CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

585th Regular Board Meeting
Thursday, March 12, 2015, 9:00 a.m.

ITEM 15

ORDER NO. R4-2015-xxx
WASTE DISCHARGE REQUIREMENT RENEWAL
FOR
SAN JOSE CREEK WATER RECLAMATION PLANT

CHANGE SHEET
(Additions are underlined, deletions are lined over)

1. Tentative Order page 1. Agenda page 15-122.

This Order was adopted on:	March 12, 2015
This Order shall become effective on:	~~April 1~~ May 1, 2015
This Order shall expire on:	~~March 31~~ April 30, 2020
The Permittee shall file a Report of Waste Discharge as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a National Pollutant Discharge Elimination System (NPDES) permit no later than:	180 days prior to the Order expiration date
The U.S. Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, Los Angeles Region have classified this discharge as follows:	Major

2. Tentative Order Footnote page 11/Agenda page 15-132, Attachment E Footnote page E-13/15-189, page E-17/15-193, page E-21/15-197, page E-25/15-201, Attachment F page 86/15-105, page F-89/15-108, and page F-90/15-109.

"The median monthly effluent limitation (MMEL) shall be reported as "Pass" or "Fail." The maximum daily effluent limitation (MDEL) shall be reported as "Pass" or "Fail" and "% Effect." The MMEL for chronic toxicity shall only apply when there is a discharge ~~of~~ on more than one day in a calendar month period. During such calendar months, up to three independent toxicity tests may be conducted when one toxicity test results in "Fail."

3. Tentative Order VII.J, Page 31, Agenda page 15-152.

"The Regional Water Board will make a ~~final~~ determination as to whether a toxicity test result is valid, and may consult with the Permittee, USEPA, the State Water Board's Quality Assurance Officer, or the State Water Board's Environmental Laboratory Accreditation Program as needed. The Permittee retains the right to challenge the Regional Board's determination in any subsequent enforcement action. The Board may consider results of any TIE/TRE studies in an enforcement action."

4. Attachment E page E-32 Agenda page 15-208.

d. "During periods in which it is conducting accelerated monitoring and TIE/TRE implementation, the Permittee shall continue to conduct ~~routine~~ effluent ~~monitoring purposes while the TIE and/or TRE process is taking place. Additional accelerated monitoring and TRE workplans are not required once a TRE is begun.~~ and receiving water monitoring and report all test results as required by this MRP in order to assess ongoing compliance with effluent and receiving water limits. If the TRE Work plan submitted by the Permittee is in effect per section V.A.6 of the MRP, the Regional Board will exercise its discretion to refrain from taking enforcement action based on any exceedance of the chronic toxicity MDEL or MMEL that occurs within three months of the date of the exceedance event, and is from the same outfall as the discharge, that triggered the requirements for accelerated monitoring or TIE/TRE studies. The Executive Officer of the Regional Board will normally extend the three month period by one additional three month period to allow the Permittee to complete the TIE/TRE studies based on a showing of diligent efforts by the Permittee to complete the TIE/TRE studies, and may further extend the time period if necessary to complete the studies and based on a similar showing of diligent efforts. The Regional Board may take enforcement action based on the exceedance of the MDEL or MMEL that triggered requirements for accelerated monitoring or TIE/TRE tests."

5. Attachment F page F-80 Agenda page 15-099.

"The 2009 permit contained final effluent limitations for both acute toxicity and chronic toxicity, but the ~~2014~~ 2015 permit only contains final effluent limitations for chronic toxicity, expressed as a median monthly and a maximum daily, since chronic toxicity is a more stringent requirement than acute toxicity."