

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

**ORDER NO. R2-2002-0063
NPDES GENERAL PERMIT NO. CAG982001**

**REGION WIDE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) PERMIT FOR DISCHARGES FROM AGGREGATE MINING AND
SAND WASHING FACILITIES TO SURFACE WATERS (GENERAL PERMIT)**

June 19, 2002

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NPDES GENERAL PERMIT NO. CAG9802001

**ISSUING WASTE DISCHARGE REQUIREMENTS FOR:
AGGREGATE MINING AND SAND WASHING FACILITIES**

FINDINGS

The California Regional Water Quality Control Board, San Francisco Bay Region, hereinafter called the Board, finds that:

General

- 1 *Authority.* States may request authority from U.S. EPA to issue general NPDES permits pursuant to Title 40, Code of Federal Regulations, (CFR), Part 122.28. On June 8, 1989, the State Water Resources Control Board (the State Board) submitted an application to the U.S. Environmental Protection Agency (U.S. EPA) requesting revisions to its NPDES Program in accordance with 40 CFR 122.28, 123.62, and 403.10. The application included a request to add general permit authority to its approved NPDES Program. On September 22, 1989, the U.S. EPA, Region 9, approved the State Board's request and granted authorization for the State to issue general NPDES permits.
2. *Coverage.* This National Pollutant Discharge Elimination System (NPDES) General Permit regulates discharges from aggregate mining and sand washing facilities. This General Permit covers the following discharges:
 - a. Effluent from wastewater treatment facilities, such as settling ponds, sand and gravel filter system, etc.
 - b. Storm water runoff from the aggregate mining and sand washing facilities that commingled with other wastewater from the facilities,
 - c. Water used for sand screening and washing, and
 - d. Bay water discharge or return flow during hydraulic sand dredging and reclamation for commercial purposes.

These discharges are described in detail under Findings 7, 8 and 8 of this General Permit.

This General Permit does **not** cover:

- a. Discharges to a sanitary sewer system;
- b. Sewage generated at the facility;
- c. Any discharge that is already covered under an individual NPDES permit or Waste Discharge Requirements (WDRs);
- d. Storm water discharge that is not commingled with other wastewaters from aggregate mining and sand washing facilities;

Relationship of General Permit and Individual Permit

3. Although a discharge may be eligible for coverage under this General Permit, the Board may determine that the discharge would be better regulated under an individual or another general NPDES permit or under WDRs for discharges to land. If an individual or general NPDES permit is issued or

if WDRs is issued for a discharge, then the applicability of this General Permit to this discharge is immediately terminated on the effective date of the individual permit or WDRs.

General Description of the Facilities

4. *Aggregate mining facilities.* These facilities are generally aggregate mining and processing facilities, which produce various grades of aggregates for construction uses. Some aggregate mining facilities have a ready-mix concrete plant and/or an asphalt plant on the same property. Most facilities have oil, grease, fuel and other chemical storage as part of a maintenance shop to provide maintenance for the equipment used in aggregate mining and aggregate transportation. Normally, aggregate mining starts on a leveled surface rather a mountain slope. Gradually, the mining results in a pit on the ground. Inactive mining pits are used as water detention ponds. Groundwater seeping into the active mining pit is pumped to a series of detention ponds. The water from the last detention pond is used for aggregate washing and dust control at the facility. Some facilities have on-site wells to supply additional water for aggregate washing. All wash water flows to detention ponds before discharge.
5. *Sand washing facilities.* Sand dredged from various locations in the Bay is transported either by barges or by hydraulic pumping to these facilities. Wet sand is stockpiled at the facility on the ground or stored in settling ponds. The majority of reclaimed sand is sorted and sold for construction uses. Small amounts of sand are washed (to remove) salt for use in concrete production. Most of the facilities have oil, grease, fuel and other chemical storage as part of a maintenance shop/shed to provide maintenance for on-site equipment.
6. *Existing facility and new facility.* An existing facility is a facility that holds an individual NPDES permit for their discharge prior to adoption of this General Permit. A new facility is a facility that is still under construction, or that has completed its construction but has not commenced discharge to State water. This Order requires the discharger from an existing facility (or existing discharger) to submit a Best Management Practices (BMPs) plan together with the Notice of Intent (NOI) to obtain the coverage under this General Permit. However, a discharger from a new facility (new discharger) has the option of submitting its BMPs plan 30 days prior to its operation, or commencement of discharge. This is to allow the new discharger to develop a BMPs plan that is specific to its operation and to better identify which area of the facility operation needs improved BMPs.

General Description of the Discharges

7. *Discharge from aggregate mining facilities.* The used water or wastewater at the facilities, such as dewatering effluent from the mining pit, storm water runoff from the facility yard, aggregate wash water and runoff from dust control spray, flow into a series of detention ponds. Normally, there is no discharge from these ponds because most of water is reused for dust control and aggregate washing. However, during storm conditions, overflows from the detention ponds may discharge to surface water.
8. *Discharge from sand washing facilities.* Discharges from sand washing facilities normally consist of a combination of Bay water that has seeped from the sand piles during drying, or Bay water that overflows from sand settling ponds if hydraulic dredging is used, water used for sand washing and screening, and storm water runoff from the facility yard. Potable water from a municipal source or from local wells is normally used to wash the sand.
9. *Storm water discharges.* Clean Water Act § 402(p) and the regulations promulgated thereunder require industrial storm water dischargers to obtain a NPDES permit for discharging storm water

from the facility to State water and to implement Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to control pollutants in industrial storm water discharges. The State Water Resources Control Board (State Board) developed a statewide NPDES General Permit for storm water discharges associated with industrial activities (NPDES General Permit CAS000001). Storm water discharges, which are not commingled with other wastewaters from aggregate mining and sand washing facilities should be regulated under the State Board General Permit. Storm water discharges, which commingle with process wastewaters from the aggregate mining and sand washing facilities, are regulated under this General Permit.

Applicable Plans, Policies and Regulations

Water Quality Control Plan (or Basin Plan)

10. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on June 21, 1995. This updated and consolidated plan represents the Board's master water quality control planning document. The State Board and the Office of Administrative Law approved the revised Basin Plan on July 20, 1995, and November 13, 1995, respectively. A summary of the amended regulatory provisions is contained in Title 23 of the California Code of Regulations, Section 3912. The Basin Plan identifies beneficial uses and water quality objectives for waters of the State in the Region, including surface waters and ground waters. The Basin Plan also identifies discharge prohibitions intended to protect beneficial uses. This Order implements the plans, policies and provisions of the Board's Basin Plan.
11. *Beneficial Uses.* The designated beneficial uses of surface waters throughout the Region may include municipal, domestic, industrial, and agricultural supply; water contact and non-contact recreation; navigation; groundwater recharge and freshwater replenishment; wildlife habitat; cold freshwater and warm freshwater habitat; fish migration and fish spawning; marine habitat; estuarine habitat; shellfish harvesting; areas of special biological significance; and preservation of rare and endangered species. The specific beneficial uses for a specific basin are specified in Chapter 2 of Basin Plan.

State Implementation Policy (SIP)

12. The SWRCB adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (also known as the State Implementation Policy or SIP) on March 2, 2000, and the Office of Administrative Law (OAL) approved the SIP on April 28, 2000. The SIP applies to discharges of toxic pollutants in the inland surface waters, enclosed bays and estuaries of California subject to regulation under the State's Porter-Cologne Water Quality Control Act (Division 7 of the Water Code) and the federal Clean Water Act. The SIP establishes implementation provisions for priority pollutant criteria promulgated by the U.S. EPA through the National Toxics Rule (NTR) and California Toxics Rule (CTR), and for priority pollutant objectives established by the Regional Water Quality Control Boards in their water quality control plans (basin plans). The SIP also establishes monitoring requirements for 2,3,7,8-TCDD equivalents, chronic toxicity control provisions, and Pollutant Minimization Program.

California Toxics Rule (CTR)

13. On May 18, 2000, the U.S. EPA published the *Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California* (Federal Register, Volume 65, Number 97, 18 May 2000, or the CTR). The CTR specifies water quality standards for numerous pollutants, many of which are applicable to the receiving waters covered in this General Permit.

Other Regulatory Bases

14. Water quality objectives and effluent limitations in this permit are based on the SIP; the plans, policies and water quality objectives and criteria of the Basin Plan; CTR; applicable Federal Regulations (40 CFR Parts 122 and 131); NTR; and Best Professional Judgment (BPJ) as defined in the Basin Plan. Discussion of the specific bases and rationale for effluent limits are given in the associated Fact Sheet for this Permit, which is incorporated as part of this Order.
15. The federal effluent guidelines and standards specified under 40CFR 436.30 are applicable to these facilities. These guidelines contain pH limitations for discharge from the construction sand and gravel subcategory. However, this Order specifies the pH limits from the Basin Plan. The Basin Plan limits are more protective of the environment.

Basin Plan Prohibitions For Which Exceptions Are Necessary

16. *Basin Plan prohibitions.*
 - a. The Basin Plan contains a prohibition of discharge of any wastewater, which has particular constituents of concern to beneficial uses at any point at which the wastewater does not receive a minimum initial dilution of at least 10:1 (Prohibition 1 in Table 4-1 of Basin Plan). However, the Basin Plan states that exception to the prohibition will be considered for discharges where an inordinate burden would be placed on the discharger relative to beneficial uses protected.
 - b. The Basin Plan also prohibits the discharge of any wastewater, which has particular characteristics of concern to beneficial uses to Alameda Creek when no natural flow occurs (Prohibition 4 in Table 4-1 of Basin Plan). This prohibition refers to particular concerns regarding dissolved solids, stable organics, and other pollutant accumulation in the groundwater of the basins recharged with waters of Alameda Creek. If the Board finds that the discharge does not contain characteristics of threat to the groundwater, the Board may allow exception to this prohibition.
17. *Basin Plan prohibition exceptions.*
 - a. The Board finds that the discharge of wastewater permitted by this general permit when the discharge is in compliance with the permit qualifies for exception to the Basin Plan's prohibition 1. The reason is because it will be an inordinate burden due to the potentially high cost conveyor system to transport the wastewater to the Bay to achieve a 10:1 dilution.
 - b. The Board finds that the discharges permitted by this Order do not contain characteristics of concern to the beneficial uses in Alameda Creek because the permitted discharges consist of mostly groundwater from active mining pits, storm water runoff from the facility or nearby watershed. Constituents of concern are not expected to be present in these discharges provided the discharger follows Best Management Practices (BMPs) and comply with the requirements of this Order.

Requirement for Monitoring of Pollutants in Effluent and Receiving Water to Implement New Statewide Regulations

18. *Requirement for Reasonable Potential Analysis.* As specified in 40 CFR 122.44(d) (1) (i), permits are required to include Water Quality Based Effluent Limitations for all pollutants "which the Director determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard." However, currently there are no effluent and ambient background data on toxic priority pollutants available from aggregate mining and sand washing facilities.

19. *August 6, 2001 letter.* On August 6, 2001, the Board sent a letter to all the permitted dischargers pursuant to Section 13267 of the California Water Code requiring the submittal of effluent and receiving water data on priority pollutants. This formal request for technical information addresses the current situation of insufficient effluent and ambient background data. Existing individually permitted aggregate mining and sand-washing facilities submitted or will submit sampling plans and will conduct monitoring as necessary. Interim reports presenting the data are due May 18, 2003, with the final report due 180 days prior to permit expiration. New dischargers will need to submit the sampling plan with the NOI for monitoring of priority pollutants. The sampling plan should be prepared in accordance with the technical guidelines described in the August 6, 2001 letter. The new dischargers should conduct the effluent and ambient background monitoring in accordance with the sampling plan.
20. *Effluent RP Monitoring.* This Order does not include Water Quality Based Effluent Limitations (WQBELs) for toxic pollutants (except for chlorine) due to lack of data to perform reasonable potential analysis. If future data show that any constituent has a reasonable potential to cause or contribute to an excursion above the applicable water quality standard, this Order will be re-opened and numeric WQBELs added.
21. *Permit Re-opener.* This Order includes a re-opener provision to allow numeric effluent limitations to be added in the future for any constituent that exhibits reasonable potential to assure continued compliance with the exception to the Basin Plan Prohibitions described in previous Findings. The Board will make this determination based on monitoring results.

Pollutants Associated with Aggregate Mining and Sand Washing Facility Operation

22. *Aggregate mining facilities.* Pollutants in the discharge from aggregate mining facilities consist mainly of solids that are not settled out in the retention ponds, and dissolved solids, which come from groundwater. The discharge may include toxic pollutants if the groundwater in the mining area is polluted, or any toxic materials in the storm water runoff from the facility, unless the toxic materials are properly stored at the facility.
23. *Sand washing facility.* Potable water from a municipal source or from local wells is normally used as sand wash water. Water from municipal sources normally contains chlorine residual that is above the Basin Plan water quality objective. This Order requires sand washing facilities that use municipal water supply as wash water, to monitor chlorine residual in the discharge.
24. *Copper and zinc in sand wash water.* Zinc phosphate is used in some water system as a corrosion-protecting agent, and copper is used to control algae. Copper is also widely used for water supply pipes. Therefore, copper and zinc may be present in the sand wash water. However, their concentrations in the discharge are unknown due to lack of monitoring data at this time. Therefore, this Order prescribes monitoring requirements for copper and zinc for entire term of this permit which go beyond the minimum requirements specified in August 6, 2001 letter.

Whole Effluent Acute Toxicity

25. This Order includes effluent limits for whole-effluent acute toxicity. The whole effluent acute toxicity limitation is to implement the Basin Plan's toxicity objective in order to protect beneficial uses of the receiving State waters. The Basin Plan contains a toxicity objective stating that "All waters shall be maintained free of toxic substances in concentrations that are lethal to or produce other detrimental responses to aquatic organisms" and that "there shall be no acute toxicity in ambient

waters." The whole effluent toxicity limit is to ensure that the discharge will not be acutely toxic to the aquatic organisms in the receiving water. Compliance is based on 96-hour static renewal bioassays conducted in accordance with test methods for acute toxicity bioassays promulgated in 40 CFR Part 136.

Best Management Practices (BMPs) Plan

26. This Order requires all dischargers seeking coverage under this General Permit to develop, update annually, and implement a BMPs plan for their industrial activity. The purpose of the BMPs plan is to control and abate the discharge of pollutants from the facility to surface waters and to achieve compliance with Best Available Technology Economically Achievable (BAT) or Best Conventional Pollutant Control Technology (BCT) requirement and with applicable water quality standards.

Anti-degradation:

27. Anti-degradation Policies: Federal Regulations (40 CFR 131.12) and State Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" requires that any increase in pollutant loading to a receiving water shall be consistent with the following:

- a. Existing in-stream water uses and the level of water quality necessary to protect existing beneficial uses shall be maintained and protected; and
- b. Where the quality of the waters exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water, the quality shall be maintained and protected unless the State finds, after full satisfaction of the intergovernmental coordination and public participation provisions of the State's continuing planning process, that allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located.

28. Anti-degradation Results: This permit complies with State and Federal "anti-degradation" policies:

- a. The conditions and effluent limitations established in this Order for discharges of treated effluent from aggregate mining and sand wash facilities to surface waters in this Region ensure that the existing beneficial uses and quality of surface waters in this Region will be maintained and protected; and
- b. Discharges regulated by this Order should not lower water quality if the terms and conditions of this Order are met.

Other NPDES Permit Conditions and Requirements

29. *Notice of Intent (NOI)*. Persons seeking coverage under this general permit shall submit a NOI. The NOI shall be submitted on the form attached to this General Permit. The NOI shall be accompanied by all the required pertinent information.

30. *Notice of General Permit Coverage (NGPC)*: Board staff will review the NOI and notify the discharger or its duly authorized representative if the NOI is complete or incomplete, and whether the proposed activity or discharge can be covered under this General Permit. After receipt of a complete NOI, the Executive Officer will issue a Notice of General Permit Coverage or NGPC. Coverage under this General Permit starts from date of the NGPC.

31. *NPDES Permit.* This Order serves as an NPDES General Permit. Adoption of this Order will not have significant water quality impacts and is exempt from the provisions of Chapter 3 (commencing with Section 21000) of Division 13 of the Public Resources Code [California Environmental Quality Act (CEQA)] pursuant to Section 13389 of the California Water Code. In addition, with respect to existing facilities, adoption of this Order is exempt from CEQA pursuant to California Code of Regulations, Title 14, Section 15301, because it involves negligible or no expansion of use of existing facilities.
32. *Annual Waste Discharge Fee.* The annual fee is \$750 in accordance with Title 23, Section 2200 of California Code of Regulation. The fee rating is based on the threat to water quality and complexity of the discharge. The fee rating for this General Permit is 3-B. The first payment shall be submitted with the NOI.
33. *Notification.* Existing dischargers and interested agencies and persons have been notified of the Board's intent to issue this General Permit and have been provided an opportunity to submit their written views and recommendations.
34. *Public Hearing.* The Board, in a public meeting, heard and considered all comments pertaining to this General Permit.

IT IS HEREBY ORDERED, pursuant to the provisions of Division 7 of the California Water Code and regulations adopted hereunder, and to the provisions of the Clean Water Act and regulations and guidelines adopted hereunder, that all dischargers indicating their intention to be regulated under the provisions of this General Permit shall comply with the following:

A. DISCHARGE PROHIBITIONS

1. Discharge of effluent/treated wastewater at a location or in a manner different from that described in the Notice of Intent is prohibited.
2. The discharge shall not contain silt, sand, clay or other earthen materials from any activity in quantities sufficient to cause deleterious bottom deposits, turbidity, or discolorations in surface waters or to unreasonably affect or threaten to affect beneficial uses.
3. The discharge shall not contain floating debris, oil, grease, scum, or other floating materials.
4. On-site storage of oil, fuel and any other chemicals shall be within a secondary containment or under a roof.
5. The discharge shall not cause pollution, contamination, or nuisance.
6. Discharges of waste and materials, which are not authorized by an NPDES permit, to a storm drain system, creek, or any other State waters are prohibited.

B. EFFLUENT LIMITATIONS

The effluent from each discharge outfall(s) as defined in the Notice of Intent shall not exceed the following limits:

Constituents	Daily Max.	30-day Arithmetic Mean	7-day Arithmetic Mean	90-day Arithmetic Mean
a. Total Dissolved Solids, mg/L ⁽¹⁾	500			360
b. Chlorides, mg/L ⁽¹⁾	250			60
c. Total Suspended Solids, mg/L		30	45	
d. Turbidity, NTU	40			
e. Total Settleable Solids, mL/1-hr	0.2	0.1		
f. Chlorine Residual, mg/L	0.0			
g. pH, in pH unit ⁽³⁾	6.5-8.5 (not less than 6.5 and not greater than 8.5)			
h. Acute Toxicity	The survival of bioassay test organism(s) ⁽⁴⁾ in 96-hour bioassays of undiluted effluent in a single-sample maximum shall be at least 70 %. A bioassay test showing survival of less than 70% represents a violation of this effluent limit.			

Note (1) Total Dissolved Solids and Chlorides limits are applicable only to discharges to Alameda Creek watershed above Niles. Exceedance of the dissolved solids or chloride limits will not constitute a violation of this Order if the discharger demonstrates that the source water is also high in dissolved solids or chloride concentration and the exceedance is not caused by its facility operation.

(2) Chlorine residual limit is applicable only to sand washing facilities that use municipal water supply as wash water.

(3) Exceedance of pH limit will not constitute a violation of this Order if the discharger demonstrates that the source water is also high in pH and the high pH in its discharge effluent is not caused by the facility's operation.

(4) See Provision 7 of this Order for test fish species and test method requirements.

C. RECEIVING WATER LIMITATIONS

1. The discharge of waste shall not cause the following conditions to exist in waters of the State at any place and any time:
 - a. Floating, suspended, or deposited macroscopic particulate matter or foam;
 - b. Bottom deposits or aquatic growths to the extent that such deposits or growths cause nuisance or adversely affect beneficial uses;
 - c. Alteration of temperature, turbidity, or apparent color beyond present natural background levels;
 - d. Visible, floating, suspended, or deposited oil or other products of petroleum origin; and
 - e. Toxic or other deleterious substances to be present in concentrations or quantities which will cause deleterious effects on wildlife, waterfowl, or other aquatic biota, or which render any of these unfit for human consumption, either at levels created in the receiving waters or as a result of biological concentration.

2. The discharge of waste shall not cause the following limits to be exceeded in waters of the State within one foot of the water surface from the point where the discharge initially enters the receiving water.

a. The discharge shall not cause pH variation from normal ambient pH by more than 0.5 pH units.

b. Dissolved Oxygen 5.0 mg/L, minimum

The median dissolved oxygen concentration for any three consecutive months shall not be less than 80% of the dissolved oxygen content at saturation. When natural factors cause concentrations less than that specified above, then the discharge shall not cause further reduction in ambient dissolved oxygen concentrations.

c. Dissolved Sulfide 0.1 mg/L, maximum

D. PROVISIONS

1. Notice of Intent (NOI)

Person who seeks coverage under this General Permit shall file a complete NOI.

2. NOI Review

Upon receipt of a NOI application package for its proposed discharge, the Board staff will review the application to determine if the NOI is complete and whether the applicant is eligible to discharge waste under this general permit.

3. Notice of General Permit Coverage (NGPC)

If the Executive Officer determines that the proposed discharge is eligible to discharge waste under this general permit and its NOI is complete, the Executive Officer will authorize the proposed discharge by issuing a NGPC. The discharger is authorized to discharge starting on the date of the NGPC. The NGPC will specify type(s) of wastewater and the maximum discharge flow rate allowed. In accordance with 40 CFR 122.28(b)(2)(iv), the Executive Officer may terminate or revoke coverage under this Order for any of the specified causes for an individual permit coverage set forth in 40 CFR 122.28(b)(3).

4. Permit Compliance

The discharger shall comply with all sections of this General Permit and conditions in the NGPC upon receipt of a NGPC. Requirements prescribed by this Order supersede the requirements prescribed in any previous individual permit or Waste Discharge Requirements as of the date of the NGPC issued to a discharger who files a complete and adequate NOI.

5. Best Management Practices (BMPs) plan

a. *Existing dischargers:* The discharger from an existing facility shall submit a BMPs plan together with the Notice of Intent.

b. *New dischargers:* The discharger from a new proposed facility has the option of submitting its BMPs plan with the NOI or 30 days before the commencement of the operation.

- c. *BMPs plan requirements:* The BMPs plan shall address all specific means of controlling the discharge of pollutants from the facility. The contents of the BMPs plan is specified in the instruction for the NOI attached to this Order. The discharger shall implement immediately the BMPs plan upon submittal to the Board. The Board Executive Officer may require additional pollutant control measures. The discharger shall review and update the effectiveness and adequacy of the implemented BMPs plan as often as necessary. The discharger shall submit updates to its BMPs plan annually to the Board by July 1st of each year.

6. Effluent and Receiving Water Characterization for Selected Constituents

- a. *Requirements:* The discharger shall monitor and evaluate effluent and receiving water characteristics for the constituents listed in Enclosure E of the Board's August 6, 2001 letter. Compliance with this requirement shall be achieved in accordance with the specifications stated in the Board's August 6, 2001, letter under Effluent Monitoring for minor dischargers, and receiving water monitoring.
- b. *Existing dischargers:* Existing dischargers have submitted their sampling. An interim report is due on May 18, 2003. A final report that presents all the data shall be submitted to the Board with the Notice of Intent or 180 days prior to expiration date of this Order, whichever is earlier. The report should summarize the data collected to date, and describe future monitoring to take place.
- c. *New dischargers:* New dischargers from future/proposed facilities shall submit their sampling plans with the Notice of Intent. The sampling plan from a new discharger shall be subject to approval by the Executive Officer. The sampling plan shall also include the dates for submitting interim and final reports for effluent and receiving water monitoring results.

7. Acute Toxicity

Compliance with the acute toxicity requirements of this Order shall be achieved in accordance with the following:

- a. The organisms shall be fathead minnows unless specified otherwise in writing by the Executive Officer.
- b. All bioassays shall be performed according to the latest U.S. EPA promulgated protocol in 40CFR 136, currently, the "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organism. 4th Edition, Environmental Monitoring Systems Laboratory, U.S. EPA, Cincinnati, Ohio, August 1993, EPA/500/4-90/027F".
- c. Exceptions may be granted to the discharger by the Executive officer and the Environmental Laboratory Accreditation Program (ELAP).

8. Self-Monitoring Program

The discharger shall comply with the Self-Monitoring Program (SMP) for this Order as adopted by the Board, or any amended Self-Monitoring Program (SMP) specified in the NGPC. The SMP may be amended by the Executive Officer pursuant to U.S. EPA regulations 40 CFR 122.62, 122.63 and 124.5.

9. Standard Provisions and Reporting Requirements

The discharger shall comply with all applicable items of the *Standard Provisions and Reporting Requirements for NPDES Surface Water Discharge Permits, August 1993* (attached). Where

provisions or reporting requirements specified in this Order are different from equivalent or related provisions or reporting requirements given in 'Standard Provisions', the specifications of this Order shall apply.

10. Facility Modification/Maintenance

The discharger shall submit a schedule for approval by the Executive Officer at least 30 days prior to any modification or maintenance of the facility, which the discharger determines may result in violation of effluent limitations or alteration of the outfall location(s). The schedule shall contain a description of the maintenance including the modified outfall location(s) and its purpose; the period of maintenance, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent occurrence of non-compliance.

11. Change in Control or Ownership

In the event of any change in control or ownership of land or waste discharge facilities as specified in NGPC, the current discharger/permittee shall notify the Executive Officer and the succeeding owner or operator by letter at least 30 days in advance of the proposed transfer date. The letter shall include a written agreement between the existing and new discharger/permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them. The succeeding discharger shall either submit to the Board its own BMPs plan or a letter stating the agreement of implementing the existing BMPs plan from the previous discharger.

12. New Water Quality Objectives

As new or revised water quality objectives come into effect for the Bay and contiguous water bodies (whether statewide, regional or site-specific), effluent limitations in this Order will be modified as necessary to reflect updated water quality objectives. Adoption of effluent limitations contained in this Order are not intended to restrict in any way for future modifications based on legally adopted water quality objectives.

13. Permit Re-opener

The Board may modify, or revoke and reissue, this Order and permit prior to its expiration date, if present or future investigations demonstrate that the discharge(s) governed by this Order will or have the potential to cause or contribute to adverse impacts on water quality and/or beneficial uses of the receiving waters. This Order will be re-opened if necessary, before June 30, 2006, to 1) add effluent and/or receiving water limitations for CTR constituents that are shown to have reasonable potential based on the data collected pursuant to the Board's August 6, 2001, letter; 2) to incorporate waste load allocations developed during the TMDL process, or 3) to include limits for other pollutants that the Board finds are or may be discharged at a level which will cause, have a reasonable potential to cause, or contribute to an excursion above any water quality standard.

14. NPDES Permit

This Order shall serve as a National Pollutant Discharge Elimination System (NPDES) permit pursuant to Section 402 of the Clean Water Act or amendments thereto, and shall become effective on July 1, 2002, provided the U.S. EPA Regional Administrator has no objection. If the Regional Administrator objects to its issuance, the permit shall not become effective until such objection is withdrawn.

15. Order Expiration and Reapplication

This Order expires on June 30, 2007. Dischargers who will discharge after June 30, 2007, must file an application for a NPDES permit no later than December 30, 2006, as application for reissuance of new waste discharge requirements.

I, Loretta K. Barsamian, 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, San Francisco Bay Region, on June 19, 2002.


LORETTA K. BARSAMIAN
Executive Officer

Attachments:

- A. Self-Monitoring Program
- B. Standard Provisions and Reporting Requirements, August 1993
- C. Notice of Intent (NOI) and NOI Instruction
- D. Fact Sheet
- E. August 6, 2001 letter

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

SELF-MONITORING PROGRAM (SMP)

FOR

**REGION WIDE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) PERMIT FOR DISCHARGES FROM ROCK QUARRIES AND
SAND WASHING FACILITIES TO SURFACE WATERS (GENERAL PERMIT)**

NPDES PERMIT NO. CAG982001

ORDER NO. R2-2002-0063

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I. BASIS AND PURPOSE

Reporting responsibilities of waste dischargers are specified in Sections 13225(a), 13267(b), 13268, 13383 and 13387(b) of the California Water Code and this Regional Board's Resolution No. 73-16.

The principal purposes of a monitoring program by a waste discharger, also referred to as self-monitoring program, are: (1) to document compliance with waste discharge requirements and prohibitions established by this Regional Board, (2) to facilitate self-policing by the waste discharger in the prevention and abatement of pollution arising from waste discharge, (3) to develop or assist in the development of effluent or other limitations, discharge prohibitions, national standards of performance, toxicity and other standards, and (4) to prepare water and wastewater quality inventories.

II. SAMPLING AND ANALYTICAL METHODS

Sample collection, storage, and analyses shall be performed in according to the 40 CFR 136 or other methods approved and specified by the Executive Officer of this Regional Board.

Water and waste analyses shall be performed by a laboratory approved for these analyses by the State Department of Health Services (DOHS) or a laboratory waived by the Executive Officer from obtaining a certification for these analyses by the DOHS. The director of the laboratory whose name appears on the certification or his/her laboratory supervisor who is directly responsible for analytical work performed shall supervise all analytical work including appropriate quality

assurance/quality control procedures in his or her laboratory and shall sign all reports of such work submitted to the Regional Board.

All monitoring instruments and equipment shall be properly calibrated and maintained to ensure accuracy of measurements.

III. SPECIFICATIONS FOR SAMPLING AND ANALYSES

The discharger is required to perform sampling and analyses, as scheduled in Table 1, section VIII of this monitoring program, in accordance with the following conditions:

1. Effluent

- a. If two consecutive samples of a constituent monitored on a weekly or monthly basis in a 30 day period exceed the monthly or 30-day average effluent limit for any parameter, (or if the required sampling frequency is once per month and the monthly sample exceeds the monthly or 30-day average limit), the sampling frequency shall be increased to daily until the additional sampling shows that the most recent 30-day moving average is in compliance with the monthly or 30-day average limit.
- b. If any maximum daily limit is exceeded, the sampling frequency shall be increased to daily until two samples collected on consecutive days show compliance with the maximum daily limit.
- c. If the final or intermediate results of any single bioassay test indicate a threatened violation (i.e. the percentage of surviving test organisms is less than the required survival percentage), a new test will begin and the discharger shall investigate the cause of the mortalities and report the finding in the next self-monitoring report.

2. Receiving Waters

- a. Receiving water samples shall be collected on days coincident with effluent sampling.
- b. Samples shall be collected within one foot below the surface of the receiving water body, unless otherwise stipulated.

IV. RECORDS TO BE MAINTAINED

1. Written reports, strip charts, calibration and maintenance records, and other records shall be maintained by the discharger and accessible (at the facility's field office), and retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board or Regional Administrator of the USEPA, Region IX. Such records shall show the following for each sample:
 - a. Identity of sampling and observation stations by number.
 - b. Date and time of sampling and/or observations.
 - c. Date and duration of each discharge if the discharge is not a continuous discharge.

- d. Method of composite sampling (See Section VII -Definition of Terms)
 - e. Type of fish bioassay test (96 hour static or flow-through bioassay)
 - f. Date and time that analyses are started and completed, and name of personnel performing the analyses.
 - g. Complete procedure used, including method of preserving sample and identity and volumes of reagents used. A reference to specific section of Standard Methods is satisfactory.
 - h. Calculations of results.
 - i. Results of analyses are/or observations.
2. A tabulation shall be maintained showing the following flow data for influent and effluent stations and disposal areas:
- a. Total waste flow or volume, for each day.
 - b. Maximum and minimum daily flows for each month.

V. REPORTS TO BE FILED WITH THE REGIONAL BOARD

1. Self-Monitoring Report

Quarterly self-monitoring report: The purpose of the self-monitoring report is to document treatment performance, effluent quality and compliance with the waste discharge requirements and monitoring requirements prescribed by this Order, as demonstrated by the monitoring program data and the discharger's operation practices.

The self-monitoring report (SMR) shall be submitted quarterly. If there is no discharge during the reporting quarter, it shall be stated on the quarterly SMR. For each calendar quarter, a SMR shall be submitted to the Regional Board in accordance with the following:

- a. The report shall be submitted to the Regional Board no later than 30th days from the last day of the reporting quarter.
- b. *Letter of Transmittal:* Each report shall be submitted with a letter of transmittal. This letter shall include the following:
 - (1) Identification of all violations of effluent limits or other discharge requirements found during the monitoring period. If there is no violation during the monitoring period, it shall be stated on the transmittal letter, "there is no violation during this period";
 - (2) Details of the violations: parameters, magnitude, test results, frequency, and dates;
 - (3) The cause of the violations;
 - (4) Discussion of corrective actions taken or planned to resolve violations and prevent recurrence, and dates or time schedule of action implementation. If previous reports have been submitted that address corrective actions, reference to such reports is satisfactory;

- (5) **Signature:** The letter of transmittal shall be signed by the discharger's principal executive officer or ranking elected official, or duly authorized representative, and shall include the following certification statement:

"I certify under penalty of law that this document and all attachments have been prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. 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."

- c. *Compliance Evaluation Summary:* Each report shall include a compliance evaluation summary. This summary shall include, for each parameter for which effluent limits are specified in the General Permit, the number of samples taken during the monitoring period, and the number of samples in violation of applicable effluent limits.
- d. *Results of Analyses and Observations.*
- (1) Tabulations of all required analyses and observations, including parameter, sample date and time, sample station, and test result;
 - (2) If any parameter specified in Table 1 of section VIII is monitored more frequently than required by this General Permit and SMP, the results of this additional monitoring shall be included in the monitoring report, and the data shall be included in data calculations and compliance evaluations for the monitoring period;
 - (3) Calculations for all effluent limits that require averaging of measurements shall utilize an arithmetic mean, unless specified otherwise in this permit or SMP.
- e. *Effluent Data Summary – U.S. EPA NPDES Discharge Monitoring Reports:* Summary tabulations of monitoring data including maximum, minimum and average values for subject monitoring period shall be reported in accordance with the format given by the U.S. EPA NPDES Discharge Report(s) (DMRs; U.S. EPA Form 3320-1 or successor). Copies of these DMRs shall be provided to U.S. EPA as required by U.S. EPA.
- f. *Data Reporting for Results Not Yet Available:* The discharger shall make all reasonable efforts to obtain analytical data for required parameter sampling in timely manner. The Regional Board recognizes that certain analyses require additional time in order to complete analytical processes and result reporting. For cases where required monitoring parameters require additional time to complete analytical processes and reporting, and results are not available in time to be included in the SMR for the subject monitoring period, such cases shall be described in the SMR. Data for these parameters, and relevant discussions of any observed violations, shall be included in the next following SMR after the data become available.
- g. *Report Submittal:* The discharger shall submit SMRs to:
- Executive Officer
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
Attn: NPDES Division

2. Annual Report

An Annual Report shall be submitted for each calendar year. The report shall be submitted to the Regional Board by February 15 of the following year. This report shall include the following:

- a. Both tabular and graphical summaries of monitoring data collected during the calendar year that characterizes effluent qualities and compliance with waste discharge requirements.
- b. A comprehensive discussion of compliance with waste discharge requirements. This discussion should include any corrective actions taken or planned such as changes to facility equipment or operation practices which may be needed to achieve compliance, and any other actions taken or planned that are intended to improve performance and reliability of the discharger's wastewater collection, treatment or disposal practices.

3. Reporting Data in Electronic Format

The discharger is encouraged to submit all monitoring results in electronic reporting format approved by the Executive Officer. If the discharger chooses to submit the SMRs electronically, the following shall apply:

The discharger shall submit SMRs electronically via the process approved by the Executive Officer in a letter dated December 17, 1999, Official Implementation of Electronic Reporting System (ERS). The electronic report shall be submitted to the Regional Board no later than 30 days from the last day of the reporting quarter.

After submitting SMR electronically, a paper copy of SMRs shall be submitted to the Regional Board no later than 60 days from the last day of the reporting quarter. The SMRs shall meet the requirements stated under items V.1 & 2 of this SMP.

VI. DEFINITION OF TERMS

1. Grab Sample

A grab sample is defined as an individual sample collected in a short period of time not exceeding 15 minutes. Grab samples shall be collected during normal peak loading conditions for the parameter of interest, which may or may not be during hydraulic peaks. It is used primarily in determining compliance with daily maximum limits and instantaneous maximum limits. Grab samples represent only the condition that exists at the time the wastewater is collected.

2. Composite Sample

A composite sample is defined as a sample composed of individual grab samples mixed in proportions varying not more than plus or minus five percent from the instantaneous rate (or highest concentration) of waste flow corresponding to each grab sample collected at regular intervals not greater than one hour, or collected by the use of continuous automatic sampling devices capable of attaining the proportional accuracy stipulated above throughout the period

of discharge for 8 consecutive or of 24 consecutive hours, whichever is specified in Table 1 of section VIII.

3. Flow Sample

A flow sample is defined as the accurate measurement of the average daily flow volume using a properly calibrated and maintained flow-measuring device.

4. Duly authorized representative is one whose:

- a. Authorization is made in writing by a principal executive officer or ranking elected official;
- b. Authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as general partner in a partnership, sole proprietor in a sole proprietorship, 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.)

5. Average values

Average values for daily and monthly/30-day values is obtained by taking the sum of all daily values divided by the number of all daily values measured during the specified period.

VII. DESCRIPTION OF SAMPLING AND OBSERVATION STATIONS

NOTE: A sketch showing the locations of all sampling and observation stations shall be included in the Annual Report, and in the quarterly report if stations change.

1. Effluent

<u>Station</u>	<u>Description</u>
E-xx	At any point in the outfall between the point of discharge to the receiving State water(s) and the point at which all waste tributary to that outfall is present. If the effluent first discharges into a separate storm drain system, the sampling point for compliance purpose shall be the point at which all waste tributary to the outfall and before commingling with the water in the storm drain.

2. Receiving Water

<u>Station</u>	<u>Description</u>
CB-xx	At a point in the receiving water and located upstream of the discharge point where impacts from the discharge would not be expected.
C-xx	At a point in the receiving water, where the effluent is discharged.

VIII. REQUIRED SAMPLING, ANALYSES AND OBSERVATIONS

The schedule of sampling, analysis and observation shall be that given in Table 1 below.

TABLE 1 - SCHEDULE of SAMPLING, ANALYSES and OBSERVATIONS [1]

Sampling Station			E-xx		CB-xx & C-xx	
Station Description			Effluent Station(s)		Receiving Water Stations	
Sample Type			G	C-24	G	C-24
Parameter	Units	Notes		[1]		[1]
Flow Rate	Gallons/day			D		
Total volume of discharge per month	Gallons/month			M		
Total Dissolved Solides [2]	mg/L		2/W [3]		2/W [3]	
Chloride [2]	mg/L		2/W [3]			
Total Suspended Solids	mg/L			W [3]		
Total Seattleable Solids	mL/1-hr		M [3]			
Turbidity	NTU		W [3]			
pH			W [3]		W [3]	
Chlorine Residual [4]	mg/L		W [3]			
Copper [4]	µg/L			2/Y		
Zinc [4]	µg/L			2/Y		
Acute Toxicity [5]	% Survival			2/Y		

LEGEND FOR TABLE 1

Sampling Stations:

- E = treatment facility effluent
 CB = receiving water background station
 C = Receiving water stations

Types of Samples:

- C-24 = composite sample, 24 hours (includes continuous sampling, such as for flows)
 G = grab sample

Frequency of Sampling:

- D = once each day or once per discharge if discharge lasts less than one day
 2/W = twice in each week
 W = once each week
 2/Y = twice in each calendar year (at about 6 months intervals)

Parameter and Unit Abbreviations:

- mg/L = milligrams per liter
 mL/L-hr = milliliters per liter, per hour

FOOTNOTES FOR TABLE 1

- [1] Composite sampling: 24-hour composites may be made up of discrete grabs collected over the course of a day and volumetrically or mathematically flow-weighted. Samples for inorganic pollutants may be combined prior to analysis. If only one grab sample will be collected, it should be collected during periods of maximum peak flows. Samples shall be taken on random days.
- [2] Total Dissolved Solids and Chloride monitoring are only required for discharges to the Alameda Creek watershed above Niles.
- [3] If the discharge lasts less than one day in a 7-day period, the monitoring frequency is once per discharge.
- [4] Only sand washing facilities that use municipal water supply as wash water are required to monitor these constituents.
- [5] Acute Toxicity Monitoring (96-hour static renewal bioassay test):

The following parameters shall be monitored on the sample stream used for the acute toxicity bioassays, at the start of the bioassay test and daily for the duration of the bioassay test, and the results reported: water hardness, alkalinity, pH, temperature and dissolved oxygen. Ammonia nitrogen shall be measured and un-ionized ammonia calculated whenever fish bioassay test results fall below 90% survival. Furthermore, if the fish survival rate in the effluent is less than 70% or the control fish survival rate is less than 90%, bioassay test shall be restarted with new fish and tests shall continue back to back until compliance is demonstrated. Back to back is intended to mean after immediate cleanup of the test system and restart in accordance with the testing protocols required by the Environmental Laboratory Accreditation Program certification process.

IX. SELF-MONITORING PROGRAM CERTIFICATION

1. I, Loretta K. Barsamian, Executive Officer, hereby certify that the foregoing Self-Monitoring Program.
2. Has been developed in accordance with the procedure set forth in this Regional Board's Resolution No. 73-16 in order to obtain data and document compliance with waste discharge requirements established in Regional Board Order No. R2-2002-0063.
3. May be reviewed at any time subsequent to the effective date upon written notice from the Executive Officer or request from the discharger, and revisions will be ordered by the Executive Officer.
4. Is effective as of July 1, 2002.


LORETTA K. BARSAMIAN
Executive Officer

Attachment B – Standard Provisions and Reporting Requirements, August 1993
(Not included here due to length, available at
<http://www.swrcb.ca.gov/rwqcb2/download.htm>)

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

NOTICE OF INTENT (NOI) to comply with the terms of the region wide General National Pollutant Discharge Elimination System (NPDES) Permit authorizing discharge from rock quarries and sand washing facilities to surface waters.

**General Permit No. CAG 982001
Order No. R2-2002-0063**

FOR REGIONAL BOARD USE ONLY

WDID:	Date NOI Received:	Date NOI Processed:
Case handler's Initial:	Fee Amount Received*: \$	Check #:

* Annual fee is \$750 per facility as June 2002 based on rating category of 3B.

I. OWNER/OPERATOR INFORMATION (If additional owners/operators are involved, provide the information in a supplemental letter)

A. Facility/Agency Name		Owner/Operator Type (Check One) 1. <input type="checkbox"/> Public Agency 2. <input type="checkbox"/> Private 3. <input type="checkbox"/> Other, specify the type:	
Street Address			
City	State	Zip Code	Phone
B. Contact Person's Name & Title		1. <input type="checkbox"/> Owner 2. <input type="checkbox"/> Operator 3. <input type="checkbox"/> Owner/Operator	

Additional owner information attached

II. BILLING ADDRESS

Send to: <input type="checkbox"/> Owner/Operator <i>(Enter information at right only if it is different from above)</i> <input type="checkbox"/> Other <i>(Enter information at right)</i>	Name		
	Mailing Address		
	City	State	Zip Code

III. DISCHARGE EFFLUENT INFORMATION

1. Describe the proposed discharge(s). List any potential pollutants in the discharge. Attach additional sheets if needed.
2. List types of discharge:

<input type="checkbox"/> Settling pond overflow	<input type="checkbox"/> Storm water	<input type="checkbox"/> Bay water from sand pile	<input type="checkbox"/> Sand wash water, indicate the source of wash water:
<input type="checkbox"/> Others, please specify:			
3. Discharge flow rate: Average daily flow rate (gallons/day): _____ Maximum daily flow rate (gallons/day): _____			
4. Frequency of discharge: <input type="checkbox"/> Continuous <input type="checkbox"/> Daily <input type="checkbox"/> Intermittent <input type="checkbox"/> Emergency			

IV. DISCHARGE WATER QUALITY PARAMETERS

1. Grab sample of the following parameters must be tested and reported. Provide laboratory data sheets in addition to completing the following tables.

Discharge point 1:

Parameter	Value or Range of Values	Units	Test Method	Method Detection Limit	# of samples
Effluent Monitoring					
Turbidity (0.1 NTU)		NTU			
Total Suspended Solids		mg/L			
pH (0.1 standard units)				Not applicable	
Dissolved Oxygen		mg/L			
Total Dissolved Solids		mg/L			
Chloride		mg/L			
Chlorine Residual		mg/L			
Copper		µg/L			
Zinc		µg/L			

Discharge point 2:

Parameter	Value or Range of Values	Units	Test Method	Method Detection Limit	# of samples
Effluent Monitoring					
Turbidity (0.1 NTU)		NTU			
Total Suspended Solids		mg/L			
pH (0.1 standard units)				Not applicable	
Dissolved Oxygen		mg/L			
Total Dissolved Solids		mg/L			
Chloride		mg/L			
Chlorine Residual		mg/L			
Copper		µg/L			
Zinc		µg/L			

Discharge point 3:

Parameter	Value or Range of Values	Units	Test Method	Method Detection Limit	# of samples
Effluent Monitoring					
Turbidity (0.1 NTU)		NTU			
Total Suspended Solids		mg/L			
pH (0.1 standard units)				Not applicable	
Dissolved Oxygen		mg/L			
Total Dissolved Solids		mg/L			
Chloride		mg/L			
Chlorine Residual		mg/L			
Copper		µg/L			
Zinc		µg/L			

V. RECEIVING WATER INFORMATION

Receiving State Water Name(s): 1. 2. 3.
Discharge Point Coordinates into the Receiving State Water: Discharge point 1: Latitude: _____ Longitude: _____ Discharge point 2: Latitude: _____ Longitude: _____ Discharge point 3: Latitude: _____ Longitude: _____
Are there any additional receiving State water or discharge point? <input type="checkbox"/> No <input type="checkbox"/> Yes, if yes, provide the information on a separate sheet.

VI. LOCATION MAP

Attach a topographic map or maps of the area. The map(s) should clearly show the following:

1. The legal boundaries of the facility;
2. Locations of all the treatment facilities, such as detention ponds;
3. The location and identification number of each of the facility's existing and/or proposed intake and discharge points; and
4. The receiving State water(s) and receiving storm water drainage system(s), if applicable, identified and labeled.

VII. FLOW CHART

Attach a flow chart or line drawing diagram showing the general route taken by the effluent from intake to discharge.

VIII. EFFLUENT AND RECEIVING WATER CHARACTERIZATION FOR SELECTED CONSTITUENTS

Check one:

- Existing facility. Sampling plan submitted to the Board and sampling commenced.
- New facility. Attach a sampling plan in accordance with the requirements specified in the Regional Board August 6, 2001 letter.

IX. SITE-SPECIFIC BEST MANAGEMENT PRACTICES (BMPs) PLAN

Attach a site-specific BMPs plan on separate sheets with reference to item IX. The site-specific BMPs plan shall address all specific means of controlling the discharge of pollutants from the facility.

- Site-specific BMPs plan is attached with this NOI
- Site-specific BMPs plan will be submitted 30 days before the commencement of the proposed discharge.

X. AUTHORIZATION OF REPRESENTATIVE

1. This statement authorizes the named individual or any individual occupying the named position of the company/organization listed below to act as our representative to process the required NOI Form for coverage under the NPDES General Permit for discharge to State waters from the subject facility. The Owner hereby agrees to comply with and be responsible for all the conditions specified in the General Permit.

Company/Organization Name: _____

Street Address: _____

City, State and Zip Code+4: _____

Authorized Contact Person & Title: _____

Phone No.: () _____ Fax No.: () _____

E-mail address: _____

2. A separate authorization statement is attached:

Yes _____ No _____

XI. CERTIFICATION

“ I certify under penalty of law that this document and all attachments were prepared under my direct 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 directly responsible for gathering the information, the information submitted is, true, accurate, and complete to the best of my knowledge and belief. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. In addition, I certify that the provisions of the permit,

including the criteria for eligibility and the development and implementation of Pollution Prevention Practices, if required, will be complied with.”

Signature _____ Date: _____

Printed Name & Title: _____

Facility/Agency Name: _____

Phone No.: _____ Fax No.: _____

E-mail address: _____

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

INSTRUCTION FOR NOTICE OF INTENT (NOI) to comply with the terms of the region wide General National Pollutant Discharge Elimination System (NPDES) Permit authorizing discharges from rock quarries and sand washing facilities to surface waters.

I. OWNER/OPERATOR INFORMATION

The owner is the organization or person who owns or leases the facility or land where the quarry or sand washing operation is located. For a facility that is part of a larger corporation, indicate the corporation name and the name, by which the facility is known to the employees (i.e., ABC Inc. - DEF Facility). Provide the street address or a description of where the facility is located (i.e., 1234 15th Drive or northwest corner of 1st Street and X Avenue). Please note that each facility must obtain separate coverage under this General Permit

II. BILLING ADDRESS

Provide this information only if the annual waste discharge fee should be billed to a different entity.

III. DISCHARGE EFFLUENT INFORMATION

List all your possible discharges under item 2 of the table. Discharges that are not listed here will not be covered by this general permit coverage, and additional NPDES permit may be needed for any other discharge of wastewater to any of the State waters.

IV. DISCHARGE WATER QUALITY PARAMETERS

For existing facilities, all of the parameters must be tested by a State certified laboratory and reported on this table. Provide a copy of the laboratory data sheets and Chain of Custody documents, as applicable. For new/proposed facility, enter estimated values to this table. Where there is more than one outfall, you should submit a separate sheet for item IV for each outfall. Test results shall be obtained from a representative sample, which represent your discharge effluent.

V. RECEIVING WATER INFORMATION

If the discharge first enters a separate storm drainage system, provide the name of the receiving State water body that the separate storm drainage system enters. Please contact the storm drain system owner about your proposed discharge.

The discharge point is generally the discharge's point of first contact with receiving State waters. Provide the coordinates of each discharge point. You may use a U.S. Geographical Survey (USGS) or any other appropriate map to interpolate the coordinates.

Attach a separate sheet if you have more than three discharge points. Properly label the discharge points with numbers, which correspond to the discharge point label on the location map(s) and flow Chart(s) submitted.

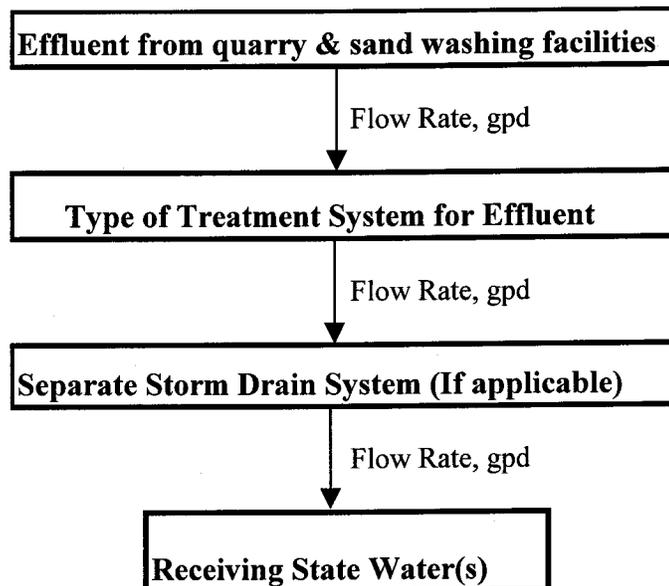
VI. LOCATION MAP

Provide the location map on 8-1/2 by 11 inches sized paper or folded to 8-1/2 by 11 inches. Show at least one mile beyond the property boundaries of the facility on the map.

Indicate the discharge point(s) on the location map, and include all of the required information. The discharge point(s) may include where the discharge exits the facility and enters the roadway right-of-way and then flows into a separate storm drainage system and/or where the discharge directly enters the State receiving waters.

VII. FLOW CHART

An example of a line drawing is given below. The flow chart shall indicate how the discharge effluent from where the wastewater is generated to where the flow enters the receiving State water, including all the treatment systems used to treat the effluent and the approximate amount of flow. The quantity of discharge may be estimated if no data is available.



VIII. EFFLUENT AND RECEIVING WATER CHARACTERIZATION FOR SELECTED CONSTITUENTS

Existing dischargers, who currently hold an individual National Pollutant Discharge Elimination System (NPDES) permit prior to this general permit coverage, shall submit an interim report presenting the sampling results in May 18, 2003 and final report 180 prior to expiration date of this general permit.

Dischargers from new facilities shall submit a sampling plan with this NOI. Use Enclosure D of the Regional Board's August 6, 2001, letter as a guideline for development of the sampling plan. The sampling plan shall also include the date for submitting a report of the results.

IX. SITE-SPECIFIC BEST MANAGEMENT PRACTICES (BMPs) PLAN

The existing discharger, who holds an individual NPDES permit prior to this general permit coverage, shall submit the site-specific BMPs plan with this NOI. Discharger for a new facility has the option of submitting its BMPs plan with this NOI or 30 days before commencement of the proposed discharge. The site-specific BMPs plan shall include at a minimum the following information:

1. Facility operation- Describe the nature of the facility operation:
 - (1) Describe the nature of your facility operation;
 - (2) Types of products;
 - (3) Types of materials and equipment used at the facility

2. Potential pollutants - Describe potential pollutants that will be generated by the facility operation/activities. These pollutants may include, but are not limited to:
 - (1) Soil, sediments or silt from rock and sand washing;
 - (2) Discharge associated with operation and maintenance of equipment, such as oil and grease and hydraulic fluid leakage and spills;
 - (3) Any debris generated by the operation, and operational personnel;
 - (4) Storm water runoff from exposed oil, fuel or any hazardous material storage locations and containment structures;
 - (5) Alkaline material from cement mix operations, and etc.

3. Pollution control and effluent treatment methods – Describe in detail the control and treatment measures for each of the potential pollutants identified under item IX.2 above:
 - (1) Describe the prevention measures to be implemented to prevent the pollutants from entering your effluent and State water;
 - (2) Describe the effluent treatment methods to be implemented on-site to remove the pollutants in the effluent. Indicate the treatment system locations on the location map; and
 - (3) Describe the maintenance procedures and maintenance schedules to maintain the effluent treatment system.

X. AUTHORIZATION OF REPRESENTATIVE

Authorization statements are provided for the owner to complete if he wishes to authorize a representative to process this NOI for him. A standard authorization statement is provided under item X. The owner may provide his own customized statement in a separate letter if the standard statement does not provide appropriate limit of authorization. If a separate authorization letter is provided, this letter shall be signed by the qualified person (see item XI below for the requirement of the qualified person).

Provide the duly authorized representative's information in the applicable item(s). There shall be only one duly authorized representative at any time. The owner may change the designated duly authorized representative at any time during the processing of this NOI. The duly authorized representative will no longer be authorized effective on the date of receipt of any new authorization statement from the owner.

XI. CERTIFICATION

The person certifying this NOI Form must meet one of the following descriptions and be employed by the owner listed in item I (Refer to 40CFR 122.22 for more detailed requirements):

For a corporation: (1) A president, secretary treasurer, or vice president of the corporation in charge of the principal business function, or any other person who performs similar policy or decision making functions for the corporation, or (2) 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.

For a partnership or sole proprietorship, by a general partner or the proprietor, respectively.

For a municipality, State, Federal or other public agency, by either a principal executive officer or ranking elected official.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
1515 CLAY STREET, SUITE 1400
OAKLAND, CA 94612
(510) 622-2300 ♦ Fax: (510) 622-2460

FACT SHEET

FOR
GENERAL NPDES PERMIT and WASTE DISCHARGE REQUIREMENTS for
Discharges from Aggregate Mining and Sand Washing Facilities

NPDES General Permit No. CAG982001
Order No. R2-2002-0063

PUBLIC NOTICE:

Written Comments

- Interested persons are invited to submit written comments concerning this draft General Permit as of the date of its release.
- All comments must be received in writing by the Board no later than 5:00 p.m. on April 26, 2002 in order to be considered. This includes comments to be made at the public hearing to be held on June 19, 2002.
- Send comments to the ATTN: Jenny Chen, the contact person for this permit. She may be reached at (510) 622-2405, or by e-mail at jc@rb2.swrcb.ca.gov, if you have questions.

Public Hearing

- This draft General Permit will be considered for adoption by the Board at a public hearing located at Elihu Harris State Office Building, 1515 Clay Street, Oakland, CA; 1st floor Auditorium.
- This meeting will be held on: June 19, 2002, starting at 9:00 am.

Additional Information

- For additional information about this matter, interested persons should contact Board staff member: Ms. Jenny Chen, Phone: (510) 622-2405; email: jc@rb2.swrcb.ca.gov

This Fact Sheet contains information regarding issuance of General National Pollutant Discharge Elimination System (NPDES) Permit and waste discharge requirements for discharges from rock aggregate mining and sand washing facilities. The Fact Sheet describes the factual, legal, and methodological basis for the proposed permit and provides supporting documentation to explain the rationale and assumptions used in deriving the limits.

I. INTRODUCTION

This order establishes a general permit regulating discharges from the rock aggregate mining and sand washing facilities. Aggregate mining and sand washing facilities involve substantially similar types of operations, discharge similar type of wastewater, and therefore require similar effluent limitations. Most aggregate mining and sand facilities require washing operation to remove silt, sediment or salt in the aggregate product and to separate the product into different grades of aggregate and sand. The main pollutant of concern in the effluent is silt, or sediment that wash off the sand and gravel. The effluents from aggregate mining and sand washing facilities normally flow through a series of ponds to settle out the silt before discharging to State waters. Please refer to Findings in the order for more detailed description of the facility operation and effluent discharges.

Adoption of this Order is exempt from the provisions of Chapter 3 (commencing with Section 21000) of Division 13 of the Public Resources Code [California Environmental Quality Act (CEQA)] pursuant to Section 13389 of the California Water Code. Additionally, this Order as it relates to existing facilities is exempt from CEQA pursuant to 14 Cal. Code of Regulations § 15301. The requirements in the Order will ensure that there are no water quality impacts.

II. DESCRIPTION OF EFFLUENT

Currently, there are nine existing aggregate mining and sand washing facilities in the Bay area. Each holds an individual NPDES permit or Waste Discharge Requirements. Most facilities discharge intermittently. Most of the existing NPDES permits issued to these facilities have limits for, and require monitoring of total dissolved solids (TDS), pH, settleable solids, turbidity and acute toxicity. The following tables summarize the past effluent monitoring results from several of these facilities. For facilities with high TDS concentrations in their effluent, the discharge from these facilities consists mostly of ground water. There are occasional exceedance of the turbidity and total suspended solids limits. Settleable solids were never detected in any of the effluent samples reported (0.1 ml/l-hr. is the detection limit). Acute toxicity rarely exceeds the permit limit.

Table 1. Summary of TDS and pH from Several Aggregate Mining Facilities

Mission Valley		Hanson Aggregates, Pleasanton Quarry				RMC Sunol Quarry		RMC Eliot Quarry		Vulcan Materials	
TDS mg/L	pH	TDS mg/L	TDS mg/L	pH	pH	TDS mg/L	pH	TDS mg/L	pH	TDS mg/L	pH
400	6.5-8.5	650		6.5-9.0		550	6.5-8.5	650	6.5-9.0	650	6.5-9.0
E-3	E-3	E-3	E-4	E-3	E-4						
410	8.5	580	570	7.7	8.3	290	8		8.3	470	8.3
340	8.5	580	540	7.8	8.6	290	8	345	8.3	350	8.2
370	8.6	570	360	7.8	8.3	201	8.2	360	8.1	390	8.1
360	8.4	600	550	7.7	8.3	392	8.5		8.1	550	7.8
380	8.3	640	570	7.8	8.3	185	8.2		8.2	460	8.2

Mission Valley		Hanson Aggregates, Pleasanton Quarry				RMC Sunol Quarry		RMC Eliot Quarry		Vulcan Materials	
TDS mg/L	pH	TDS mg/L	TDS mg/L	pH	pH	TDS mg/L	pH	TDS mg/L	pH	TDS mg/L	pH
400	6.5-8.5	650		6.5-9.0		550	6.5-8.5	650	6.5-9.0	650	6.5-9.0
E-3	E-3	E-3	E-4	E-3	E-4						
310	8.3	580	550	8.4	8.2	357	8.4	420	8.4	470	8.8
400	8.3	610	580	8.2	8.6	343	8.2		8.4	430	8.1
340	8.3	590	490	7.9	8.4	157	8.1	330	8.4	370	8.1
370	8.3	610		7.6	8.3	234	8.3		8.4	370	8.4
420	8.1	600	540	7.6	8.3	256	7.9		8.5		
400	8.2	590	270	8.1	8.5	287	8.1	320	8.4		
420	8.1			7.9	8.6	242	8.2		8.2		
350	8.1	545	554	8.6	8.5	201	8.1	340	8.2		
380	8	537	565	8.6	8.6	184	8.1		8		
340	8.2	480	517	8.6	8.7	315	7.9		8.2		
330	8.3	511	593	8.6	7.8	392	8.1	527	8.2		
320	8.3	535	594	8.6	8.1	286	8.3	536	8.3		
330	8.2	514	578	8.4	8.4	314	7.8	570	7		
280	8.7	630	640	8.3	7.8	284	8.2	537	8.3		
340	8.2	660	710	8.3	7.7	237	8.2	610	8		
400	8.7	501	535	8.7	8.6	190	8.2	462	8		
440	8.5	472	542	8	7.7	278	8.2				
440	8.2			8.4	7.8	208	8.2				
370	8.6	536	576	8.2	7.9	352	8.2				
380	8.6	567	565	8.3	8.1	298	7.1				
	8.2	580	600	8.3	8.2	248	7.6				
400	8.1	530	560	8.2	7.8	248	7.7				
320	7.9	520	580	8.2	8	192	8.1				
350	8.7			8	7.8	274	8				
350	8.2	510	610	8.3	8.2	302	8.3				
340	8.3	460	510	8.1	7.9	364	8.1				
340	8.3	450	580	8.1	7.8	280	8.2				
330	8.3	500	540	8.3	8	321	8.3				
		550	580	8.1	7.8	245	8.2				
		570	610	8.1	7.6	281	8.1				
		470	520	8.2	7.6	241	8.2				
						264	8.2				
330	8.2					267	8.1				
320	8.1										
290	8.2										
	8.2										
	8.5										
320	8.5										
290	8.3										
290	8.7										

Mission Valley		Hanson Aggregates, Pleasanton Quarry				RMC Sunol Quarry		RMC Eliot Quarry		Vulcan Materials	
TDS mg/L	pH	TDS mg/L	TDS mg/L	pH	pH	TDS mg/L	pH	TDS mg/L	pH	TDS mg/L	pH
400	6.5-8.5	650		6.5-9.0		550	6.5-8.5	650	6.5-9.0	650	6.5-9.0
E-3	E-3	E-3	E-4	E-3	E-4						

Table 2. Summary of Turbidity, Total Suspended (TSS) and Settleable Solids from Several Aggregate Mining Facilities

Mission Valley			Hanson Aggregates		RMC Eliot Plant		RMC Sunol		Vulcan Materials	
Turbidity	TSS	Sett. Solids	Turbidity	Sett. Solids	Turbidity	Sett. Solids	Turbidity	Sett. Solids	Turbidity	Sett. Solids
NTU	mg/L	mg/l-hr.	NTU	mg/l-hr	NTU	mg/l-hr	NTU	mg/l-hr	NTU	mg/l-hr
2.4	<2	<0.1	0.5	<0.1	30	<0.1	7.3	<0.1	13	<0.1
2.8	<2	<0.1	1.7	<0.1	23	<0.1	11.1	<0.1	35	<0.1
2.4	<2	<0.1	2.3	<0.1	304	<0.1	7.3	<0.1	26	<0.1
11	12	<0.1	2	<0.1	4.1	<0.1	2.5	<0.1	14	<0.1
11	5	<0.1	1.3	<0.1	2.8	<0.1	5	<0.1	38	<0.1
3.3	2	<0.1	2.8	<0.1	26	<0.1	8.7	<0.1	8.5	<0.1
5.7	4	<0.1	1.1	<0.1	16	<0.1	5.7	<0.1	11	<0.1
3.8	4	<0.1	3.2	<0.1	8.6	<0.1	4.2	<0.1	7.4	<0.1
1.7	<2	<0.1	4	<0.1	28	<0.1	5.3	<0.1	8.3	<0.1
4.1	3	<0.1	2	<0.1	24	<0.1	4.9	<0.1	4.7	<0.1
4.5	5	<0.1	3.1	<0.1	4.9	<0.1	3.4	<0.1	10	<0.1
2.9	4	<0.1	3.4	<0.1	21	<0.1	3.6	<0.1	12	<0.1
3.8	2	<0.1	0.5	<0.1	0.8	<0.1	2.4	<0.1	2.8	<0.1
7.3	4	<0.1	5.2	<0.1	2.4	<0.1	2.7	<0.1	12	<0.1
6.8	5	<0.1	0.9	<0.1	1.7	<0.1	2.4	<0.1	12	<0.1
4.8	<2	<0.1	0.6	<0.1	14	<0.1	3.7	<0.1	6.2	<0.1
6	2	<0.1	2.2	<0.1	14	<0.1	21	<0.1	26	<0.1
3.9	3	<0.1	2.6	<0.1	2.5	<0.1	16	<0.1	9.5	<0.1
10	8	<0.1	2.4	<0.1	21	<0.1	29	<0.1	6.4	<0.1
3.2	2	<0.1	4.5	<0.1	27	<0.1	15	<0.1		
7	6	<0.1	1.4	<0.1	2.5	<0.1	5.4	<0.1		
4.7	2	<0.1	3.3	<0.1	3.2	<0.1	6.8	<0.1		
19	9	<0.1	2.8	<0.1	1.8	<0.1	2.4	<0.1		
9.3	4	<0.1	0.7	<0.1	2.8	<0.1	5	<0.1		
4.2	3	<0.1	1.6	<0.1	3.1	<0.1	5.2	<0.1		
11	3	<0.1	1.8	<0.1	13.4	<0.1	3.6	<0.1		
6.4	2	<0.1	1.8	<0.1	13.8	<0.1	4.7	<0.1		

Mission Valley			Hanson Aggregates		RMC Eliot Plant		RMC Sunol		Vulcan Materials	
Turbidity	TSS	Sett. Solids	Turbidity	Sett. Solids	Turbidity	Sett. Solids	Turbidity	Sett. Solids	Turbidity	Sett. Solids
NTU	mg/L	mg/l-hr.	NTU	mg/l-hr	NTU	mg/l-hr	NTU	mg/l-hr	NTU	mg/l-hr
17	10	<0.1	2.3	<0.1	14.2	<0.1	6.8	<0.1		
6.4	4	<0.1	1.9	<0.1	14.8	<0.1	4.8	<0.1		
14	10	<0.1	2	<0.1	13.4	<0.1	3.8	<0.1		
8.4	4	<0.1	2.5	<0.1	13.2	<0.1	4.1	<0.1		
4.5	9	<0.1	9.2	<0.1	13.8	<0.1	2.5	<0.1		
7.3		<0.1	3.7	<0.1	14.6	<0.1	3.8	<0.1		
13		<0.1	3.5	<0.1	13.8	<0.1	4.4	<0.1		
12		<0.1	7	<0.1	18	<0.1	5.4	<0.1		
13		<0.1	8.2	<0.1	6.7	<0.1	28	<0.1		
9.2	7	<0.1	6.4	<0.1	7.2	<0.1	11	<0.1		
14		<0.1	9.5	<0.1	16	<0.1	4.3	<0.1		
29		<0.1	4.8	<0.1	8.8	<0.1	4.2	<0.1		
19		<0.1	5.5	<0.1	4.2	<0.1	2.9	<0.1		
5.7		<0.1	7.9	<0.1	32	<0.1	5.3	<0.1		
36.8		<0.1	3.5	<0.1	12	<0.1	3.6	<0.1		
27		<0.1	5.9	<0.1	25	<0.1	0.8	<0.1		
23	21	<0.1	7.2	<0.1	21	<0.1	5.4	<0.1		
23		<0.1	4.4	<0.1	31	<0.1	9.8	<0.1		
8.8		<0.1	3.8	<0.1	28	<0.1	3.5	<0.1		
23		<0.1	6.7	<0.1	41	<0.1	3.5	<0.1		
9.3		<0.1	5.3	<0.1	25	<0.1	8.5	<0.1		
14.1	8	<0.1	6.6	<0.1	21	<0.1	2.6	<0.1		
		<0.1	12	<0.1	28	<0.1	16	<0.1		
14.4										
10.6		<0.1	16	<0.1	20	<0.1	0.9	<0.1		
8.7		<0.1	5.3	<0.1	24	<0.1	3.4	<0.1		
21.4		<0.1	5.2	<0.1	39	<0.1	4.7	<0.1		
			7.1	<0.1			3	<0.1		

III. GENERAL RATIONALE

The following documents are the bases for the requirements contained in the proposed order, and are referred to under the specific rationale section of this Fact Sheet.

- Federal Water Pollution Control Act, as amended (hereinafter the CWA).
- Federal Code of Regulations, Title 40 (40 CFR)- Protection of Environment, Chapter 1, Environmental Protection Agency, Subchapter D, Water Programs, Parts 122-129 (hereinafter referred to as 40 CFR specific part number).

- Water Quality Control Plan, San Francisco Bay Basin, adopted by the Board on June 21, 1995 (hereinafter the Basin Plan). The California State Water Resources Control Board (hereinafter the State Board) approved the Basin Plan on July 20, 1995 and by California State Office of Administrative Law approved it on November 13, 1995. The Basin Plan defines beneficial uses and contains water quality objectives (WQOs) for waters of the State, including Suisun Bay.
- California Toxics Rules, Federal Register, Vol. 65, No. 97, May 18, 2000 (hereinafter the CTR).
- State Board's Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, April 28, 2000 (hereinafter the State Implementation Policy, or SIP).

IV. SPECIFIC RATIONALE

1. Basis for Discharge Prohibitions

- a. **Prohibition A.1 & 6 (A.1. discharges shall comply with the permit condition; A.6. prohibit discharge of wastewater without a permit):**

This prohibition is based on the Basin Plan to protect beneficial uses of the receiving water from un-permitted discharges, and the intent of sections 13260 through 13264 of the California Water Code relating to the discharge of waste to State Waters without filing for and being issued a permit

- b. **Prohibition A.2, 3 & 4 (no discharge of silt, sand, clay or other earthen materials...):**

This prohibition is based on narrative objectives for sediments, settleable matters, suspended and floating materials specified in Chapter 3 of the Basin Plan.

- c. **Prohibition A.5 (discharge shall not cause pollution, contamination, or nuisance):**

This prohibition is based on the general principals and policies contained in the Basin Plan and California Water Code for protection beneficial uses of the receiving waters.

2. Basis for Effluent Limitations:

- a. **Effluent limitation B.1.a. b. and B.2.a. b. (limit for Total Dissolved Solids and Chlorides):**

These limits are based on Basin Plan Table 3-7 for protection of beneficial uses of watershed, and prevent accumulation of dissolved solids in the groundwater of the basins recharged with waters of Alameda Creek.

Some ground water and stream water are high in dissolved solids or chloride. If the discharger can prove that the high dissolved solids or chloride in its discharge is caused solely due to the high dissolved solids or chloride concentration in the source water, the exceedance will not be considered as violation.

b. Effluent limitation B.1.c.d.e.h.i. and B.2.c.d.e.f. (limits for total suspended solids, settleable solids, turbidity, chlorine residual, pH and acute toxicity):

These limitations are based on Basin Plan and best professional judgment.

Total suspended solids, settleable solids, chlorine residual and pH limitations are based on Basin Plan criteria in table 4-2 for effluent limitations for conventional pollutants. While these limits were developed primarily for sewage treatment facilities, they are also applicable to other discharges. Based on staff's best professional judgment, we believe these limits are technically achievable, are necessary to protect the receiving water, and are generally consistent with limits from previous individual permits for similar facilities.

Some creek water is high in pH. The permit allows that if the discharger can prove that the high pH in its discharge is caused solely due to the high pH in the source water, the exceedance will not be considered a violation of the effluent limit.

Turbidity limitation is based on best professional judgment and previous individual permits for similar facilities. The acute toxicity limitation is based on Basin Plan Table 4-4, acute toxicity effluent limits for intermittent discharges.

3. Basis for Receiving Water Limitations

a. Receiving water limitations C.1 (conditions to be avoided):

These limits are based on the narrative and numerical objectives contained in Chapters 2 and 3 of the Basin Plan

b. Receiving water limitation C.2 (pH variation):

This limitation is based on best professional judgment. Natural water bodies, sometimes, are high in pH. A variation of 0.5 pH unit is considered to be protective of the receiving water.

4. Basis for Provisions

a. Provisions D.1, 2, 3 & 4. (NOI, NOI Review, NGPC and Permit Compliance):

These provisions are based on 40 CFR 122.21.

b. Provision D.5 (Best Management Practices plan):

Clean Water Act requires the permit with technology-based effluent limitations to include technology based requirements. The technology based requirement requires application of best practicable control technology currently available (BPT) and the best available technology economically achievable (BAT). Therefore, this General Permit requires the dischargers to develop and implement a BMPs plan to reduce and eliminate the pollutants discharge to the receiving State waters.

c. Provision D.6 (Effluent and receiving water monitoring):

The provision is based on the SIP requirement. The purpose of this monitoring is for the Board to determine if water quality-based effluent limitations for priority pollutants are required; to calculate effluent limitations (including interim performance based limits), if required; and to determine if immediate compliance is feasible.

The first step in SIP is to determine if a discharge has a "reasonable potential" to cause or contribute to an exceedance of water quality standards. The second step involves deriving effluent limits for pollutants with "reasonable potential." The third step is to determine if the existing discharge can comply with these new limits. If not, discharge data are necessary to calculate interim limits based on facility performance. Each step requires accurate data on the discharge; the first two steps also require data on the receiving water.

d. Provision D.7 (Acute toxicity):

This provision is based on the Basin Plan requirement stated in Chapter 4.

e. Provision D.8 (Self-monitoring program):

The discharger is required to conduct monitoring of the permitted discharges in order to evaluate compliance with permit conditions. Monitoring requirements are given in the Self-Monitoring Program (SMP) of the permit. This provision requires compliance with the SMP, and is based on 40 CFR 122.44(i), 122.62, 122.63 and 124.5.

f. Provision D.9 (Standard provision and reporting requirements):

The purpose of this provision is to require compliance with the standard provisions and reporting requirements given in this Board's document titled, Standard Provisions and Reporting Requirements for NPDES Surface Water Discharge Permits, August 1993. This document is included as part of the permit as an attachment of the permit.

Where provisions or reporting requirements specified in the permit are different from equivalent or related provisions or reporting requirements given in 'Standard Provisions', the specifications given in the permit shall apply. The standard provisions and reporting requirements given in the above document have previously been adopted by the Board, and are based on various state and federal regulations with specific references cited therein.

g. Provision D.10 (Facility modification/maintenance):

This provision requires dischargers to inform the Board about the modifications made to its facility, which will affect effluent quality. The provision also requires the discharger to inform the Board if the outfall is relocated or eliminated so that the Board can make any necessary modification to its permit coverage.

h. Provision D.11 (Change in control of ownership):

The provision is based on 40 CFR 122.61(b).

i. Provision D.12 & 13 (New water quality objectives and permit re-opener):

This provision allows future modification of the permit and permit effluent limits as necessary in response to updated water quality objectives that may be established in the future, as well as the availability of effluent monitoring data that allows the Board staff to conduct reasonable potential analysis. This provision is based on 40 CFR 122.62 and 124.5.

j. Provision D.14 & 15 (NPDES permit, expiration and reapplication):

This provision is based on 40 CFR 122.46 (a)

5. WASTE DISCHARGE REQUIREMENT APPEALS

Any person may petition the State Water Resources Control Board to review the decision of the Board regarding the Waste Discharge Requirements. A petition must be made within 30 days of the Board of Board action.

Attachment E – August 6, 2001 Letter (Not included here due to length, available at <http://www.swrcb.ca.gov/rwqcb2/download.htm>)