

- (1) Warning letters or notices of violations regarding SIUs' apparent noncompliance with or violation of any federal pretreatment categorical standards and/or requirements, or local limits and/or requirements. For each notice, indicate whether it was for an infraction of a federal or local standard/limit or requirement.
- (2) Administrative Orders regarding the SIUs' apparent noncompliance with or violation of any federal pretreatment categorical standards and/or requirements, or local limits and/or requirements. For each notice, indicate whether it was for an infraction of a federal or local standard/limit or requirement.
- (3) Civil actions regarding the SIUs' apparent noncompliance with or violation of any federal pretreatment categorical standards and/or requirements, or local limits and/or requirements. For each notice, indicate whether it was for an infraction of a federal or local standard/limit or requirement.
- (4) Criminal actions regarding the SIUs' apparent noncompliance with or violation of any federal pretreatment categorical standards and/or requirements, or local limits and/or requirements. For each notice, indicate whether it was for an infraction of a federal or local standard/limit or requirement.
- (5) Assessment of monetary penalties. Identify the amount of penalty in each case and reason for assessing the penalty.
- (6) Order to restrict/suspend discharge to the POTW.
- (7) Order to disconnect the discharge from entering the POTW.

12) **Baseline Monitoring Report Update**

This section shall provide a list of CIUs that have been added to the pretreatment program since the last annual report. This list of new CIUs shall summarize the status of the respective Baseline Monitoring Reports (BMR). The BMR must contain all of the information specified in 40 CFR 403.12(b). For each of the new CIUs, the summary shall indicate when the BMR was due; when the CIU was notified by the POTW of this requirement; when the CIU submitted the report; and/or when the report is due.

13) **Pretreatment Program Changes**

This section shall contain a description of any significant changes in the Pretreatment Program during the past year including, but not limited to: legal authority, local limits, monitoring/ inspection program and frequency, enforcement protocol, program's administrative structure, staffing level, resource requirements and funding mechanism. If the manager of the pretreatment program changes, a revised organizational chart shall be included. If any element(s) of the program is in the process of being modified, this intention shall also be indicated.

14) Pretreatment Program Budget

This section shall present the budget spent on the Pretreatment Program. The budget, either by the calendar or fiscal year, shall show the amounts spent on personnel, equipment, chemical analyses and any other appropriate categories. A brief discussion of the source(s) of funding shall be provided.

15) Public Participation Summary

This section shall include a copy of the public notice as required in 40 CFR 403.8(f)(2)(vii). If a notice was not published, the reason shall be stated.

16) Sludge Storage and Disposal Practice

This section shall have a description of how the treated sludge is stored and ultimately disposed. The sludge storage area, if one is used, shall be described in detail. Its location, a description of the containment features and the sludge handling procedures shall be included.

17) PCS Data Entry Form

The annual report shall include the PCS Data Entry Form. This form shall summarize the enforcement actions taken against SIUs in the past year. This form shall include the following information: the POTW name, NPDES Permit number, period covered by the report, the number of SIUs in significant noncompliance (SNC) that are on a pretreatment compliance schedule, the number of notices of violation and administrative orders issued against SIUs, the number of civil and criminal judicial actions against SIUs, the number of SIUs that have been published as a result of being in SNC, and the number of SIUs from which penalties have been collected.

18) Other Subjects

Other information related to the Pretreatment Program that does not fit into one of the above categories should be included in this section.

Signed copies of the reports shall be submitted to the Regional Administrator at USEPA, the State Water Resources Control Board and the Regional Water Board at the following addresses:

Regional Administrator
United States Environmental Protection Agency
Region 9, Mail Code: WTR-7

Clean Water Act Compliance Office

Water Division

75 Hawthorne Street

San Francisco, CA 94105

Pretreatment Program Manager

Regulatory Unit

State Water Resources Control Board

Division of Water Quality

1001 I Street

Sacramento, CA 95814

Pretreatment Coordinator

NPDES Permits Division

SF Bay Regional Water Quality Control Board

1515 Clay Street, Suite 1400

Oakland, CA 94612

APPENDIX B:**REQUIREMENTS FOR SEMIANNUAL PRETREATMENT REPORTS**

The semiannual pretreatment reports are due on July 31st (for pretreatment program activities conducted from January through June) and January 31st (for pretreatment activities conducted from July through December) of each year, unless an exception has been granted by the Board's Executive Officer. The semiannual reports shall contain, at a minimum, but is not limited to, the following information:

1) Influent, Effluent and Sludge Monitoring

The influent, effluent and sludge monitoring results shall be included in the report. The analytical laboratory report shall also be included, with the QA/QC data validation provided upon request. A description of the sampling procedures and a discussion of the results shall be given. (Please see Appendix C for specific detailed requirements.) The contributing source(s) of the parameters that exceed NPDES limits shall be investigated and discussed. In addition, a brief discussion of the contributing source(s) of all organic compounds identified shall be provided.

The Discharger has the option to submit all monitoring results via an electronic reporting format approved by the Executive Officer. The procedures for submitting the data will be similar to the electronic submittal of the NPDES self-monitoring reports as outlined in the December 17, 1999 Regional Water Board letter, Official Implementation of Electronic Reporting System (ERS). The Discharger shall contact the Regional Water Board's ERS Project Manager for specific details in submitting the monitoring data.

If the monitoring results are submitted electronically, the analytical laboratory reports (along with the QA/QC data validation) should be kept at the Discharger's facility.

2) Industrial User Compliance Status

This section shall contain a list of all Significant Industrial Users (SIUs) that were not in consistent compliance with all pretreatment standards/limits or requirements for the reporting period. The compliance status for the previous reporting period shall also be included. Once the SIU has determined to be out of compliance, the SIU shall be included in the report until consistent compliance has been achieved. A brief description detailing the actions that the SIU undertook to come back into compliance shall be provided.

For each SIU on the list, the following information shall be provided:

- a. Indicate if the SIU is subject to Federal categorical standards; if so, specify the category including the subpart that applies.

- b. For SIUs subject to Federal Categorical Standards, indicate if the violation is of a categorical or local standard.
- c. Indicate the compliance status of the SIU for the two quarters of the reporting period.
- d. For violations/noncompliance occurring in the reporting period, provide (1) the date(s) of violation(s); (2) the parameters and corresponding concentrations exceeding the limits and the discharge limits for these parameters and (3) a brief summary of the noncompliant event(s) and the steps that are being taken to achieve compliance.

3) **POTW's Compliance with Pretreatment Program Requirements**

This section shall contain a discussion of the Discharger's compliance status with the Pretreatment Program Requirements as indicated in the latest Pretreatment Compliance Audit (PCA) Report, Pretreatment Compliance Inspection (PCI) Report or Pretreatment Performance Evaluation (PPE) Report. It shall contain a summary of the following information:

- a. Date of latest PCA, PCI or PPE and report.
- b. Date of the Discharger's response.
- c. List of unresolved issues.
- d. Plan and schedule for resolving the remaining issues.

The reports shall be signed by a principal executive officer, ranking elected official, or other duly authorized employee who is responsible for the overall operation of the Publicly Owned Treatment Works (POTW)(40 CFR 403.12(j)). Signed copies of the reports shall be submitted to the Regional Administrator at USEPA, the State Water Resources Control Board and the Regional Water Board at the following addresses:

Regional Administrator
United States Environmental Protection Agency
Region 9, Mail Code: WTR-7
Clean Water Act Compliance Office
Water Division
75 Hawthorne Street
San Francisco, CA 94105

Pretreatment Program Manager
Regulatory Unit
State Water Resources Control Board
Division of Water Quality
1001 I Street
Sacramento, CA 95814

Pretreatment Coordinator
NPDES Permits Division
SF Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

APPENDIX C**REQUIREMENTS FOR INFLUENT, EFFLUENT AND SLUDGE MONITORING**

The Discharger shall conduct sampling of its treatment plant's influent, effluent and sludge at the frequency as shown in Table E-5 of the Self-Monitoring Program (SMP).

The monitoring and reporting requirements of the POTW's Pretreatment Program are in addition to those specified in Tables E-3 and E-4 of the SMP. Any subsequent modifications of the requirements specified in Tables E-3 and E-4 shall be adhered to and shall not affect the requirements described in this Appendix unless written notice from the Regional Water Board is received. When sampling periods coincide, one set of test results, reported separately, may be used for those parameters that are required to be monitored by both Table E-5 and the Pretreatment Program. The Pretreatment Program monitoring reports shall be sent to the Pretreatment Program Coordinator.

1. Influent and Effluent Monitoring

The Discharger shall monitor for the parameters using the required test methods listed in Tables E-3 and E-4 of the SMP. Any test method substitutions must have received prior written Regional Water Board approval. Influent and Effluent sampling locations shall be the same as those sites specified in the Self-Monitoring Program.

The influent and effluent sampled should be taken during the same 24-hour period. All samples must be representative of daily operations. A grab sample shall be used for volatile organic compounds, cyanide and phenol. In addition, any samples for oil and grease, polychlorinated biphenyls, dioxins/furans, and polynuclear aromatic hydrocarbons shall be grab samples. For all other pollutants, 24-hour composite samples must be obtained through flow-proportioned composite sampling. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. For effluent monitoring, the reporting limits for the individual parameters shall be at or below the minimum levels (MLs) as stated in the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (2000) [also known as the State Implementation Policy (SIP)]; any revisions to the MLs shall be adhered to. If a parameter does not have a stated minimum level, then the Discharger shall conduct the analysis using the lowest commercially available and reasonably achievable detection levels.

The following standardized report format should be used for submittal of the influent and effluent monitoring report. A similar structured format may be used but will be subject to Regional Water Board approval. The monitoring reports shall be submitted with the Semiannual Reports.

- A. Sampling Procedures – This section shall include a brief discussion of the sample locations, collection times, how the sample was collected (i.e., direct collection using vials or bottles, or other types of collection using devices such as automatic samplers, buckets, or beakers), types of containers used, storage procedures and holding times. Include description of prechlorination and chlorination/dechlorination practices during the sampling periods.

- B. Method of Sampling Dechlorination – A brief description of the sample dechlorination method prior to analysis shall be provided.
 - C. Sample Compositing – The manner in which samples are composited shall be described. If the compositing procedure is different from the test method specifications, a reason for the variation shall be provided.
 - D. Data Validation – All quality assurance/quality control (QA/QC) methods to be used shall be discussed and summarized. These methods include, but are not limited to, spike samples, split samples, blanks and standards. Ways in which the QA/QC data will be used to qualify the analytical test results shall be identified. A certification statement shall be submitted with this discussion stating that the laboratory QA/QC validation data has been reviewed and has met the laboratory acceptance criteria. The QA/QC validation data shall be submitted to the Regional Water Board upon request.
 - E. A tabulation of the test results shall be provided.
 - F. Discussion of Results – The report shall include a complete discussion of the test results. If any pollutants are detected in sufficient concentration to upset, interfere or pass through plant operations, the type of pollutant(s) and potential source(s) shall be noted, along with a plan of action to control, eliminate, and/or monitor the pollutant(s). Any apparent generation and/or destruction of pollutants attributable to chlorination/dechlorination sampling and analysis practices shall be noted.
2. **Sludge Monitoring**

Sludge should be sampled in the same 24-hour period during which the influent and effluent are sampled, except as noted in (C) below. The same parameters required for influent and effluent analysis shall be included in the sludge analysis. The sludge analyzed shall be a composite sample of the sludge for final disposal consisting of:

- A. Sludge lagoons – 20 grab samples collected at representative equidistant intervals (grid pattern) and composited as a single grab, or
- B. Dried stockpile – 20 grab samples collected at various representative locations and depths and composited as a single grab, or
- C. Dewatered sludge- daily composite of 4 representative grab samples each day for 5 days taken at equal intervals during the daily operating shift taken from a) the dewatering units or b) from each truckload, and shall be combined into a single 5-day composite.

The U.S. EPA manual, POTW Sludge Sampling and Analysis Guidance Document, August 1989, containing detailed sampling protocols specific to sludge is recommended as a guidance for sampling procedures. The U.S. EPA manual Analytical Methods of the National Sewage Sludge Survey, September 1990, containing detailed analytical protocols specific to sludge, is recommended as a guidance for analytical methods.

In determining if the sludge is a hazardous waste, the Dischargers shall adhere to Article 2, "Criteria for Identifying the Characteristics of Hazardous Waste," and Article 3, "Characteristics of Hazardous Waste," of Title 22, California Code of Regulations, Sections 66261.10 to 66261.24 and all amendments thereto.

Sludge monitoring reports shall be submitted with the appropriate Semiannual Report. The following standardized report format should be used for submittal of the report. A similarly structured form may be used but will be subject to Regional Water Board approval.

- A. Sampling procedures – Include sample locations, collection procedures, types of containers used, storage/refrigeration methods, compositing techniques and holding times. Enclose a map of sample locations if sludge lagoons or stockpiled sludge is sampled.
- B. Data Validation – All quality assurance/quality control (QA/QC) methods to be used shall be discussed and summarized. These methods include, but are not limited to, spike samples, split samples, blanks and standards. Ways in which the QA/QC data will be used to qualify the analytical test results shall be identified. A certification statement shall be submitted with this discussion stating that the laboratory QA/QC validation data has been reviewed and has met the laboratory acceptance criteria. The QA/QC validation data shall be submitted to the Regional Water Board upon request.
- C. Test Results – Tabulate the test results and include the percent solids.
- D. Discussion of Results – The report shall include a complete discussion of test results. If the detected pollutant(s) is reasonably deemed to have an adverse effect on sludge disposal, a plan of action to control, eliminate, and/or monitor the pollutant(s) and the known or potential source(s) shall be included. Any apparent generation and/or destruction of pollutants attributable to chlorination/ dechlorination sampling and analysis practices shall be noted.

The Discharger shall also provide any influent, effluent or sludge monitoring data for nonpriority pollutants that the permittee believes may be causing or contributing to Interference, Pass Through or adversely impacting sludge quality.

Exhibit B



California Regional Water Quality Control Board

San Francisco Bay Region



Linda S. Adams
Secretary for
Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
<http://www.waterboards.ca.gov/sanfranciscobay>

Arnold Schwarzenegger
Governor

ORDER NO. R2-2007-008
NPDES NO. CA0037648

The following Discharger is subject to waste discharge requirements as set forth in this Order.

Table 1. Discharger Information

Discharger	Central Contra Costa Sanitary District
Name of Facility	Central Contra Costa Sanitary District Collection System and Wastewater Treatment Plant
Facility Address	5019 Imhoff Place
	Martinez, CA 94553
	Contra Costa County

The discharge by the Operator from the discharge point identified below is subject to waste discharge requirements as set forth in this Order.

Table 2. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	POTW Effluent	38°, 2', 44" N	122°, 5', 55" W	Suisun Bay

Table 3. Administrative Information

This Order was adopted by the Regional Water Quality Control Board on:	January 23, 2007
This Order shall become effective on:	April 1, 2007
This Order shall expire on:	March 31, 2012
The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board have classified this discharge as a major discharge.	
The Discharger shall file a Report of Waste Discharge in accordance with title 23, California Code of Regulations, not later than 180 days in advance of the Order expiration date as application for issuance of new waste discharge requirements.	

IT IS HEREBY ORDERED, that this Order supersedes Order No. 01-068 except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the California Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the federal Clean Water Act and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on January 23, 2007.

Bruce H. Wolfe, Executive Officer

- (4) *Immediate Compliance Infeasible.* The Discharger's Feasibility Study asserts the Discharger cannot immediately comply with final concentration-based WQBELs for dioxin-TEQ. The Regional Water Board concurs with the Discharger's assertion of infeasibility to comply, as effluent concentrations of dioxin-TEQ measured during the term of the previous Order exceed the WQBEL (above).
- (5) This Order establishes an interim mass limitation for 2,3,7,8-TCDD Equivalent from the previous permit. There is insufficient data from more recent monitoring to calculate a different performance based limit.
- (6) *Term of Interim Limits.* The interim limits are effective until June 30, 2011, as provided in B.5 of the previous permit. This was, and still is, based on the compliance schedule provision of the Basin Plan (Chapter 4, page 4-14). The Basin Plan provides for up to ten years to comply. This ten-year period started on the effective date of the previous permit which was July 1, 2001.
- (7) *General sources of Dioxins and Furans.* The Regional Water Board recognizes that the primary source of dioxins and furans in the Bay Area is air emissions from combustion sources. Based on staff report "Dioxin in Bay Environment – A Review of the Environmental Concerns, Regulatory History, Current Status, and Possible Regulatory Options" dated February 1998, and the USEPA report "Status of Dioxin Reassessment and Policy Response" of 2000. Dioxins and furans in waste water are mainly attributed to domestic waste and storm water runoff. The latter is especially significant as the storm water carries particles on which the deposited pollutants have become attached. The Discharger operates a sludge incinerator which may also be a source of dioxin-TEQ to its discharge. Despite this, the main source of dioxins and furans in the domestic waste stream is beyond the Discharger's control as it already operates a well-maintained secondary treatment plant (100% compliance past 5 years). Because of this, dioxins and furans concentrations cannot be further reduced without significant upgrades to the facility to advanced treatment which could be overly burdensome and would not be cost effective for the benefits received. Therefore, other strategies should be explored to address the impairment by dioxin-TEQ. These strategies include potential mass offsets which are included in provisions relating to compliance schedule interim requirements for dioxin-TEQ at VI.C.2.d and VI.C.4.
- (8) *Anti-backsliding/Antidegradation.* Anti-backsliding and antidegradation requirements are satisfied, as the previous Order did not include concentration-based limitations for dioxin-TEQ, and the mass-based limit from the previous permit are retained.

f. Acrylonitrile

- (1) *Acrylonitrile WQC.* The most stringent applicable water quality criterion for acrylonitrile is 0.66 µg/L, established by the CTR for protection of human health.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

RESPONSE TO WRITTEN COMMENTS

ON THE REISSUANCE OF WASTE DISCHARGE REQUIREMENTS FOR:

Central Contra Costa County Sanitary District
Wastewater Treatment Plant
5019 Imhoff Place, Martinez
Contra Costa County
NPDES Permit No. CA0037648

The Tentative Order for reissuance of the Central Contra Costa Sanitary District Waste Water Treatment Plant NPDES Permit No. CA0038776 was made available for public comment for 30 days from November 30 to December 30, 2006. The Water Board received 22 pages of comments on this item from the Central Contra Costa Sanitary District, a five page letter from the Bay Area Clean Water Agencies, and a one page letter from U.S. EPA that referred to this facility as well as other facilities.

Central Contra Costa County Sanitary District, December 29, 2006

Mr. Douglas J. Craig
Director of Plant Operations

United States Environmental Protection Agency (USEPA) – December 13, 2006

Mr. Douglas E. Eberhardt, Chief
CWA Standards and Permits Office

Bay Area Clean Water Agencies (BACWA), December 29, 2006

Ms. Michele Pla
BACWA Executive Director

Comments were both editorial and substantive. Only substantive comments, those that would change the content of the Tentative Order, are addressed here. Generally, with exceptions noted, editorial comments were incorporated into the Revised Tentative Order.

Note: The format of this staff response begins with summaries of the party's comments, followed with a Water Board staff response to each comment. Interested persons should refer to the original letters to ascertain the full substance and context of each comment.

Comment 3: Final Limits for Dioxin-TEQ

The District cites issues raised by the South Bay Districts Authority (SBSA) in its comments on its permit (Agenda Item 9).

Response: Responses to comments on the SBSA permit are included in the packet for that permit, see the response to SBSA Comment 1, and are incorporated here by reference.

Comment 4: Final Limits for Dioxin-TEQ

The District asserts that, in the case of Golden Eagle Refinery (Tosco) discharges to Suisun Bay, the State Board and Court of Appeal determined that numeric limits are inappropriate for dioxin discharges because numeric limits are infeasible. The District asserts, therefore, that its dioxin-TEQ limit should also be narrative.

Response: In the decision concerning the Golden Eagle Refinery, the court found that limits could be narrative, but it did not preclude numeric limits. The fact that the Golden Eagle Refinery permit does not include a numeric effluent limit for dioxin-TEQ does not prevent the imposition of a numeric limit at this time. In fact the District has little to gain from a narrative limit. The refinery's narrative limit was essentially "no net loading". To meet this limit the refinery would need to seek mass off-sets for its entire dioxin-TEQ discharge. The proposed numeric limit for the District is likely to result in a similar outcome as regards mass offsets but for only the quantity of dioxin-TEQ above the numeric limit.

Comment 5: Final Limits for Dioxin-TEQ

The District notes that the dioxin-TEQ limit is based on the Basin Plan's narrative bioaccumulation objective, and that that objective relates to "controllable water quality factors" only. The District argues that, since it cannot control dioxins, dioxins cannot be a controllable factor, and therefore cannot cause violations of the bioaccumulation objective. Having argued that dioxins are uncontrollable, the District then argues that the Basin Plan requires a detailed case-by-case cost-benefit analysis to determine the extent to which further regulation is reasonable.

Response: U.S.EPA resolved the issue of whether dioxins are controllable. In placing San Francisco Bay on the 303(d) list of impaired waters due to dioxin concentrations in fish and other aquatic organisms, it interpreted the Basin Plan's narrative bioaccumulation objective such that dioxins are considered controllable. The Basin Plan states "Controllable water quality factors are those actions, conditions, or circumstances resulting from human activities that may influence the quality of the waters of the State and that may be reasonably controlled." Dioxins are primarily a result of human activity and their discharge to waters can be controlled by removing solids from wastewater (dioxins are hydrophobic and bind to particles). Additional dioxin removal could result from plant upgrades. This could be burdensome and may not be cost effective at this

time; however, such actions could be necessary in the future. We disagree with the District's interpretation of the Basin Plan concerning when a case-by-case cost-benefit analysis is necessary. No detailed analysis is required to determine how best to control "uncontrollable" pollutants. Such pollutants are, after all, uncontrollable. However, when a water quality objective is exceeded due to a combination of controllable and uncontrollable factors, a case-by-case analysis may be necessary. This is not the case here because dioxins and furans are controllable in the Basin Plan context.

Comment 6: Final Limits for Dioxin-TEQ

The District claims that the Tentative Order (II. Findings, G, page 6) does not clearly describe which of the three options listed in 40CFR 122.44(d)(1)(vi) was used to translate the Basin Plan's narrative bioaccumulation objective into a numeric dioxin TEQ limit.

Response: The Fact Sheet (page F-31) clearly states how the narrative objective was translated into a numeric limit. We established the effluent limit based on U.S. EPA's criteria for 2,3,7,8-TCDD (as adopted into the CTR) and other pertinent information (e.g., information about the toxic equivalence of other dioxin congeners). This approach is consistent with both 40 CFR § 122.44(d)(1)(vi)(A) and 40 CFR § 122.44(d)(1)(vi)(B). It is also consistent with our approach upheld by the State Water Board in the Napa, East Bay Municipal Utility District, Chevron and Tosco Orders (WQ 2001-16, 2002-0012, 2002-0011 and 2001-06).

Comment 7: Final Limits for Dioxin-TEQ

The District asserts that since no numeric objectives exist for dioxin-TEQ, federal law does not require numeric effluent limits. The District then asserts that adoption of numeric limits is allowed under state law, but requires an analysis of economics and other factors pursuant to Water Code § 13263 and § 13241. The District then cites Water Code § 13000, which calls for the highest level of water quality that is "reasonable," thereby implying that setting a numeric dioxin-TEQ limit is unreasonable.

Response: We believe numeric limits for dioxin-TEQ are necessary. Federal regulations at 40 CCR § 122.44(d)(1)(i) require effluent limitations for all pollutants with reasonable potential to cause an excursion above any state water quality standard, including narrative objectives. State Water Code § 13263 instructs the Water Board to place requirements on discharges as necessary to implement the Basin Plan, taking into consideration beneficial uses and applicable water quality objectives. Therefore, state law authorizes numeric limits too. Water Code § 13241 requires the Water Board to consider various factors in establishing water quality objectives, but this law does not apply in this case because we are not establishing any new water quality objectives. The effluent limit is based on an existing water quality objective - the narrative bioaccumulation objective. We contend that our approach in setting the numeric dioxin-TEQ limit is a reasonable means of implementing the Basin Plan bioaccumulation objective, and that the limit is consistent with state and federal laws and regulations.

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PROOF OF SERVICE

I am employed in the County of Sacramento; my business address is 813 Sixth Street, Third Floor, Sacramento, California; I am over the age of 18 years and not a party to the foregoing action.

On September 11, 2008, I served the following document(s):

**PETITION FOR REVIEW; PRELIMINARY POINTS AND AUTHORITIES IN
SUPPORT OF PETITION (Wat. Code, § 13320)**

X (by mail) on all parties in said action listed below, by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. At Somach, Simmons & Dunn, mail placed in that designated area is given the correct amount of postage and is deposited that same day, in the ordinary course of business, in a United States mailbox in the City of Sacramento, California.

Bruce Wolfe, Executive Officer
California Regional Water Quality Control Board,
San Francisco Region
1515 Clay Street, Suite 1400
Oakland, California 94612

Joan Cassman, City Attorney
Hanson, Bridgett, Marcus, Vlahos & Rudy
425 Market Street, 26th Floor
San Francisco, California 94105

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 11, 2008, at Sacramento, California.


Michelle Bracha