CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576 - 6600 • Fax (213) 576 - 6640
http://www.waterboards.ca.gov/losangeles

REVISED TENTATIVE

ORDER NO. R4-2015-XXX
NPDES NO. CA0059561

WASTE DISCHARGE REQUIREMENTS FOR THE TESORO LOGISTICS OPERATIONS LLC, EAST HYNES TANK FARM DISCHARGE TO LOS ANGELES RIVER VIA DISCHARGE POINT 001

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

Table 1. Discharger Information

Discharger	**Tesoro Logistics Operations LLC**
Name of Facility	**East Hynes Tank Farm**
Facility Address	**5905 Paramount Boulevard**
	Long Beach, CA 90805
	Los Angeles County

Table 2. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
001	**Storm Water Runoff**	**33.8682º**	**-118.1641º**	**Los Angeles River Reach 2**

Table 3. Administrative Information

This Order was adopted on:	**April 9, 2015**
This Order shall become effective on:	**June 1, 2015**
This Order shall expire on:	**May 31, 2020**
The Discharger 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:	**Minor Discharge**

I, Samuel Unger, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on April 9, 2015.

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Samuel Unger, P.E., Executive Officer

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I. FACILITY INFORMATION

Information describing the Tesoro Logistics Operations LLC, East Hynes Tank Farm (Facility) is summarized in Table 1 and in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Facility's permit application.

II. FINDINGS

The California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board), finds:

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

B. Background and Rationale for Requirements. The Regional Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E and G through J are also incorporated into this Order.

C. Notification of Interested Parties. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet.

D. Consideration of Public Comment. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet.

THEREFORE, IT IS HEREBY ORDERED that this Order supersedes Order No. R4-2009-0102 except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger is authorized to discharge from the identified facility and outfall into waters of the United States and shall comply with the requirements in this Order. This action in no way prevents the Regional Water Board from taking enforcement action for past violations of the previous Order.

III. DISCHARGE PROHIBITIONS

A. Wastes discharged shall be limited to 0.76 million gallons per day (MGD) of storm water runoff as described in the Fact Sheet, Attachment F. The discharge of wastes from accidental spills or other sources is prohibited.

B. Discharges of water, materials, thermal wastes, elevated temperature wastes, toxic wastes, deleterious substances, or wastes other than those authorized by this Order, to a storm drain system, Los Angeles River, or other waters of the State, are prohibited.

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

D. Wastes discharged shall not contain any substances in concentrations toxic to human, animal, plant, or aquatic life.

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

F. The discharge of any radiological, chemical, or biological warfare agent or high level radiological waste is prohibited.

G. Any discharge of wastes at any point(s) other than specifically described in this Order is prohibited, and constitutes a violation of the Order.

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IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point 001

1. Final Effluent Limitations – Discharge Point 001

a. The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001 as described in the Monitoring and Reporting Program, Attachment E:

Table 4. Effluent Limitations

Parameter	Units	Effluent Limitations		
		Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Conventional Pollutants				
Biochemical Oxygen Demand (BOD) 5-day @ 20 ºC	mg/L	30	--	--
	lbs/day[2]	190	--	--
Oil and Grease	mg/L	15	--	--
	lbs/day[2]	95	--	--
pH	s.u.	--	6.5	8.5
Total Suspended Solids (TSS)	mg/L	75	--	--
	lbs/day[2]	480	--	--
Non-conventional Pollutants				
Total Dissolved Solids	mg/L	1500	--	--
	lbs/day[2]	9500	--	--
Sulfate	mg/L	350	--	--
	lbs/day[2]	2200	--	--

Parameter	Units	Effluent Limitations		
		Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Chloride	mg/L	150	--	--
	lbs/day[2]	950	--	--
Sulfides, Total	mg/L	1.0	--	--
	lbs/day[2]	6.3	--	--
Ammonia as Nitrogen[5]	mg/L	2.4	--	8.7
	lbs/day[2]	15	--	55
Nitrite as Nitrogen[5]	mg/L	1	--	--
	lbs/day[2]	6.3	--	--
Nitrate as Nitrogen[5]	mg/L	8	--	--
	lbs/day[2]	51	--	--
Nitrate-Nitrogen plus Nitrite-Nitrogen, Total[5]	mg/L	8	--	--
	lbs/day[2]	51	--	--
E.coli	CFU/100mL or MPN/100mL	[4]	--	--
Settleable Solids	mL/L	0.3	--	--
Temperature	ºF	--	--	86
Total Petroleum Hydrocarbon[3]	µg/L	100	--	--
	lbs/day[2]	0.63	--	--
Turbidity	NTU	75	--	--
Chronic Toxicity	Pass or Fail and % Effect for TST approach	Pass or % Effect <50[1]	--	--
Priority Pollutants				
Phenols, Total	mg/L	1.0	--	--
	lbs/day[2]	6.3	--	--
Cadmium, Total Recoverable (Wet Weather)[6,7]	µg/L	3.1	--	--
	lbs/day[2]	0.020	--	--

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Parameter	Units	Effluent Limitations		
		Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Copper, Total Recoverable (Dry Weather)[6,8]	µg/L	36	--	--
	lbs/day[2]	0.23	--	--
Copper, Total Recoverable (Wet Weather)[6,7]	µg/L	17	--	--
	lbs/day[2]	0.11	--	--
Lead, Total Recoverable (Dry Weather)[6,8]	µg/L	18	--	--
	lbs/day[2]	0.11	--	--
Lead, Total Recoverable (Wet Weather)[6,7]	µg/L	62	--	--
	lbs/day[2]	0.39	--	--
Zinc, Total Recoverable (Wet Weather)[6,7]	µg/L	160	--	--
	lbs/day[2]	1.0	--	--
2,3,7,8-TCDD	µg/L	2.8e-8	--	--
	lbs/day[2]	1.8e-10	--	--

1. Report "Pass" or "Fail" and "% Effect" for Maximum Daily Effluent Limitation (MDEL). During a calendar month, exactly three independent toxicity tests are required for routine monitoring when one toxicity test results in "Fail". This limit applies for wet weather discharges only.
2. The mass limitations are based on a maximum flow of 0.76 MGD and is calculated as follows:
   Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day.
3. TPH equals the sum of TPH as gasoline (C_4-C_{12}), TPH as diesel (C_{13}-C_{22}), and TPH waste oil (C_{23+}).
4. The effluent limitation is based on the LA River Bacteria TMDL WLAs. The LA River Bacteria TMDL contains WLAs of zero days of allowable exceedances of the single sample target of 235/100mL *E.coli* for both dry and wet weather (defined as days with 0.1 inch of rain or greater and the three days following the rain event) and no exceedances of the geometric mean TMDL numeric target of 126/100 mL *E.coli* for general and individual NPDES permits. The rolling 30-day geometric mean values should be calculated based on a statistically sufficient number of samples (generally not less than 5 samples equally spaced over a 30-day period). If any of the single sample limits are exceeded, the Regional Water Board may require repeat sampling on a daily basis until the sample falls below the single sample limit in order to determine persistence of exceedance. Results collected during accelerated monitoring can be used to calculate the geometric mean.
5. The effluent limitations are based on the LA River Nutrients TMDL WLAs. The MDEL for ammonia, nitrite, nitrate, and total nitrate and nitrite as nitrogen are based on their respective 30-day average WLAs in accordance to the LA River Nutrients TMDL. As discharge from the Facility is storm water only, only MDELs are prescribed; the 30-day average WLAs in the TMDL are transcribed into MDELs to ensure the protection of aquatic life. The 1-hour average WLA for ammonia as included in the LA River Nutrients TMDL is transcribed into an instantaneous maximum limit in this Order.
6. The effluent limitations are based on the LA River Metals TMDL WLAs and calculated using the CTR-SIP procedures.
7. The wet weather TMDL limits apply when the maximum daily flow in the Los Angeles River at Wardlow gauge station (F319-R) is greater than or equal to 500 cubic feet per second (cfs).
8. Dry weather targets are applicable when flow in the Los Angeles River at the Wardlow stream gauge station (F319-R) is less than 500 cfs.

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2. Interim Effluent Limitations – Not Applicable

B. Land Discharge Specifications – Not Applicable

C. Recycling Specifications – Not Applicable

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

The discharge shall not cause the following in Los Angeles River:

1. The normal ambient pH to fall below 6.5 nor exceed 8.5 units nor vary from normal ambient pH levels by more than 0.5 units.

2. Surface water temperature to rise greater than 5°F above the natural temperature of the receiving waters at any time or place. At no time shall the temperature be raised above 80°F as a result of waste discharged.

3. Water Contact Standards

In fresh water designated for water contact recreation (REC-1), the waste discharged shall not cause the following bacterial standards to be exceeded in the receiving water.

a. Rolling 30 Days Geometric Mean Limits

E. coli density shall not exceed 126/100 ml.

b. Single Sample Maximum (SSM)

E. coli density shall not exceed 235/100 ml.

4. Depress the concentration of dissolved oxygen to fall below 5.0 mg/L anytime, and the median dissolved oxygen concentration for any three consecutive months shall not be less than 80 percent of the dissolved oxygen content at saturation.

5. Exceed total ammonia (as N) concentrations specified in the 1994 Basin Plan and its amendments. The Regional Water Board revised the water quality objectives for ammonia to be consistent with the *"1999 Update of Ambient Water Quality Criteria for Ammonia"* through the adoption of Resolution No. 2002-011 on April 25, 2002. This amendment was approved by the State Water Board, OAL and U.S. EPA on April 30, 2003, June 5, 2003, and June 19, 2003, respectively. The amendment became effective on July 15, 2003. On December 1, 2005, Resolution No. 2005-014, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Early Life Stage Implementation Provision of the Freshwater Ammonia Objectives for Inland Surface Waters (including enclosed bays, estuaries and wetlands) for Protection of Aquatic Life*, was adopted by the Regional Water Board. Resolution No. 2005-014 was approved by the State Water Board, OAL, and U.S. EPA on July 19, 2006, August 31, 2006, and April 5, 2007, respectively; it became effective on April 5, 2007. On June 7, 2007, the Regional Water Board adopted Resolution No. 2007-005 to incorporate site-specific 30-day average objectives for ammonia along with corresponding site-specific early life stage implementation provisions for select water body reaches and tributaries in the Santa Clara, Los Angeles, and San Gabriel River watersheds. The State Water Board, OAL, and U.S. EPA approved this Basin Plan amendment on January 15, 2008, May 12, 2008, and March 30, 2009, respectively. The amendment became effective on April 23, 2009.

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6. The presence of visible, floating, suspended or deposited macroscopic particulate matter or foam.

7. Oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the receiving water or on objects in the water.

8. Suspended or settleable materials, chemical substances or pesticides in amounts that cause nuisance or adversely affect any designated beneficial use.

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

10. Accumulation of bottom deposits or aquatic growths.

11. Biostimulatory substances at concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses.

12. The presence of substances that result in increases of BOD that adversely affect beneficial uses.

13. Taste or odor-producing substances in concentrations that alter the natural taste, odor, and/or color of fish, shellfish, or other edible aquatic resources; cause nuisance; or adversely affect beneficial uses.

14. Alteration of turbidity, or apparent color beyond present natural background levels.

15. Damage, discolor, nor cause formation of sludge deposits on flood control structures or facilities nor overload the design capacity.

16. Degrade surface water communities and populations including vertebrate, invertebrate, and plant species

17. Problems associated with breeding of mosquitoes, gnats, black flies, midges, or other pests.

18. Nuisance or adverse effects on beneficial uses of the receiving water.

19. Violation of any applicable water quality standards for receiving waters adopted by the Regional Water Board or State Water Board. If more stringent applicable water quality standards are promulgated or approved pursuant to section 303 of the CWA, or amendments thereto, the Regional Water Board will revise or modify this Order in accordance with such standards.

B. Groundwater Limitations – Not Applicable

VI. PROVISIONS

A. Standard Provisions

1. The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.

2. The Discharger shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:

   a. This Order may be modified, revoked, reissued, or terminated in accordance with the provisions of 40 C.F.R. sections 122.44, 122.62, 122.63, 122.64, 125.62 and 125.64.

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Causes for taking such actions include, but are not limited to: failure to comply with any condition of this Order; endangerment to human health or the environment resulting from the permitted activity; or acquisition of newly-obtained information which would have justified the application of different conditions if known at the time of Order adoption. The filing of a request by the Discharger for an Order modification, revocation, and issuance or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

b. The Discharger must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of storm water to storm drain systems or other water courses under their jurisdiction; including applicable requirements in municipal storm water management program developed to comply with NPDES permits issued by the Regional Water Board to local agencies.

c. A discharge of waste to any points other than specifically described in this Order is prohibited and constitutes a violation thereof.

d. The Discharger shall comply with all applicable effluent limitations, national standards of performance, toxic effluent standards, and all federal regulations established pursuant to sections 301, 302, 303(d), 304, 306, 307, 316, 318, 405, and 423 of the federal CWA and amendments thereto.

e. These requirements do not exempt the operator of the waste disposal facility from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize this waste disposal facility, and they leave unaffected any further restraints on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.

f. Oil or oily material, chemicals, refuse, or other waste materials shall not be stored or deposited in areas where they may be picked up by rainfall and carried off of the property and/or discharged to surface waters. Any such spill of such materials shall be contained and removed immediately.

g. A copy of these waste discharge specifications shall be maintained at the discharge facility so as to be available at all times to operating personnel.

h. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:

i. Violation of any term or condition contained in this Order;

ii. Obtaining this Order by misrepresentation, or failure to disclose all relevant facts;

iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

i. If there is any storage of hazardous or toxic materials or hydrocarbons at this facility and if the facility is not manned at all times, a 24-hour emergency response telephone number shall be prominently posted where it can easily be read from the outside.

j. The Discharger shall notify the Regional Water Board not later than 120 days in advance of implementation of any plans to alter production capacity of the product line of the manufacturing, producing or processing facility by more than ten percent. Such notification shall include estimates of proposed production rate, the type of

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process, and projected effects on effluent quality. The Discharger shall also file with the Regional Water Board a report of waste discharge at least 120 days before making any material change or proposed change in the character, location or volume of the discharge. A new report of waste discharge with the appropriate filing fee shall be included in this submittal.

k. All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Regional Water Board as soon as they know or have reason to believe that they have begun or expect to begin to use or manufacture an intermediate or final product or byproduct of any toxic pollutant that was not reported on their application.

l. In the event of any change in name, ownership, or control of these waste disposal facilities, the Discharger shall notify this Regional Water Board of such change and shall notify the succeeding owner or operator of the existence of this Order by letter, copy of which shall be forwarded to the Regional Water Board.

m. The Water Code provides that any person who violates a waste discharge requirement or a provision of the Water Code is subject to civil penalties of up to $5,000 per day, $10,000 per day, or $25,000 per day of violation, or when the violation involves the discharge of pollutants, is subject to civil penalties of up to $10 per gallon per day or $25 per gallon per day of violation; or some combination thereof, depending on the violation, or upon the combination of violations.

n. Violation of any of the provisions of the NPDES program or of any of the provisions of this Order may subject the violator to any of the penalties described herein, or any combination thereof, at the discretion of the prosecuting authority; except that only one kind of penalty may be applied for each kind of violation.

o. The discharge of any product registered under the Federal Insecticide, Fungicide, and Rodenticide Act to any waste stream which may ultimately be released to waters of the United States, is prohibited unless specifically authorized elsewhere in this Order or another NPDES permit. This requirement is not applicable to products used for lawn and agricultural purposes.

p. The discharge of any waste resulting from the combustion of toxic or hazardous wastes to any waste stream that ultimately discharges to waters of the United States is prohibited, unless specifically authorized elsewhere in this Order.

q. The Discharger shall notify the Executive Officer in writing no later than 6 months prior to the planned discharge of any chemical, other than the products previously reported to the Executive Officer, which may be toxic to aquatic life. Such notification shall include:

i. Name and general composition of the chemical,

ii. Frequency of use,

iii. Quantities to be used,

iv. Proposed discharge concentrations, and

v. U.S. EPA registration number, if applicable.

r. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may

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subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.

s. In the event the Discharger does not comply or will be unable to comply for any reason with any prohibition, effluent limitations, or receiving water limitations of this Order, the Discharger shall notify the Regional Water Board by telephone (213) 576-6600 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Regional Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and, prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

t. Prior to making any change in the point of discharge, place of use, or purpose of use of treated wastewater that results in a decrease of flow in any portion of a watercourse, the Discharger must file a petition with the State Water Board, Division of Water Rights, and receive approval for such a change. (Water Code § 1211).

B. Monitoring and Reporting Program (MRP) Requirements

The Discharger shall comply with the MRP and future revisions thereto, in Attachment E of this Order.

C. Special Provisions

1. Reopener Provisions

a. If more stringent applicable water quality standards are promulgated or approved pursuant to section 303 of the federal CWA, and amendments thereto, the Regional Water Board will revise and modify this Order in accordance with such more stringent standards.

b. This Order may be reopened to include effluent limitations for toxic constituents determined to be present in significant amounts in the discharge through a more comprehensive monitoring program included as part of this Order and based on the results of the RPA.

c. This Order may be reopened and modified, to incorporate in accordance with the provisions set forth in 40 C.F.R. Parts 122 and 124, to include requirements for the implementation of the watershed management approach or to include new MLs.

d. This Order may be reopened and modified to revise effluent limitations as a result of future Basin Plan Amendments, such as an update of an objective or the adoption of a TMDL for the Long Angeles River Reach 2.

e. This Order may also be reopened and modified, revoked, and reissued or terminated in accordance with the provisions of 40 C.F.R. sections 122.44, 122.62 to 122.64, 125.62, and 125.64. Causes for taking such actions include, but are not limited to, failure to comply with any condition of this Order, and endangerment to human health or the environment resulting from the permitted activity.

f. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional

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requirements may be included in this Order as a result of the special condition monitoring data.

2. Special Studies, Technical Reports and Additional Monitoring Requirements

a. Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan

Discharger shall submit to the Regional Water Board an Initial Investigation TRE workplan (1-2 pages) **within 90 days** of the effective date of this Order. This plan shall describe the steps the permittee intends to follow in the event that toxicity is detected. See section V of the Monitoring and Reporting Program (Attachment E) for an overview of Toxicity Reduction Evaluation (TRE) requirements.

3. Best Management Practices and Pollution Prevention

The Discharger shall submit the following to the Regional Water Board **within 90 days** of the effective date of this Order:

a. An updated **Storm Water Pollution Prevention Plan (SWPPP)** that describes site-specific management practices for minimizing contamination of storm water runoff and for preventing contaminated storm water runoff from being discharged directly to waters of the State. The SWPPP shall address procedures for preventing fire test water from commingling with storm water discharges. The SWPPP shall be developed in accordance with the requirements in Attachment G.

b. An updated **Best Management Practice Plan (BMPP)** that will be implemented to reduce the discharge of pollutants to the receiving water. The BMPP shall include site-specific plans and procedures implemented and/or to be implemented to prevent hazardous waste/material from being discharged to waters of the State. Further, the Discharger shall ensure that the storm water discharges from the Facility would neither cause, nor contribute to the exceedance of water quality standards and objectives, nor create conditions of nuisance in the receiving water, and that unauthorized discharges (i.e., spills) to the receiving water have been effectively prohibited. In particular, a risk assessment of each area identified by the Discharger shall be performed to determine the potential for hazardous or toxic waste/material discharge to surface waters. The BMPP shall be developed in accordance with requirements in Attachment G.

c. A **Spill Contingency Plan (SCP)** that shall include a technical report on the preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events at the site. The SCP may be substituted with an updated version of the Discharger's existing Spill Prevention Control and Countermeasure (SPCC) Plan.

Each plan shall cover all areas of the Facility and shall include an updated drainage map for the Facility. The Discharger shall identify on a map of appropriate scale the areas that contribute runoff to the permitted discharge point; describe the activities in each area and the potential for contamination of storm water runoff and the discharge of hazardous waste/material; and address the feasibility of containment and/or treatment of storm water. The plans shall be reviewed annually and at the same time. Updated information shall be submitted within 30 days of revision.

The Discharger shall implement the SWPPP, BMPP, and SCP (or SPCC) within 10 days of the approval by the Executive Officer or no later than 90 days after submission to the Regional Water Board, whichever comes first.

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4. Construction, Operation and Maintenance Specifications

The Discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.

5. Other Special Provisions – Not Applicable

6. Compliance Schedules – Not Applicable

VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in section IV of this Order will be determined as specified below:

A. Single Constituent Effluent Limitation.

If the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (see Reporting Requirement I.G. of the MRP), then the Discharger is out of compliance.

B. Effluent Limitations Expressed as a Sum of Several Constituents.

If the sum of the individual pollutant concentrations is greater than the effluent limitation, then the Discharger is out of compliance. In calculating the sum of the concentrations of a group of pollutants, consider constituents reported as ND or DNQ to have concentrations equal to zero, provided that the applicable ML is used.

C. Effluent Limitations Expressed as a Median.

In determining compliance with a median limitation, the analytical results in a set of data will be arranged in order of magnitude (either increasing or decreasing order); and

1. If the number of measurements (n) is odd, then the median will be calculated as $= X_{(n+1)/2}$, or

2. If the number of measurements (n) is even, then the median will be calculated as $= [X_{n/2} + X_{(n/2)+1}]/2$, i.e. the midpoint between the n/2 and n/2+1 data points.

D. Multiple Sample Data.

When determining compliance with an AMEL or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of “Detected, but Not Quantified” (DNQ) or “Not Detected” (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

E. Average Monthly Effluent Limitation (AMEL).

If the average (or when applicable, the median determined by subsection D above for multiple sample data) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Discharger will be considered out of

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compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger will be considered out of compliance for that calendar month. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

In determining compliance with the AMEL, the following provisions shall also apply to all constituents:

1. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, does not exceed the AMEL for that constituent, the Discharger has demonstrated compliance with the AMEL for that month.

2. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the AMEL for any constituent, the Discharger shall collect four additional samples at approximately equal intervals during the month. All five analytical results shall be reported in the monitoring report for that month, or 45 days after results for the additional samples were received, whichever is later.

When all sample results are greater than or equal to the reported Minimum Level (see Reporting Requirement I.G. of the MRP), the numerical average of the analytical results of these five samples will be used for compliance determination.

When one or more sample results are reported as “Not-Detected (ND)” or “Detected, but Not Quantified (DNQ)” (see Reporting Requirement I.G. of the MRP), the median value of these four samples shall be used for compliance determination. If one or both of the middle values is ND or DNQ, the median shall be the lower of the two middle values.

3. In the event of noncompliance with an AMEL, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the AMEL has been demonstrated.

4. If only one sample was obtained for the month or more than a monthly period and the result exceeds the AMEL, then the Discharger is in violation of the AMEL.

F. Maximum Daily Effluent Limitations (MDEL).

If a daily discharge exceeds the MDEL for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

G. Instantaneous Minimum Effluent Limitation.

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, a violation will be flagged and the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

H. Instantaneous Maximum Effluent Limitation.

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, a violation will be flagged and the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a

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calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

I. Median Monthly Effluent Limitation (MMEL)

If the median of daily discharges over a calendar month exceeds the MMEL for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of noncompliance in a 31-day month). However, an alleged violation of the MMEL will be considered one violation for the purpose of assessing State mandatory minimum penalties. If no sample (daily discharge) is taken over a calendar month, no compliance determination can be made for that month with respect to effluent violation determination, but compliance determination can be made for that month with respect to reporting violation determination.

J. Chronic Toxicity

This discharge is subject to determination of "Pass" or "Fail" and "Percent (%) Effect" from a single-effluent concentration chronic toxicity test at the discharge IWC using the Test of Significant Toxicity (TST) approach described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010), Appendix A, Figure A-1, and Table A-1. The null hypothesis (Ho) for the TST approach is: Mean discharge IWC response ≤0.75 × Mean control response. A test result that rejects this null hypothesis is reported as "Pass". A test result that does not reject this null hypothesis is reported as "Fail". The relative "Percent (%) Effect" at the discharge IWC is defined and reported as: ((Mean control response - Mean discharge IWC response) ÷ Mean control response) × 100.

The Maximum Daily Effluent Limitation (MDEL) for chronic toxicity is exceeded and a violation will be flagged when a chronic toxicity test, analyzed using the TST approach, results in "Fail" and the "Percent (%) Effect" is ≥50.

The Median Monthly Effluent Limitation (MMEL) for chronic toxicity is exceeded and a violation will be flagged when the median of no more than three independent chronic toxicity tests conducted within the same calendar month—analyzed using the TST approach—results in "Fail". During a calendar month, exactly three independent toxicity tests are required when one toxicity test results in "Fail".

K. Mass and Concentration Limitations

Compliance with mass effluent limitations and concentration effluent limitations for the same parameter shall be determined separately. When the concentration for a parameter in a sample is reported as ND or DNQ, the corresponding mass emission rate determined using that sample concentration shall also be reported as ND or DNQ.

L. Bacterial Standards and Analyses

The geometric mean used for determining compliance with bacterial standards is calculated using the following equation:

$$\text{Geometric Mean} = (C_1 \times C_2 \times \ldots \times C_n)^{1/n}$$

where n is the number of days samples were collected during the period and C is the concentration of bacteria (MPN/100 mL or CFU/100 mL) found on each day of sampling.

For bacterial analyses, sample dilutions should be performed so the expected range of values is bracketed (for example, with multiple tube fermentation method or membrane filtration method, 2 to 16,000 per 100 mL for total and fecal coliform, at a minimum, and 1 to 1000 per 100 mL for

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Enterococcus). The detection method used for each analysis shall be reported with the results of the analysis.

Detection methods used for coliforms (total and fecal) and *Enterococcus* shall be those presented in Table 1A of 40 C.F.R. Part 136 (revised May 18, 2012), unless alternate methods have been approved by U.S. EPA pursuant to 40 C.F.R. Part 136, or improved methods have been determined by the Executive Officer and/or U.S. EPA.

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ATTACHMENT A – DEFINITIONS

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

Arithmetic mean = $\mu = \Sigma x / n$ where: Σx is the sum of the measured ambient water concentrations, and n is the number of samples.

Average Monthly Effluent Limitation (AMEL)
The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL)
The highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

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

Carcinogenic
Pollutants are substances that are known to cause cancer in living organisms.

Coefficient of Variation (CV)
CV is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

Daily Discharge
Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

Detected, but Not Quantified (DNQ)
DNQ are those sample results less than the RL, but greater than or equal to the laboratory's MDL. Sample results reported as DNQ are estimated concentrations.

Dilution Credit
Dilution Credit is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

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Effluent Concentration Allowance (ECA)
ECA is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as waste load allocation (WLA) as used in U.S. EPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

Enclosed Bays
Enclosed Bays means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

Estimated Chemical Concentration
The estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

Estuaries
Estuaries means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

Existing Discharger
Any Discharger that is not a new discharger. An existing discharger includes an "increasing discharger" (i.e., any existing facility with treatment systems in places for its current discharge that is or will be expanding, upgrading, or modifying its permitted discharge after the effective date of this Order.)

Infeasible
Not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

Inland Surface Waters
All surface waters of the state that do not include the ocean, enclosed bays, or estuaries.

Instantaneous Maximum Effluent Limitation
The highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation
The lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Maximum Daily Effluent Limitation (MDEL)
The highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of

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measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

Median
The middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements (n) is odd, then the median = $X_{(n+1)/2}$. If n is even, then the median = $(X_{n/2} + X_{(n/2)+1})/2$ (i.e., the midpoint between the n/2 and n/2+1).

Method Detection Limit (MDL)
MDL is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in in 40 C.F.R. Part 136, Attachment B, revised as of July 3, 1999.

Minimum Level (ML)
ML is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

Mixing Zone
Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

Not Detected (ND)
Sample results which are less than the laboratory's MDL.

Persistent Pollutants
Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

Pollutant Minimization Program (PMP)
PMP means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Regional Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

Pollution Prevention
Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State Water Board or Regional Water Board.

Reporting Level (RL)
The RL is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order, including an additional factor if

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applicable as discussed herein. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Regional Water Board either from Appendix 4 of the SIP in accordance with section 2.4.2 of the SIP or established in accordance with section 2.4.3 of the SIP. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

Significant Storm Event
A continuous discharge of storm water for a minimum of one hour, or the intermittent discharge of storm water for a minimum of 3 hours in a 12-hour period.

Source of Drinking Water
Any water designated as municipal or domestic supply (MUN) in a Regional Water Board Basin Plan.

Standard Deviation (σ)
Standard Deviation is a measure of variability that is calculated as follows:

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

where:

- x is the observed value;
- μ is the arithmetic mean of the observed values; and
- n is the number of samples.

Toxicity Reduction Evaluation (TRE)
TRE is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

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ACRONYMS AND ABBREVIATIONS

AMEL.....Average Monthly Effluent Limitation
B.....Background Concentration
BAT .....Best Available Technology Economically Achievable
Basin Plan .....Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties
BCT .....Best Conventional Pollutant Control Technology
BMP.....Best Management Practices
BMPP .....Best Management Practices Plan
BPJ .....Best Professional Judgment
BOD.....Biochemical Oxygen Demand 5-day @ 20 °C
BPT .....Best Practicable Treatment Control Technology
C.....Water Quality Objective
CCR .....California Code of Regulations
CEQA .....California Environmental Quality Act
C.F.R. .....Code of Federal Regulations
CTR.....California Toxics Rule
CV .....Coefficient of Variation
CWA.....Clean Water Act
CWC .....California Water Code
Discharger .....Tesoro Logistics Operations LLC
DMR .....Discharge Monitoring Report
DNQ .....Detected But Not Quantified
ELAP .....State Water Resources Control Board, Drinking Water Division, Environmental Laboratory Accreditation Program
ELG .....Effluent Limitations, Guidelines and Standards
Facility .....East Hynes Tank Farm
g/kg.....grams per kilogram
gpd .....gallons per day
IC.....Inhibition Coefficient
IC_{15} .....Concentration at which the organism is 15% inhibited
IC_{25}.....Concentration at which the organism is 25% inhibited
IC_{40}.....Concentration at which the organism is 40% inhibited
IC_{50} .....Concentration at which the organism is 50% inhibited
LA.....Load Allocations
LOEC.....Lowest Observed Effect Concentration
µg/L .....micrograms per Liter
LACDPW .....County of Los Angeles, Department of Public Works
mg/L .....milligrams per Liter
MDEL .....Maximum Daily Effluent Limitation
MEC .....Maximum Effluent Concentration
MGD.....Million Gallons per Day
ML .....Minimum Level
MRP .....Monitoring and Reporting Program
ND .....Not Detected
ng/L .....nanograms per liter
NOEC.....No Observable Effect Concentration
NPDES.....National Pollutant Discharge Elimination System
NSPS.....New Source Performance Standards
NTR.....National Toxics Rule

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OAL ..... Office of Administrative Law
PAHs ..... Polynuclear Aromatic Hydrocarbons
pg/L ..... picograms per liter
PMEL..... Proposed Maximum Daily Effluent Limitation
PMP..... Pollutant Minimization Plan
POTW..... Publicly Owned Treatment Works
ppm ..... parts per million
ppb ..... parts per billion
QA ..... Quality Assurance
QA/QC..... Quality Assurance/Quality Control
Ocean Plan..... Water Quality Control Plan for Ocean Waters of California
Regional Water Board..... California Regional Water Quality Control Board, Los Angeles Region
RPA ..... Reasonable Potential Analysis
SCP ..... Spill Contingency Plan
Sediment Quality Plan ..... *Water Quality Control Plan for Enclosed Bays and Estuaries – Part 1 Sediment Quality*
SIP..... State Implementation Policy (Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California)
SMR ..... Self-Monitoring Reports
State Water Board ..... California State Water Resources Control Board
SWPPP ..... Storm Water Pollution Prevention Plan
TAC ..... Test Acceptability Criteria
TBEL ..... Technology-Based Effluent Limitation
Thermal Plan ..... Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California
TIE..... Toxicity Identification Evaluation
TMDL..... Total Maximum Daily Load
TOC..... Total Organic Carbon
TRE ..... Toxicity Reduction Evaluation
TSD ..... Technical Support Document
TSS ..... Total Suspended Solid
TU_c ..... Chronic Toxicity Unit
U.S. EPA ..... United States Environmental Protection Agency
WDR..... Waste Discharge Requirements
WET ..... Whole Effluent Toxicity
WLA..... Waste Load Allocations
WQBELs..... Water Quality-Based Effluent Limitations
WQS..... Water Quality Standards
% ..... Percent

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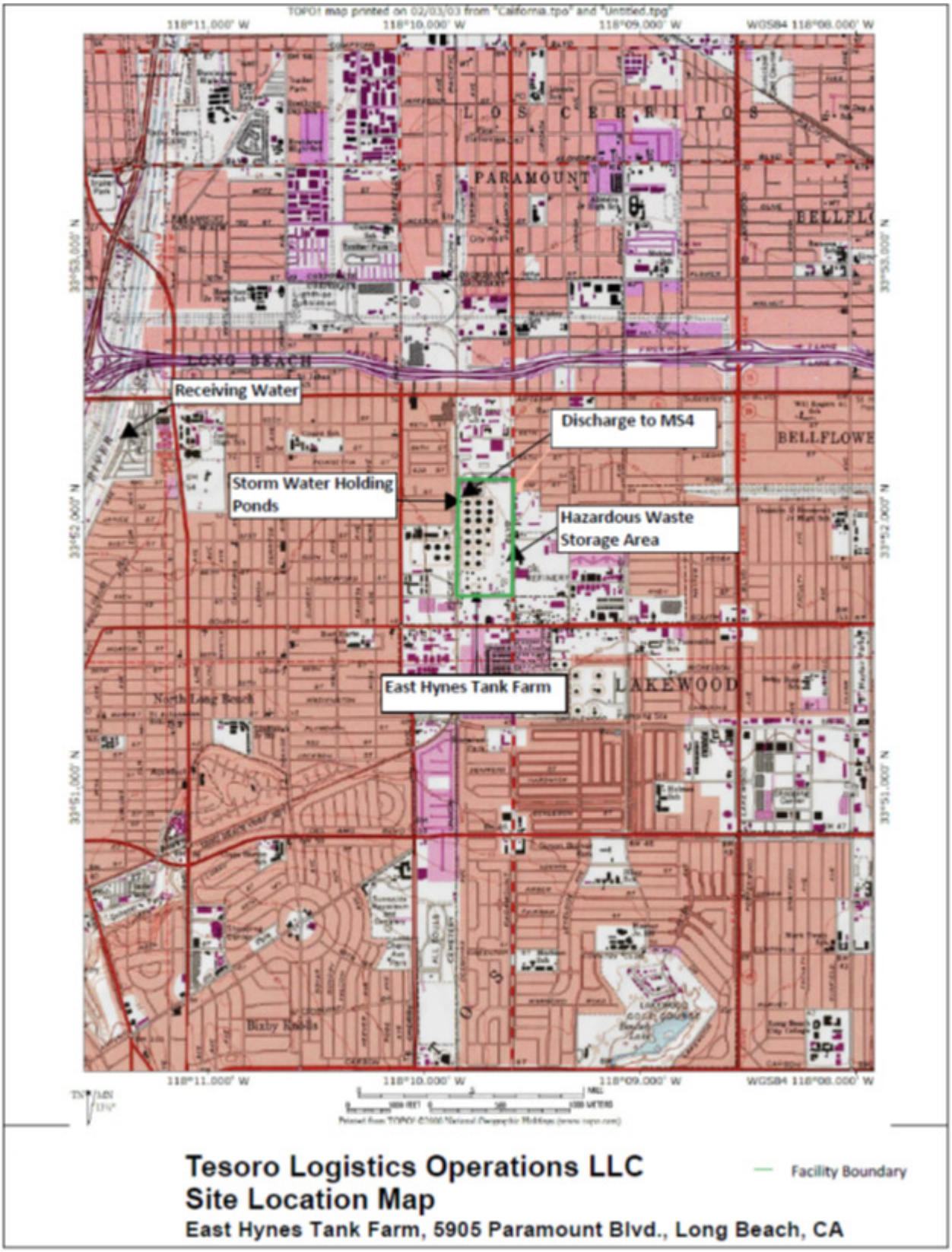
ATTACHMENT B – MAP



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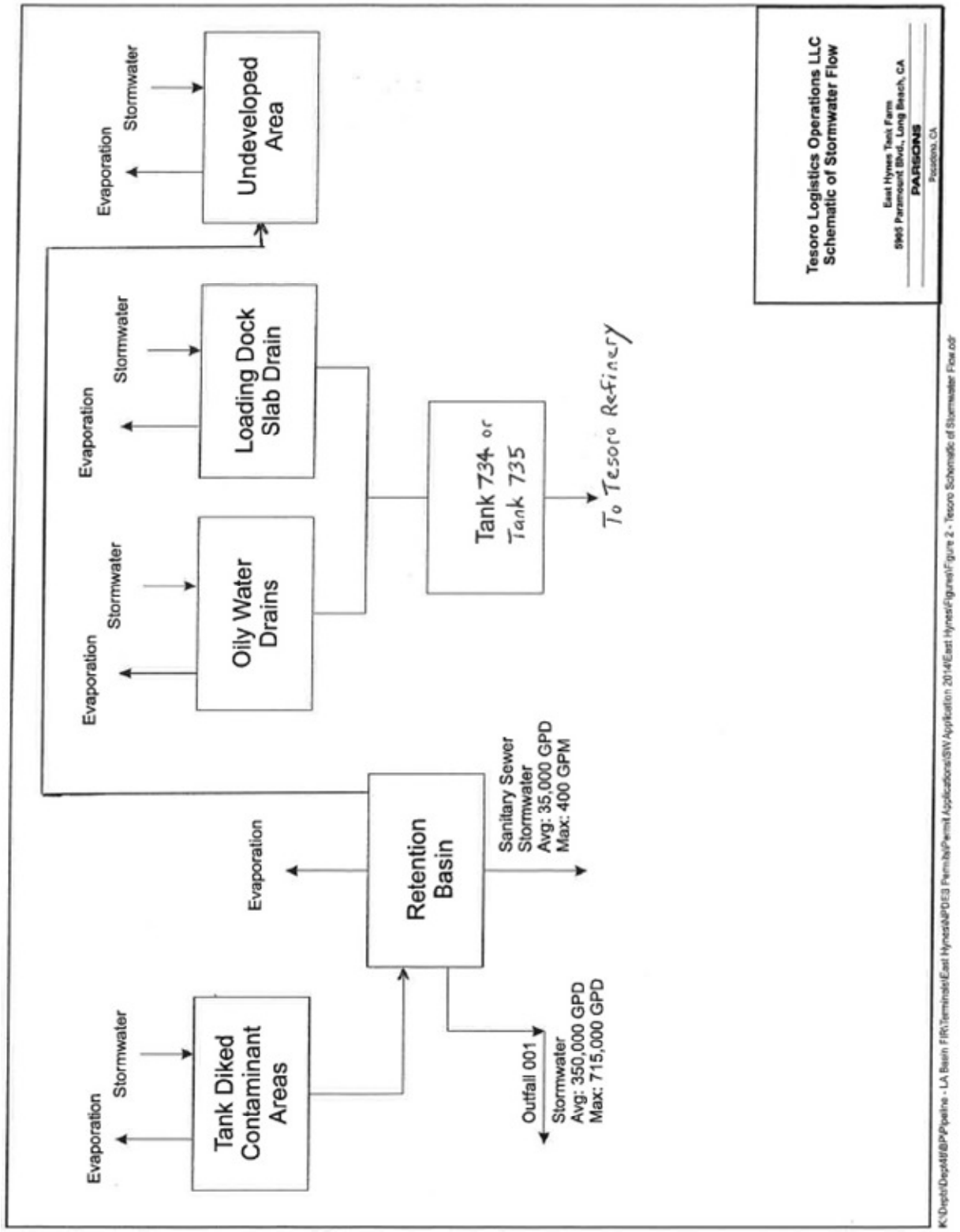
ATTACHMENT C-1 - FLOW SCHEMATIC OF WASTEWATER



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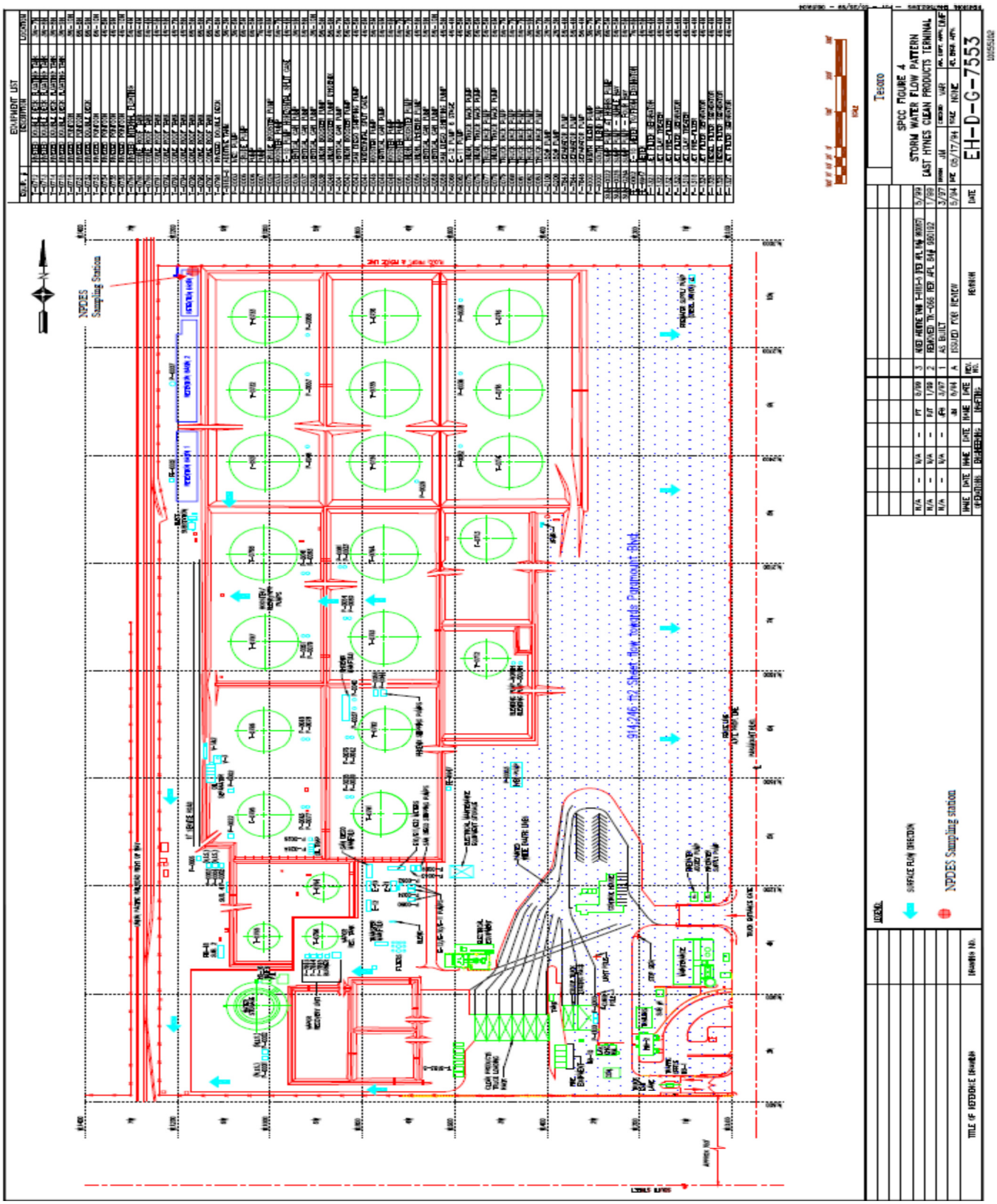
ATTACH11MENT C-2 – SITE DRAINAGE MAP



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ATTACHMENT D – STANDARD PROVISIONS

I. STANDARD PROVISIONS – PERMIT COMPLIANCE

A. Duty to Comply

1. The Discharger must comply with all of the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. (40 C.F.R. § 122.41(a); Wat. Code, §§ 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)

2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 C.F.R. § 122.41(a)(1).)

B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 C.F.R. § 122.41(c).)

C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. § 122.41(d).)

D. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 C.F.R. § 122.41(e).)

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. § 122.41(g).)

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 C.F.R. § 122.5(c).)

F. Inspection and Entry

The Discharger shall allow the Regional Water Board, State Water Board, U.S. EPA, and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to (33 U.S.C. § 1318(a)(4)(B); 40 C.F.R. § 122.41(i); Wat. Code, §§ 13267, 13383):

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~~3.~~1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (33 U.S.C. § 1318(a)(4)(B)(i); 40 C.F.R. § 122.41(i)(1); Wat. Code, §§ 13267, 13383);

~~4.~~2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 C.F.R. § 122.41(i)(2); Wat. Code, §§ 13267, 13383);

~~5.~~3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 C.F.R. § 122.41(i)(3); Wat. Code, §§ 13267, 13383); and

~~6.~~4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (33 U.S.C. § 1318(a)(4)(B); 40 C.F.R. § 122.41(i)(4); Wat. Code, §§ 13267, 13383.)

G. Bypass

1. Definitions

a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 C.F.R. § 122.41(m)(1)(i).)

b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 C.F.R. § 122.41(m)(1)(ii).)

2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 C.F.R. § 122.41(m)(2).)

3. Prohibition of bypass. Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. § 122.41(m)(4)(i)):

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. § 122.41(m)(4)(i)(A));

b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 C.F.R. § 122.41(m)(4)(i)(B)); and

c. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. § 122.41(m)(4)(i)(C).)

4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three

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conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 C.F.R. § 122.41(m)(4)(ii).)

5. Notice

a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass. (40 C.F.R. § 122.41(m)(3)(i).)

b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). (40 C.F.R. § 122.41(m)(3)(ii).)

H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 C.F.R. § 122.41(n)(1).)

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 C.F.R. § 122.41(n)(2).)

2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 C.F.R. § 122.41(n)(3)):

a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. § 122.41(n)(3)(i));

b. The permitted facility was, at the time, being properly operated (40 C.F.R. § 122.41(n)(3)(ii));

c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 C.F.R. § 122.41(n)(3)(iii)); and

d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 C.F.R. § 122.41(n)(3)(iv).)

3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 C.F.R. § 122.41(n)(4).)

II. STANDARD PROVISIONS – PERMIT ACTION

A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 C.F.R. § 122.41(f).)

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B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 C.F.R. § 122.41(b).)

C. Transfers

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. (40 C.F.R. § 122.41(l)(3), §122.61.)

III. STANDARD PROVISIONS – MONITORING

A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 C.F.R. § 122.41(j)(1).)

B. Monitoring results must be conducted according to test procedures approved under 40 C.F.R. Part 136 for the analyses of pollutants unless another method is required under 40 C.F.R. subchapters N or O. In the case of pollutants for which there are no approved methods under 40 C.F.R. Part 136 or otherwise required under 40 C.F.R. subchapters N or O, monitoring must be conducted according to a test procedure specified in this Order for such pollutants. (40 C.F.R. §§ 122.41(j)(4), 122.44(i)(1)(iv).)

IV. STANDARD PROVISIONS – RECORDS

A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 C.F.R. Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time. (40 C.F.R. § 122.41(j)(2).)

B. Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements (40 C.F.R. § 122.41(j)(3)(i));

2. The individual(s) who performed the sampling or measurements (40 C.F.R. § 122.41(j)(3)(ii));

3. The date(s) analyses were performed (40 C.F.R. § 122.41(j)(3)(iii));

4. The individual(s) who performed the analyses (40 C.F.R. § 122.41(j)(3)(iv));

5. The analytical techniques or methods used (40 C.F.R. § 122.41(j)(3)(v)); and

6. The results of such analyses. (40 C.F.R. § 122.41(j)(3)(vi).)

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

1. The name and address of any permit applicant or Discharger (40 C.F.R. § 122.7(b)(1)); and

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2. Permit applications and attachments, permits and effluent data. (40 C.F.R. § 122.7(b)(2).)

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Regional Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Regional Water Board, State Water Board, or U.S. EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 C.F.R. § 122.41(h); Wat. Code, §§ 13267, 13383.)

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Regional Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, and V.B.5 below. (40 C.F.R. § 122.41(k).)

2. All permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. (40 C.F.R. § 122.22(a)(1).)

3. All reports required by this Order and other information requested by the Regional Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Standard Provisions – Reporting V.B.2 above (40 C.F.R. § 122.22(b)(1));

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) (40 C.F.R. § 122.22(b)(2)); and

c. The written authorization is submitted to the Regional Water Board and State Water Board. (40 C.F.R. § 122.22(b)(3).)

4. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall

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operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Regional Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. § 122.22(c).)

5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." (40 C.F.R. § 122.22(d).)

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 C.F.R. § 122.41(l)(4).)

2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Regional Water Board or State Water Board for reporting results of monitoring of sludge use or disposal practices. (40 C.F.R. § 122.41(l)(4)(i).)

3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 C.F.R. Part 136, or another method required for an industry-specific waste stream under 40 C.F.R. subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board. (40 C.F.R. § 122.41(l)(4)(ii).)

4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 C.F.R. § 122.41(l)(4)(iii).)

D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date. (40 C.F.R. § 122.41(l)(5).)

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. (40 C.F.R. § 122.41(l)(6)(i).)

2. The following shall be included as information that must be reported within 24 hours under this paragraph (40 C.F.R. § 122.41(l)(6)(ii)):

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

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

3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours. (40 C.F.R. § 122.41(l)(6)(iii).)

F. Planned Changes

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 C.F.R. § 122.41(l)(1)):

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) (40 C.F.R. § 122.41(l)(1)(i)); or

2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in this Order nor to notification requirements under section 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1). (40 C.F.R. § 122.41(l)(1)(ii).)

3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 C.F.R.§ 122.41(l)(1)(iii).)

G. Anticipated Noncompliance

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

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. (40 C.F.R. § 122.41(l)(7).)

I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. § 122.41(l)(8).)

VI. STANDARD PROVISIONS – ENFORCEMENT

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

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B. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions [*section 122.41(a)(2)*] [*Water Code sections 13385 and 13387*].

C. Any person may be assessed an administrative penalty by the Regional Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000 [40 C.F.R. *section 122.41(a)(3)*].

D. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this Order shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both [40 C.F.R. *section 122.41(j)(5)*].

E. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six months per violation, or by both [40 C.F.R. *section 122.41(k)(2)*].

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VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Non-Municipal Facilities

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

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 C.F.R. § 122.42(a)(1)):

a. 100 micrograms per liter (µg/L) (40 C.F.R. § 122.42(a)(1)(i));

b. 200 µg/L for acrolein and acrylonitrile; 500 µg/L for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony (40 C.F.R. § 122.42(a)(1)(ii));

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

d. The level established by the Regional Water Board in accordance with section 122.44(f). (40 C.F.R. § 122.42(a)(1)(iv).)

2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following “notification levels" (40 C.F.R. § 122.42(a)(2)):

a. 500 micrograms per liter (µg/L) (40 C.F.R. § 122.42(a)(2)(i));

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

c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 C.F.R. § 122.42(a)(2)(iii)); or

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

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP NO. 6710)

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP) (MRP No. 6710)

Section 308 of the federal Clean Water Act (CWA) and sections 122.41(h), (j)-(l), 122.44(i), and 122.48 of title 40 of the Code of Federal Regulations (40 C.F.R.) require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Regional Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. This MRP establishes monitoring, reporting, and recordkeeping requirements that implement the federal and California laws and/or regulations.

I. GENERAL MONITORING PROVISIONS

A. An effluent sampling station shall be established for the point of discharge (Discharge Point 001 [Latitude 33.8682°, Longitude -118.1641°]) and shall be located where representative samples of waste streams contributing to that effluent can be obtained.

B. Laboratory Certification. Laboratories analyzing monitoring samples shall be certified by the State Water Board, Drinking Water Division, Environmental Laboratory Accreditation Program (ELAP) in accordance with the provision of Water Code section 13176, and must include quality assurance/quality control data with their reports. A copy of the laboratory certification shall be provided each time a new certification and/or renewal of the certification is obtained from ELAP.

C. Effluent samples shall be taken downstream of any additions to treatment works and prior to mixing with the receiving waters.

D. The Regional Water Board shall be notified in writing of any change in the sampling stations once established or in the methods for determining the quantities of pollutants in the individual waste streams.

E. Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. sections 136.3, 136.4, and 136.5 (revised May 18, 2012); or, where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board.

F. For any analyses performed for which no procedure is specified in the U.S. EPA guidelines or in the MRP, the constituent or parameter analyzed and the method or procedure used must be specified in the monitoring report.

G. Each monitoring report must affirm in writing that "all analyses were conducted at a laboratory certified for such analyses by the State Water Board or approved by the Executive Officer and in accordance with current U.S. EPA guideline procedures or as specified in this MRP".

H. The monitoring reports shall specify the analytical method used, the Method Detection Limit (MDL), and the Minimum Level (ML) for each pollutant. For the purpose of reporting compliance with numerical limitations, performance goals, and receiving water limitations, analytical data shall be reported by one of the following methods, as appropriate:

1. An actual numerical value for sample results greater than or equal to the ML; or
2. "Detected, but Not Quantified (DNQ)" if results are greater than or equal to the laboratory's MDL but less than the ML; or,
3. "Not-Detected (ND)" for sample results less than the laboratory's MDL with the MDL indicated for the analytical method used.

Analytical data reported as "less than" for the purpose of reporting compliance with permit limitations shall be the same or lower than the permit limit(s) established for the given parameter.

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Current MLs (Attachment H) are those published by the State Water Board in the Policy for the Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, February 24, 2005.

I. Where possible, the MLs employed for effluent analyses to determine compliance with effluent limitations shall be lower than the effluent limitations established in this Order for a given parameter. If the ML value is not below the effluent limitations, then the lowest ML value and its associated analytical method shall be selected for compliance purposes. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test and associated laboratory QA/QC procedures.

J. Where possible, the MLs employed for effluent analyses not associated with determining compliance with effluent limitations in this Order shall be lower than the lowest applicable water quality objective, for a given parameter. Water quality objectives for parameters may be found in Chapter 3 of the Basin Plan and the CTR (40 C.F.R. section 131.38). If the ML value is not below the water quality objective, then the lowest ML value and its associated analytical method shall be selected for compliance purposes. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test, the associated laboratory QA/QC procedures, reporting levels (RLs), and method detection limits (MDLs).

The Regional Water Board, in consultation with the State Water Board Quality Assurance Program, shall establish a ML that is not contained in Attachment H to be included in the Discharger's permit in any of the following situations:

1. When the pollutant under consideration is not included in Attachment H;

2. When the Discharger and Regional Water Board agree to include in the permit a test method that is more sensitive than that specified in Part 136 (revised May 18, 2012);

3. When the Discharger agrees to use an ML that is lower than that listed in Attachment H;

4. When the Discharger demonstrates that the calibration standard matrix is sufficiently different from that used to establish the ML in Attachment H, and proposes an appropriate ML for their matrix; or,

5. When the Discharger uses a method whose quantification practices are not consistent with the definition of an ML. Examples of such methods are the U.S. EPA-approved method 1613 for dioxins and furans, method 1624 for volatile organic substances, and method 1625 for semi-volatile organic substances. In such cases, the Discharger, the Regional Water Board, and the State Water Board shall agree on a lowest quantifiable limit and that limit will substitute for the ML for reporting and compliance determination purposes.

K. Water/wastewater samples must be analyzed within allowable holding time limits as specified in section 136.3. All QA/QC items must be run on the same dates the samples were actually analyzed, and the results shall be reported in the Regional Water Board format, when it becomes available, and submitted with the laboratory reports. Proper chain of custody procedures must be followed, and a copy of the chain of custody shall be submitted with the report.

L. For analyses with short sample holding time such as pH and total residual chlorine, the analyses may be conducted by a field technician or chemist from an ELAP certified laboratory provided that the personnel receives proper training and follows laboratory SOPs for field sampling and analysis. Documentation for calibration of instruments and records of analysis shall be clearly noted and included in the monitoring report.

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M. All analyses shall be accompanied by the chain of custody, including but not limited to date~~a~~ and time of sampling, sample identification, and name of person who performed sampling, date of analysis, name of person who performed analysis, QA/QC data, method detection limits, analytical methods, copy of laboratory certification, and a statement under penalty of perjury executed by the person responsible for the laboratory.

N. The Discharger shall calibrate and perform maintenance procedures on all monitoring instruments to insure accuracy of measurements, or shall insure that both equipment activities will be conducted.

O. The Discharger shall have, and implement, an acceptable written quality assurance (QA) plan for laboratory analyses. Unless otherwise specified in the analytical method, duplicate samples must be analyzed at a frequency of 5% (1 in 20 samples) with at least one if there is fewer than 20 samples in a batch. A batch is defined as a single analytical run encompassing no more than 24 hours from start to finish. A similar frequency shall be maintained for analyzing spiked samples.

P. When requested by the Regional Water Board or U.S. EPA, the Discharger will participate in the NPDES discharge monitoring report QA performance study. The Discharger must have a success rate equal to or greater than 80%.

Q. For parameters that both average monthly and daily maximum limits are specified and the monitoring frequency is less than four times a month, the following shall apply. If an analytical result is greater than the average monthly limit, the Discharger shall collect four additional samples at approximately equal intervals during the month, until compliance with the average monthly limit has been demonstrated. All five analytical results shall be reported in the monitoring report for that month, or 45 days after results for the additional samples were received, whichever is later. In the event of noncompliance with an average monthly effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the average monthly effluent limitation has been demonstrated. The Discharger shall provide for the approval of the Executive Officer a program to ensure future compliance with the average monthly limit.

R. In the event wastes are transported to a different disposal site during the report period, the following shall be reported in the monitoring report:

1. Types of wastes and quantity of each type;
2. Name and address for each hauler of wastes (or method of transport if other than by hauling); and
3. Location of the final point(s) of disposal for each type of waste.

If no wastes are transported off-site during the reporting period, a statement to that effect shall be submitted.

S. Each monitoring report shall state whether or not there was any change in the discharge as described in the Order during the reporting period.

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II. MONITORING LOCATIONS

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

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	A sampling location shall be established where a representative sample of effluent prior to Discharge Point 001 can be obtained. (Latitude 33.8681°, Longitude -118.1642°)
---	RSW-001	A location outside the influence of the effluent discharge location, and at least 50 feet in the opposite direction of tidal flow of the discharge point into the Los Angeles River.
---	RSW-002	The Los Angeles County Department of Public Works' Willow Street Gauge station at Wardlow (F319-R)[1]

1 The stream flow data can be obtained by contacting LACDPW through Mr. Arthur Gotingco at (626)458-6379 or at agoting@dpw.lacounty.gov . The data for this station is downloaded once a month with a 1-2 week processing time for the provisional data.

The North latitude and West longitude information in Table E-1 are approximate for administrative purposes.

III. INFLUENT MONITORING REQUIREMENTS – NOT APPLICABLE

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location EFF-001

1. The Discharger shall monitor storm water runoff discharge at EFF-001 as follows. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level:

Table E-2. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	GPD	Estimated	1/Day[1]	--
Conventional and Non-conventional Pollutants				
Ammonia, Total (as Nitrogen)[2]	mg/L	Grab	1/Discharge Event[3]	[4]
Biochemical Oxygen Demand (BOD) 5-day @20°C[2]	mg/L	Grab	1/Discharge Event[3]	[4]
Chloride[2]	mg/L	Grab	1/Discharge Event[3]	[4]
Chronic Toxicity	Pass or Fail and % Effect for TST approach	Grab	1/Year[5]	[6]
Dissolved Oxygen	mg/L	Grab	1/Discharge Event[3]	[4]
E. coli	CFU/100ml or MPN/100ml	Grab	1/Discharge Event[3]	[4, 9]

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Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Fecal coliform	CFU/100ml or MPN/100ml	Grab	1/Discharge Event[3]	[4, 9]
Methyl tertiary butyl ether (MTBE) [2]	µg/L	Grab	1/Discharge Event[3]	[4]
Nitrate as Nitrogen (NO_3-N) [2]	mg/L	Grab	1/Discharge Event[3]	[4]
Nitrate as Nitrogen + Nitrite as Nitrogen (NO_3-N + NO_2-N), Total [2]	mg/L	Grab	1/Discharge Event[3]	[4]
Nitrite as Nitrogen (NO_2-N) [2]	mg/L	Grab	1/Discharge Event[3]	[4]
Oil and Grease[2]	mg/L	Grab	1/Discharge Event[3]	[4]
pH	s.u.	Grab	1/Discharge Event[3]	[4]
Phenols, Total[2]	mg/L	Grab	1/Discharge Event[3]	[4]
Settleable Solids	mL/L	Grab	1/Discharge Event[3]	[4]
Specific Conductance @ 25°C	µmho/cm	Grab	1/Discharge Event[3]	[4]
Sulfate[2]	mg/L	Grab	1/Discharge Event[3]	[4]
Sulfides,Total[2]	mg/L	Grab	1/Discharge Event[3]	[4]
Temperature	°F	Grab	1/Discharge Event[3]	[4]
Tertiary Butyl Alcohol (TBA) [2]	µg/L	Grab	1/Discharge Event[3]	[4]
Total Dissolved Solids[2]	mg/L	Grab	1/Discharge Event[3]	[4]
Total Organic Carbon[2]	mg/L	Grab	1/Discharge Event[3]	[4]
Total Petroleum Hydrocarbons (TPH) as Gasoline (C_4-C_{12})	µg/L	Grab	1/Discharge Event[3]	EPA Method 503.1 or 8015B
TPH as Diesel (C_{13}-C_{22})	µg/L	Grab	1/Discharge Event[3]	EPA Method 503.1, 8015B, or 8270
TPH as Waste Oil (C_{23+})	µg/L	Grab	1/Discharge Event[3]	EPA Method 503.1, 8015B, or 8270
Total Suspended Solids (TSS)[2]	mg/L	Grab	1/Discharge Event[3]	[4]
Turbidity	NTU	Grab	1/Discharge Event[3]	[4]
Priority Pollutants				
Cadmium, Total Recoverable[2]	µg/L	Grab	1/Discharge Event[3]	[4]
Copper, Total Recoverable[2]	µg/L	Grab	1/Discharge Event[3]	[4]
Lead, Total Recoverable[2]	µg/L	Grab	1/Discharge Event[3]	[4]
Remaining Priority Pollutants[8]	µg/L	Grab	1/Year[5]	[4]
TCDD Equivalents[2,7]	µg/L	Grab	1/Discharge Event[3]	[4]
Xylene[2]	µg/L	Grab	1/Discharge Event[3]	[4, 8]
Zinc, Total Recoverable[2]	µg/L	Grab	1/Discharge Event[3]	[4]

[1] Flow shall be recorded daily during each period of discharge.

[2] The mass emission (lbs/day) for the discharge shall be calculated using the reported concentration and the actual flow rate measured at the time of discharge, using the formula:

$$M = 8.34 \times Ce \times Q$$

where: M = mass discharge for a pollutant, lbs/day
Ce = Reported concentration for a pollutant
Q = actual discharge flow rate.

[3] During periods of extended discharge, no more than one sample per week (or 7-day period) is required to be collected. Sampling shall be conducted during the first hour of discharge. If, for safety reasons, a sample cannot be obtained during the first hour of discharge, a sample shall be obtained at the first safe opportunity, and the reason for the delay shall be included in the report.

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[4] Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. Part 136; for priority pollutants, the methods must meet the lowest MLs specified in Attachment 4 of the SIP (Attachment H of this Order), where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level.

[5] Monitoring is only required during years in which discharge occurs. Annual samples shall be collected during the first discharge of the year. If there is no discharge to surface waters, the Discharger will indicate in the corresponding monitoring report, under penalty of perjury, that no effluent was discharged to surface water during the reporting period.

[6] Refer to section V, Whole Effluent Toxicity Requirements.

[7] TCDD equivalents shall be calculated using the following formula, where the minimum levels (MLs) and toxicity equivalency factors (TEFs) are as listed in the Table below. The Discharger shall report all measured values of individual congeners, including data qualifiers. When calculating TCDD equivalents, the Discharger shall set congener concentrations below the MLs to zero. U.S. EPA method 1613 may be used to analyze dioxin and furan congeners.

Dioxin-TEQ (TCDD equivalents) = $\Sigma(C_x \times TEF_x)$
where: C_x = concentration of dioxin or furan congener x
TEF_x= TEF for congener x

Congeners	Minimum Levels (pg/L)	Toxicity Equivalence Factor (TEF)
2,3,7,8 - tetra CDD	10	1.0
1,2,3,7,8 - penta CDD	50	1.0
1,2,3,4,7,8 - hexa CDD	50	0.1
1,2,3,6,7,8 - hexa CDD	50	0.1
1,2,3,7,8,9 - hexa CDD	50	0.1
1,2,3,4,6,7,8 - hepta CDD	50	0.01
Octa CDD	100	0.0001
2,3,7,8 - tetra CDF	10	0.1
1,2,3,7,8 - penta CDF	50	0.05
2,3,4,7,8 - penta CDF	50	0.5
1,2,3,4,7,8 - hexa CDF	50	0.1
1,2,3,6,7,8 - hexa CDF	50	0.1
1,2,3,7,8,9 - hexa CDF	50	0.1
2,3,4,6,7,8 - hexa CDF	50	0.1
1,2,3,4,6,7,8 - hepta CDFs	50	0.01
1,2,3,4,7,8,9 - hepta CDFs	50	0.01
Octa CDF	100	0.0001

[8] Priority Pollutants as defined by the CTR are listed in Attachment I of this Order.

[9] Detection methods used for coliforms (fecal) and *E. coli* shall be those presented in Table 1A of 40 C.F.R. Part 136, unless alternate methods have been approved by U.S. EPA pursuant to Part 136 or improved methods have been determined by the Executive Officer and/or U.S. EPA.

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V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

A. Chronic Toxicity Testing

1. Discharge In-stream Waste concentration (IWC) for Chronic Toxicity

The chronic toxicity IWC for this discharge is **100 percent** effluent.

2. Sample Volume and Holding Time

The total sample volume shall be determined by the specific toxicity test method used. Sufficient sample volume shall be collected to perform both the required toxicity tests and Toxicity Identification Evaluation (TIE) studies. All toxicity tests shall be conducted as soon as possible following sample collection. No more than 36 hours shall elapse before the conclusion of sample collection and test initiation.

3. Chronic Freshwater and Estuarine Species and Test Methods

If effluent samples are collected from outfalls discharging to receiving waters with salinity <1 ppt, the Discharger shall conduct the following chronic toxicity tests on effluent samples — at the in-stream waste concentration for the discharge — in accordance with species and test methods in *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA/821/R-02/013, 2002). In no case shall these species and methods be substituted with another test species unless written authorization from the Regional Water Board Executive Officer is received.

a. A static renewal toxicity test with the fathead minnow, *Pimephals promelas* (Larval Survival and Growth Test Method 1000.0).

b. A static renewal toxicity test with the daphnid, *Ceriodaphnia dubia* (Survival and Reproduction Test Method 1002.0)

c. A static renewal toxicity test with the green alga, *Selenastrum capricornutum* (also named *Raphidocelis subcapitata*) (Growth Test Method 1003.0).

4. Species Sensitivity Screening

Species sensitivity screening shall be conducted during this Order's first required sample collection. The Discharger shall collect a single effluent sample and concurrently conduct three toxicity tests, using the fish, an invertebrate, and the alga species as referenced in this section. The sample shall also be analyzed for the parameters required for the discharge. The species that exhibits the highest "Percent Effect" at the discharge IWC during species sensitivity screening shall be used for routine monitoring during the permit cycle.

Rescreening is required at least once per five (5) years. The Discharger shall rescreen with the three species listed above and continue to monitor with the most sensitive species. If the first suite of rescreening tests demonstrates that the same species is the most sensitive, then the rescreening does not need to include more than one suit of tests. If a different species is the most sensitive, or if there is ambiguity, then the Discharger shall proceed with suites of screening tests using enough collected effluent for a minimum of three, but not to exceed five suites.

5. Quality Assurance and Additional Requirements

Quality assurance measures, instructions, and other recommendations and requirements are found in the test methods manuals previous referenced. Additional requirements are specified below.

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a. The discharge is subject to a determination of "Pass" or "Fail" and "Percent Effect" from a single-effluent concentration chronic toxicity test at the discharge IWC using the Test of Significant Toxicity (TST) approach described in *National Pollutant Discharge Elimination System Test of Significant Toxicity/Implementation Document* (EPA 833-R-10-003, 2010), Appendix A, Figure A-1, and Table A-1. The null hypothesis (H_o) for the TST approach is: Mean discharge IWC response ≤ (0.75 x Mean control response). A test result that does not reject this null hypothesis is reported as "Fail". The relative "Percent Effect" at the discharge IWC is defined and reported as: ((Mean control response-Mean discharge IWC response) ÷ Mean control response)) x 100%.

b. The Median Monthly Effluent Limitation (MMEL) for chronic toxicity only applies when there is a discharge on more than one day in a calendar month period. During such calendar months, exactly three independent toxicity tests are required when one toxicity test results in "Fail". This limitation is not applicable to discharges composed entirely of industrial storm water.

c. Dilution water and control water, including brine controls, shall be laboratory water prepared and used as specified in the test methods manual. If dilution water and control water is different from test organism culture water, then a second control using culture water shall also be used.

d. Monthly reference toxicant testing is sufficient. All reference toxicant test results should be reviewed and reported.

e. The Discharger shall perform toxicity tests on final effluent samples. Chlorine and ammonia shall not be removed from the effluent sample prior to toxicity testing, unless explicitly authorized under this section of the Monitoring and Reporting Program and the rationale is explained in the Fact Sheet (Attachment F).

6. Preparation of Initial Investigation TRE Work Plan

The Discharger shall prepare and submit a generic Initial Investigation TRE Work Plan within 90 days of the permit effective date to be ready to respond to toxicity events. The Discharger shall review and update this work plan as necessary so it remains current and applicable to the discharge. At a minimum, the work plan shall include:

a. A description of the investigation and evaluation techniques that would be used to identify potential causes and source of toxicity, effluent variability, and treatment system efficiency.

b. A description of methods for maximizing in-house treatment system efficiency, good housekeeping practices, and a list of all chemicals used in operations at the facility.

c. If a Toxicity Identification Evaluation (TIE) is necessary, an indication of who would conduct the TIEs (i.e., an in-house expert or outside contractor).

7. Toxicity Identification Evaluation and Toxicity Reduction Evaluation Process

a. Toxicity Identification Evaluation (TIE). A toxicity test sample is immediately subject to TIE procedures to identify the toxic chemical(s), if a chronic toxicity test shows "Fail and % Effect value ≥50". The Discharger shall initiate a TIE using, as guidance, EPA manuals: *Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures* (EPA/600/6-91/003, 1991); *Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/080,

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1993); *Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/081, 1993); and *Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document* (EPA/600/R-96-054, 1996). The TIE should be conducted on the species demonstrating the most sensitive toxicity response.

b. Toxicity Reduction Evaluation (TRE). When a toxicant or class of toxicants is identified, a TRE shall be performed for that toxicant. The TRE shall include all reasonable steps to identify the source(s) of toxicity and discuss appropriate BMPs to eliminate the causes of toxicity. No later than 30 days after the source of toxicity and appropriate BMPs and/or treatment are identified, the Discharger shall submit a TRE Corrective Action Plan to the Executive Officer for approval. At minimum, the plan shall include:

i. The potential sources of pollutant(s) causing toxicity.

ii. Recommended BMPs and/or treatment to reduce the pollutant(s) causing toxicity.

iii. Follow-up monitoring to demonstrate that toxicity has been removed.

iv. Actions the Discharger will take to mitigate the effects of the discharge and prevent the recurrence of toxicity.

v. A schedule for these actions, progress reports, and the final report.

c. Many recommended TRE elements parallel required or recommended efforts for source control, pollution prevention, and storm water control programs. TRE efforts should be coordinated with such efforts. As toxic substances are identified or characterized, the Discharger shall continue the TRE by determining the sources and evaluating alternative strategies for reducing or eliminating the substances from the discharge. All reasonable steps shall be taken to reduce toxicity to levels consistent with toxicity evaluation parameters.

d. The Discharger shall conduct routine effluent monitoring for the duration of the TIE/TRE process.

e. The Regional Water Board recognizes that toxicity may be episodic and identification of causes and reduction of sources of toxicity may not be successful in all cases. The TRE may be ended at any stage if monitoring finds there is no longer toxicity.

8. Reporting

The Self-Monitoring Report (SMR) shall include a full laboratory report for each toxicity test. This report shall be prepared using the format and content of the test methods manual chapter titled *Report Preparation*, including:

a. The toxicity test results for the TST approach, reported as “Pass” or “Fail” and “Percent Effect” at the chronic toxicity IWC for the discharge.

b. Water quality measurements for each toxicity test (e.g., pH, dissolved oxygen, temperature, conductivity, hardness, salinity, chlorine, ammonia).

c. TRE/TIE results. The Regional Water Board Executive Officer shall be notified no later than 30 days from completion of each aspect of TRE/TIE analyses.

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d. Statistical program (e.g., TST calculator, CETIS, etc.) output results for each toxicity test.

VI. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE

VII. RECYCLING MONITORING REQUIREMENTS – NOT APPLICABLE

VIII. RECEIVING WATER MONITORING REQUIREMENTS

A. Monitoring Location RSW-001

1. The Discharger shall monitor Los Angeles River at RSW-001, a location that is outside the influence of the effluent discharge at least 50 feet from the point of discharge and is in a direction that is opposite the direction of tidal flow at the discharge point at the time of collection, as follows:

Table E-3. Receiving Water Monitoring Requirements[3]

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Hardness as $CaCO_3$	mg/L	Grab	1/Year	[1]
pH	s.u.	Grab	1/Year	[1,2]
Salinity	ppt	Grab	1/Year	[1,2]
Temperature	ºF	Grab	1/Year	[1,2]
Dissolved Oxygen	mg/L	Grab	1/Year	[1,2]
Priority Pollutants[4]	µg/L	Grab	1/Year	[1]
TCDD Equivalents[5]	µg/L	Grab	1/Year	[1]

[1] Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. Part 136; for Priority Pollutants the methods must meet the lowest MLs specified in Attachment 4 of the SIP, provided as Attachment H. Where no methods are specified for a given pollutant, the methods must be approved by this Regional Water Board or the State Water Board.

[2] Receiving water pH, temperature, dissolved oxygen, and salinity must be analyzed at the same time the samples are collected for Priority Pollutants analysis. A hand-held field meter may be used for pH and temperature, provided the meter utilizes an EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions; all testing shall be conducted by a field technician or chemist from an ELAP certified laboratory provided that the personnel receives proper training and follows laboratory SOPs for field sampling and analysis. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

[3] Receiving water monitoring is only required during years of discharge.

[4] Priority Pollutants as defined by the CTR, and included as Attachment I. Annual samples shall be collected from the first storm event of the year at the first safe opportunity after effluent samples have been collected.

[5] TCDD equivalents shall be calculated using the following formula, where the MLs and TEFs are as listed in the Table below. The Discharger shall report all measured values of individual congeners, including data qualifiers. When calculating TCDD equivalents, the Discharger shall set congener concentrations below the MLs to zero. U.S. EPA method 1613 may be used to analyze dioxin and furan congeners.

$$\text{Dioxin-TEQ (TCDD equivalents)} = \Sigma(C_x \times TEF_x)$$

where: C_X = concentration of dioxin or furan congener x
TEF_X = TEF for congener x

Congeners	Minimum Levels (pg/L)	Toxicity Equivalence Factor (TEF)
2,3,7,8 - tetra CDD	10	1.0
1,2,3,7,8 - penta CDD	50	1.0

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Congeners	Minimum Levels (pg/L)	Toxicity Equivalence Factor (TEF)
1,2,3,4,7,8 - hexa CDD	50	0.1
1,2,3,6,7,8 - hexa CDD	50	0.1
1,2,3,7,8,9 - hexa CDD	50	0.1
1,2,3,4,6,7,8 - hepta CDD	50	0.01
Octa CDD	100	0.0001
2,3,7,8 - tetra CDF	10	0.1
1,2,3,7,8 - penta CDF	50	0.05
2,3,4,7,8 - penta CDF	50	0.5
1,2,3,4,7,8 - hexa CDF	50	0.1
1,2,3,6,7,8 - hexa CDF	50	0.1
1,2,3,7,8,9 - hexa CDF	50	0.1
2,3,4,6,7,8 - hexa CDF	50	0.1
1,2,3,4,6,7,8 - hepta CDFs	50	0.01
1,2,3,4,7,8,9 - hepta CDFs	50	0.01
Octa CDF	100	0.0001

B. Monitoring Location RSW-002

The Discharger shall report the maximum daily flow in the Los Angeles River, at the Los Angeles County Department of Public Works' Willow Street Gauge Station at Wardlow. This station is designated as RSW-002 in this Order. The stream flow data can be obtained by contacting LACDPW through Mr. Arthur Gotingco at (626)458-6379 or at agoting@dpw.lacounty.gov. The data for this station is downloaded once a month with a 1-2 week processing time for the provisional data. This information is necessary to determine the wet weather and dry weather condition of the river, as defined in the Los Angeles River Metals TMDL. If the gauging station is not operational, an estimated maximum daily flow may be submitted.

IX. OTHER MONITORING REQUIREMENTS

A. Rainfall Monitoring

The Discharger shall measure and record the rainfall on each day of the month or submit the data obtained from the nearest city/county operated rain gauge monitoring station. This information shall be included in the monitoring report for that month.

B. Visual Observation

The Discharger shall make visual observations of all storm water discharge locations on at least one storm event per month that produces a significant storm water discharge to observe the presence of floating and suspended materials, oil and grease, discoloration, turbidity, and odor. A "significant storm water discharge" is a continuous discharge of storm water for a minimum of one hour, or the intermittent discharge of storm water for a minimum of 3 hours in a 12-hour period.

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X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
2. If there is no discharge during any reporting period, the Discharger shall indicate under penalty of perjury in the corresponding monitoring report that no effluent was discharged to surface water during the reporting period.
3. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.
4. The Discharger shall inform the Regional Water Board well in advance of any proposed construction activity that could potentially affect compliance with applicable requirements.
5. The Discharger shall report the results of chronic toxicity testing, TRE and TIE as required in the Attachment E, Monitoring and Reporting, Section V.

B. Self-Monitoring Reports (SMRs)

1. The Discharger shall electronically submit SMRs using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (http://www.waterboards.ca.gov/ciwqs/index.html). The CIWQS Web site will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.
2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections III through IX. The Discharger shall submit quarterly SMRs including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMRs are to include all new monitoring results obtained since the last SMR was submitted. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.
3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-4. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On…	Monitoring Period	SMR Due Date
1/Day	June 1, 2015	January 1 through March 31	May 1
		April 1 through June 30	August 1
		July 1 through September 30	November 1
		October 1 through December 31	February 1

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Sampling Frequency	Monitoring Period Begins On…	Monitoring Period	SMR Due Date
1/ Discharge Event	June 1, 2015	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 1 August 1 November 1 February 1
1/Year	June 1, 2015	January 1 through December 31	February 1

4. Reporting Protocols. The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current Method Detection Limit (MDL), as determined by the procedure in 40 C.F.R. Part 136.

The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

a. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ. The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (± a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.

d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

5. Compliance Determination. Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined above and Attachment A. For purposes of reporting and administrative enforcement by Regional Water Board and State Water Board, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).

6. Multiple Sample Data. When determining compliance with an AMEL or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

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a. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

7. The Discharger shall submit SMRs in accordance with the following requirements:

a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.

b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

C. Discharge Monitoring Reports (DMRs)- Not Applicable

D. Other Reports

1. Within 90 days of the effective date of this Order, the Discharger is required to submit the following to the Regional Water Board:

a. Initial Investigation TRE workplan

b. Updated SWPPP

c. Updated BMPP

d. Spill Contingency Plan

The SWPPP, BMPP, and Spill Contingency Plan status shall be reviewed at a minimum once per year and updated as needed to ensure all actual or potential sources of pollutants in storm water discharged from the facility are addressed. All changes or revisions to the SWPPP, BMPP, and Spill Contingency Plan shall be submitted to the Regional Water Board within 30 days of revisions.

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ATTACHMENT F – FACT SHEET

As described in section II.B of this Order, the Los Angeles Regional Water Quality Control Board (Regional Water Board) incorporates this Fact Sheet as findings of the Regional Water Board supporting the issuance of this Order. This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for dischargers in California. Only those sections or subsections of this Order that are specifically identified as "not applicable" have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as "not applicable" are fully applicable to this Discharger.

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I. PERMIT INFORMATION

The following table summarizes administrative information related to the Facility.

Table F-1. Facility Information

WDID	**4B192010016**
Discharger	**Tesoro Logistics Operations LLC**
Name of Facility	**East Hynes Tank Farm**
Facility Address	**5905 Paramount Blvd.** **Long Beach, CA 90805** **Los Angeles County**
Facility Contact, Title and Phone	**Stephen D. Comley, Senior Environmental Specialist, (562)728-2265**
Authorized Person to Sign and Submit Reports	**Stephen D. Comley, Senior Environmental Specialist, (562)728-2265**
Mailing Address	**5905 Paramount Boulevard, Long Beach, CA 90805**
Billing Address	**5905 Paramount Boulevard, Long Beach, CA 90805**
Type of Facility	**Industrial - Petroleum Bulk Stations and Terminals (SIC Code 5171) - Crude Petroleum Pipelines (SIC Code 4612)**
Major or Minor Facility	**Minor**
Threat to Water Quality	**3**
Complexity	**C**
Pretreatment Program	**Not Applicable**
Recycling Requirements	**Not Applicable**
Facility Permitted Flow	**0.76 million gallons per day (MGD)**
Facility Design Flow	**0.76 million gallons per day (MGD)**
Watershed	**Los Angeles River Watershed**
Receiving Water	**Los Angeles River**
Receiving Water Type	**Inland Surface Water**

A. Tesoro Logistics Operations LLC (hereinafter Discharger), formerly BP Pipelines (North America), Inc., is the operator of the East Hynes Tank Farm (hereinafter Facility), a crude oil and petroleum bulk storage and handling terminal. The Facility is located at 5905 Paramount Boulevard, Long Beach, CA 90805. Tesoro Logistics Operations LLC owns the property on which the Facility is located.

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

B. The Facility discharges storm water runoff to the Los Angeles River, a water of the United States and State of California. The Discharger was previously regulated by Order No. R4-2009-0102, adopted on October 1, 2009, and expired on September 10, 2014. The terms and conditions of Order No. R4-2009-0102, as per 40 C.F.R. section 122.6, were administratively extended and continue in effect until a new order is adopted. Attachment B provides a map of the area around the Facility. Attachment C provides a flow schematic and a drainage map of the Facility.

C. The Discharger filed a report of waste discharge and submitted an application for reissuance of its WDRs and NPDES permit on March 12, 2014. The application was deemed complete on December 1, 2014. A site visit was conducted on December 5, 2014 to observe operations and collect additional data to develop permit limitations and requirements for waste discharge.

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II. FACILITY DESCRIPTION

Tesoro Logistics Operations LLC operates the Facility located at 5905 Paramount Boulevard, Long Beach, California. Operations in the Facility consist of crude oil and refined products storage; hydrocarbons transport and distribution by pipeline; and bulk loading and unloading truck rack operations. Industrial processes that occur at the Facility include water draws, tank cleaning, sand blasting, and painting. Twenty-seven above ground storage tanks (ASTs) are in operation to store crude oil and petroleum products, including ethanol, gasoline, diesel, and jet fuel.

A. Description of Wastewater Treatment and Controls

The Facility discharges up to 760,000 gallons per day (gpd) of storm water runoff from Discharge Point 001 to the Los Angeles River, a water of the United States. Spill containment is provided by containment structures for the hazardous materials storage area, the loading rack, the diesel and additive tanks, and the tanks located in the tank farm area.

The hazardous materials storage area consists of various hydrocarbon-impacted materials and debris awaiting shipment to a treatment, storage, or disposal facility. The containers range from 2 to 250 gallons in size and they are located within concrete berms. Storm water accumulated within the containment area is inspected and released to a sump before being routed to the storm water retention basins.

The southeast portion of the Facility contains a truck loading/unloading rack. Ethanol and crude oil are received by tanker truck at two unloading racks. Petroleum products (gasoline, diesel, jet fuel, and ethanol) are loaded into tanker trucks at six loading racks. Spills that may occur during loading operations within the truck loading rack ~~are~~ will be contained and routed to a dedicated sump. Hydrocarbon-impacted water collected in the sump is pumped to Tank 734/735 (varies, depending on tank availability), and subsequently transferred via trucks to a Tesoro refinery for water treatment. Drainage of storm water from the roof and sides of the truck loading rack occurs via gravity along the surface sloping towards catch basins. The catch basins are connected to an oily-water sump, from which storm water is pumped into a bermed containment structure adjacent to the truck load rack. This containment structure has

a capacity of 112,000 gallons, with asphalt coated earthen sides and earthen bottom. Water retained in this structure is expected to evaporate or percolate into the soil.

The southwest portion of the facility consists of product transfer piping, pumps, meters, and flow control equipment. ~~Spill containment is accomplished by sloping the surface south and east of the area towards catch basins; flow of storm water in other directions is restricted by the use of berms. The catch basins are connected to an oily-water sump, where hydrocarbons are separated and pumped into storage tanks for off-site disposal while any residual water is transported to the storm water retention basins.~~Storm water that collects in the southwest portion of the Facility is pumped into the same bermed containment structure that contains storm water collected from the southeast portion of the Facility as described in the preceding paragraph.

The majority of the storage tanks are contained within earthen berms coated with an asphalt material, ranging from 3 to 15 feet in height; portions of the containment are made of reinforced concrete walls. The containment structures are designed to contain at minimum 110% the volume of the largest tank within the bermed area. Some bermed areas are connected to adjacent containment cells with flow equalization mechanisms to provide greater containment capacity between two adjacent cells, should a large spill occur. Storm water contained within the containment cells is allowed to evaporate or percolate into the soil before being pumped into a series of three gunite/concrete-lined storm water retention basins.

The storm water retention basins have a combined capacity of 981,000 gallon. In most cases, storm water collected is allowed to evaporate within the retention basins. When necessary, the Facility discharges storm water from these retention basins to the sanitary sewer under the terms of an industrial wastewater discharge permit from the Sanitation Districts of Los Angeles County (Permits No. 21303). The Discharger has historically had the option to send storm water from the retention basins to the Los Angeles County storm drain through Discharge Point 001 into the Los Angeles River when the volume of storm water retained approaches the storage capacity at the facility. The decision regarding discharge to the storm drain is made by the shift foreman. Currently, the Facility's outfall connection to Discharger Point 001 has been disconnected and routed solely to the sanitary sewer. The connection is expected to be reestablished within 2015.

In the event that the retention basins reach full capacity, storm water will be routed to an undeveloped area east of the tank farm and west of Paramount Boulevard, which is an earthen field generally covered with crushed rock. Storm water spread to this area is expected to evaporate or percolate into the soil.

Discharge of hydrostatic test water from the Facility is authorized under a General NPDES Permit for Discharges of Hydrostatic Test Water (CAG674001). Hydrostatic test water is collected in the retention basins; the retention basin is emptied and designated solely for the containment of hydrostatic water prior to its collection. The hydrostatic water is subsequently discharged to the Los Angeles River, and the retention basins are cleaned in preparation for future storm water runoff storage. At no time will the hydrostatic test water commingle with any storm water runoff.

Attachment B provides a map of the area around the Facility. Attachment C provides a flow schematic and a site drainage map of the Facility.

B. Discharge Points and Receiving Waters

Consistent with the prior Order (Order No. R4-2009-0102) and the submitted ROWD, the Facility proposes to discharge up to 0.76 million gallons per day (MGD) of storm water runoff

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through Discharge Point 001 into the Los Angeles River, a water of the United States and State of California. (Latitude 33.8682°, Longitude -118.1641°).

C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Effluent limitations from Order No. R4-2009-0102 for Discharge Point 001 are listed in Table F-2. One discharge event occurred during the term of Order No. R4-2009-0102, on February 2 through February 3 in 2010. However, no representative data are available for this discharge event; effluent monitoring samples were collected on January 19 and January 26, but none were collected during the actual discharge event. Representative data from the term of Order No. R4-2004-0069 and the effluent monitoring results from January 2010 are presented below, side-by-side, for reference.

Table F-2. Historic Effluent Limitations and Monitoring Data- EFF-001

Parameter	Units	Effluent Limitation	Monitoring Data (From October 2004 through March 2008)	Monitoring Data (From January 2010)
		Maximum Daily	Highest Daily Discharge	Highest Daily Discharge
pH	s.u.	6.5 – 8.5	7.03-9.3	7.82-7.95
BOD_5 @ 20°C	mg/L	30	120	2.1
Phenols, Total	mg/L	1.0	ND	ND
Sulfides, Total	mg/L	1.0	0.072	0.029
Settleable Solids	mL/L	0.3	0.15	ND
Temperature	°F	86	67	58
Turbidity	NTU	75	31	12
Oil and Grease	mg/L	15	2.1	ND
Total Dissolved Solids (TDS)	mg/L	1500	480	140
Total Suspended Solids (TSS)	mg/L	75	11	10
Sulfate	mg/L	350	120	25
Chloride	mg/L	150	91	8.2
Total Residual Chlorine	mg/L	0.5	0.14	0.1
Cadmium, Total Recoverable[3]	µg/L	5.1	ND	0.27
Copper, Total Recoverable, Wet Weather[3]	µg/L	28	17	14
Copper, Total Recoverable, Dry Weather[4]	µg/L	36	--	--
Lead, Total Recoverable[3]	µg/L	18	11	8
Zinc, Total Recoverable[3]	µg/L	261	94	32
2,3,7,8 – TCDD (as Equivalent)	µg/L	2.8e-8	1.87e-7	2.67e-8
Acute Toxicity	% survival	2	1	5

ND= Non-detected

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[1] No exceedances of the acute toxicity effluent limit occurred during the term of Order No. R4-2004-0069
[2] Average survival in the undiluted effluent for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, and no single test shall produce less than 70% survival.
[3] The wet weather TMDL limits apply when the maximum daily flow at Reach 1 of the Los Angeles River at Willow Street gauge station at Wardlow is equal to or greater than 500 cubic feet per second (approximately 320 million gallons per day).
[4] The dry weather TMDL limits apply when the maximum daily flow at Reach 1 of the Los Angeles River at Willow Street gauge station at Wardlow is less than 500 cubic feet per second.
[5] No exceedances of the acute toxicity effluent limit occurred during the term of Order No. R4-2009-0102.

D. Compliance Summary

On August 1, 2013, one deficient reporting violation was cited in the 2013 Second Quarter Self-Monitoring Report for not reporting dates of no discharge electronically.

E. Planned Changes

There has been no indication of planned changes at the Facility.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in this Order are based on the requirements and authorities described in this section.

A. Legal Authorities

This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (U.S. EPA) and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit for point source discharges from this Facility to surface waters.

B. California Environmental Quality Act (CEQA)

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of the Public Resources Code.

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

1. The **Water Quality Control Plans.** The Regional Water Board adopted a Water Quality Control Plan for the Los Angeles Region (hereinafter Basin Plan) on June 13, 1994 that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Requirements in this Order implement the Basin Plan. Beneficial uses applicable to the Los Angeles River Reach 2 are as follows:

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Table F-3. Basin Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Los Angeles River, Reach 2 (Carson St. to Rio Hondo Reach 1)	Existing: Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Ground Water Recharge (GWR); Warm Freshwater Habitat (WARM) Potential: Municipal and Domestic Supply (MUN); Industrial Service Supply (IND); Wildlife Habitat (WILD)

Title 22 of the California Code of Regulations. The California Department of Public Health established primary and secondary maximum contaminant levels (MCLs) for inorganic, organic, and radioactive contaminants in drinking water. These MCLs are codified in Title 22, California Code of Regulations (Title 22). The Basin Plan (Chapter 3) incorporates Title 22 primary MCLs by reference. This incorporation by reference is prospective including future changes to the incorporated provisions as the changes take effect. Title 22 primary MCLs have been used as bases for effluent limitations in WDRs and NPDES permits to protect the groundwater recharge beneficial use when that receiving groundwater basin is designated as MUN. Also, the Basin Plan specifies that "Ground waters shall not contain taste or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses". Therefore, the secondary MCLs are also incorporated into this Order to protect groundwater quality.

Groundwater Recharge (GWR). The Los Angeles River Reach 2 (Cason to Rio Hondo Reach 1) is designated as GWR. Surface water from the Los Angeles River percolates into the Central Los Angeles Coastal Plain Groundwater Basin. Since groundwater from this Basin is used to provide drinking water to the community, the groundwater aquifers should be protected. Therefore, Title 22-based limits are needed to protect that drinking water supply. The MCLs were considered during the development of effluent limits included in this Order.

2. **Thermal Plan.** The State Water Board adopted a Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan) on January 7, 1971, and amended this plan on September 18, 1975. This plan contains temperature objectives for surface waters. Requirements of this Order implement the Thermal Plan. Additionally, a white paper developed by Regional Water Board staff entitled *Temperature and Dissolved Oxygen Impacts on Biota in Tidal Estuaries and Enclosed Bays in the Los Angeles Region,* evaluated the optimum temperatures for steelhead, topsmelt, ghost shrimp, brown rock crab, jackknife clam, and blue mussel, a number of aquatic species prevalent in the region. A maximum effluent temperature limitation of 86°F was determined to be appropriate for protection of aquatic life and is included in this Order.

3. **Domestic Water Quality.** It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This order promotes that policy by requiring discharges to meet maximum contaminant levels developed to protect human health and ensure that water is safe for domestic use.

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4. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA 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, U.S. EPA 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.

5. **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 U.S. EPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA 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. Requirements of this Order implement the SIP.

6. **Antidegradation Policy.** 40 C.F.R. section 131.12 requires that the 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 68-16 (Statement of Policy with Respect to Maintaining High Quality of Waters in California"). Resolution 68-16 is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Regional 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 provision of 40 C.F.R. section 131.12 and State Water Board Resolution 68-16.

7. **Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at 40 C.F.R. section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed. Clean Water Act section 402(o)(2) and 40 C.F.R. section 122.44(l) provide that the relaxation of effluent limits may be allowed where:

   a. There have been material and substantial alternations or additions to the permitted facility which justify relaxation.

   b. New information (other than revised regulations, guidance, or test methods) is available that was not available at the time of permit issuance which would have justified a less stringent effluent limitation.

   c. Technical mistakes or mistaken interpretations of the law were made in issuing the permit under section 402(a)(1)(b) of the Clean Water Act.

   d. Good cause exists due to events beyond the permittee's control and for which there is no reasonably available remedy.

   e. The permit has been modified under 40 C.F.R. § 122.62, or a variance has been granted.

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f. The permittee has installed and properly operated and maintained treatment facilities required to meet the effluent limitations in the previous permit but still has been unable to meet the permit limitations (relaxation may only be allowed to the treatment levels actually achieved).

8. **Endangered Species Act Requirements.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code, §§ 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C. §§ 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state, including protecting rare and endangered species. The discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

D. Impaired Water Bodies on CWA Section 303(d) List

Section 303(d) of the CWA 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 CWA section 303(d)-listed water bodies and pollutants, the Regional Water Board plans to develop and adopt total maximum daily loads (TMDLs) that will specify waste load allocations (WLAs) for point sources and load allocations (LAs) for non-point sources, as appropriate.

Certain receiving waters in the Los Angeles and Ventura County watersheds do not fully support beneficial uses and therefore have been classified as impaired on the 2010 CWA section 303(d) list and have been scheduled for TMDL development. On November 12, 2010, U.S. EPA approved California's 2010 CWA Section 303(d) list of impaired waters and disapproved the omission of several water bodies and associated pollutants that met federal listing requirements. U.S. EPA identified additional water bodies and pollutants for inclusion on the State's CWA section 303(d) list. On October 11, 2011, U.S. EPA issued its final decision regarding the waters U.S. EPA added to the State's CWA section 303(d) list.

The Facility discharges into Los Angeles River Reach 2. The 2010 California CWA section 303(d) List classifies the Los Angeles River Reach 2 as impaired. The pollutants/stressors of concern for the Los Angeles River Reach 2 include: ammonia, coliform bacteria, copper, lead, nutrients (algae), oil, and trash. The following are summaries of adopted TMDLs developed to address these impairments in Los Angeles River Reach 2.

1. **Bacteria TMDL for Los Angeles River.** On July 9, 2010, the Regional Water Board adopted Resolution No. R10-007, Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate a TMDL for Indicator Bacteria in the Los Angeles River Watershed (LA River Bacteria TMDL). The LA River Bacteria TMDL contains WLAs of single sample and geometric mean numeric targets for *E.coli* during both dry and wet weather events for general and individual NPDES permits. The LA River Bacteria TMDL was approved by the State Water Board on November 1, 2011; by the OAL on March 21, 2012; and by the U.S. EPA on March 23, 2012. It became effective on March 23, 2012. This Order includes effluent limitations based on the LA River Bacteria TMDL.

2. **Nutrient TMDL for Los Angeles River.** The Regional Water Board adopted Resolution No. 03-009 on July 10, 2003 that amended the Basin Plan to incorporate a TMDL for Nutrients (nitrogen compounds, including ammonia-nitrogen, nitrate-nitrogen, and nitrate-nitrogen plus nitrite-nitrogen, and related effects) in the Los Angeles River (LA River Nutrients TMDL). The TMDL was approved by the State Water Board and Office of Administrative Law on November 19, 2003, and February 27, 2004, respectively. The LA

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River Nutrients TMDL was approved by U.S. EPA on March 18, 2004, and became effective on March 23, 2004. Subsequently, Resolution No. 2003-016, which revised the interim effluent limitations for ammonia, was adopted by the Regional Water Board on December 4, 2003. The State Water Board approved the TMDL with Resolution 2004-0014 on March 24, 2004. OAL approved the TMDL on September 27, 2004, and it became effective on the same date. The TMDL was amended again by Resolution No. R12-010 to incorporate site-specific objectives for select reaches and tributaries of the Los Angeles River watershed. This amendment was approved by the Regional Water Board on December 6, 2012; by the State Water Board on June 4, 2013; by the OAL on June 9, 2014; by the U.S. EPA on August 7, 2014; and became effective on August 7, 2014. This Order includes effluent limitations based on the LA River Nutrients TMDL.

3. **Trash TMDL for Los Angeles River.** The Los Angeles River Trash TMDL was adopted by the Regional Water Board on September 19, 2001. The TMDL established a numeric target of zero trash in the Los Angeles River. The TMDL was to be implemented via storm water permits in a phased reduction for a period of 10 years. The Los Angeles River Trash TMDL was approved by the State Water Board on February 19, 2002, and OAL on July 16, 2002. The U.S. EPA approved the TMDL on August 1, 2002, and it became effective on August 28, 2002. There were legal challenges to the Los Angeles River Trash TMDL, which resulted in the TMDL being set aside by the Regional Water Board on June 8, 2006 and the State Water Board on July 17, 2006. The Regional Water Board adopted an amendment to the Los Angeles River Trash TMDL (Resolution No. 2007-012) on August 9, 2007. The State Water Board approved the TMDL on April 15, 2008. OAL approved the TMDL on July 1, 2008. The U.S. EPA approved the TMDL on July 24, 2008, and it became effective on September 23, 2008. This TMDL is implemented through Municipal Separate Storm Sewer System (MS4) NPDES permits. This Order requires a Storm Water Pollution Prevention Plan (SWPPP), which is expected to minimize/prevent the discharge of trash from the Facility to the Los Angeles River Watershed. This Order is consistent with the intent of Resolution No. 2007-012.

4. **Metals TMDL for Los Angeles River.** The Regional Water Board adopted Resolution No. 2005-006 on June 2, 2005, which amended the Basin Plan to incorporate a TMDL for metals (cadmium, copper, lead, selenium, and zinc) in the Los Angeles River (LA River Metals TMDL). The State Water Board approved the LA River Metals TMDL on October 20, 2005, and OAL approved the TMDL on December 9, 2005. The U.S. EPA approved the LA River Metals TMDL on December 22, 2005, and it became effective on January 11, 2006. The LA River Metals TMDL establishes numeric water quality targets that are based on objectives established by U.S. EPA in the CTR. An amendment to the TMDL (Resolution No. R2007-014) was adopted by the Regional Water Board on September 6, 2007. The State Water Board and OAL approved the amendment on June 17, 2008, and October 17, 2008, respectively. U.S. EPA approved the amendment on October 14, 2008, and it became effective on October 29, 2008. The LA River Metals TMDL was subsequently amended by Resolution No. R10-003, which was adopted by the Regional Water Board on May 6, 2010; by the State Water Board on April 19, 2011; by the OAL on July 28, 2011; and by the U.S. EPA on November 3, 2011. Resolution No. R10-003, effective November 3, 2011, establishes WLAs in Los Angeles River Reach 2 for cadmium, copper, lead, and zinc in dry and wet weather events (defined where the maximum daily flow at station F319-R is greater than 500 cubic feet per second). This Order includes effluent limitations based on the LA River Metals TMDL.

E. Other Plans, Polices and Regulations – Not Applicable

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IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: 40 C.F.R. section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 C.F.R. section 122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

Order No. R4-2009-0102 established effluent limitations for a number of pollutants believed to be present in the discharge of storm water runoff from the crude oil and petroleum products bulk storage, truck loading, and pumping facility. Effluent limitations in Order No. R4-2009-0102 were established for pH, temperature, total suspended solids, total dissolved solids, turbidity, BOD, oil and grease, settleable solids, phenols, sulfides, sulfate, chloride, residual chlorine, ammonia, cadmium, copper, lead, zinc, TCDD, and acute toxicity. Due to the nature of products that are handled at the Facility (including crude oil and petroleum products), these constituents can be indicators of spills within the Facility. In addition, total petroleum hydrocarbons are pollutants of concern as these constituents were identified based on a review of pollutants commonly found in discharges from similar facilities and/or they were historically detected in the effluent.

Generally, mass-based effluent limitations ensure that proper treatment, and not dilution, is employed to comply with the final effluent concentration limitations. Section 122.45(f)(1) requires that all permit limitations, standards or prohibitions be expressed in terms of mass units except under the following conditions: (1) for pH, temperature, radiation or other pollutants that cannot appropriately be expressed by mass limitations; (2) when applicable standards or limitations are expressed in terms of other units of measure; or (3) if in establishing technology-based permit limitations on a case-by-case basis limitations based on mass are infeasible because the mass or pollutant cannot be related to a measure of production. The limitations, however, must ensure that dilution will not be used as a substitute for treatment.

A. Discharge Prohibitions

The discharge prohibitions are based on the requirements of the Basin Plan, State Water Board's plans and policies, the CWA, the Water Code, previous permit provisions, and are consistent with the requirements set for other discharges to the Los Angeles River.

B. Technology-Based Effluent Limitations

1. Scope and Authority

Section 301(b) of the CWA and implementing U.S. EPA permit regulations at 40 C.F.R. section 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Best Professional Judgment (BPJ) in accordance with 40 C.F.R. section 125.3

The CWA requires that technology-based effluent limitations be established based on several levels of controls:

a. Best practicable treatment control technology (BPT) represents the average of the best existing performance by well-operated facilities within an industrial category or subcategory. BPT standards apply to toxic, conventional, and non-conventional pollutants.

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b. Best available technology economically achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable within an industrial point source category. BAT standards apply to toxic and non-conventional pollutants.

c. Best conventional pollutant control technology (BCT) represents the control from existing industrial point sources of conventional pollutants including BOD, TSS, fecal coliform, pH, and oil and grease. The BCT standard is established after considering a two-part reasonableness test. The first test compares the relationship between the costs of attaining a reduction in effluent discharge and the resulting benefits. The second test examines the cost and level of reduction of pollutants from the discharge from publicly owned treatment works to the cost and level of reduction of such pollutants from a class or category of industrial sources. Effluent limitations must be reasonable under both tests.

d. New source performance standards (NSPS) represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.

The CWA requires U.S. EPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BAT, BCT, and NSPS. Section 402(a)(1) of the CWA and 40 C.F.R. section 125.3 authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis where ELGs are not available for certain industrial categories and/or pollutants of concern. Where BPJ is used, the Regional Water Board must consider specific factors outlined in 40 C.F.R. section 125.3.

2. Applicable Technology-Based Effluent Limitations

Federal ELGs have not been developed for storm water runoff from crude oil and petroleum tank farm facilities. Pursuant to section 122.44(k), the prior Order required the Discharger to develop and implement Best Management Practices (BMPs) and submit a Storm Water Pollution Prevention Plan (SWPPP). This Order will continue to require the Discharger to update and implement, consistent with the prior Order requirements, a SWPPP to outline site-specific management processes for minimizing storm water runoff contamination and for preventing contaminated storm water runoff from being discharged directly into the storm drain or receiving water. At a minimum, the management practices should ensure that raw materials and chemicals do not come into contact with storm water in the undiked areas, that all storm water is contained within the dike at all times, and unauthorized non-storm water discharges do not occur at the Facility. This Order also requires the Discharger to update and implement, consistent with the prior Order requirements, a Best Management Practices Plan (BMPP) to establish site-specific procedures that will ensure proper operation and maintenance of transfer and storage areas, and to ensure that unauthorized non-storm water discharges (i.e. spills) do no occur at the Facility.

This order will also require the Discharger to implement a Spill Contingency Plan (SCP). The SCP should be site-specific and shall cover all areas of the Facility. A Spill Prevention Control and Countermeasure Plan (SPCC), developed in accordance with 40 C.F.R. Part 112, may be substituted for the SCP.

The combination of the SWPPP, BMPP, SCP, and permit limitations based on past performance and reflecting BPJ will serve as the equivalent of technology based effluent limitations, in the absence of established ELGs, in order to carry out the purposes and intent of the CWA.

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The technology-based requirements in this Order are based on case-by-case numeric limitations developed using BPJ in accordance with 40 C.F.R. section 125.3. Effluent limitations were established in Order No. R4-2009-0102 for total suspended solids, settleable solids, phenols, sulfides, oil and grease, BOD, and turbidity at Discharge Point 001. Pursuant to federal antibacksliding requirements, this Order retains effluent limitations for the above. The limitations for these pollutants are consistent with technology-based effluent limitations (TBEL) included in other Orders within the State for similar types of discharges. The Regional Water Board considered other relevant factors pursuant to 40 C.F.R. section 125.3, and for the reasons described below with respect to the TBEL for TPH, concluded that the limitations are appropriate.

The Regional Water Board has included a new BPJ technology-based effluent limitation for total petroleum hydrocarbons (TPH) equal to 100 µg/L, as authorized by section 402(a)(1) of the CWA and 40 C.F.R. section 125.3. The Facility handles and transfer crude oil and petroleum products as part of its operations; discharges from the Facility may include a multitude of petroleum hydrocarbons that may become entrained in storm water. Rather than establishing individual effluent limitations on numerous petroleum hydrocarbon parameters, this Order includes a new BPJ technology-based effluent limitation for TPH to serve as an indicator pollutant. The technology-based effluent limitation represents the level achievable through BPT and BAT. In setting these limitations, the Regional Water Board considered the factors listed in 40 C.F.R. section 125.3, subdivisions (d)(1) and (d)(3), respectively. The proposed new limit is consistent with industry standards for fuel storage and transfer facilities. No effluent monitoring of TPH as gasoline and as diesel representative of the discharge have been conducted by the Discharger during the term of Order No. R4-2009-0102. Monitoring data of storm water sampled at the retention basins on January 19 and January 26 of 2010 are used here as reference, with results of non-detect for TPH as Gasoline and of 280 µg/L and 160 µg/L for TPH as Diesel on January 19, 2010 and January 26, 2010, respectively. As it is uncertain whether the Discharger has the capability of meeting the new limitation, changes to equipment, facilities, processes, or controls may be necessary.

Limitations for the following pollutants are consistent with technology-based limitations included in other Orders within the State for similar types of discharges.

Table F-4. Summary of Technology-based Effluent Limitations – EFF-001

Parameter	Units	Effluent Limitations
		Maximum Daily
Total Suspended Solids (TSS)	mg/L	75
	lbs/day[2]	480
Turbidity	NTU	75
BOD_5 @ 20°C	mg/L	30
	lbs/day[2]	190
Oil and Grease	mg/L	15
	lbs/day[2]	95
Settleable Solids	ml/l	0.3
Phenols, Total	mg/L	1.0
	lbs/day[2]	6.3

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Parameter	Units	Effluent Limitations
		Maximum Daily
Sulfides, Total	mg/L	1.0
	lbs/day[2]	6.3
Total Petroleum Hydrocarbons (TPH)[1]	µg/L	100
	lbs/day[2]	0.63

[1] TPH equals the sum of TPH gasoline (C_4-C_{12}), TPH diesel (C_{13}-C_{22}), and TPH waste oil (C23+).
[2] Mass-based effluent limitations are based on a storm water discharge flow rate of 760,000 gpd.

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

CWA section 301(b) and 40 C.F.R. section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

40 C.F.R. section 122.44(d)(1)(i) requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) U.S. EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in 40 C.F.R. section 122.44(d)(1)(vi). WQBELs must also be consistent with the assumption and requirements of TMDL WLAs approved by U.S. EPA.

The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated beneficial uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

The specific procedures for determining reasonable potential for discharges from the Facility, and if necessary for calculating WQBELs, are contained in the U.S. EPA Technical Support Document for Water Quality-Based Toxics Control (TSD) for storm water discharges and in the SIP for non-storm water discharges. The TSD in section 3.3.8 in the first paragraph on page 64 states: "*The statistical approach shown in Box 3-2 or an analogous approach developed by a regulatory authority can be used to determine the reasonable potential.*" The Regional Water Board has determined the procedures for determining reasonable potential and calculating WQBELs contained in the SIP for non-storm water discharges may be used to evaluate reasonable potential and calculate WQBELs for storm water discharges as well. As described in the statement from the TSD, an analogous approach may also be used to evaluate reasonable potential and calculate WQBELs for storm water discharges as well. Hence, for this Order, the Regional Water Board has used the SIP methodology to evaluate reasonable potential for discharges through Discharge Point 001.

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2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

As noted in section II of the Limitations and Discharge Requirements, the Regional Water Board adopted a Basin Plan that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan. The beneficial uses applicable to Los Angeles River Reach 2 are summarized in section III.C.1 of this Fact Sheet. The Basin Plan includes both narrative and numeric water quality objectives applicable to the receiving water.

Priority pollutant water quality criteria in the CTR are applicable to the Los Angeles River. The CTR contains both saltwater and freshwater criteria. Because a distinct separation generally does not exist between freshwater and saltwater aquatic communities, the following apply, in accordance with 40 C.F.R. section 131.38(c)(3). Freshwater criteria apply at salinities of 1 part per thousand (ppt) and below at locations where this occurs 95 percent or more of the time. The CTR criteria for freshwater or human health for consumption of organisms, or the applicable CCR Title 22 MCLs as listed in the Basin Plan, whichever is more stringent, are used to prescribe the effluent limitations in this Order to protect the beneficial uses of Los Angeles River Reach 2, a water of the United States.

Table F-5 summarizes the applicable water quality criteria/objective for priority pollutants reported in detectable concentrations historically in the discharge effluent at EFF-001 or receiving water at RSW-001. These criteria were used in conducting the RPA used in this Order. A hardness value of 96 mg/L as $CaCO_3$ was used based on the 2010 receiving water monitoring data.

Table F-5. Applicable Water Quality Criteria

CTR No.	Constituent	Selected Criteria	CTR/NTR Water Quality Criteria				Title 22
			Freshwater		Human Health for Consumption of:		Maximum Contaminant Level
			Acute	Chronic	Water & Organisms	Organisms only	
		µg/L	µg/L	µg/L	µg/L	µg/L	µg/L
2	Arsenic	10	340	150	--	--	10
4	Cadmium	2.38	4.31	2.38	--	Narrative	5
5a	Chromium III	200.18	1679.42	200.18	--	--	--
5b	Chromium VI	10	16	11	--	Narrative	10
6	Copper	9.01	13.47	9.01	--	--	--
7	Lead	3.01	77.51	3.01	--	--	--
8	Mercury	0.051	Reserved	Reserved	--	0.051	2
9	Nickel	50.39	453.25	50.39	--	4600	100
10	Selenium	5	--	5	--	Narrative	50
11	Silver	3.78	3.78	--	--	--	--
13	Zinc	115.74	115.74	115.74	--	--	--
16	2,3,7,8 –TCDD	1.4e-8	--	--	--	1.4e-8	3e-8
19	Benzene	1	--	--	--	71	1
21	Bromoform	360	--	--	--	360	--
30	1,1-Dichloroethylene	3.2	--	--	--	3.2	6
33	Ethylbenzene	300	--	--	--	29000	300
36	Methylene Chloride	1600	--	--	--	1600	--

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CTR No.	Constituent	Selected Criteria	CTR/NTR Water Quality Criteria				Title 22
			Freshwater		Human Health for Consumption of:		Maximum Contaminant Level
			Acute	Chronic	Water & Organisms	Organisms only	
		µg/L	µg/L	µg/L	µg/L	µg/L	µg/L
39	Toluene	150	--	--	--	200000	150
94	Naphthalene	No Criteria	--	--	--	--	--
101	1,2,4-Trichlorobenzene	No Criteria	--	--	--	--	--

LA River Metals TMDL. The TMDL establishes concentration-based dry weather WLAs in Los Angeles River Reach 2 for copper and lead and concentration based wet weather WLAs for cadmium, copper, lead, and zinc. The numeric target portion of the TMDL specifies when the wet weather and dry weather targets (based on numeric water quality criteria established by the CTR) are applicable. Wet weather targets are applicable when the flow in the Los Angeles River at Wardlow gauge is greater than or equal to 500 cubic feet per second (cfs). Dry weather targets are applicable when flow in the Los Angeles River at station F319-R (Wardlow gauge) is less than 500 cfs. The TMDL states that permit writers may translate applicable WLAs into effluent limitations for the major, minor, and general NPDES permits by applying the effluent limitation procedures in Section 1.4 of the SIP or other applicable engineering practices authorized under federal regulations. This Order includes dry-weather effluent limitations for copper and lead, and wet weather effluent limitations for cadmium, copper, lead, and zinc based on the WLAs contained in the LA River Metals TMDL and applying the procedures in Section 1.4 of the SIP.

Table F-6 summarizes the applicable dry and wet weather WLAs for cadmium, copper, lead, and zinc contained in the LA River Metals TMDL. These WLAs are applicable to Discharge Point 001 discharging to the Los Angeles River Reach 2, and are converted into effluent limitations by applying CTR-SIP procedures.

Table F-6. LA River Metals TMDL WLAs Applicable to Discharge Point 001

Constituents	Units	WLA	
		Dry Weather[1]	Wet Weather[3]
Cadmium, Total Recoverable	µg/L	--	3.1
Copper, Total Recoverable[2]	µg/L	22	17
Lead, Total Recoverable[2]	µg/L	11	62
Zinc, Total Recoverable[2]	µg/L	--	159

1. Dry weather targets for copper and lead are based on chronic CTR criteria.
2. Copper, lead, and zinc targets dependent on water hardness; copper and lead targets based on 50th percentile hardness values.
3. Wet weather targets for cadmium, copper, lead, and zinc based on acute CTR criteria and the 50th percentile hardness values for storm water collected at Wardlow gauge station.

LA River Nutrients TMDL. The TMDL establishes concentration-based WLAs for minor point sources. The implementation portion of the TMDL states that WLAs shall be applied to minor point source dischargers on the effective date of the TMDL. The following WLAs are applicable to the discharges under this Order:

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a. Total Ammonia (as nitrogen) – 2.4 mg/L (30-day average)
– 8.7 mg/L (1-hour average)

b. Nitrate-nitrogen (NO_3-N) – 8 mg/L (30 day average)

c. Nitrite-nitrogen(NO_2-N) – 1 mg/L (30 day average)

d. Nitrate-nitrogen plus nitrite-nitrogen (NO_3-N + NO_2-N) – 8 mg/L (30 day average)

This Order implements the applicable WLAs as required in the TMDLs.

LA River Bacteria TMDL. The LA River Bacteria TMDL contains WLAs of zero days of allowable exceedances of the single sample target of 235/100mL *E.coli* for both dry and wet weather (defined as days with 0.1 inch of rain or greater and the three days following the rain event) and no exceedances of the geometric mean numeric target of 126/100 mL *E.coli* for general and individual NPDES permits. The calculation of the rolling 30-day geometric mean requires a statistically sufficient number of samples (generally, at least five equally spaced samples over a 30-day period). This Order includes effluent limitations based on the LA River Bacteria TMDL.

LA River Trash TMDL. The TMDL establishes WLAs for trash to the Los Angeles River and applicable tributaries on municipal storm water permittees, including Caltrans. The implementation of the TMDL is specific to MS4 permittees within the Los Angeles River watershed. No specific WLAs are specified for non-municipal storm water NPDES permittees. However, the implementation of the SWPPP discussed in section IV.B.2 of this Fact Sheet is expected to prevent/minimize the discharge of trash to the Los Angeles River watershed from the Facility and is consistent with the intent of the TMDL.

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3. Determining the Need for WQBELs

In accordance with Section 1.3 of the SIP, the Regional Water Board conducts a reasonable potential analysis (RPA) for each priority pollutant with an applicable criterion or objective to determine if a WQBEL is required in the permit. The Regional Water Board analyzes effluent and receiving water data and identifies the maximum observed effluent concentration (MEC) and maximum background concentration (B) in the receiving water for each constituent. To determine reasonable potential, the MEC and the B are then compared with the applicable water quality objectives (C) outlined in the CTR, NTR, as well as the Basin Plan. For all pollutants that have a reasonable potential to cause or contribute to an excursion above a state water quality standard, numeric WQBELs are required.

Section 1.3 of the SIP provides the procedures for determining reasonable potential to exceed applicable water quality criteria and objectives. The SIP specifies three triggers to complete a RPA:

a. Trigger 1 – If the MEC ≥ C, a limit is needed.

b. Trigger 2 – If the background concentration (B) > C and the pollutant is detected in the effluent, a limit is needed.

c. Trigger 3 – If other related information such as CWA section 303(d) listing for a pollutant, discharge type, compliance history, etc. indicates that a WQBEL is required.

Sufficient effluent and receiving water data are needed to conduct a complete RPA. If data are not sufficient, the Discharger will be required to gather the appropriate data for the Regional Water Board to conduct the RPA. Upon review of the data, and if the

Regional Water Board determines that WQBELs are needed to protect the beneficial uses, the permit will be reopened for appropriate modification.

The Regional Water Board developed WQBELs for cadmium, copper, lead, and zinc based on the waste load allocations included in the LA River Metals TMDL. The Regional Water Board also developed WQBELs for ammonia as nitrogen, nitrite as nitrogen, nitrate as nitrogen, and total nitrate plus nitrite as nitrogen based on the waste load allocations specified in the LA River Nutrients TMDL; and WQBELs for E. coli in accordance with the LA River Bacteria TMDL. The effluent limitations for these pollutants were established regardless of whether or not there is reasonable potential for the pollutants to be present in the discharge at levels that would cause or contribute to a violation of water quality standards. The Regional Water Board developed water quality-based effluent limitations for these pollutants pursuant to 40 C.F.R. section 122.44(d)(1)(vii), which does not require or contemplate a reasonable potential analysis for effluent limitations consistent with the assumption and requirements of a TMDL WLA. Similarly, the SIP at Section 1.3 recognizes that reasonable potential analysis is not appropriate if a TMDL has been developed.

No representative effluent monitoring data from the term of Order No. R4-2009-0102 were available for a new RPA. One discharge event occurred during the term of Order No. R4-2009-0102, on February 2 through February 3 of 2010. However, effluent monitoring samples were collected on January 19 and January 26 (prior to the discharge event), but none were collected during the duration of the actual discharge event. Therefore, no new RPA was conducted in this Order. The Regional Water Board has relied on the RPA conducted for Order No. R4-2009-0102 and WQBELs from Order No. R4-2009-0102 are carried forward to this Order, with modifications made as needed based on new regulations that took effect since the adoption of Order No. R4-2009-0102.

4. WQBEL Calculations

a. If reasonable potential exists to exceed applicable water quality criteria or objectives, then a WQBEL must be established in accordance with one or more of the three procedures contained in section 1.4 of the SIP. These procedures include:

i. If applicable and available, use the WLA established as part of a TMDL.

ii. Use of a steady-state model to derive maximum daily effluent limitations (MDELs) and average monthly effluent limitations (AMELs).

iii. Where sufficient effluent and receiving water data exist, use of a dynamic model, which has been approved by the Regional Water Board.

b. WQBELs for cadmium, copper, lead, zinc, ammonia as nitrogen, nitrite as nitrogen, nitrate as nitrogen, and total nitrate plus nitrite as nitrogen are based on TMDLs developed for the Los Angeles River Reach 2.

c. Since many of the streams in the Region have minimal upstream flows, mixing zones and dilution credits are usually not appropriate. Therefore, in this Order, no dilution credit is included.

WQBELs Calculation Example

Using total recoverable copper (dry weather and wet weather) and zinc (wet weather) as examples, the following demonstrates how WQBELs were established for this Order.

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The tables in Attachment J summarize the development and calculation of all WQBELs for this Order using the process described below.

Concentration-Based Effluent Limitations

A set of AMEL and MDEL values are calculated separately, one set for the protection of aquatic life and the other for the protection of human health. The AMEL and MDEL limitations for aquatic life and human health are compared, and the most restrictive AMEL and the most restrictive MDEL are selected as the WQBEL.

Calculation of aquatic life AMEL and MDEL:

Step 1: For each constituent requiring an effluent limit, identify the applicable water quality criteria or objective. For each criterion determine the effluent concentration allowance (ECA) using the following steady state equation:

$ECA = C + D(C-B)$ when $C > B$, and

$ECA = C$ when $C \leq B$,

Where C = The priority pollutant criterion/objective, adjusted if necessary for hardness, pH and translators. In this Order a hardness value of 96 mg/L (as $CaCO_3$) was used for development of hardness-dependent criteria for Discharge Point 001, and a pH of 9.23 was used for pH-dependent criteria.

D = The dilution credit, and

B = The ambient background concentration

As discussed above, for this Order, dilution was not allowed; therefore:

$ECA = C$

When a WLA has been established through a TMDL for a parameter, the WLA is set equal to the ECA. Note that for cadmium, copper, lead, and zinc, the acute criterion was used to develop the wet weather WLA and therefore wet weather WLA for these constituents will become the ECA_{acute}. Chronic criterion was used to develop dry weather WLA and therefore dry weather WLA will become the $ECA_{chronic}$. The chronic criterion is used for dry weather because it is the most protective and the most applicable to dry weather, which occurs for long, uninterrupted periods of time in the Los Angeles Region.

For total recoverable zinc (wet weather) the applicable water quality criteria is (reference Table F-6):

ECA_{acute} = 159 µg/L (TMDL wet weather WLA)

$ECA_{chronic}$ = Not Applicable (No dry weather WLA in TMDL)

For total recoverable copper the applicable water quality criteria are (reference Table F-6):

ECA_{acute} = 17 µg/L (TMDL wet weather WLA)

$ECA_{chronic}$ = 22 µg/L (TMDL dry weather WLA)

Step 2: For each ECA based on aquatic life criterion/objective, determine the long-term average discharge condition (LTA) by multiplying the ECA by a factor (multiplier). The multiplier is a statistically based factor that adjusts the ECA to account for effluent

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variability. The value of the multiplier varies depending on the coefficient of variation (CV) of the data set and whether it is an acute or chronic criterion/objective. Table 1 of the SIP provides pre-calculated values for the multipliers based on the value of the CV. Equations to develop the multipliers are provided in Section 1.4, Step 3 of the SIP and will not be repeated here.

$LTA_{acute} = ECA_{acute} \times Multiplier_{acute\ 99}$

$LTA_{chronic} = ECA_{chronic} \times Multiplier_{chronic\ 99}$

The CV for the data set must be determined before the multipliers can be selected and will vary depending on the number of samples and the standard deviation of a data set. If the data set is less than 10 samples, or at least 80% of the samples in the data set are reported as non-detect, the CV shall be set equal to 0.6.

The number of available data points for copper and zinc are less than 10 samples, so the CVs are set equal to 0.6. The following values were used to develop the acute and chronic LTA using equations provided in Section 1.4, Step 3 of the SIP (Table 1 of the SIP also provides these values up to three decimals):

No. of Samples	CV	ECA Multiplier$_{acute\ 99}$	ECA Multiplier$_{chronic\ 99}$
Copper (dry weather)			
0	0.60	0.321	0.527
Copper (wet weather)			
0	0.60	0.321	0.527
Zinc (wet weather)			
0	0.60	0.321	0.527

<u>Total recoverable copper (dry weather)</u>:

LTA_{acute} = Not applicable

$LTA_{chronic}$ = 22 µg/L x 0.527 = 11.6 µg/L

<u>Total recoverable copper (wet weather)</u>:

LTA_{acute} = 17 µg/L x 0.321 = 5.46 µg/L

$LTA_{chronic}$ = Not applicable

<u>Total recoverable zinc (wet weather)</u>:

LTA_{acute} = 159 µg/L x 0.321 = 51 µg/L

$LTA_{chronic}$ = Not applicable

Step 3: Select the most limiting (lowest) of the LTA.

Since the acute criteria will be used to develop the wet weather effluent limitations and chronic criteria will be used to develop the dry weather effluent limitations, we only have one criterion for each condition for the parameters listed in the LA River Metals TMDL; thus, both LTAs (wet and dry) will be used.

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Since we only have acute criteria for total recoverable zinc (wet weather), the acute criterion must be used.

Step 4: Calculate the WQBELs by multiplying the LTA by a factor (multiplier). WQBELs are expressed as Average Monthly Effluent Limitations (AMEL) and Maximum Daily Effluent Limitation (MDEL). The multiplier is a statistically based factor that adjusts the LTA for the averaging periods and exceedance frequencies of the criteria/objectives and the effluent limitations. The value of the multiplier varies depending on the probability basis, the coefficient of variation (CV) of the data set, the number of samples (for AMEL) and whether it is a monthly or daily limit. Table 2 of the SIP provides pre-calculated values for the multipliers based on the value of the CV and the number of samples. Equations to develop the multipliers in place of using values in the tables are provided in Section 1.4, Step 5 of the SIP and will not be repeated here.

$AMEL_{aquatic\ life} = LTA \times AMEL_{multiplier\ 95}$

$MDEL_{aquatic\ life} = LTA \times MDEL_{multiplier\ 99}$

AMEL multipliers are based on a 95th percentile occurrence probability, and the MDEL multipliers are based on the 99th percentile occurrence probability. If the number of samples is less than four (4), the default number of samples to be used is four (4).

For copper and zinc (wet weather), the following values were used to develop the AMEL and MDEL for aquatic life using equations provided in Section 1.4, Step 5 of the SIP (Table 2 of the SIP also provides this data up to two decimals):

No. of Samples Per Month	CV	$Multiplier_{MDEL\ 99}$	$Multiplier_{AMEL\ 95}$
For copper			
0	0.6	3.115	1.552
For zinc			
0	0.6	3.115	1.552

<u>Total recoverable copper (dry weather)</u>:

$AMEL_{aquatic\ life} = 11.6 \times 1.552 = 18\ \mu g/L$

$MDEL_{aquatic\ life} = 11.6 \times 3.115 = 36.1\ \mu g/L$

<u>Total recoverable copper (wet weather)</u>:

$AMEL_{aquatic\ life} = 5.46 \times 1.552 = 8.47\ \mu g/L$

$MDEL_{aquatic\ life} = 5.46 \times 3.115 = 17\ \mu g/L$

<u>Total recoverable zinc (wet weather)</u>:

$AMEL_{aquatic\ life} = 51 \times 1.552 = 79.2\ \mu g/L$

$MDEL_{aquatic\ life} = 51 \times 3.115 = 159\ \mu g/L$

<u>Calculation of human health AMEL and MDEL:</u>

Step 5: For the ECA based on human health, set the AMEL equal to the $ECA_{human\ health}$

$AMEL_{human\ health} = ECA_{human\ health}$

For copper and zinc, this is not necessary since the WLAs were based on a TMDL. Therefore, AMELs based on human health criteria for copper and zinc are not appropriate.

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Step 6: Calculate the MDEL for human health by multiplying the AMEL by the ratio of the $Multiplier_{MDEL}$ to the $Multiplier_{AMEL}$. Table 2 of the SIP provides pre-calculated ratios to be used in this calculation based on the CV and the number of samples.

$$MDEL_{human\ health} = AMEL_{human\ health} \times (Multiplier_{MDEL} / Multiplier_{AMEL})$$

This step is not applicable for the parameters addressed in this Order.

Step 7: Select the lower of the AMEL and MDEL based on aquatic life and human health as the water-quality based effluent limit for the Order.

For the parameters subject to the LA River Metals TMDL, such as cadmium, copper, lead, and zinc, a comparison is not necessary and the effluent limitations are applied directly.

Final WQBELs:

Parameters	AMEL	MDEL
Total Recoverable Copper (dry weather)	18	36.1
Total Recoverable Copper (wet weather)	8.47	17
Total Recoverable Zinc (wet weather)	79.2	159

For cadmium, copper, lead, and zinc, there are no human health (Consumption of Organism Only) criteria, and WLAs have been established based on the LA River Metals TMDL; therefore, the established effluent limitations are based on aquatic life criteria used for the LA River Metals TMDL WLAs. These limitations are expected to be protective of the beneficial uses. Final WQBELs for each are summarized in Table F-8 of this Fact Sheet. Since the Facility discharges storm water runoff only, only MDELs are prescribed in this Order.

5. WQBELs Based on Basin Plan Objectives

The following Basin Plan Objectives, evaluated with respect to effluent monitoring data and Facility operations, are applicable to the Discharger:

a. pH. The pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharge. Ambient pH levels shall not be changed more than 0.5 units from natural conditions as a result of waste discharge. This Order includes effluent and receiving water limitations for pH to ensure compliance with Basin Plan Objectives for pH.

b. Dissolved Oxygen. This Order addresses dissolved oxygen through receiving water monitoring and receiving water limitations.

c. Turbidity. Where natural turbidity is between 0 to 50 NTU, increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%. This Order applies the water quality objective for turbidity as a technology-based effluent limitation.

d. Temperature. The Basin Plan lists temperature requirements for the receiving waters and references the Thermal Plan. Based on the requirements of the Thermal Plan and a white paper developed by Regional Water Board staff titled *Temperature and Dissolved Oxygen Impacts on Biota in Tidal Estuaries and Enclosed Bays in the Los Angeles Region*, a maximum effluent temperature limitation of 86 °F is included

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in the permit. The white paper evaluated the optimum temperatures for aquatic species routinely available in surface water bodies within the Los Angeles Region including: steelhead, topsmelt, ghost shrimp, brown rock crab, jackknife clam, and blue mussel.

e. **Total Suspended Solids.** The Basin Plan requires that, "Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses." This narrative objective has been translated into a numeric effluent limit, based on U.S. EPA's Quality Criteria for Water (commonly known as the "Gold Book"). In the Gold Book, U.S. EPA notes that "In a study downstream from a discharge where inert suspended solids were increased to 80 mg/L, the density of macroinvertebrates decreased by 60 percent…". This indicates that suspended solids concentrations of 80 mg/L in the receiving water resulted in adverse effects to aquatic life. As such, the Regional Water Board implemented an MDEL of 75 mg/L for the implementation of the narrative water quality objective for solids. These limitations are consistent with the limitations in Order No. R4-2009-0102 and are retained as the technology-based effluent limitations.

f. **TDS, Sulfate, and Chloride.** The Basin Plan, in Table 3-8, lists water quality objectives for selected parameters in inland surface waters. Water quality objectives for TDS, sulfate, chloride for the Los Angeles River are established in the Basin Plan and are included in this Order.

6. Whole Effluent Toxicity (WET)

Whole effluent toxicity (WET) protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. WET tests measure the degree of response of exposed aquatic test organisms to an effluent. The WET approach allows for protection of the narrative "no toxics in toxic amounts" criterion while implementing numeric criteria for toxicity. There are two types of WET tests: acute and chronic. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth.

The Basin Plan specifies a narrative objective for toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are lethal to or produce other detrimental responses by aquatic organisms. Detrimental response includes, but is not limited to, decreased growth rate, decreased reproductive success of resident or indicator species, and/or significant alterations in population, community ecology, or receiving water biota. In accordance with the Basin Plan, the acute toxicity objective for discharges dictates that the average survival in undiluted effluent for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, with no single test having less than 70% survival. Order No. R4-2009-0102 contains acute toxicity limitations based on the objectives in the Basin Plan.

Chronic toxicity is a more stringent requirement than acute toxicity. A chemical at a low concentration can have chronic effects but no acute effects. Because discharge from the Facility may include a number of chemicals, which individually may not be present in toxic concentrations while exhibiting aggregated toxic effects as a whole, this Order prescribes a chronic toxicity effluent limitation and requires chronic toxicity monitoring for the effluent at Discharge Point 001. The whole effluent toxicity testing requirements are based on U.S. EPA's 2010 Test of Significant Toxicity (TST) hypothesis testing approach. Chronic toxicity results are expressed as "Pass" or "Fail" and "% Effect.

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7. Final WQBELs

Table F-7. Summary of Water Quality-based Effluent Limitations – EFF-001

Parameter	Units	Effluent Limitations		
		Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
pH	s.u.	--	6.5	8.5
Temperature	ºF	--	--	86
Chronic Toxicity	Pass or Fail and % Effect for TST approach	Pass or % Effect <50[3]	--	--
Total Dissolved Solids	mg/L	1500	--	--
	lbs/day[1]	9500	--	--
Sulfate	mg/L	350	--	--
	lbs/day[1]	2200	--	--
Chloride	mg/L	150	--	--
	lbs/day[1]	950	--	--
Ammonia as Nitrogen[7]	mg/L	2.4	--	8.7
	lbs/day[1]	15	--	55
Nitrite as Nitrogen[7]	mg/L	1	--	--
	lbs/day[1]	6.3	--	--
Nitrate as Nitrogen[7]	mg/L	8	--	--
	lbs/day[1]	51	--	--
Nitrate-Nitrogen plus Nitrite-Nitrogen, Total[7]	mg/L	8	--	--
	lbs/day[1]	51	--	--
E.coli	CFU/100mL or MPN/100mL	[4]	--	--
Cadmium, Total Recoverable (Wet Weather)[2,5]	µg/L	3.1	--	--
	lbs/day[1]	0.020	--	--
Copper, Total Recoverable (Dry Weather)[2,6]	µg/L	36	--	--
	lbs/day[1]	0.23	--	--
Copper, Total Recoverable (Wet Weather)[2,5]	µg/L	17	--	--
	lbs/day[1]	0.11	--	--
Lead, Total Recoverable (Dry Weather)[2,6]	µg/L	18	--	--
	lbs/day[1]	0.11	--	--
Lead, Total Recoverable (Wet Weather)[2,5]	µg/L	62	--	--
	lbs/day[1]	0.39	--	--
Zinc, Total Recoverable (Wet Weather)[2,5]	µg/L	160	--	--
	lbs/day[1]	1.0	--	--
2,3,7,8-TCDD	µg/L	2.8e-8	--	--
	lbs/day[1]	1.8e-10	--	--

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1. Mass-based effluent limitations are based on a storm water discharge of 0.76 MGD and are calculated as follows:
   Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day.
2. The new effluent limitations are based on the LA River Metals TMDL WLAs using the CTR-SIP procedures with a CV of 0.6.
3. Report "Pass" or "Fail" and "% Effect" for Maximum Daily Effluent Limitation (MDEL). During a calendar month, exactly three independent toxicity tests are required for routine monitoring when one toxicity test results in "Fail". This limit applies for wet weather discharges only.
4. The LA River Bacteria TMDL contains WLAs of zero days of allowable exceedances of the single sample target of 235/100mL *E.coli* for both dry and wet weather (defined as days with 0.1 inch of rain or greater and the three days following the rain event) and no exceedances of the geometric mean TMDL numeric target of 126/100 mL *E.coli* for general and individual NPDES permits. The calculation of the rolling 30-day geometric mean requires a statistically sufficient number of samples (generally, at least five equally spaced samples over a 30-day period).
5. The wet weather TMDL limits apply when the maximum daily flow in the Los Angeles River at Wardlow gauge station (F319-R) is greater than or equal to 500 cubic feet per second (cfs).
6. Dry weather targets are applicable when flow in the Los Angeles River at the Wardlow stream gauge station (F319-R) is less than 500 cfs.
7. The MDEL for ammonia, nitrite, nitrate, and total nitrate and nitrite as nitrogen are based on their respective 30-day average WLAs in accordance to the LA River Nutrients TMDL. As discharge from the Facility is storm water only, only MDELs are prescribed; the 30-day average WLAs in the TMDL are transcribed into MDELs to ensure the protection of aquatic life. The 1-hour average WLA for ammonia as included in the LA River Nutrients TMDL is transcribed into an instantaneous maximum limit in this Order.

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D. Final Effluent Limitation Considerations

1. Anti-Backsliding Requirements

Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 C.F.R. section 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. The effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order, with the exception of the removal of the effluent limitations for residual chlorine. As discussed below, the relaxation of effluent limitations and monitoring requirements for residual chlorine is consistent with the anti-backsliding exceptions allowed in the CWA and federal regulations.

The federal anti-backsliding provisions allow for relaxation of effluent limitations when material and substantial alterations or additions to the permitted facility occurred after permit issuance that justifies the application of a less stringent effluent limitation. Another exception is when information is available which was not available at the time of permit issuance that would have justified the application of a less stringent effluent limitation at the time of permit issuance.

The monitoring requirement and effluent limitations for residual chlorine in Order No. R4-2009-0102 are inherited from historical Orders. The effluent limitations and monitoring requirement for residual chlorine were implemented as the discharge of hydrostatic test water was historically combined with storm water discharge. The Facility is currently discharging hydrostatic water directly to the discharge line, effectively bypassing the storm water retention basins to ensure that hydrostatic test water does not commingle with storm water discharge; discharge of hydrostatic test water from the Facility is regulated under the General NPDES permit for Discharge of Hydrostatic Test Water (CAG674001). Monitoring results of residual chlorine from recent discharges were

consistently in compliance with the effluent limits, demonstrating that there are no reasonable potential for residual chlorine in the Facility's current discharges. Therefore, removal of the monitoring requirement and effluent limitations for residual chlorine that were included in the previous Order is consistent with the exceptions to the anti-backsliding requirements of the CWA and federal regulations, based on the consideration of modifications to the facility and new information.

2. Antidegradation Policies

40 C.F.R. section 131.12 requires that the state water quality standards include an anti-degradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies.

The permitted discharge is not a new discharge. The discharge is temporally limited, lasting only during the storm event that necessitates the discharge. This Order does not provide for an increase in the permitted design flow or allow for a reduction in the level of treatment.

This NPDES permit includes effluent limits to ensure that the discharge does not adversely impact the beneficial uses of the Los Angeles River or degrade water quality. The inclusion of the effluent limitations and prohibitions in the NPDES permit, which ensure that any discharge would not result in the lowering of water quality, coupled with the fact that the discharge occurs infrequently and is temporally limited, support the conclusion that no degradation will arise as a result of reissuing this Order.

The effluent limitations in this Order hold the Discharger to performance levels that will not cause or contribute to water quality impairments or water quality degradation. The effluent limitations, receiving water limitations, and monitoring requirements ensure that excursions in excess of the water quality limits that are designed to protect beneficial uses will be apparent and addressed immediately. Further, compliance with these requirements will result in the use of best practicable treatment or control of the discharge. Therefore, the permitted discharge is consistent with the state's antidegradation policy.

3. Stringency of Requirements for Individual Pollutants

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD, oil and grease, turbidity, total petroleum hydrocarbon (TPH), total suspended solids, phenols, sulfides, and settleable solids. Restrictions on these pollutants are discussed in section IV.B of this Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements.

Water quality-based effluent limitations have been derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the CTR, the CTR is the applicable standard pursuant to 40 C.F.R. section 131.38. The procedures for calculating the individual water quality-based effluent limitations for priority pollutants are based on the CTR implemented by the SIP,

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which was approved by U.S. EPA on May 18, 2000. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by U.S. EPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to U.S. EPA prior to May 30, 2000, but not approved by U.S. EPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to 40 C.F.R. section 131.21(c)(1).

4. Mass- based Effluent Limitations

Generally, mass-based effluent limitations ensure that proper treatment, not dilution, is employed to comply with the final effluent concentration limitations. 40 C.F.R. section 122.45(f)(1) requires that all permit limitations, standards or prohibitions be expressed in terms of mass units except under the following conditions: (1) for pH, temperature, radiation or other pollutants that cannot appropriately be expressed by mass limitations; (2) when applicable standards or limitations are expressed in terms of other units of measure; or (3) if in establishing technology-based permit limitations on a case-by-case basis limitation based on mass are infeasible because the mass or pollutant cannot be related to a measure of production.

Mass-based effluent limitations are established using the following formula:

Mass (lbs/day) = flow rate (MGD) x 8.34 x effluent limitation (mg/L)

where: Mass = mass limitation for a pollutant (lbs/day)

Effluent limitation = concentration limit for a pollutant (mg/L)

Flow rate = discharge flow rate (MGD)

5. Summary of Final Effluent Limitations

Table F-8. Summary of Final Effluent Limitations

Parameter	Units	Effluent Limitations			Basis[1]
		Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	
Conventional Pollutants					
Biochemical Oxygen Demand (BOD) 5-day @ 20 ºC	mg/L	30	--	--	E, BPJ
	lbs/day[2]	190	--	--	
Oil and Grease	mg/L	15	--	--	E, BPJ
	lbs/day[2]	95	--	--	
pH	s.u.	--	6.5	8.5	E, BP
Total Suspended Solids (TSS)	mg/L	75	--	--	E, BPJ
	lbs/day[2]	480	--	--	

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Parameter	Units	Effluent Limitations			Basis[1]
		Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	
Non-conventional Pollutants					
Total Dissolved Solids	mg/L	1500	--	--	E, BP
	lbs/day[2]	9500	--	--	
Sulfate	mg/L	350	--	--	E, BP
	lbs/day[2]	2200	--	--	
Chloride	mg/L	150	--	--	E, BP
	lbs/day[2]	950	--	--	
Sulfides, Total	mg/L	1.0	--	--	E, BPJ
	lbs/day[2]	6.3	--	--	
Ammonia as Nitrogen[5]	mg/L	2.4	--	8.7	TMDL
	lbs/day[2]	15	--	55	
Nitrite as Nitrogen[5]	mg/L	1	--	--	TMDL
	lbs/day[2]	6.3	--	--	
Nitrate as Nitrogen[5]	mg/L	8	--	--	TMDL
	lbs/day[2]	51	--	--	
Nitrate-Nitrogen plus Nitrite-Nitrogen, Total[5]	mg/L	8	--	--	TMDL
	lbs/day[2]	51	--	--	
E.coli	CFU/100 mL or MPN/100 mL	[4]	--	--	TMDL
Settleable Solids	mL/L	0.3	--	--	E, BPJ
Temperature	ºF	--	--	86	BP, TP, WP
Total Petroleum Hydrocarbon[3]	µg/L	100	--	--	BPJ
	lbs/day[2]	0.63	--	--	
Turbidity	NTU	75	--	--	E, BP

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Parameter	Units	Effluent Limitations			Basis[1]
		Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	
Chronic Toxicity	Pass or Fail and % Effect for TST approach	Pass or % Effect <50[7]	--	--	BP
Priority Pollutants					
Phenols, Total	mg/L	1.0	--	--	E, BPJ
	lbs/day[2]	6.3	--	--	
Cadmium, Total Recoverable (Wet Weather)[6,8]	µg/L	3.1	--	--	TMDL
	lbs/day[2]	0.020	--	--	
Copper, Total Recoverable (Dry Weather)[6,9]	µg/L	36	--	--	TMDL
	lbs/day[2]	0.23	--	--	
Copper, Total Recoverable (Wet Weather)[6,8]	µg/L	17	--	--	TMDL
	lbs/day[2]	0.11	--	--	
Lead, Total Recoverable (Dry Weather)[6,9]	µg/L	18	--	--	TMDL
	lbs/day[2]	0.11	--	--	
Lead, Total Recoverable (Wet Weather)[6,8]	µg/L	62	--	--	TMDL
	lbs/day[2]	0.39	--	--	
Zinc, Total Recoverable (Wet Weather)[6,8]	µg/L	160	--	--	TMDL
	lbs/day[2]	1.0	--	--	
2,3,7,8-TCDD	µg/L	2.8e-8	--	--	E, BPJ
	lbs/day[2]	1.8e-10	--	--	

1. BP = Basin Plan; TP = Thermal Plan; E = Existing Requirement; BPJ = Best Professional Judgment; TMDL= Total Maximum Daily Load; and WP = White Paper.
2. The mass limitations are based on a maximum flow of 0.76 MGD and is calculated as follows:
   Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day.
3. TPH equals the sum of TPH gasoline (C_4-C_{12}) and TPH diesel (C_{13}-C_{22}), and TPH waste oil (C_{23+}).
4. The effluent limitation is based on the LA River Bacteria TMDL WLAs. The LA River Bacteria TMDL contains WLAs of zero days of allowable exceedances of the single sample target of 235/100mL *E.coli* for both dry and wet weather (defined as days with 0.1 inch of rain or greater and the three days following the rain event) and no exceedances of the geometric mean TMDL numeric target of 126/100 mL *E.coli* for general and individual NPDES permits. The rolling 30-day geometric mean values should be calculated based on a statistically sufficient number of samples (generally not less than 5 samples equally spaced over a 30-day period). If any of the single sample limits are exceeded, the Regional Water Board may require repeat sampling on a daily basis until the sample falls below the single

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sample limit in order to determine persistence of exceedance. Results collected during this accelerated monitoring period can be used to calculate the rolling 30-day geometric mean.

5. The effluent limitations are based on the LA River Nutrients TMDL WLAs. The MDEL for ammonia, nitrite, nitrate, and total nitrate and nitrite as nitrogen are based on their respective 30-day average WLAs in accordance to the LA River Nutrients TMDL. As discharge from the Facility is storm water only, only MDELs are prescribed; the 30-day average WLAs in the TMDL are transcribed into MDELs to ensure the protection of aquatic life. The 1-hour average WLA for ammonia as included in the LA River Nutrients TMDL is transcribed into an instantaneous maximum limit in this Order.
6. The effluent limitations are based on the LA River Metals TMDL WLAs and calculated using the CTR-SIP procedures.
7. Report "Pass" or "Fail" and "% Effect" for Maximum Daily Effluent Limitation (MDEL). During a calendar month, exactly three independent toxicity tests are required for routine monitoring when one toxicity test results in "Fail". This limit applies for wet weather discharges only.
8. The wet weather TMDL limits apply when the maximum daily flow in the Los Angeles River at Wardlow gauge station (F319-R) is greater than or equal to 500 cubic feet per second (cfs).
9. Dry weather targets are applicable when flow in the Los Angeles River at the Wardlow stream gauge station (F319-R) is less than 500 cfs.

E. Interim Effluent Limitations – Not Applicable

F. Land Discharge Specifications – Not Applicable

G. Recycling Specifications – Not Applicable

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

The receiving water limitations in this Order are based upon the water quality objectives contained in the Basin Plan. As such, they are a required part of the Order.

A. Surface Water

The Basin Plan contains numeric and narrative water quality objectives applicable to all surface waters within the Los Angeles Region. Water quality objectives include an objective to maintain the high quality waters pursuant to federal regulations (40 C.F.R. section 131.12) and State Water Board Resolution No. 68-16. Receiving water limitations in this Order are included to ensure protection of beneficial uses of the receiving water and are based on the water quality objectives contained in the Basin Plan. If there is reasonable potential (RP) or a U.S. EPA-approved TMDL WLA, then WQBELs are included in this Order to ensure protection of WQS.

B. Groundwater – Not Applicable

VI. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with 40 C.F.R. section 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 C.F.R. section 122.42, are provided in Attachment D. The Discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Sections 122.41(a)(1) and (b) through (n) of 40 C.F.R. 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. Section 123.25(a)(12) of 40 C.F.R. allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 C.F.R. section 123.25, this Order omits federal conditions that address enforcement authority

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specified in 40 C.F.R. section 122.41, subdivisions (j)(5) and (k)(2), because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

B. Special Provisions

1. Reopener Provisions

These provisions are based on 40 C.F.R. Part 123 and the previous Order. The Regional Water Board may reopen the permit to modify permit conditions and requirements. Causes for modifications include the promulgation of new federal regulations, modification in toxicity requirements, or adoption of new regulations by the State Water Board or Regional Water Board, including revisions to the Basin Plan or revisions to the TMDLs associated with LA River Watershed.

2. Special Studies and Additional Monitoring Requirements

a. **Initial Investigation Toxicity Reduction Evaluation Workplan.** This provision is based on section 4 of the SIP, Toxicity Control Provisions.

3. Best Management Practices and Pollution Prevention

a. **Storm Water Pollution Prevention Plan (SWPPP).** This provision is based on section 122.44(k) and includes the requirement to update and implement a SWPPP.

b. **Best Management Practices Plan (BMPP).** Order No. R4-2009-0102 required the Discharger to develop and implement BMPs in order to reduce the amount of pollutants entering the discharge. This Order requires the Discharger to update and continue to implement the BMPP. The BMPP may be included as a component of the SWPPP. The purpose of the BMPP is to establish site-specific procedures that ensure proper operation and maintenance of equipment, to ensure that unauthorized non-storm water discharges (i.e., spills) do not occur at the Facility.

Special Provision VI.C.3.a requires the Discharger to update and maintain a BMPP that incorporates requirements contained in Attachment G. Attachment G requires a discussion on the effectiveness of each BMP to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Considering that discharges are infrequent, Special Provision VI.C.3.a and Attachment G requirements satisfy the TMDL component to address BMP performance for this Facility.

c. **Spill Contingency Plan (SCP).** This Order requires the Discharger to update and continue to implement a SCP to control the discharge of pollutants. The SCP shall include a technical report on the preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events at the site. This provision is included in this Order to minimize and control the amount of pollutants discharged in case of a spill. The SCP shall be site specific and shall cover all areas of the Facility.

4. Construction, Operation, and Maintenance Specifications

This provision is based on the requirements of section 122.41(e) and the previous Order.

5. Other Special Provisions- Not Applicable

6. Compliance Schedules – Not applicable

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VII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

CWA section 308 and 40 C.F.R. sections 122.41(h), (j)-(l), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Regional Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The Monitoring and Reporting Program (MRP), Attachment E of this Order establishes monitoring, reporting, and recordkeeping requirements that implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this Facility.

A. Influent Monitoring – Not Applicable

B. Effluent Monitoring

Monitoring for pollutants expected to be present in the discharge will be required as established in the MRP (Attachment E). To demonstrate compliance with established effluent limitations, the Order includes monitoring requirements for parameters for which effluent limitations have been established. Monitoring for additional pollutants is required based on pollutants commonly associated with similar operations, and is consistent with the monitoring requirements contained in the MRP for Order No. R4-2009-0102.

The SIP states that the Regional Water Board will require periodic monitoring for pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires the Discharger to conduct annual monitoring for the remaining CTR priority pollutants and TCDD equivalents. The Regional Water Board will use the additional data to conduct an RPA and determine if additional WQBELs are required. The Regional Water Board may reopen the permit to incorporate additional effluent limitations and requirements, if necessary.

C. Whole Effluent Toxicity Testing Requirements

Whole effluent toxicity (WET) protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth. A chemical at a low concentration can have chronic effects but no acute effects. For this Order, chronic toxicity monitoring in the discharge is required. The chronic toxicity testing requirements are based on U.S. EPA's 2010 TST hypothesis testing approach.

D. Receiving Water Monitoring

1. Surface Water

Monitoring requirements at the receiving water station RSW-001 are retained for this Order. The SIP requires monitoring of the receiving water for the CTR priority pollutants, including TCDD equivalents, to determine reasonable potential. Accordingly, this Order requires the Discharger conduct receiving water monitoring of the CTR priority pollutants at Monitoring Location RSW-001. Additionally, the Discharger must analyze pH, temperature, hardness, dissolved oxygen, and salinity of the receiving water at the same time as the samples are collected for priority pollutants analyses.

The Discharger is required to report the maximum daily flow in the Los Angeles River, at the Los Angeles County Department of Public Works's Willow Street Gauge Station at Wardlow (Wardlow gauging station F319-R). This station is designated as RSW-002 in this Order. The stream flow data can be obtained by contacting LACDPW through Mr. Arthur Gotingco at (626)458-6379 or at agoting@dpw.lacounty.gov . The data for this station is downloaded once a month with a 1-2 week processing time for the provisional

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data. This data shall be used to determine wet weather and dry weather conditions for compliance with the effluent limitations set forth in this Order.

2. Groundwater – Not Applicable

E. Other Monitoring Requirements

Because the discharge is comprised of storm water runoff, the Discharger is required to conduct visual observations of storm water discharges in the vicinity of the discharge to detect the presence of floating and suspended materials, oil and grease, discoloration, turbidity, and odor. The Discharger is also required to measure and record the rainfall each day of the month.

VIII. PUBLIC PARTICIPATION

The Regional Water Board has considered the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for Tesoro Logistics Operations LLC, East Hynes Tank Farm. As a step in the WDR adoption process, the Regional Water Board staff developed tentative WDRs. The Regional Water Board encouraged public participation in the WDR adoption process.

A. Notification of Interested Parties

The Regional Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and provided an opportunity to submit written comments and recommendations. Notification was provided to all interested parties through email.

The public had access to the agenda and any changes in dates and locations through the Regional Water Board's website at:

http://www.waterboards.ca.gov/losangeles

B. Written Comments

Interested persons were invited to submit written comments concerning the tentative WDRs as provided through the notification process. Comments were required to be submitted either in person or by mail to the Executive Office at the Regional Water Board at 320 West 4th Street, Suite 200, Los Angeles, CA 90013, or by email to losangeles@waterboards.ca.gov with a copy to Ching-Yin.To@waterboards.ca.gov.

To be fully responded to by staff and considered by the Regional Water Board, written comments were due at the Regional Water Board office by 5:00 p.m. on February 26, 2015.

C. Public Hearing

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

Date: April 9, 2015

Time: 9:00 a.m.

Location: Metropolitan Water District of Southern California
700 North Alameda Street
Los Angeles, California

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Interested persons were invited to attend. At the public hearing, the Regional Water Board will hear testimony, if any, pertinent to the discharge, WDRs, and permit. Oral testimony was heard; however, for accuracy of the record, important testimony was requested to be in writing.

D. Reconsideration on Waste Discharge Requirements

Any aggrieved person may petition the State Water Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be received by the State Water Board at the following address within 30 calendar days of the Regional Water Board's action:

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

For instructions on how to file a petition for review, see
http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml

E. Information and Copying

The Report of Waste Discharge (ROWD), tentative WDRs, comments received, and other supporting documents are on file and may be inspected at the Regional Water Board's office at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Viewing and copying of documents may be arranged through the Regional Water Board by calling (213) 576 – 6600.

F. Register of Interested Persons

Any person interested in being placed on the notification list for information regarding the WDRs and NPDES permit should contact the Regional Water Board, reference this Facility, and provide a name, mailing address, email address, and phone number.

G. Additional Information

Requests for additional information or questions regarding this Order should be directed to Ching Yin To at (213)576-6696 or at Ching-Yin.To@waterboards.ca.gov.

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ATTACHMENT G – STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS

I. IMPLEMENTATION SCHEDULE

A storm water pollution prevention plan (SWPPP) shall be developed and submitted to the Regional Water Board within 90 days following the adoption of this Order. The SWPPP shall be implemented for each facility covered by this Order within 10 days of approval from the Regional Water Board, or 6-months from the date of the submittal of the SWPPP to the Regional Water Board (whichever comes first).

II. OBJECTIVES

The SWPPP has two major objectives: (a) to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of storm water discharges and authorized non-storm water discharges from the facility; and (b) to identify and implement site-specific best management practices (BMPs) to reduce or prevent pollutants associated with industrial activities in storm water discharges and authorized non-storm water discharges. BMPs may include a variety of pollution prevention measures or other low-cost and pollution control measures. They are generally categorized as non-structural BMPs (activity schedules, prohibitions of practices, maintenance procedures, and other low-cost measures) and as structural BMPs (treatment measures, run-off controls, over-head coverage.) To achieve these objectives, facility operators should consider the five phase process for SWPPP development and implementation as shown in Table A.

The SWPPP requirements are designed to be sufficiently flexible to meet the needs of various facilities. SWPPP requirements that are not applicable to a facility should not be included in the SWPPP.

A facility's SWPPP is a written document that shall contain a compliance activity schedule, a description of industrial activities and pollutant sources, descriptions of BMPs, drawings, maps, and relevant copies or references of parts of other plans. The SWPPP shall be revised whenever appropriate and shall be readily available for review by facility employees or Regional Water Board inspectors.

III. PLANNING AND ORGANIZATION

A. Pollution Prevention Team

The SWPPP shall identify a specific individual or individuals and their positions within the facility organization as members of a storm water pollution prevention team responsible for developing the SWPPP, assisting the facility manager in SWPPP implementation and revision, and conducting all monitoring program activities required in Attachment E of this Order. The SWPPP shall clearly identify the Permit related responsibilities, duties, and activities of each team member. For small facilities, storm water pollution prevention teams may consist of one individual where appropriate.

B. Review Other Requirements and Existing Facility Plans

The SWPPP may incorporate or reference the appropriate elements of other regulatory requirements. Facility operators should review all local, State, and Federal requirements that impact, complement, or are consistent with the requirements of this General permit. Facility operators should identify any existing facility plans that contain storm water pollutant control measures or relate to the requirements of this Order. As examples, facility operators whose facilities are subject to Federal Spill Prevention Control and Countermeasures' requirements

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should already have instituted a plan to control spills of certain hazardous materials. Similarly, facility operators whose facilities are subject to air quality related permits and regulations may already have evaluated industrial activities that generate dust or particulates.

IV. SITE MAP

The SWPPP shall include a site map. The site map shall be provided on an 8-½ x 11 inch or larger sheet and include notes, legends, and other data as appropriate to ensure that the site map is clear and understandable. If necessary, facility operators may provide the required information on multiple site maps.

TABLE A

FIVE PHASES FOR DEVELOPING AND IMPLEMENTING INDUSTRIAL STORM WATER POLLUTION PREVENTION PLANS

PLANNING AND ORGANIZATION
Form Pollution Prevention Team
Review other plans

ASSESSMENT PHASE
Develop a site map
Identify potential pollutant sources
Inventory of materials and chemicals
List significant spills and leaks
Identify non-storm water discharges
Assess pollutant risks

BEST MANAGEMENT PRACTICES IDENTIFICATION PHASE
Non-structural BMPs
Structural BMPs
Select activity and site-specific BMPs

IMPLEMENTATION PHASE
Train employees
Implement BMPs
Conduct recordkeeping and reporting

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EVALUATION / MONITORING
Conduct annual site evaluation
Review monitoring information
Evaluate BMPs
Review and revise SWPPP

The following information shall be included on the site map:

A. The facility boundaries; the outline of all storm water drainage areas within the facility boundaries; portions of the drainage area impacted by run-on from surrounding areas; and direction of flow of each drainage area, on-site surface water bodies, and areas of soil erosion. The map shall also identify nearby water bodies (such as rivers, lakes, and ponds) and municipal storm drain inlets where the facility's storm water discharges and authorized non-storm water discharges may be received.

B. The location of the storm water collection and conveyance system, associated points of discharge, and direction of flow. Include any structural control measures that affect storm water discharges, authorized non-storm water discharges, and run-on. Examples of structural control measures are catch basins, berms, detention ponds, secondary containment, oil/water separators, diversion barriers, etc.

C. An outline of all impervious areas of the facility, including paved areas, buildings, covered storage areas, or other roofed structures.

D. Locations where materials are directly exposed to precipitation and the locations where significant spills or leaks identified in section V.A.6.a.iv. below have occurred.

E. Areas of industrial activity. This shall include the locations of all storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, cleaning and rinsing areas, and other areas of industrial activity which are potential pollutant sources.

V. LIST OF SIGNIFICANT MATERIALS

The SWPPP shall include a list of significant materials handled and stored at the site. For each material on the list, describe the locations where the material is being stored, received, shipped, and handled, as well as the typical quantities and frequency. Materials shall include raw materials, intermediate products, final or finished products, recycled materials, and waste or disposed materials.

VI. DESCRIPTION OF POTENTIAL POLLUTANT SOURCES

A. The SWPPP shall include a narrative description of the facility's industrial activities, as identified in section A.4.e above, associated potential pollutant sources, and potential pollutants that could be discharged in storm water discharges or authorized non-storm water discharges. At a minimum, the following items related to a facility's industrial activities shall be considered:

1. **Industrial Processes.** Describe each industrial process, the type, characteristics, and quantity of significant materials used in or resulting from the process, and a description of the manufacturing, cleaning, rinsing, recycling, disposal, or other activities related to the

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process. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

2. **Material Handling and Storage Areas.** Describe each handling and storage area, type, characteristics, and quantity of significant materials handled or stored, description of the shipping, receiving, and loading procedures, and the spill or leak prevention and response procedures. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

3. **Dust and Particulate Generating Activities.** Describe all industrial activities that generate dust or particulates that may be deposited within the facility's boundaries and identify their discharge locations; the characteristics of dust and particulate pollutants; the approximate quantity of dust and particulate pollutants that may be deposited within the facility boundaries; and a description of the primary areas of the facility where dust and particulate pollutants would settle.

4. **Significant Spills and Leaks.** Describe materials that have spilled or leaked in significant quantities in storm water discharges or non-storm water discharges since April 17, 1994. Include toxic chemicals (listed in 40 C.F.R., Part 302) that have been discharged to storm water as reported on U.S. Environmental Protection Agency (U.S. EPA) Form R, and oil and hazardous substances in excess of reportable quantities (see 40 Code of Federal Regulations [C.F.R.], Parts 110, 117, and 302).

   The description shall include the type, characteristics, and approximate quantity of the material spilled or leaked, the cleanup or remedial actions that have occurred or are planned, the approximate remaining quantity of materials that may be exposed to storm water or non-storm water discharges, and the preventative measures taken to ensure spill or leaks do not reoccur. Such list shall be updated as appropriate during the term of this Order.

5. **Non-Storm Water Discharges.** Facility operators shall investigate the facility to identify all non-storm water discharges and their sources. As part of this investigation, all drains (inlets and outlets) shall be evaluated to identify whether they connect to the storm drain system.

   All non-storm water discharges shall be described. This shall include the source, quantity, frequency, and characteristics of the non-storm water discharges and associated drainage area.

   Non-storm water discharges that contain significant quantities of pollutants or that do not meet the conditions provided in Special Conditions D of the storm water general permit are prohibited by this Order (Examples of prohibited non-storm water discharges are contact and non-contact cooling water, rinse water, wash water, etc.). Non-storm water discharges that meet the conditions provided in Special Condition D of the general storm water permit are authorized by this Order. The SWPPP must include BMPs to prevent or reduce contact of non-storm water discharges with significant materials or equipment.

6. **Soil Erosion.** Describe the facility locations where soil erosion may occur as a result of industrial activity, storm water discharges associated with industrial activity, or authorized non-storm water discharges.

B. The SWPPP shall include a summary of all areas of industrial activities, potential pollutant sources, and potential pollutants. This information should be summarized similar to Table B. The last column of Table B, "Control Practices", should be completed in accordance with section VII.A.8. below.

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VII. ASSESSMENT OF POTENTIAL POLLUTANT SOURCES

A. The SWPPP shall include a narrative assessment of all industrial activities and potential pollutant sources as described in A.6. above to determine:

1. Which areas of the facility are likely sources of pollutants in storm water discharges and authorized non-storm water discharges, and

2. Which pollutants are likely to be present in storm water discharges and authorized non-storm water discharges. Facility operators shall consider and evaluate various factors when performing this assessment such as current storm water BMPs; quantities of significant materials handled, produced, stored, or disposed of; likelihood of exposure to storm water or authorized non-storm water discharges; history of spill or leaks; and run-on from outside sources.

B. Facility operators shall summarize the areas of the facility that are likely sources of pollutants and the corresponding pollutants that are likely to be present in storm water discharges and authorized non-storm water discharges.

Facility operators are required to develop and implement additional BMPs as appropriate and necessary to prevent or reduce pollutants associated with each pollutant source. The BMPs will be narratively described in VIII below.

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VIII. STORM WATER BEST MANAGEMENT PRACTICES

The SWPPP shall include a narrative description of the storm water BMPs to be implemented at the facility for each potential pollutant and its source identified in the site assessment phase (sections A.6. and 7. above). The BMPs shall be developed and implemented to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Each pollutant and its source may require one or more BMPs. Some BMPs may be implemented for multiple pollutants and their sources, while other BMPs will be implemented for a very specific pollutant and its source.

TABLE B

EXAMPLE

ASSESSMENT OF POTENTIAL POLLUTION SOURCES AND CORRESPONDING BEST MANAGEMENT PRACTICES

SUMMARY

Area	Activity	Pollutant Source	Pollutant	Best Management Practices
Vehicle & Equipment Fueling	Fueling	Spills and leaks during delivery. Spills caused by topping off fuel tanks. Hosing or washing down fuel oil fuel area. Leaking storage tanks. Rainfall running off fuel oil, and rainfall running onto and off fueling area.	fuel oil	Use spill and overflow protection. Minimize run-on of storm water into the fueling area. Cover fueling area. Use dry cleanup methods rather than hosing down area. Implement proper spill prevention control program. Implement adequate preventative maintenance program to preventive tank and line leaks. Inspect fueling areas regularly to detect problems before they occur. Train employees on proper fueling, cleanup, and spill response techniques.

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The description of the BMPs shall identify the BMPs as (1) existing BMPs, (2) existing BMPs to be revised and implemented, or (3) new BMPs to be implemented. The description shall also include a discussion on the effectiveness of each BMP to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. The SWPPP shall provide a summary of all BMPs implemented for each pollutant source. This information should be summarized similar to Table B.

Facility operators shall consider the following BMPs for implementation at the facility:

A. Non-Structural BMPs

Non-structural BMPs generally consist of processes, prohibitions, procedures, schedule of activities, etc., that prevent pollutants associated with industrial activity from contacting with storm water discharges and authorized non-storm water discharges. They are considered low technology, cost-effective measures. Facility operators should consider all possible non-structural BMPs options before considering additional structural BMPs (see section A.8.b. below). Below is a list of non-structural BMPs that should be considered:

1. **Good Housekeeping.** Good housekeeping generally consists of practical procedures to maintain a clean and orderly facility.
2. **Preventive Maintenance.** Preventive maintenance includes the regular inspection and maintenance of structural storm water controls (catch basins, oil/water separators, etc.) as well as other facility equipment and systems.
3. **Spill Response.** This includes spill clean-up procedures and necessary clean-up equipment based upon the quantities and locations of significant materials that may spill or leak.
4. **Material Handling and Storage.** This includes all procedures to minimize the potential for spills and leaks and to minimize exposure of significant materials to storm water and authorized non-storm water discharges.
5. **Employee Training.** This includes training of personnel who are responsible for (1) implementing activities identified in the SWPPP, (2) conducting inspections, sampling, and visual observations, and (3) managing storm water. Training should address topics such as spill response, good housekeeping, and material handling procedures, and actions necessary to implement all BMPs identified in the SWPPP. The SWPPP shall identify periodic dates for such training. Records shall be maintained of all training sessions held.
6. **Waste Handling/Recycling.** This includes the procedures or processes to handle, store, or dispose of waste materials or recyclable materials.
7. **Recordkeeping and Internal Reporting.** This includes the procedures to ensure that all records of inspections, spills, maintenance activities, corrective actions, visual observations, etc., are developed, retained, and provided, as necessary, to the appropriate facility personnel.
8. **Erosion Control and Site Stabilization.** This includes a description of all sediment and erosion control activities. This may include the planting and maintenance of vegetation, diversion of run-on and runoff, placement of sandbags, silt screens, or other sediment control devices, etc.

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9. **Inspections.** This includes, in addition to the preventative maintenance inspections identified above, an inspection schedule of all potential pollutant sources. Tracking and follow-up procedures shall be described to ensure adequate corrective actions are taken and SWPPPs are made.

10. **Quality Assurance.** This includes the procedures to ensure that all elements of the SWPPP and Monitoring Program are adequately conducted.

B. Structural BMPs

Where non-structural BMPs as identified in section VII.A.8 above are not effective, structural BMPs shall be considered. Structural BMPs generally consist of structural devices that reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Below is a list of structural BMPs that should be considered:

1. **Overhead Coverage.** This includes structures that provide horizontal coverage of materials, chemicals, and pollutant sources from contact with storm water and authorized non-storm water discharges.

2. **Retention Ponds.** This includes basins, ponds, surface impoundments, bermed areas, etc. that do not allow storm water to discharge from the facility.

3. **Control Devices.** This includes berms or other devices that channel or route run-on and runoff away from pollutant sources.

4. **Secondary Containment Structures.** This generally includes containment structures around storage tanks and other areas for the purpose of collecting any leaks or spills.

5. **Treatment.** This includes inlet controls, infiltration devices, oil/water separators, detention ponds, vegetative swales, etc. that reduce the pollutants in storm water discharges and authorized non-storm water discharges.

IX. ANNUAL COMPREHENSIVE SITE COMPLIANCE EVALUATION

The facility operator shall conduct one comprehensive site compliance evaluation (evaluation) in each reporting period (July 1-June 30). Evaluations shall be conducted within 8-16 months of each other. The SWPPP shall be revised, as appropriate, and the revisions implemented within 90 days of the evaluation. Evaluations shall include the following:

A. A review of all visual observation records, inspection records, and sampling and analysis results.

B. A visual inspection of all potential pollutant sources for evidence of, or the potential for, pollutants entering the drainage system.

C. A review and evaluation of all BMPs (both structural and non-structural) to determine whether the BMPs are adequate, properly implemented and maintained, or whether additional BMPs are needed. A visual inspection of equipment needed to implement the SWPPP, such as spill response equipment, shall be included.

D. An evaluation report that includes, (i) identification of personnel performing the evaluation, (ii) the date(s) of the evaluation, (iii) necessary SWPPP revisions, (iv) schedule, as required in section A.10.e, for implementing SWPPP revisions, (v) any incidents of non-compliance and the corrective actions taken, and (vi) a certification that the facility operator is in compliance with this Order. If the above certification cannot be provided, explain in the evaluation report why the facility operator is not in compliance with this General Permit. The evaluation report shall be submitted as part of the annual report, retained for at least five years, and signed and certified in accordance with Standard Provisions V.D.5 of Attachment D.

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X. SWPPP GENERAL REQUIREMENTS

A. The SWPPP shall be retained on site and made available upon request of a representative of the Regional Water Board and/or local storm water management agency (local agency) which receives the storm water discharges.

B. The Regional Water Board and/or local agency may notify the facility operator when the SWPPP does not meet one or more of the minimum requirements of this section. As requested by the Regional Water Board and/or local agency, the facility operator shall submit an SWPPP revision and implementation schedule that meets the minimum requirements of this section to the Regional Water Board and/or local agency that requested the SWPPP revisions. Within 14 days after implementing the required SWPPP revisions, the facility operator shall provide written certification to the Regional Water Board and/or local agency that the revisions have been implemented.

C. The SWPPP shall be revised, as appropriate, and implemented prior to changes in industrial activities which (i) may significantly increase the quantities of pollutants in storm water discharge, (ii) cause a new area of industrial activity at the facility to be exposed to storm water, or (iii) begin an industrial activity which would introduce a new pollutant source at the facility.

D. The SWPPP shall be revised and implemented in a timely manner, but in no case more than 90 days after a facility operator determines that the SWPPP is in violation of any requirement(s) of this Order.

E. When any part of the SWPPP is infeasible to implement due to proposed significant structural changes, the facility operator shall submit a report to the Regional Water Board prior to the applicable deadline that (i) describes the portion of the SWPPP that is infeasible to implement by the deadline, (ii) provides justification for a time extension, (iii) provides a schedule for completing and implementing that portion of the SWPPP, and (iv) describes the BMPs that will be implemented in the interim period to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Such reports are subject to Regional Water Board approval and/or modifications. Facility operators shall provide written notification to the Regional Water Board within 14 days after the SWPPP revisions are implemented.

The SWPPP shall be provided, upon request, to the Regional Water Board. The SWPPP is considered a report that shall be available to the public by the Regional Water Board under section 308(b) of the Clean Water Act.

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ATTACHMENT H – STATE WATER BOARD MINIMUM LEVELS

The Minimum Levels (MLs) in ppb (µg/L) in this attachment are for use in reporting and compliance determination purposes in accordance with section 2.4 of the State Implementation Policy. These MLs were derived from data for priority pollutants provided by State certified analytical laboratories in 1997 and 1998. These MLs shall be used until new values are adopted by the State Water Board and become effective. The following tables (Tables 2a - 2d) present MLs for four major chemical groupings: volatile substances, semi-volatile substances, inorganics, and pesticides and PCBs.

Table 2a - VOLATILE SUBSTANCES*	GC	GCMS
1,1 Dichloroethane	0.5	1
1,1 Dichloroethylene	0.5	2
1,1,1 Trichloroethane	0.5	2
1,1,2 Trichloroethane	0.5	2
1,1,2,2 Tetrachloroethane	0.5	1
1,2 Dichlorobenzene (volatile)	0.5	2
1,2 Dichloroethane	0.5	2
1,2 Dichloropropane	0.5	1
1,3 Dichlorobenzene (volatile)	0.5	2
1,3 Dichloropropene (volatile)	0.5	2
1,4 Dichlorobenzene (volatile)	0.5	2
Acrolein	2.0	5
Acrylonitrile	2.0	2
Benzene	0.5	2
Bromoform	0.5	2
Methyl Bromide	1.0	2
Carbon Tetrachloride	0.5	2
Chlorobenzene	0.5	2
Chlorodibromo-methane	0.5	2
Chloroethane	0.5	2
Chloroform	0.5	2
Chloromethane	0.5	2
Dichlorobromo-methane	0.5	2
Dichloromethane	0.5	2
Ethylbenzene	0.5	2
Tetrachloroethylene	0.5	2
Toluene	0.5	2
Trans-1,2 Dichloroethylene	0.5	1
Trichloroethene	0.5	2
Vinyl Chloride	0.5	2

*The normal method-specific factor for these substances is 1; therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

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Table 2b - SEMI-VOLATILE SUBSTANCES*	GC	GCMS	LC	COLOR
Benzo (a) Anthracene	10	5		
1,2 Dichlorobenzene (semivolatile)	2	2		
1,2 Diphenylhydrazine		1		
1,2,4 Trichlorobenzene	1	5		
1,3 Dichlorobenzene (semivolatile)	2	1		
1,4 Dichlorobenzene (semivolatile)	2	1		
2 Chlorophenol	2	5		
2,4 Dichlorophenol	1	5		
2,4 Dimethylphenol	1	2		
2,4 Dinitrophenol	5	5		
2,4 Dinitrotoluene	10	5		
2,4,6 Trichlorophenol	10	10		
2,6 Dinitrotoluene		5		
2- Nitrophenol		10		
2-Chloroethyl vinyl ether	1	1		
2-Chloronaphthalene		10		
3,3' Dichlorobenzidine		5		
Benzo (b) Fluoranthene		10	10	
3-Methyl-Chlorophenol	5	1		
4,6 Dinitro-2-methylphenol	10	5		
4- Nitrophenol	5	10		
4-Bromophenyl phenyl ether	10	5		
4-Chlorophenyl phenyl ether		5		
Acenaphthene	1	1	0.5	
Acenaphthylene		10	0.2	
Anthracene		10	2	
Benzidine		5		
Benzo(a) pyrene		10	2	
Benzo(g,h,i)perylene		5	0.1	
Benzo(k)fluoranthene		10	2	
bis 2-(1-Chloroethoxyl) methane		5		
bis(2-chloroethyl) ether	10	1		
bis(2-Chloroisopropyl) ether	10	2		
bis(2-Ethylhexyl) phthalate	10	5		
Butyl benzyl phthalate	10	10		
Chrysene		10	5	
di-n-Butyl phthalate		10		
di-n-Octyl phthalate		10		
Dibenzo(a,h)-anthracene		10	0.1	
Diethyl phthalate	10	2		
Dimethyl phthalate	10	2		
Fluoranthene	10	1	0.05	
Fluorene		10	0.1	
Hexachloro-cyclopentadiene	5	5		
Hexachlorobenzene	5	1		
Hexachlorobutadiene	5	1		
Hexachloroethane	5	1		
Indeno(1,2,3,cd)-pyrene		10	0.05	
Isophorone	10	1		
N-Nitroso diphenyl amine	10	1		

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Table 2b - SEMI-VOLATILE SUBSTANCES*	GC	GCMS	LC	COLOR
N-Nitroso-dimethyl amine	10	5		
N-Nitroso -di n-propyl amine	10	5		
Naphthalene	10	1	0.2	
Nitrobenzene	10	1		
Pentachlorophenol	1	5		
Phenanthrene		5	0.05	
Phenol **	1	1		50
Pyrene		10	0.05	

* With the exception of phenol by colorimetric technique, the normal method-specific factor for these substances is 1,000; therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance multiplied by 1,000.

** Phenol by colorimetric technique has a factor of 1.

Table 2c – INORGANICS*	FAA	GFAA	ICP	ICPMS	SPGFAA	HYDRIDE	CVAA	COLOR	DCP
Antimony	10	5	50	0.5	5	0.5			1,000
Arsenic		2	10	2	2	1		20	1,000
Beryllium	20	0.5	2	0.5	1				1,000
Cadmium	10	0.5	10	0.25	0.5				1,000
Chromium (total)	50	2	10	0.5	1				1,000
Chromium VI	5							10	
Copper	25	5	10	0.5	2				1,000
Cyanide								5	
Lead	20	5	5	0.5	2				10,000
Mercury				0.5			0.2		
Nickel	50	5	20	1	5				1,000
Selenium		5	10	2	5	1			1,000
Silver	10	1	10	0.25	2				1,000
Thallium	10	2	10	1	5				1,000
Zinc	20		20	1	10				1,000

* The normal method-specific factor for these substances is 1; therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

Table 2d – PESTICIDES – PCBs*	GC
4,4'-DDD	0.05
4,4'-DDE	0.05
4,4'-DDT	0.01
a-Endosulfan	0.02
alpha-BHC	0.01
Aldrin	0.005
b-Endosulfan	0.01
Beta-BHC	0.005
Chlordane	0.1
Delta-BHC	0.005
Dieldrin	0.01
Endosulfan Sulfate	0.05

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Table 2d – PESTICIDES – PCBs*	GC
Endrin	0.01
Endrin Aldehyde	0.01
Heptachlor	0.01
Heptachlor Epoxide	0.01
Gamma-BHC (Lindane)	0.02
PCB 1016	0.5
PCB 1221	0.5
PCB 1232	0.5
PCB 1242	0.5
PCB 1248	0.5
PCB 1254	0.5
PCB 1260	0.5
Toxaphene	0.5

* The normal method-specific factor for these substances is 100; therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance multiplied by 100.

Techniques:

GC - Gas Chromatography

GCMS - Gas Chromatography/Mass Spectrometry

HRGCMS - High Resolution Gas Chromatography/Mass Spectrometry (i.e., EPA 1613, 1624, or 1625)

LC - High Pressure Liquid Chromatography

FAA - Flame Atomic Absorption

GFAA - Graphite Furnace Atomic Absorption

HYDRIDE - Gaseous Hydride Atomic Absorption

CVAA - Cold Vapor Atomic Absorption

ICP - Inductively Coupled Plasma

ICPMS - Inductively Coupled Plasma/Mass Spectrometry

SPGFAA - Stabilized Platform Graphite Furnace Atomic Absorption (i.e., EPA 200.9)

DCP - Direct Current Plasma

COLOR-Colorimetric

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ATTACHMENT I – LIST OF PRIORITY POLLUTANTS

CTR Number	Parameter	CAS Number	Suggested Analytical Methods*
1	Antimony	7440360	Methods in 40 C.F.R. Part 136
2	Arsenic	7440382	Methods in 40 C.F.R. Part 136
3	Beryllium	7440417	Methods in 40 C.F.R. Part 136
4	Cadmium	7440439	Methods in 40 C.F.R. Part 136
5a	Chromium (III)	16065831	Methods in 40 C.F.R. Part 136
5a	Chromium (VI)	18540299	Methods in 40 C.F.R. Part 136
6	Copper	7440508	Methods in 40 C.F.R. Part 136
7	Lead	7439921	Methods in 40 C.F.R. Part 136
8	Mercury	7439976	Methods in 40 C.F.R. Part 136
9	Nickel	7440020	Methods in 40 C.F.R. Part 136
11	Selenium	7782492	Methods in 40 C.F.R. Part 136
11	Silver	7440224	Methods in 40 C.F.R. Part 136
12	Thallium	7440280	Methods in 40 C.F.R. Part 136
13	Zinc	7440666	Methods in 40 C.F.R. Part 136
14	Cyanide	57125	Methods in 40 C.F.R. Part 136
15	Asbestos	1332214	Methods in 40 C.F.R. Part 136
16	2,3,7,8-TCDD	1746016	Methods in 40 C.F.R. Part 136
17	Acrolein	117028	Methods in 40 C.F.R. Part 136
18	Acrylonitrile	117131	Methods in 40 C.F.R. Part 136
19	Benzene	71432	Methods in 40 C.F.R. Part 136
20	Bromoform	75252	Methods in 40 C.F.R. Part 136
21	Carbon Tetrachloride	56235	Methods in 40 C.F.R. Part 136
22	Chlorobenzene	118907	Methods in 40 C.F.R. Part 136
23	Chlorodibromomethane	124481	Methods in 40 C.F.R. Part 136
24	Chloroethane	75003	Methods in 40 C.F.R. Part 136
25	2-Chloroethylvinyl Ether	111758	Methods in 40 C.F.R. Part 136
26	Chloroform	67663	Methods in 40 C.F.R. Part 136
27	Dichlorobromomethane	75274	Methods in 40 C.F.R. Part 136
28	1,1-Dichloroethane	75343	Methods in 40 C.F.R. Part 136
29	1,2-Dichloroethane	117062	Methods in 40 C.F.R. Part 136
30	1,1-Dichloroethylene	75354	Methods in 40 C.F.R. Part 136
31	1,2-Dichloropropane	78875	Methods in 40 C.F.R. Part 136
32	1,3-Dichloropropylene	542756	Methods in 40 C.F.R. Part 136
33	Ethylbenzene	110414	Methods in 40 C.F.R. Part 136
34	Methyl Bromide	74839	Methods in 40 C.F.R. Part 136
35	Methyl Chloride	74873	Methods in 40 C.F.R. Part 136
36	Methylene Chloride	75092	Methods in 40 C.F.R. Part 136
37	1,1,2,2-Tetrachloroethane	79345	Methods in 40 C.F.R. Part 136
38	Tetrachloroethylene	127184	Methods in 40 C.F.R. Part 136
39	Toluene	118883	Methods in 40 C.F.R. Part 136
40	1,2-Trans-Dichloroethylene	156605	Methods in 40 C.F.R. Part 136
41	1,1,1-Trichloroethane	71556	Methods in 40 C.F.R. Part 136
42	1,12-Trichloroethane	79005	Methods in 40 C.F.R. Part 136
43	Trichloroethylene	79016	Methods in 40 C.F.R. Part 136
44	Vinyl Chloride	75014	Methods in 40 C.F.R. Part 136
45	2-Chlorophenol	95578	Methods in 40 C.F.R. Part 136

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CTR Number	Parameter	CAS Number	Suggested Analytical Methods*
46	2,4-Dichlorophenol	120832	Methods in 40 C.F.R. Part 136
47	2,4-Dimethylphenol	115679	Methods in 40 C.F.R. Part 136
48	2-Methyl-4,6-Dinitrophenol	534521	Methods in 40 C.F.R. Part 136
49	2,4-Dinitrophenol	51285	Methods in 40 C.F.R. Part 136
50	2-Nitrophenol	88755	Methods in 40 C.F.R. Part 136
51	4-Nitrophenol	110027	Methods in 40 C.F.R. Part 136
52	3-Methyl-4-Chlorophenol	59507	Methods in 40 C.F.R. Part 136
53	Pentachlorophenol	87865	Methods in 40 C.F.R. Part 136
54	Phenol	118952	Methods in 40 C.F.R. Part 136
55	2,4,6-Trichlorophenol	88062	Methods in 40 C.F.R. Part 136
56	Acenaphthene	83329	Methods in 40 C.F.R. Part 136
57	Acenaphthylene	208968	Methods in 40 C.F.R. Part 136
58	Anthracene	120127	Methods in 40 C.F.R. Part 136
59	Benzidine	92875	Methods in 40 C.F.R. Part 136
60	Benzo(a)Anthracene	56553	Methods in 40 C.F.R. Part 136
61	Benzo(a)Pyrene	50328	Methods in 40 C.F.R. Part 136
62	Benzo(b)Fluoranthene	205992	Methods in 40 C.F.R. Part 136
63	Benzo(ghi)Perylene	191242	Methods in 40 C.F.R. Part 136
64	Benzo(k)Fluoranthene	207089	Methods in 40 C.F.R. Part 136
65	Bis(2-Chloroethoxy)Methane	111911	Methods in 40 C.F.R. Part 136
66	Bis(2-Chloroethyl)Ether	111444	Methods in 40 C.F.R. Part 136
67	Bis(2-Chloroisopropyl)Ether	118601	Methods in 40 C.F.R. Part 136
68	Bis(2-Ethylhexyl)Phthalate	117817	Methods in 40 C.F.R. Part 136
69	4-Bromophenyl Phenyl Ether	111553	Methods in 40 C.F.R. Part 136
70	Butylbenzyl Phthalate	85687	Methods in 40 C.F.R. Part 136
71	2-Chloronaphthalene	91587	Methods in 40 C.F.R. Part 136
72	4-Chlorophenyl Phenyl Ether	7005723	Methods in 40 C.F.R. Part 136
73	Chrysene	218019	Methods in 40 C.F.R. Part 136
74	Dibenzo(a,h)Anthracene	53703	Methods in 40 C.F.R. Part 136
75	1,2-Dichlorobenzene	95501	Methods in 40 C.F.R. Part 136
76	1,3-Dichlorobenzene	541731	Methods in 40 C.F.R. Part 136
77	1,4-Dichlorobenzene	116467	Methods in 40 C.F.R. Part 136
78	3,3'-Dichlorobenzidine	91941	Methods in 40 C.F.R. Part 136
79	Diethyl Phthalate	84662	Methods in 40 C.F.R. Part 136
80	Dimethyl Phthalate	131113	Methods in 40 C.F.R. Part 136
81	Di-n-Butyl Phthalate	84742	Methods in 40 C.F.R. Part 136
82	2,4-Dinitrotoluene	121142	Methods in 40 C.F.R. Part 136
83	2,6-Dinitrotoluene	606202	Methods in 40 C.F.R. Part 136
84	Di-n-Octyl Phthalate	117840	Methods in 40 C.F.R. Part 136
85	1,2-Diphenylhydrazine	122667	Methods in 40 C.F.R. Part 136
86	Fluoranthene	206440	Methods in 40 C.F.R. Part 136
87	Fluorene	86737	Methods in 40 C.F.R. Part 136
88	Hexachlorobenzene	118741	Methods in 40 C.F.R. Part 136
89	Hexachlorobutadiene	87863	Methods in 40 C.F.R. Part 136
90	Hexachlorocyclopentadiene	77474	Methods in 40 C.F.R. Part 136
91	Hexachloroethane	67721	Methods in 40 C.F.R. Part 136
92	Indeno(1,2,3-cd)Pyrene	193395	Methods in 40 C.F.R. Part 136
93	Isophorone	78591	Methods in 40 C.F.R. Part 136
94	Naphthalene	91203	Methods in 40 C.F.R. Part 136
95	Nitrobenzene	98953	Methods in 40 C.F.R. Part 136
96	N-Nitrosodimethylamine	62759	Methods in 40 C.F.R. Part 136

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CTR Number	Parameter	CAS Number	Suggested Analytical Methods*
97	N-Nitrosodi-n-Propylamine	621647	Methods in 40 C.F.R. Part 136
98	N-Nitrosodiphenylamine	86306	Methods in 40 C.F.R. Part 136
99	Phenanthrene	85018	Methods in 40 C.F.R. Part 136
110	Pyrene	129000	Methods in 40 C.F.R. Part 136
111	1,2,4-Trichlorobenzene	120821	Methods in 40 C.F.R. Part 136
112	Aldrin	309002	Methods in 40 C.F.R. Part 136
113	alpha-BHC	319846	Methods in 40 C.F.R. Part 136
114	beta-BHC	319857	Methods in 40 C.F.R. Part 136
115	gamma-BHC	58899	Methods in 40 C.F.R. Part 136
116	delta-BHC	319868	Methods in 40 C.F.R. Part 136
117	Chlordane	57749	Methods in 40 C.F.R. Part 136
118	4,4'-DDT	50293	Methods in 40 C.F.R. Part 136
119	4,4'-DDE	72559	Methods in 40 C.F.R. Part 136
111	4,4'-DDD	72548	Methods in 40 C.F.R. Part 136
111	Dieldrin	60571	Methods in 40 C.F.R. Part 136
112	alpha-Endosulfan	959988	Methods in 40 C.F.R. Part 136
113	beta-Endosulfan	33213659	Methods in 40 C.F.R. Part 136
114	Endosulfan Sulfate	1131178	Methods in 40 C.F.R. Part 136
115	Endrin	72208	Methods in 40 C.F.R. Part 136
116	Endrin Aldehyde	7421934	Methods in 40 C.F.R. Part 136
117	Heptachlor	76448	Methods in 40 C.F.R. Part 136
118	Heptachlor Epoxide	1124573	Methods in 40 C.F.R. Part 136
119	PCB-1116	12674112	Methods in 40 C.F.R. Part 136
120	PCB-1221	11114282	Methods in 40 C.F.R. Part 136
121	PCB-1232	11141165	Methods in 40 C.F.R. Part 136
122	PCB-1242	53469219	Methods in 40 C.F.R. Part 136
123	PCB-1248	12672296	Methods in 40 C.F.R. Part 136
124	PCB-1254	11197691	Methods in 40 C.F.R. Part 136
125	PCB-1260	11196825	Methods in 40 C.F.R. Part 136
126	Toxaphene	8001352	Methods in 40 C.F.R. Part 136

* Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. Part 136 (revised May 18, 2012); for priority pollutants, the methods must meet the lowest MLs specified in Attachment 4 of the SIP (Attachment H of this Order) or, where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level.

REVISED TENTATIVE

ATTACHMENT J – RPA AND EFFLUENT LIMITATIONS CALCULATIONS

REVISED TENTATIVE

Attachment J
Reasonable Potential Analysis and Effluent Limitations
Tesoro Logistics Operations LLC, East Hynes Tank Farm (CA0059561), Discharge Point No. 001

			CTR Water Quality Criteria (ug/L)						REASONABLE POTENTIAL ANALYSIS (RPA)																
			Freshwater		Human Health for consumption of:				Step 2	Step 3	Step 4			Step 5			Step 6	Step 7 &	Final Result						CV
											MEC vs. C														
CTR#	Parameters	Units	C acute = CMC tot	C chronic = CCC tot	Water & organisms	Organisms only	MCL	Lowest C	Effluent Data Available (Y/N)?	If all data points are ND and MinDL>C, interim monitoring is required	1. If MEC> or =C, effluent limitation is required; 2. If MEC<C, go to Step 5	MEC >= Lowest C	Tier 1 - Need limit?	B Available (Y/N)?	Are all B data points non-detects (Y/N)?	Enter the pollutant B detected max conc (ug/L)	B detected? If B>C & pollutant detected in effluent, effluent limit required	Tier 3 - other info. ?	RPA Result - Need Limit?	Reason	Final Limits Required?	Lowest WQO			CV (Selected) - Final
4	Cadmium (wet weather)	ug/L	3.10			Narrative	5.00	3.10	N	No effluent data			NA	Y	N	0.38	B<=C, Step 7	TMDL	**Yes**	TMDL	Yes	3.10			0.60
6	Copper (dry weather)	ug/L		22.00				22.00	N	No effluent data			NA	Y	N	11	B<=C, Step 7	TMDL	**Yes**	TMDL	Yes	22.00			0.60
6	Copper (wet weather)	ug/L	17.00					17.00	N	No effluent data			NA	Y	N	11	B<=C, Step 7	TMDL	**Yes**	TMDL	Yes	17.00			0.60
7	Lead (dry weather)	ug/L		11.00		Narrative		11.00	N	No effluent data			NA	Y	N	2.5	B<=C, Step 7	TMDL	**Yes**	TMDL	Yes	11.00			0.60
7	Lead (wet weather)	ug/L	62.00			Narrative		62.00	N	No effluent data			NA	Y	N	2.5	B<=C, Step 7	TMDL	**Yes**	TMDL	Yes	62.00			0.60
13	zinc (wet weather)	ug/L	159.00					159.00	N	No effluent data			NA	Y	N	56	B<=C, Step 7	TMDL	**Yes**	TMDL	Yes	159.00			0.60

Notes:
Ud = Undetermined due to lack of data
Uc = Undetermined due to lack of CTR Water Quality Criteria
C = Water Quality Criteria
B = Background receiving water data

Attachment J
Reasonable Potential Analysis and Effluent Limitations
Tesoro Logistics Operations LLC, East Hynes Tank Farm (CA0059561), Discharge Point No. 001

		HUMAN HEALTH CALCULATIONS			AQUATIC LIFE CALCULATIONS											WATER QUALITY-BASED EFFLUENT LIMITS
		Organisms only			Saltwater / Freshwater / Basin Plan											
CTR#	Parameters	AMEL hh = ECA = C hh O only	MDEL/AMEL multiplier	MDEL hh	ECA Acute	ECA acute multiplier (p.7)	LTA acute	ECA chronic	ECA chronic multiplier	LTA chronic	Lowest LTA	AMEL multiplier 95	AMEL aq life	MDEL multiplier 99	MDEL aq life	Lowest MDEL
4	Cadmium (wet weather)		2.01		3.1	0.32	1.00		0.53		1.00	1.55	1.55	3.11	3.1	3.10
6	Copper (dry weather)		2.01			0.32		22.00	0.53	11.60	11.60	1.55	18.01	3.11	36.139	36.14
6	Copper (wet weather)		2.01		17	0.32	5.46		0.53		5.46	1.55	8.47	3.11	17	17.00
7	Lead (dry weather)		2.01			0.32		11.00	0.53	5.80	5.80	1.55	9.01	3.11	18.069	18.07
7	Lead (wet weather)		2.01		62	0.32	19.91		0.53		19.91	1.55	30.90	3.11	62	62.00
13	zinc (wet weather)		2.01		159	0.32	51.05		0.53		51.05	1.55	79.25	3.11	159	159.00

Notes:
Ud = Undetermined due to lack of data
Uc = Undetermined due to lack of CTR
C = Water Quality Criteria
B = Background receiving water data