the existing Permit.

5. Compliance Schedules and Interim Requirements. Section 2.1 of the SIP provides that, based on a discharger's request and demonstration that it is infeasible for an existing discharger to achieve immediate compliance with an effluent limitation derived from a CTR criterion, compliance schedules may be allowed in an NPDES permit. Unless an exception has been granted under section 5.3 of the SIP, a compliance schedule may not exceed five years from the date that the permit is issued or reissued, nor may it extend beyond 10 years from the effective date of the SIP (or May 18, 2010) to establish and comply with CTR criterion-based effluent limitations. Where a compliance schedule for a final effluent limitation exceeds one year, the Order must include interim numeric limitations for that constituent or parameter. Where allowed by the Basin Plan, compliance schedules and interim effluent limitations or discharge specifications may also be granted to allow time to implement a new or revised water quality objective. This Order does not include compliance schedules or interim effluent limitations.

6. Alaska Rule. On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards become effective for CWA purposes. [65 Fed. Reg. 24641 (April 27, 2000), codified at 40 CFR 131.21] Under the revised regulation (also known as the Alaska Rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.

7. Antidegradation Policy. NPDES regulations at 40 CFR 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 in State Water Board Resolution No. 68-16, which

incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that the existing quality of waters be maintained unless degradation is justified based on specific findings. The Central Coast Water Board's Basin Plan implements and incorporates by reference both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Board Resolution No. 68-16.

8. Anti-Backsliding Requirements. CWA §402(o)(2) and CWA §303(d)(4) and NPDES regulations at 40 CFR 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed.

9. Impaired Water Bodies on CWA §303(d) List. CWA §303(d) requires states to identify specific water bodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources. For all §303(d) listed water bodies and pollutants, the Central Coast Water Board must develop and implement Total Maximum Daily Loads (TMDLs) that will specify Waste Load Allocations (WLAs) for point sources and Load Allocations for non-point sources. The USEPA approved the State's 2010 §303(d) list of impaired water bodies on November 12, 2010.

10. Total Maximum Daily Loads (TMDL). The Central Coast Water Board is currently developing and implementing TMDLs for many impaired water bodies in the Central Coast Region. Enrollees under this General Permit that discharge to these impaired water bodies may be required to collect discharge-monitoring data applicable to developing appropriate future waste load allocations for the discharge.

11. California Environmental Quality Act. The action to adopt this General Permit is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21100, et seq.), in accordance with Section 13389 of the California Water Code.

12. The Clean Water Enforcement and Pollution Prevention Act of 1999. The Porter-Cologne Water Quality Control Act imposes mandatory minimum penalties for certain violations of this NPDES permit. CWC §13385 and §13385.1 require the Water Boards to impose mandatory minimum penalties of \$3,000 for each "serious violation" and for certain violations occurring four or more times in any period of six consecutive months. An effluent limit may be expressed in numeric or narrative form, and may be expressed as a prohibition against a discharge of a certain quantity, rate, or concentration of effluent from the discharge location. Violations of effluent limits, certain toxicity limitations, and reporting violations, are subject to mandatory minimum penalties.

13. Endangered Species Act. 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 sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 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. The Discharger is responsible for meeting all requirements of State and federal law regarding threatened and endangered species.

14. Monitoring and Reporting. NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify requirements for recording and reporting monitoring results. CWC §13267 and CWC §13383 authorize the Central Coast Water Board to require technical and monitoring reports. The Monitoring and Reporting Program (Attachment B) establishes monitoring and reporting requirements to implement federal and State requirements.

Monitoring and Reporting Program (MRP) No. R3-2011-0222 is part of this General Permit. The MRP requires routine effluent and receiving water monitoring to verify compliance with this General Permit and protection of water quality.

15. Standard and Special Provisions. Standard Provisions, which apply to all NPDES permits in accordance with NPDES regulations at 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment D. The Central Coast Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.

16. Provisions and Requirements Implementing State Law. Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment D. General Permit Enrollees must comply with all standard provisions and with those additional conditions that are applicable pursuant to 40 CFR 122.42. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.

VII. DISCHARGE PROHIBITIONS

Discharge prohibitions are included in this General Permit and implement State Water Board Resolution No. 68-16 (Anti-Degradation Policy), the Basin Plan, and the Ocean Plan by prohibiting the creation of conditions of pollution or nuisance as well as sediment or aquatic toxicity. In addition, discharges shall not cause scouring or erosion at the point where it discharges into the receiving waters.

VIII. EFFLUENT LIMITATIONS

The primary mechanism for controlling discharges of pollutants to receiving waters is to develop effluent limits that are protective of the receiving water's beneficial uses. Receiving waters can be either groundwater or surface water in the Central Coast Region. The General Permit contains effluent limits for detectable residual chlorine, measurable total dissolved solids, and California Department of Health Services Maximum Contaminant Levels for organic and inorganic compounds. The General Permit also implements the Basin Plan objectives, and discharges must not be toxic or degrade aquatic life.

Order No. R3-2011-0222 also includes discharge limits for petroleum hydrocarbon constituents, chlorinated solvents, and perchlorate, which are wastes specific to many groundwater cleanup sites in the Central Coast Region.

IX. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

The General Permit includes narrative and numeric water quality objectives for all surface waters, including wetlands, in the Central Coast Region. (Receiving water quality is a result of many factors, some unrelated to the discharge. This permit considers these factors, and is designed to minimize the influence of the discharge in the receiving water.)

The General Permit includes limitations for pH, temperature, color, turbidity, dissolved oxygen, biostimulatory substances, taste and odor, oil and grease, settleable and floating materials, toxicity, and radionuclides.

B. GROUNDWATER LIMITATIONS

The General Permit includes narrative and numeric water quality objectives for all groundwater in the Central Coast Region.

X. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

Monitoring and Reporting requirements are used to characterize waste streams and receiving waters, evaluate wastewater treatment efficiency, and determine compliance with permit conditions. NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify requirements for recording and reporting monitoring results. CWC §13267 and CWC §13383 also authorize the Central Coast Water Board to require technical and monitoring reports. Rationale for the monitoring and reporting requirements contained in the Monitoring and Reporting Program (MRP), which is presented as an attachment to this Order.

Monitoring and Reporting Program (MRP) No. R3-2011-0222 is part of the General Permit. This general MRP No. R3-2011-0222 requires the Discharger to conduct routine effluent and receiving water monitoring to verify compliance with the General Permit and protection of water quality. The Executive Officer can modify MRP No. R3-2011-0222 to include a change in monitoring frequency or a change in constituents requiring monitoring.

XI. RATIONALE FOR PROVISIONS

Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment E to the Order. Standard Provisions delineate the legal, administrative, and procedural requirements of the permit.

NPDES regulations at 40 CFR 122.41 (a) (1) and (b - n) establish conditions that apply to all state-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. 40 CFR 123.25 (a) (12) allows the State to omit or modify conditions to impose more stringent requirements. In accordance with 40 CFR 123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR 122.41(j)(5) and (k)(2), because the enforcement authority under the CWC is more stringent. In lieu of these conditions, this Order incorporates by reference CWC §13387(e).

The Order may be modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include appropriate conditions or limits based on newly available information, or to implement any, new State water quality objectives that are approved by the USEPA. As effluent is further characterized through additional monitoring, and if a need for additional effluent limitations becomes apparent after additional effluent characterization, the Order will be reopened to incorporate such limitations.

XII. PUBLIC PARTICIPATION

The Central Coast Water Board is considering the issuance of WDRs that will serve as an NPDES permit for discharges of highly treated groundwater to surface water. As a step in the WDR adoption process, Central Coast Water Board staff has developed tentative WDRs. The Central Coast Water Board encourages public participation in the WDR adoption process.

A. Notification of Interested Parties

The Central Coast Water Board has notified all Dischargers currently enrolled under Order No. R3-2006-0134 and interested agencies and persons of its intent to prescribe waste discharge requirements for the

discharge and has provided them with an opportunity to submit their written comments and recommendations.

B. Written Comments

Central Coast Water Board staff determinations are tentative. Interested persons were invited to submit written comments concerning these tentative WDRs. To be fully responded to by staff and considered by the Central Coast Water Board, written comments were to have been received at the Central Coast Water Board offices by 5:00 p.m. on **October 13, 2011**. Central Coast Water Board staff did not receive any written comments on the draft permit.

C. Public Hearing

The Central Coast Water Board held a public hearing on the tentative WDRs during its regular scheduled meeting on the following date and time and at the following location:

Date: **December 1, 2011**
Time: **8:30 AM**
Location: **Central Coast Water Board**
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Interested persons are invited to attend and provide public comment/testimony. The Central Coast Water Board will approve the WDRs as part of the public meeting agenda consent calendar if no interested persons request to provide testimony.

D. Waste Discharge Requirements Petitions

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

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

E. Information and Copying

The draft permit, related documents, effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:00 a.m. and 5:00 p.m., Monday through Friday. Copying of documents may be arranged through the Central Coast Water Board by calling (805) 549-3147.

F. 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 Central Coast Water Board, reference the name of the permit, and provide a name, address, phone number, and email address.

G. Additional Information

Requests for additional information or questions regarding this Order should be directed to Sheila Soderberg at (805) 549-3592 or ssoderberg@waterboards.ca.gov.