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STAFF REPORT

RENEWING THE POLICY FOR WAIVING WASTE
DISCHARGE REQUIREMENTS FOR SPECIFIC TYPES
OF DISCHARGES IN THE COLORADO RIVER BASIN
REGION

California Regional Water Quality Control Board
United States Environmental Protection Agency

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**California Regional Water Quality Control Board
Colorado River Basin Region
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Colorado River Basin Region

Staff Report

Waiving Waste Discharge Requirements for Specific Types of Discharges

LEGAL AUTHORITY

The California Regional Water Quality Control Board, Colorado River Basin Region (Regional Board; CRWQCB--CRBR) is charged by the California Water Code (Water Code; CWC) with protecting the quality of ground and surface waters of the State within the region. One of the methods by which the quality of surface and ground waters of the state within the region are protected is by the issuance of Waste Discharge Requirements (WDRs). Section 13263(a) CWC requires the Regional Board to prescribe requirements for any existing or proposed waste discharge within its jurisdiction. WDRs implement relevant water quality control plans to protect the uses of receiving waters, and consider among other things; the beneficial uses of receiving waters, the appropriate water quality objectives that protect those uses, consideration of other waste discharges, and nuisance prevention. WDRs can be issued to a specific person or entities or for categories of discharge that satisfy certain criteria as discussed in section 13263(i) CWC.

Section 13269 CWC gives the Regional Board the authority to waive the requirement that dischargers obtain WDRs for specific discharges and specific types of discharges, if waiving such requirements were not against the public interest and certain conditions were satisfied. Waivers can also relieve dischargers of the requirement to submit a Report of Waste Discharge (ROWD). Waivers are primarily used for low-threat discharges. The waivers are at the discretion of the Regional Board, which also has the authority to terminate the waivers at any time. The existence of a categorical waiver does not excuse a discharger from any other legal requirements, nor does it permit the violation of water quality objectives or the impairment of beneficial uses. It is important to note that waivers only relate to Porter-Cologne WDRs requirements, and not National Pollution Discharge Elimination System (NPDES) permits under the federal Clean Water Act.

PREVIOUS WAIVER POLICY

Since 1983, the California Regional Water Quality Control Board, Colorado River Basin Region has had waivers for 13 specific types of discharges. Resolution 83-1 "Waiving Waste Discharge Requirements for Specific Types of Discharge" was readopted in 1993 in Resolution 93-004. The majority of the waivers were for discharges that were considered to be very low threats to water quality, or "de minimis" discharges.

Resolution 93-004 contained waivers for the following discharges: Air Conditioner, Cooling & Elevated Temperature Waters; Minor Dredging Operations; Inert Wastes; Well Test Pumping; Small Short-term Sand and Gravel Operations; Swimming Pool Discharges; Agricultural Commodity Wastes; and Construction Dewatering, Industrial and Food Processing Wastes used for Soil Amendments, Timber Harvesting, Minor Hydro Projects, Septic Tank/Leach Field Systems, and Irrigation Return Water.

This staff report discusses the Waste Discharge Requirement waiver categories adopted by the Regional Board, and makes recommendations regarding the individual waivers.

Table 1 lists the Resolution 93-004 waiver categories and the associated conditions, and the waiver categories and conditions that staff recommends for re-adoption.

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Table 1. Comparison of types of waste discharges previously waived by the Regional Board Attachment 1 of Resolution No. 93-004 and proposal for re-adoption of waivers

Type of Waste Discharge for Which Requirements May Be Waived	Existing Waiver Conditions	Recommendation or New Conditions
1. Air Conditioner, Cooling & Elevated Temperature Wastes	1. Small volumes which will not change the temperature of the receiving water more than one degree Celsius (1°C) and do not violate the CWRCB Thermal Plan.	Staff recommends that this waiver be readopted
2. Minor Dredging Operations	2. Where soil is non-toxic and discharged to land.	Only dredging projects of less than 25 cubic yards in volume, or those that have obtained 401 water quality certification, are allowed under this waiver.
3. Inert Wastes	3. Small scale operations that use good disposal and erosion control practices, and complies with CCR, Title 23, Chapter 15.	Small-scale operations that use good disposal and erosion control practices and comply with CCR, Title 27, Division 2. Only inert waste, as defined in Section 20230, Division 2, Title 27, of the California Code of Regulations will be disposed of.
4. Well Test Pumping. (Agriculture Wells, Domestic Supply Wells and Municipal Drinking Wells)	4. When pollutants are neither present nor added and this can be verified by testing	Staff recommends that this waiver be readopted

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<p>5. Small (less than one acre) Short-term (less than one year) Sand and Gravel Operations</p>	<p>5. Where all operations and wash water are confined to land.</p>	<p>Staff recommends that this waiver be readopted</p>
<p>6. Swimming Pool Discharges</p>	<p>6. Where beneficial uses will not be adversely affected.</p>	<p>Discharger shall stop chlorinating / brominating the pool for three to seven days prior to discharge, and shall test the water for confirmation that there is no measurable chlorine or bromine present in the water prior to discharge. The discharge shall not contain any detergents, wastes, or additional chemicals (i.e. products used in the construction or rehabilitation of pools).</p>
<p>7. Agricultural Commodity Wastes</p>	<p>7. Small, seasonal, confined to land, and an operation and/or maintenance plan has been approved by the Executive Officer.</p>	<p>...prior to the discharge commencing</p>
<p>8. Construction Dewatering</p>	<p>8. Where no pollutants are discharged to surface or ground water.</p>	<p>..., and the construction site is less than one acre in size</p>
<p>9. Industrial and Food Processing Wastes Used for Soil Amendments</p>	<p>9. Where industry demonstrates that the wastes is non-toxic, that Best Management Practices are used and where an operating/maintenance plan has been approved by the Regional Board's Executive Officer.</p>	<p>Staff recommends the Board allow this waiver category to lapse</p>
<p>10. Timber Harvesting</p>	<p>10. Operating under approved Timber Harvest Plan.</p>	<p>Staff recommends the Board allow this waiver category to lapse</p>

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11. Minor Hydro Projects	11. Operating under water rights permit from SWRCB or Department of Fish and Game agreements. No adverse water quality impacts expected.	Staff recommends that this waiver be readopted
12. Septic Tank/Leach Field Systems	12. Individual systems where discharge has county permit and discharge complies with basin plan criteria and Regional Board guidelines.	No action needed until June 30, 2004
13. Irrigation Return Water	13. Where the discharge meets water quality standards, is not toxic to fish or wildlife, and does not adversely affect beneficial uses of receiving waters. Or where the discharger is implementing best management practices under a management plan approved by the Regional Board's Executive Officer.	Staff recommends the Board allow this waiver to lapse

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LEGISLATION REQUIRING ACTION

On October 10, 1999, Senate Bill 390 (Alpert) was signed into law. This bill amended sections 13269 and 13350 of the Water Code, which pertained to waivers. As a result of the amended sections, Regional Boards have until January 1, 2003 to renew the present waivers. If the waivers are not renewed by that date, they will expire. Pursuant to Section 13269 CWC, as of January 1, 2003,

1. All waivers, other than waivers for onsite sewage treatment facilities, in effect on January 1, 2000 expire on January 1, 2003 unless renewed by the Regional Board or terminated earlier.
2. All waivers for onsite sewage treatment facilities in effect on January 1, 2002 expire on June 30, 2004 unless renewed by the Regional Board or terminated earlier.
3. Waivers may not have terms in excess of five years
4. Regional Boards must conduct a public hearing prior to renewing any waiver for a specific type of discharge in order to determine whether the discharge should be subject to general or individual waste discharge requirements;
5. Regional Boards must enforce waiver conditions

REASONABLE ALTERNATIVES TO ADDRESS SB 390

Senate Bill 390 did not specify the types of discharges for which waivers are appropriate. That determination was left to the individual regional boards. Consequently, there are three primary alternatives to comply with SB 390 with respect to the Regional Board's waiver policy for de minimis discharges.

Alternative 1

The first alternative to address the requirements of SB 390 is the adoption of a policy waiving the ROWD and issuance of WDRs for a number of types of de minimis discharges. This approach would alleviate the need to address discharges considered to be de minimis in nature, and that historically have not been shown to impact water quality. Enforcement actions would be taken as violations of waiver conditions came to the attention of staff. Under this approach, some of the waiver categories from the previous resolutions would be allowed to expire. These discharges would be addressed by other programs.

Alternative 2

Another alternative to adopting a waiver resolution would be to take no action and allow the waivers (other than the waiver for onsite sewage treatment systems) to expire. As a result, for each de minimis discharger that filed a ROWD, the Regional Board would have to take one of the following actions: adopt a site-specific waiver; issue site-specific WDRs; take no action, and allow

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the discharge to commence after 120 days (or longer in some cases), pursuant to Water Code section 13264; or, if statewide or regional general WDRs are issued for de minimis discharges, determine that the discharge is eligible for coverage under a general order. A consequence of this approach is that the issuance and oversight of individual waivers, general orders and WDRs would likely strain Regional Board resources, and would re-direct efforts from projects that involve greater threats to water quality.

Alternative 3

The last alternative would be for the Regional Board to pass a resolution waiving WDRs but still requiring ROWDs. The Executive Officer would then have the discretion to decide whether or not the discharge qualified under the waiver policy. This alternative would also redirect resources from projects involving greater threats to water quality.

Staff recommends Alternative 1 as the most practical course of action to comply with SB 390. This alternative would comply with the requirements of SB 390 and would result in a more efficient allocation of Regional Board resources and greater protection of water quality throughout the region.

The Regional Board has had the waiver policy for almost 20 years, with no known adverse impacts to water quality. The absence of any indication that the waiver policy adversely impacts water quality, together with the drain on resources that would result if the waivers lapse, demonstrate that the waivers are in the public interest.

DISCUSSION

There are several advantages to readopting the de minimis waivers relative to the other options. Re-adopting the waivers eliminates the ROWD requirement, while still requiring the Regional Board to issue WDRs and/or take enforcement action against dischargers that do not comply with waiver conditions. In the case of de minimis discharges, Section 13269 allows the Regional Board to waive the ROWD requirement, and thus contemplates a situation where numerous small discharges occur with no notice to the Regional Board.

SB 390 requires that the Regional Board must enforce waiver conditions. The Regional Board would enforce the conditions either by taking enforcement action or requiring site-specific WDRs upon learning that a discharge failed to comply with waiver conditions. Such enforcement is less resource intensive than the alternative of issuing and enforcing WDRs, waivers or a determination of coverage under a general order (yet to be developed) for every discharger covered by the de minimis waivers.

CEQA COMPLIANCE

The Regional Board adopted a negative declaration for its current waiver policy, Resolution 93-004, to comply with the California Environmental Quality Act. The 1993 negative declaration can serve as the basis for any readopted waivers, unless substantial changes in the policy or changed environmental conditions require supplemental environmental documents. (Pub. Res. Code § 21166; 14 Cal. Code of Regs. § 15162.) In general, “changed conditions” include (i) new significant environmental effects due to changed circumstances; or (ii) new information of substantial importance that was not known or knowable at the time the negative declaration was adopted, which shows that the project will have impacts not previously discussed.

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The revised waiver policy does not make substantial changes. Several of the waiver categories are omitted, and the conditions applicable to several of the categories have been slightly revised, as discussed below. Regional Board staff has considered the environmental effects of the waiver policy and reviewed the 1993 negative declaration, and concluded that no “changed conditions” have occurred.

DISCUSSION AND EVALUATION OF 93-004 WAIVER CATEGORIES

1: AIR CONDITIONING, COOLING & ELEVATED TEMPERATURE WASTES

BACKGROUND: Applies to small volumes of water that arise from or are a part of air conditioning, or other cooling processes and have the potential to elevate the temperature of receiving waters. Other concerns associated with water quality are the total dissolved solids characteristics of the water as evaporative processes concentrates salts remaining in the water, and their potential to impact the quality of the receiving waters. Facilities employing or discharging from large cooling towers are currently regulated via WDRs.

RECOMMENDATION: Staff recommends that this waiver be readopted. As long as dischargers meet the specified conditions, this is a de minimis discharge.

2: MINOR DREDGING OPERATION

BACKGROUND: Applies to dredging operations where streambeds are excavated to remove debris and sediments from waterways such as canals, streams and rivers, Dredging operations have the potential to affect water quality in several ways. Dredging disturbs silt and sediments that have settled out, which may then re-enter the water. Excessive silt and sediment loads in water currently affect the beneficial uses of several of the regional waters. An additional concern is that several chemical species adsorb or absorb to the silts and sediment, which may reenter the water at potentially toxic concentrations. The waiver applies to only to dredging of non-toxic materials that are discharged to land. In addition, under federal Clean Water Act section 401, dredging operations seeking certification must demonstrate that these operations will not adversely impact water quality standards, thus protecting water quality objectives and beneficial uses.

RECOMMENDATION: Staff recommends that this waiver be readopted. The waiver conditions should be modified to state that only dredging projects of less than 25 cubic yards in volume, or those that have obtained 401 water quality certification, would be allowed under this category.

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3: INERT WASTES

BACKGROUND: California Code of Regulations (CCR), Title 27, section 20230 defines Inert Waste as "...that subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste". If waiver conditions are met, inert waste would not represent a significant threat to water quality.

RECOMMENDATION: Staff recommend that this waiver be readopted with the referenced CCR citations updated.

4: WELL TEST PUMPING. (AGRICULTURE WELLS, DOMESTIC SUPPLY WELLS AND MUNICIPAL DRINKING WELLS)

BACKGROUND: Wells for agriculture, domestic supply and municipal drinking are tested prior to usage to ensure that the well system is in good working order. Discharges from well test consist of unadulterated water from the underlying aquifer that the well is penetrating. If this discharge is to ground it will eventually percolate to the ground water. Well test waters are a minor threat to water quality due to the increase in salinity and the transport of contaminants that may be in the soil matrix as the water percolates through the soil. Due to the short durations and low volumes of these discharges, this impact is not considered to be significant.

RECOMMENDATION: Staff recommends that this waiver be readopted. This is a de minimis discharge.

5: SMALL (LESS THAN ONE ACRE) SHORT TERM (LESS THAN ONE YEAR) SAND AND GRAVEL OPERATIONS

BACKGROUND: Sand and gravel operations provide aggregates for the construction of roadways and cement construction. Water is used for dust control, which may result in an increase in silt and sediment that is eventually discharged to the soil. This waiver category is typically utilized by small construction projects where local sand and or gravel may be utilized.

RECOMMENDATION: Staff recommends that this waiver be readopted. This is a de minimis discharge under the conditions of the waiver.

6: SWIMMING POOL DISCHARGES

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BACKGROUND: The area most directly affected by this waiver is the Coachella Valley, where swimming pools number greater than 10,000. In general, swimming pools are periodically drained for maintenance or cleaning. Swimming pool drain water can contain concentrations of chlorine and total dissolved solids in concentrations above water quality objectives. Several municipalities in the Coachella Valley, who operate under a collective municipal stormwater permit, issue permits to drain pools. In some instances, the permit requires that the swimming pool water be de-chlorinated prior to discharge. Allowing the waiver to lapse would result in overlapping authorities of the Regional Board and the municipalities within the region, and added expense to pool owners.

RECOMMENDATION: Staff recommends that this waiver be readopted for swimming pools. Staff also recommends that a condition be added to this category which ensures that prior to discharge, that swimming pools be required to stop chlorinating/brominating the pool for from three to seven days prior to discharge, and to test the water for confirmation that there is no measurable chlorine or bromine present in the water prior to discharge. The waiver condition should also state that the discharge shall not contain any detergents, wastes, or additional chemicals (i.e. products used in the construction or rehabilitation of pools).

7: AGRICULTURAL COMMODITY WASTES

BACKGROUND: CCR, Title 27, section 20164 defines Agricultural Solid Wastes as "...wastes resulting from the production and processing of farm or agricultural products, including manures, prunings and crop residues wherever produced". These solids may contain agricultural chemical (fertilizers, pesticides, herbicide) that may degrade the quality of receiving waters. The conditions for the waiver as currently written specify that this type of discharge will be waived if the discharges are small, seasonal, confined to land, and an operation and/or maintenance plan has been approved by the Executive Officer.

RECOMMENDATION: Staff recommends that the waiver for this type of waste discharge be readopted. Staff recommends that the phrase "prior to the activity taking place" be added to the end of the conditions for this waiver to clarify that the Executive Officer must approve the management plan before the discharge commences. Under the conditions specified by the waiver, that this is a de minimis discharge.

8: CONSTRUCTION DEWATERING

BACKGROUND: Dewatering is necessary at some construction sites to remove indigenous waters prior to the construction of below ground structures, to allow the proper curing of construction materials to

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be achieved. Discharges resulting from construction dewatering consist of unadulterated water from native ground water. This is water that typically does not pose a threat to water quality. The State Board's stormwater program (NPDES construction general permit) addresses sites of more than five acres, and will soon include all sites of more than one acre. Staff believes that at sites smaller than one acre in this region, dewatering is a de minimis threat to water quality.

RECOMMENDATION: Staff recommends that this waiver be readopted. The waiver condition should be modified to state that only projects of less than one acre in size are covered by this category. Under the conditions specified in the waiver, that this is a de minimis discharge.

9: INDUSTRIAL AND FOOD PROCESSING WASTES USED FOR SOIL AMENDMENTS

BACKGROUND: Industrial and food processing wastes can potentially be utilized as soil amendments, typically as a component in compost. In the Colorado River Basin Region, byproducts of the cheese-making process wastes have occasionally been at issue for use as a soil amendment. Such waste is typically high in Biochemical Oxygen Demand (BOD), and has the potential to degrade the quality of groundwater.

RECOMMENDATION: Staff recommends that this waiver not be readopted since all (legal) composting facilities in the Region already operate under WDRs. Specific cases, such as cheese wastes used as soil amendments, are best regulated on an individual basis.

10: TIMBER HARVESTING

BACKGROUND: Timber is harvested to provide consumers with wood and paper products, and can be a threat to water quality in many areas, due to harvesting practices that lead to erosion. While timber harvesting is a significant threat to water quality in other areas of the state, this is not the case in Region 7 due to the region's arid climate. Timber harvesting rarely occurs in Region 7. Other public agencies that regulate timber harvesting are required to provide notice to the Regional Board during public comment periods before the operations commence.

RECOMMENDATION: Staff recommends that this waiver not be readopted. Regional Board staff will continue to review and comment on the water quality aspects of timber harvesting projects. Projects that could affect water quality will be regulated under site-specific waivers or WDRs.

11: MINOR HYDRO PROJECTS

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- BACKGROUND:** Refers to the operation of small hydroelectric facilities, , primarily located on water conveyance canals, that will not change the flow regime of the affected stream or canal.
- RECOMMENDATION:** Staff recommends that this waiver be readopted. The waiver is limited to hydro projects that are not expected to have adverse water quality impacts.

12: SEPTIC TANK / LEACH FIELD SYSTEMS

BACKGROUND: Septic tank/leach field systems are used in many rural areas where municipal wastewater disposal systems are unavailable, to treat wastewater from domestic and commercial facilities. The U.S. Census Bureau has reported that more than 1.1 million subsurface disposal systems were in use in California in 1990. Treated wastewater discharges from septic tanks frequently contain pollutants harmful to human health and are problematic in some areas of the region. The Regional Board uses guidelines adopted in 1974 and revised in 1979 to establish regulations and construction requirements for subsurface wastewater disposal systems (Resolution No. 79-42: Guidelines for Sewage Disposal from Land Development). The guidelines identify; (a) types of systems that need discharge requirements, (b) setback distances, and (c) soil conditions (distance to water table, slope, and percolation rate). A network of county and local health departments that operate in compliance with Regional Board guidelines implements these guidelines.

The State Board is in the process of developing statewide guidelines in compliance with CWC section 13291; however these guidelines are not expected to be complete until January 1, 2004. State Board staff is also preparing a model Memorandum of Understanding (MOUs) as a part of its implementation package. The MOU will delegate the authority to regulate these systems to local health agencies.

Assembly Bill 2481, signed by the Governor on September 27, 2002, states: "a waiver for an on-site sewage treatment system that is in effect on January 1, 2002, shall remain valid until June 30, 2004, unless the Regional Board terminates the waiver prior to that date."

- RECOMMENDATION:** Staff recommends that no action be taken regarding this waiver category. AB 2481 extended the sunset date for this waiver category until June 30, 2004. Resolution 93-004's septic tank waiver will remain in effect until June 30, 2004. The Regional Board should address the septic tank waiver after the State Board promulgates statewide guidance.

13: IRRIGATION RETURN WATER

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BACKGROUND:

Irrigation return water is the excess water returned to the surface water after agricultural fields have been irrigated. Excess water is necessary to ensure that all of the crops get adequate supplies of water for growth and salts are leached from the topsoil. This irrigation return water can contain concentrations of chemicals in exceedence of water quality objectives or that impair beneficial uses. Irrigation return water is a Non-Point Source Pollution and is being addressed through the through the development and implementation of individual Total Maximum Daily Load (TMDL) programs, associated with the specific pollutants. In general, a TMDL is developed and established by a phased process which includes assessing point and nonpoint sources of the pollutant, determining the contribution from each source, determining appropriate load reductions for each source, implementing a program to achieve load reductions, adopting a basin plan amendment, and monitoring to determine attainment of water quality standards and compliance with TMDL requirements.

The implementation plan of a TMDL generally establishes Waste Load Allocations for specific pollutants and Best Management Techniques that stakeholders must implement. The TMDLs previously adopted by the Regional Board follow the three-tiered enforcement approach of the State Board's Plan for California's Nonpoint Source Pollution Control Program (NPS Program Plan). The three-tiered approach includes Tier 1: Self-Determined Implementation of Management Practices [formerly referred to as "voluntary" implementation]; Tier 2: Regulatory Based Encouragement of Management Practices; and Tier 3: Effluent Limitations and Enforcement Actions.

RECOMMENDATION:

Staff does not recommend the readoption of this waiver. The Regional Board will continue to regulate irrigation return waters through the Total Maximum Daily Load and Non-point Source programs.

DESCRIPTION OF THE PROPOSED ACTION TO ADDRESS SB 390

As described above, staff recommends that the Board renew waivers for nine categories of discharges: Air Conditioner, Cooling & Elevated Temperature Waste; Minor Dredging Operations; Inert Wastes; Well Test Pumping; Small (less than one acre) Short Term (less than one year) Sand and Gravel Operations; Swimming Pool Discharges; Agricultural Commodity Wastes; Construction Dewatering; and Minor Hydro Projects. The waiver of waste discharge requirements does not apply to discharges subject to National Discharge Elimination System (NPDES) permit regulation. The federal Clean Water Act does not allow a waiver of the need to obtain an NPDES permit for point source discharges of pollutants to waters of the U.S.

Staff recommends that the following general waiver conditions be applied to each waived discharge:

- The discharge shall comply with all applicable conditions of the Water Quality Control Plan for the Colorado River Basin Region.

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- The discharge shall not create pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code.
- The discharger shall not discharge any waste not specifically regulated by this waiver.
- The discharger shall implement a monitoring and reporting program when directed to do so by the Regional Boards' Executive Officer.
- Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise damage portions of the discharge facility or adjoining properties.
- The discharger shall allow Regional Board staff entry onto the affected property for the purpose of determining compliance with waiver conditions.
- This Resolution does not authorize violation of any federal, state, or local laws or regulations.
- This Resolution does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

The condition requiring Regional Board staff access to affected property is intended to assist staff to enforce the conditions of the waiver. Under the prior waiver policy, any discharge that permitted erosion or damage would have been subject to individual permitting or enforcement action, but staff believes it is appropriate to make this condition explicit. The remaining conditions applied to the prior waiver policy by operation of law, but staff believes it is appropriate to make these conditions explicit.

There are three categories of discharges, which were contained in the previous waiver policy (Resolution No. 93-004), that staff recommends be allowed to lapse (rationale in italics).

1. Industrial and Food processing Wastes Used for Soil Amendments - *are best reviewed by staff on a case-by-case basis due to the potential threat to water quality.*
2. Timber Harvesting - *projects will still be reviewed by the Regional Board for water quality impacts via the Timber Harvest Plan, as required by the Forest Practice Act.*
3. Irrigation Return Water - *this category is being actively regulated via the TMDL and Non-Point Source programs*

Septic Tank/Leach Field Systems - *Staff recommends that the Board take no action regarding this waiver. Assembly Bill 2481 extended the sunset date of this waiver until June 30, 2004. If the Board takes no action at this time, the existing waiver will remain in effect.*

CONCLUSIONS

The Colorado River Basin Region's waiver policy has proven to be a useful tool, by enabling the Regional Board resources to be more effectively allocated, while protecting water quality.

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Continuation of the waiver policy is an acknowledgment that certain categories of discharges are de minimis in nature, and that addressing these types of discharges on an individual basis does not enhance protection of the region's water quality. Indeed, utilizing staff resources to address these types of discharges would re-direct resources from projects which involve greater threats to water quality. It is for these reasons that staff recommends the adoption of Resolution R7-2003-0008, readopting waivers of ROWDs WDRs for nine of the thirteen original categories of discharges contained in Resolution 97-004.