

California Regional Water Quality Control Board
North Coast Region

ORDER NO. R1-2002-0083
ID No. 1B02060RMEN

WASTE DISCHARGE REQUIREMENTS

FOR

THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
SALMON CREEK BRIDGE REPAINTING PROJECT

Mendocino County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. The California Department of Transportation (hereinafter Discharger) submitted a Report of Waste Discharge (ROWD) on March 25, 2002, for repainting the Salmon Creek Bridge (No. 10-134).
2. The bridge is located at postmile 43.0 on Highway 1 in Hydrologic Unit 113.40 Albion River Hydrologic Area, near Albion in Mendocino County, and at 39° 13' North Latitude, 123° 46' East Longitude.
3. The Discharger will repaint the Salmon Creek Bridge using a zero discharge waste management system (zero discharge system). The zero discharge system consists of several components. The "safespan" component will capture all liquid and solid wastes from the bridge, and will convey wastewater to a recycling system. A suction system will be used to collect and convey wastewater through several filters, cleaning it of dirt, oil, soap, and pesticides, and making it available for reuse. Solids will be managed by cleaning the decking with a highly efficient vacuum and then conveying solids and particulates to a designated hazardous materials containment site. Surface preparation will be accomplished using a pressurized wash water hose. No solvents, soaps, or other cleaning chemicals will be used. Treated wash water will be reused as wash water.
4. This project has a 2B rating for threat to water quality and complexity, pursuant to California Code of Regulations (CCR) Section 2200. The Discharger has submitted a fee of \$900.00 for this project.
5. Lead is a toxic heavy metal pollutant and bioaccumulates in animal tissues. The U.S. Environmental Protection Agency's primary maximum contaminant level (MCL) for lead in drinking water is 15 parts per billion (ppb), with the MCL Goal of 0 ppb. The U.S. Environmental Protection Agency Health Advisory lists lead as a probable human carcinogen. The *Water Quality Control Plan for the North Coast Region* (Basin Plan) states that "All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in humans, plant, animal, or aquatic life."

6. The Basin Plan includes water quality objectives, waste discharge prohibitions and receiving water limitations.
7. The beneficial uses of Salmon Creek and its tributaries include:
 - a. municipal and domestic supply
 - b. industrial service supply
 - c. groundwater recharge
 - d. water contact recreation
 - e. non-contact water recreation
 - f. commercial and sport fishing
 - g. cold freshwater habitat
 - h. wildlife habitat
 - i. migration of aquatic organisms
 - j. spawning, reproduction, and/or early development of fish
 - k. estuarine habitat
 - l. aquaculture*

* This is listed in the Basin Plan as a potential beneficial use, as opposed to an existing one.
8. The beneficial uses of areal groundwater include:
 - a. municipal and domestic water supply
 - b. agricultural water supply
 - c. industrial service supply
 - d. industrial process supply
9. The action to issue Waste Discharge Requirements (WDRs) is exempt from the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) because the project involves maintenance of an existing facility (Title 14, Division 7, Chapter 3, Section 15301).
10. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the project and has provided them with an opportunity to submit their written comments and recommendations.
11. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.
12. The permitted discharge is consistent with the provisions of State Water Resources Control Board (State Water Board) Resolution No. 68-16, "*Statement of Policy with Respect to Maintaining High Quality of Waters in California.*" The impact on water quality will be insignificant.

THEREFORE, IT IS HEREBY ORDERED that the Discharger, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, shall comply with the following:

A. DISCHARGE PROHIBITIONS

1. The discharge of any waste not specifically regulated by this Order is prohibited.
2. Creation of a pollution, contamination, or nuisance, as defined by Section 13050 of the CWC, is prohibited. [Health and Safety Code, Section 5411]
3. The discharge of waste to land that is not under the control of the Discharger is prohibited, except as authorized under **B. SOLIDS DISPOSAL**.
4. The discharge of domestic waste, treated or untreated, to surface waters is prohibited.
5. The discharge of paint debris, wash waters, construction and demolition wastes, and paints to Salmon Creek or its tributaries, or to locations where these materials could pass into Salmon Creek or its tributaries, is prohibited.
6. The operation of construction equipment in Salmon Creek is prohibited.

B. SOLIDS DISPOSAL

1. Solid waste¹ removed from the job site shall be disposed of at a legal point of disposal, and in accordance with the provisions of Title 27, Division 2, Subdivision 1 of the CCR or as waived pursuant to Section 13269 of the CWC.

C. PROVISIONS

1. The storage and use of any fuels, oils, or toxic substances at the project location or offsite staging areas shall be managed to prevent discharges of waste. All spills and leaks shall be cleaned up immediately and all contaminated materials shall be disposed of at an approved disposal site.
2. The Discharger shall submit to the Regional Water Board a Storm Water Pollution Prevention Plan at least thirty days prior to commencement of the project. The Discharger's plan shall describe the chronology of construction activities for this project and Best Management Practices to be employed.

¹ Solid waste includes: construction debris, demolition debris, soil, silt, bark, slash, sawdust, or other organic or earthen material.

3. A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel.
4. The Discharger shall have a resident engineer monitoring the site to insure the effectiveness of the containment system. The system shall be approved by the site Engineer prior to commencement of work by the painting crew. The Engineer shall also be responsible for assuring compliance with this Order. The Discharger shall establish a liaison contact with Regional Water Board staff for the purpose of assuring that compliance with this Order is maintained. A list of designated liaison personnel, addresses, telephone numbers, and specific areas of responsibility shall be submitted one month prior to commencement of the project.

5. Severability

Provisions of these Waste Discharge Requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.

6. Operation and Maintenance

The Discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed by the Discharger to achieve compliance with these WDRs.

7. Vested Rights

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Discharger from liability under federal, state, or local laws, nor create a vested right for the Discharger to continue the waste discharge.

8. Monitoring

The Discharger shall comply with the Notification Requirements Order No. 74-151 and the Monitoring and Reporting Program No. R1-2002-0083 and any modifications to these documents as specified by the Executive Officer of the Regional Water Board (Executive Officer). Such documents are attached to this Order and incorporated herein. Analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services.

9. Inspections

The Discharger shall permit authorized staff of the Regional Water Board:

- a. entry upon premises in which an effluent source is located or in which any required records are kept;
- b. access to copy any records required to be kept under terms and conditions of this Order;
- c. inspection of monitoring equipment or records; and
- d. sampling of any discharge.

10. Noncompliance

In the event the Discharger is unable to comply with any of the conditions of this Order due to:

- a. breakdown of waste treatment equipment;
- b. accidents caused by human error or negligence; or
- c. other causes such as acts of nature;

the Discharger shall notify the staff liaison at the Regional Water Board by telephone as soon as he or his agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the noncompliance and shall indicate the steps taken to correct the problem and the dates thereof, and the steps being taken to prevent the problem from recurring.

11. Revision of Requirements

The Regional Water Board will review this Order periodically and may revise requirements when necessary.

12. Signatory Requirements

- a. All ROWD applications submitted to the Regional Water Board shall be signed by either a principal executive officer, ranking elected official, or a responsible corporate officer. For purposes of this provision, 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 employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. Reports required by this Order, other information requested by the Regional Water Board, and Permit applications submitted for Group II storm water discharges under 40 CFR 122.26(b)(3) may be signed by a duly authorized representative provided:
 - i. the authorization is made in writing by a person described in paragraph (a) of this provision;

- ii. 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; and
 - iii. the written authorization is submitted to the Regional Water Board prior to or together with any reports, information, or applications signed by the authorized representative. [40 CFR 122.22(b)(c)]
- c. Any person signing a document under paragraph (a) or (b) of this provision 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 CFR 122.22(d)]

Certification

I, Susan A. Warner, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on September 26, 2002.

Susan A. Warner
Executive Officer