Supporting Document 1

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

TENTATIVE ORDER NO. R9-2003-0111

GENERAL WASTE DISCHARGE REQUIREMENTS FOR
DISCHARGES OF TREATED GROUNDWATER FROM VOLATILE
ORGANIC COMPOUND CLEANUP SITES TO LAND IN THE SAN DIEGO REGION

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board) finds that:

1. Groundwater cleanup of volatile organic compounds (VOCs) is ongoing at approximately 1,200 sites throughout the San Diego Region. These sites are typically gasoline stations, car dealerships, and petroleum terminals, where fuel is stored in aboveground and underground storage tanks. Other types of VOC cleanups include non-fuel sites that use chlorinated organic compounds in their businesses (for example, dry cleaners, plating shops, and industrial sites).

2. Fuel VOCs principally consist of benzene, toluene, ethylbenzene, total xylenes (BTEX), methyl tertiary butyl ether (MTBE), and other fuel oxygenates. Non-fuel VOCs consist of chlorinated organic compounds, principally perchloroethylene (PCE) and tetrachloroethane (TCE).

3. Cleanup of groundwater at many of these sites involves the extraction of polluted groundwater for above ground treatment in a system that removes the VOCs.

4. Disposal options for treated groundwater are becoming limited in the San Diego Region (9) because local wastewater treatment systems lack the capacity to accept treated groundwater. Disposal of treated groundwater to surface water is problematic because, in most cases, the treated groundwater does not meet the effluent limitations for inorganic constituents contained in the Regional Board Order which regulates this type of discharge.

5. Another disposal option for treated groundwater is to discharge it to the subsurface by direct injection through a well, or by rapid percolation or infiltration through the soil. If the treated groundwater is returned to the same aquifer from which it was extracted, there should be no adverse impacts to the receiving water quality or to beneficial uses from the discharge.

6. The extracted groundwater and the receiving groundwater are from the same aquifer if the groundwaters are in direct hydraulic connection, in the same hydrogeologic unit and approximate depth interval, and if the extraction and discharge points are in the same vicinity.

7. Parts of the San Diego Region contain groundwater with ambient background concentrations of chemical constituents that exceed applicable water quality objectives for these constituents. Discharges of treated groundwater from these areas to the same aquifer would exceed water quality objectives but still pose a low threat to water quality and beneficial uses because the treated groundwater would have the same or better water quality than the receiving groundwater. Further, the removal of VOC pollutants in the treatment process would impart a net benefit to groundwater quality at the site.

8. Disposal of treated groundwater by spray irrigation could pose a significant threat to the quality of the receiving groundwater because the uptake of water by plants in the spray field could concentrate chemical constituents in soil that would leach to groundwater in high concentrations during subsequent irrigation cycles. Thus, this Order does not regulate disposal of treated groundwater by spray irrigation.

9. Monitoring the water quality of the extracted groundwater (influent), the treated groundwater (effluent), and the receiving groundwater prior to and during the discharge will provide the data needed to ensure that the receiving groundwater quality is not degraded by the discharge.

10. Disharges of wastes to land for treatment, storage, or disposal are prohibited unless the Regional Board has issued valid Waste Disharge Requirements (WDRs) for that discharge.

11. Discharges of treated groundwater to land are more appropriately regulated under general WDRs than individual WDRs because the discharges are a low threat to water quality and because general WDRs would:

    a) simplify and expedite the process by which these discharges are regulated;
    b) reduce Regional Board time expended on preparing and considering individual WDRs for each project;
    c) provide another disposal option in areas where disposal to a sanitary sewer system is not possible due to lack of capacity;
    d) enhance and protect surface water quality by providing alternatives to the discharge of wastewater to surface waters; and
    e) provide a level of protection comparable to individual, site-specific WDRs.

12. Discharges of extracted groundwater to surface water and discharges to storm water conveyance systems in the San Diego Region are regulated under general NPDES permits adopted by the Regional Board in other orders.

13. The Regional Board may require any discharger regulated under this Order to be regulated under individual WDRs with specific requirements if the discharger has been notified in writing that individual WDRs are required. This notice shall include a brief statement of the reasons for this decision, a Standard Form 200 for filing a Report of Waste Disharge (ROWD), a statement setting a deadline for the

discharger to submit the ROWD, and a statement that on the effective date of the individual requirements the discharge is no longer regulated under this Order.

14. The Regional Board, acting in accordance with section 13240 et. seq. of the California Water Code (CWC), adopted the "Comprehensive Water Quality Control Plan, for the San Diego Basin (Basin Plan) on March 17, 1975. The State Water Resources Control Board (SWRCB) subsequently approved the Basin Plan on December 13, 1994. Subsequent amendments to the Basin Plan have also been adopted by the Regional Board and approved by the SWRCB. The Basin Plan designates the beneficial uses, water quality objectives, and prohibitions, which are incorporated herein. The requirements contained in this Order are consistent with the Basin Plan.

15. Discharges regulated by this Order are classified to be Category IIIB as defined in the Threat to Water Quality and Complexity in the current fee schedule listed in the California Code of Regulations (CCR) Title 23, section 2200.

16. SWRCB Resolution No. 68-16 requires that the Regional Board, in regulating the discharge of waste, maintain high quality waters of the State. The Regional Board must have sufficient grounds to adopt findings which demonstrate that any water quality degradation will:

    a. be consistent with the maximum benefit to the people of the State;
    b. not unreasonably affect existing and potential beneficial uses of such water; and
    c. not result in water quality less than described in the Basin Plan.

    The impact on existing water quality of the discharges regulated by this Order will not be significant and will not unreasonably affect beneficial uses. Therefore, the discharges are consistent with the provisions of Resolution No. 68-16.

17. This Order does not preempt or supercede the authority of municipalities, flood control agencies, or other local or State agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction.

18. This Order does not preempt, alter, or supersede the authority of Local Oversight Program Agencies to regulate cleanups at underground storage tank sites.

19. Pursuant to CWC section 13304.1, the Regional Board consulted with the California Department of Health Services, public water system operators, and groundwater management agencies within this region concerning the requirements of this Order. The comments of these agencies concerning this Order were considered by the Regional Board in prescribing the general WDRs contained herein.

20. An affected groundwater management entity includes any person who pumps, uses, manages, distributes or has any other interest in the quality of water in a water body affected by discharges of waste regulated under this Order.

21. A public water system is a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year (Health and Safety Code 116275(h)). An affected public water system is a public water system that is included in the area of the recharge project.

22. In accordance with the Governor's Executive Order requiring any proposed activity be reviewed to determine whether such activity will cause additional energy usage, this Regional Board has determined that implementation of these general WDRs will not result in a change in energy usage exceeding what would be used if site-specific WDRs were issued for discharges of waste at these sites.

23. On June 11, 2003, the Regional Board certified a Negative Declaration in compliance with the California Environmental Quality Act for the adoption of these general WDRs. The environmental impacts from new discharges regulated by this Order would be less than significant.

24. The Regional Board has notified potential dischargers, interested agencies and persons of the Regional Board's intent to prescribe general WDRs for the discharges regulated by this Order, and has provided those persons with an opportunity to submit their written views and recommendations for the requirements.

25. The Regional Board has considered all written comments received pertaining to this Order.

IT IS HEREBY ORDERED THAT each discharger regulated under these general Waste Discharge Requiements shall meet the provisions contained in Division 7 of the California Water Code and regulations adopted therein and shall comply with the following:

A. ELIGIBILITY

1. Persons proposing to discharge treated groundwater from VOC cleanup sites to land by direct injection through a well, or by rapid percolation or infiltration through soil, or other means that pose a low threat to receiving water quality (hereinafter discharger) shall apply to be regulated under these waste discharge requirements.

2. Prior to seeking regulation under this Order, the discharger shall consult with the affected groundwater management entity, if any, affected public water systems, and the State Department of Health Services concerning the proposed discharge. A written description of, or copies of written comments from these agencies regarding

the proposed discharge shall be submitted to the Regional Board along with a Report of Waste Discharge (ROWD) described in Directive A.5.

3. Water Code section 13304.1 does not pertain to private well owners. However, prior to seeking regulation under this Order, the discharger shall notify private well owners who own a well within 1000 feet of the proposed discharge point. Proof of notification shall be submitted to the Regional Board along with a ROWD described in Directive A.5.

4. In establishing effluent limitations for the discharge, the Regional Board will consider non-VOC chemical constituents in the extracted groundwater (influent) prior to treatment on a constituent by constituent, and discharge by discharge basis provided that the discharger has demonstrated to the satisfaction of the Regional Board that the following conditions are met:

   a. The extracted groundwater is from the same aquifer as the receiving groundwater. The discharger may demonstrate this condition by showing that:

      i. the ambient background non-VOC chemical concentrations in the receiving groundwater, excluding any amount of the constituent in the discharge, is similar in concentration to that of the groundwater extracted for treatment;

      ii. the groundwater at the extraction and discharge points are in direct hydraulic connection, in the same hydrogeologic unit and approximate depth interval, and are reasonably close together, such that the ambient background water quality would be the same at those points; and

      iii. the water quality characteristics are similar in the influent and receiving waters.

      The discharge may also provide any other applicable factors to determine if the extracted groundwater is from the same groundwater aquifer as the receiving groundwater.

   b. The discharger shall not alter non-VOC chemical concentrations in the effluent water in a manner that adversely affects water quality and benficial uses.

   c. The timing and location of the discharge does not cause adverse effects on water quality and beneficial uses that, absent the discharge, would not occur.

5. The discharger shall submit a complete ROWD and appropriate filing fee. The ROWD shall include:

   a. A completed Standard Form 200 (Attachment A).

b. A sampling and analysis plan as required by Directive A.4 of Monitoring and Reporting Program No. R9-2003-0111 (Attachment B).

c. A copy of the Interim Remediation Action Plan (IRAP) or Corrective Action Plan (CAP) for the site including any conditions of implementation required by an oversight agency.

d. A copy of the Site Conceptual Model (SCM) for the site.

e. A copy of laboratory data showing the concentrations of chemical constituents in the extracted groundwater and in the receiving groundwater.

f. Certification for appropriate chemical constituent(s) listed in Monitoring and Reporting Program No. R9-2003-0111 that the constituent(s) is/are not present or is/are unlikely to be present in the effluent.

g. A list and description of the proposed groundwater extraction wells, a description and schematic illustration of the disposal system, and a map showing the location of the extraction wells and proposed discharge point(s).

h. A map and cross-section showing the lateral and vertical extent of contaminants at the site.

i. A description of site-specific hydrogeologic characteristics including significant water bearing zones, aquitards, hydraulic conductivity, and infiltration rate for discharge of treated groundwater.

j. Any additional information necessary to demonstrate that the proposed discharge meets the criteria for regulation under this order.

If the information required in Directives 4.e through 4.j is contained in the IRAP, CAP, or SCM, submission of these documents will satisfy the requirements of Directives 4.e through 4.j.

6. The discharger shall receive a notification letter from the Regional Board indicating that either: a) the discharge is appropriately regulated under these general WDRs or b) individual WDRs are required to regulate the discharge.

B. PROHIBITIONS

1. The discharge of treated groundwater shall not cause a violation of the waste discharge prohibitions in the Basin Plan (Attachment C).

2. Discharge of wastes to lands which have not been specifically described in the ROWD and for which valid waste discharge requirements are not in force are prohibited.

3. Discharges of treated or untreated solid or liquid waste to a navigable water or tributary of a navigable water are prohibited unless as authorized by an NPDES permit issued by this Regional Board (9).

C. DISCHARGE SPECIFICATIONS

1. Concentrations of volatile organic compounds (VOCs) in the treated groundwater (effluent) shall be less than or equal to the Practical Quantitation Limits (PQL) for those compounds. The PQL is the lowest concentration that can be consistently determined within plus or minus 20 percent of the true concentration by 75 percent of the laboratories tested in a performance evaluation study. Alternatively, if performance data are not available, the PQL for carcinogens is the Method Detection Limit (MDL) multiplied by five, and for non-carcinogens is the MDL multiplied by 10.

2. The concentrations of the non-VOC chemical constituents in the treatment system effluent (treated groundwater) shall not exceed the concentrations of those non-VOC chemical constituents in the treatment system influent (extracted groundwater) by more than 15 percent (15%) for any sampling event. The annual average concentration of each non-VOC chemical constituent in the effluent shall be less than or equal to the annual average concentration of the same non-VOC chemical constituent in the influent. The annual average concentration shall be the arithmetic mean of the concentrations of a non-VOC chemical constituent in all samples collected in the first 12 months of monitoring, and thereafter, any 12 consecutive month period.

3. The concentrations of the non-VOC chemical constituents in the effluent shall not exceed the concentrations of those non-VOC chemical constituents in the receiving groundwater by more than 15 percent (15%) for any sampling event. The annual average concentration of each non-VOC chemical constituent in the effluent shall be less than or equal to the annual average concentration of the same non-VOC chemical constituent in the receiving groundwater. The annual average concentration shall be the arithmetic mean of the concentrations of a non-VOC chemical constituent in all samples collected in the first 12 months of monitoring, and thereafter, any 12 consecutive month period.

4. The discharge shall not create a condition of pollution or nuisance.

D. PROVISIONS

1. The discharger shall comply with the attached "Standard Provisions Applicable to Waste Discharge Requirements" (Attachment D). If there is any conflict between provisions stated herein and the attached "Standard Provisions," those provisions stated herein shall prevail.

2. Pursuant to the Business and Professions Code, work constituting the professional practice of civil engineering or geology must be performed by or under the direction of a licensed civil engineer or registered geologist respectively.

3. The discharge of waste to or infiltration to a surface water system must be regulated under a separate order as described in Finding 12.

4. This Order does not relieve the discharger of responsibility to obtain other necessary local, State, and federal permits to construct facilities necessary for groundwater extraction, disposal, or treatment in compliance with this Order; nor does this Order preclude imposing additional standards, requirements, or conditions.

5. If the discharger does not own the property at the discharge point, the discharge shall not commence until the property owner has granted permission to the discharger to discharge treated groundwater on the property. Further, the discharge shall not commence until an access agreement between the discharger and the property owner is signed by both parties and submitted to the Regional Board. The agreement must give the discharger adequate access to the property to operate, monitor and maintain the discharge system, and, if necessary, monitor the quality of the receiving groundwater.

6. The discharger shall notify Regional Board by telephone within 24 hours, followed by written notification before the close of business on the seventh day in the event the discharger is unable to comply with any of the conditions of this Order due to discharges of waste resulting from:

    a. failure of waste treatment and discharge equipment;
    b. accident(s) caused by human error or negligence;
    c. other causes such as acts of nature; or
    d. site construction or development operations.

7. A contingency plan shall be developed and kept on site by the discharger. The contingency plan shall detail appropriate action to be taken in order to protect human health and the environment in case of any discharge of waste from failure of the operation of the treatment system.

8. This Order shall remain in effect and shall be applicable to all discharges described herein unless superseded, modified, or terminated by a subsequent order of the

Regional Board. The filing of a request by the discharger for the modification, revocation and reissuance, or termination of regulation under this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

E. MONITORING AND REPORTING REQUIREMENTS

1. The discharger shall comply with Monitoring and Reporting Program No. R9-2003-0111 (Attachment B).

2. In the event of failure to submit any relevant facts in a ROWD or submittal of incorrect information in a ROWD or in any report to the Regional Board, the discharger shall promptly submit such facts or information.

3. At any time when the requirements of this Order are not met, the discharger shall submit a written statement of the actions undertaken or proposed that will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction.

4. Whenever wastes associated with the discharge under this Order are transported to a different disposal site the following shall be reported in the monitoring report:

   a. type and quantity of wastes;
   b. name and address of the hauler (or method of transport if other than by hauling); and
   c. location of the final point(s) of disposal.

5. All application reports or information to be submitted to the Regional Board shall be signed and certified as follows:

   a. The Report of Waste Discharge shall be signed as follows:

      i. For a corporation: by a principal executive officer or at least the level of vice president.
      ii. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
      iii. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

   b. All other reports required by this Order and other information required by the Regional Board shall be signed by a person designated in paragraph (a) of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:

i. The authorization is made in writing by a person described in paragraph (a) of this provision.
ii. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
iii. The written authorization is submitted to the Regional Board.

6. Any person signing a document under this Section shall make the following certification:

   "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment." [CWC § 13263, 13267, and 13268] (Standard Provision No. 19).

7. The discharger shall submit reports required under this Order, or other information required by the Regional Board, to:

   Executive Officer
   California Regional Water Quality Control Board, San Diego Region
   9174 Sky Park Court, Suite 100
   San Diego, CA 92123-4340
   ATTN: Supervisor, Tank Site Mitigation and Cleanup Unit

F. NOTIFICATIONS

1. No discharge of wastes into waters of the State, whether or not such discharge is made pursuant to waste discharge requirements, shall create a vested right to continue such discharge. All discharges of waste into waters of the State are privileges, not rights.

2. These requirements are not issued pursuant to section 402 of the Clean Water Act (33 USC 1342) and have not been officially reviewed by the USEPA.

3. CWC section 13350 provides that any person who intentionally or negligently violates any waste discharge requirements issued, reissued, or amended by this Regional Board is subject to up to $15,000 per day of violation.

4. CWC section 13268 provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor.

5. This Order becomes effective on the date of adoption by the Regional Board.

I, John H. Robertus, 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 Diego Region, on June 11, 2003.

_____
JOHN H. ROBERTUS
Executive Officer
Date Signed:

INTRODUCTION

This application package constitutes a Report of Waste Discharge (ROWD) pursuant to California Water Code Section 13260. Section 13260 states that persons discharging or proposing to discharge waste that could affect the quality of the waters of the State, other than into a community sewer system, shall file a ROWD containing information which may be required by the appropriate Regional Water Quality Control Board (RWQCB).

This package is to be used to start the application process for all waste discharge requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permits* issued by a RWQCB except:

a) Those landfill facilities that must use a joint Solid Waste Facility Permit Application Form, California Integrated Waste Management Board Form E-1-77; and
b) General WDRs or general NPDES permits that use a Notice of Intent to comply or specify the use of an alternative application form designed for that permit.

This application package contains:

1. Application/General Information Form for WDRs and NPDES Permits [Form 200 (10/97)].
2. Application/General Information Instructions.

Instructions

Instructions are provided to assist you with completion of the application. If you are unable to find the answers to your questions or need assistance with the completion of the application package, please contact your RWQCB representative. *The RWQCBs strongly recommend that you make initial telephone or personal contact with RWQCB regulatory staff to discuss a proposed new discharge before submitting your application.* The RWQCB representative will be able to answer procedural and annual fee related questions that you may have. (See map and telephone numbers inside of application cover.)

All dischargers regulated under WDRs and NPDES permits must pay an annual fee, except dairies, which pay a filing fee only. The RWQCB will notify you of your annual fee based on an evaluation of your proposed discharge. Please do NOT submit a check for your first annual fee or filing fee until requested to do so by a RWQCB representative. Dischargers applying for reissuance (renewal) of an existing NPDES permit or update of an existing WDR will be billed through the annual fee billing system and are therefore requested NOT to submit a check with their application. Checks should be made payable to the State Water Resources Control Board.

Additional Information Requirements

A RWQCB representative will notify you within 30 days of receipt of the application form and any supplemental documents whether your application is complete. If your application is incomplete, the RWQCB representative will send you a detailed list of discharge specific information necessary to complete the application process. The completion date of your application is normally the date when all required information, including the correct fee, is received by the RWQCB.

*** NPDES PERMITS:** If you are applying for a permit to discharge to surface water, you will need an NPDES permit which is issued under both State and Federal law and may be required to complete one or more of the following Federal NPDES permit application forms: Short Form A, Standard Form A, Forms 1, 2B, 2C, 2D, 2E, and 2F. These forms may be obtained at a RWQCB office or can be ordered from the National Center for Environmental Publications and Information at (513) 891-6561.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

State of California
Regional Water Quality Control Board

APPLICATION/REPORT OF WASTE DISCHARGE GENERAL INFORMATION FORM FOR WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT

INSTRUCTIONS

FOR COMPLETING THE APPLICATION/REPORT OF WASTE DISCHARGE GENERAL INFORMATION FORM FOR: WASTE DISCHARGE REQUIREMENTS/NPDES PERMIT

If you have any questions on the completion of any part of the application, please contact your RWQCB representative. A map of RWQCB locations, addresses, and telephone numbers is located on the reverse side of the application cover.

I. FACILITY INFORMATION

You must provide the factual information listed below for ALL owners, operators, and locations and, where appropriate, for ALL general partners and lease holders.

A. **FACILITY:**
Legal name, physical address including the county, person to contact, and phone number at the facility. (**NO P.O. Box numbers!** If no address exists, use street and nearest cross street.)

B. **FACILITY OWNER:**
Legal owner, address, person to contact, and phone number. Also include the owner's Federal Tax Identification Number.

OWNER TYPE:
Check the appropriate Owner Type. The legal owner will be named in the WDRs/NPDES permit.

C. **FACILITY OPERATOR** **(The agency or business, not the person):**
If applicable, the name, address, person to contact, and telephone number for the facility operator. Check the appropriate Operator Type. If identical to B. above, enter "same as owner".

D. **OWNER OF THE LAND:**
Legal owner of the land(s) where the facility is located, address, person to contact, and phone number. Check the appropriate Owner Type. If identical to B. above, enter "same as owner".

E. **ADDRESS WHERE LEGAL NOTICE MAY BE SERVED:**
Address where legal notice may be served, person to contact, and phone number. If identical to B. above, enter "same as owner".

F. **BILLING ADDRESS**
Address where annual fee invoices should be sent, person to contact, and phone number. If identical to B. above, enter "same as owner".

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

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APPLICATION/REPORT OF WASTE DISCHARGE GENERAL INFORMATION FORM FOR WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT

II. TYPE OF DISCHARGE

Check the appropriate box to describe whether the waste will be discharged to: A. Land, or B. Surface Water.

Check the appropriate box(es) which best describe the activities at your facility.

Hazardous Waste - **If you check the Hazardous Waste box,** STOP **and contact a representative of the RWQCB for further instructions.**

Landfills - **A separate form, APPLICATION FOR SOLID WASTE FACILITY PERMIT/WASTE DISCHARGE REQUIREMENTS, California Integrated Waste Management Board Form E-1-77, may be required. Contact a RWQCB representative to help determine the appropriate form for your discharge.**

III. LOCATION OF THE FACILITY

1. Enter the Assessor's Parcel Number(s) (APN), which is located on the property tax bill. The number can also be obtained from the County Assessor's Office. Indicate the APN for both the facility and the discharge point.

2. Enter the Latitude of the entrance to the proposed/existing facility and of the discharge point. Latitude and longitude information can be obtained from a U.S. Geological Survey quadrangle topographic map. Other maps may also contain this information.

3. Enter the Longitude of the entrance to the proposed/existing facility and of the discharge point.

IV. REASON FOR FILING

NEW DISCHARGE OR FACILITY:
A discharge or facility that is proposed but does not now exist, or that does not yet have WDRs or an NPDES permit.

CHANGE IN DESIGN OR OPERATION:
A material change in design or operation from existing discharge requirements. Final determination of whether the reported change is material will be made by the RWQCB.

CHANGE IN QUANTITY/TYPE OF DISCHARGE:
A material change in characteristics of the waste from existing discharge requirements. Final determination of whether the reported change would have a significant effect will be made by the RWQCB.

CHANGE IN OWNERSHIP/OPERATOR:
Change of legal owner of the facility. Complete Parts I, III, and IV only and contact the RWQCB to determine if additional information is required.

WASTE DISCHARGE REQUIREMENTS UPDATE OR NPDES PERMIT REISSUANCE:
WDRs must be updated periodically to reflect changing technology standards and conditions. A new application is required to reissue an NPDES permit which has expired.

OTHER:
If there is a reason other than the ones listed, please describe the reason on the space provided. (If more space is needed, attach a separate sheet.)

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

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Regional Water Quality Control Board

APPLICATION/REPORT OF WASTE DISCHARGE GENERAL INFORMATION FORM FOR WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

It should be emphasized that communication with the appropriate RWQCB staff is vital before starting the CEQA documentation, and is recommended before completing this application. There are Basin Plan issues which may complicate the CEQA effort, and RWQCB staff may be able to help in providing the needed information to complete the CEQA documentation.

Name the Lead Agency responsible for completion of CEQA requirements for the project, i.e., completion and certification of CEQA documentation.

Check YES or NO. Has a public agency determined that the proposed project is exempt from CEQA?
If the answer is YES, state the basis for the exemption and the name of the agency supplying the exemption on the space provided. (Remember that, if extra space is needed, use an extra sheet of paper, but be sure to indicate the attached sheet under Section VII. Other.)

Check YES or NO. Has the "Notice of Determination" been filed under CEQA? If YES, give the date the notice was filed and enclose a copy of the Notice of Determination and the Initial Study, Environmental Impact Report, or Negative Declaration. If NO, check the box of the expected type of CEQA document for this project, and include the expected date of completion using the timelines given under CEQA. The date of completion should be taken as the date that the Notice of Determination will be submitted. (If not known, write "Unknown")

VI. OTHER REQUIRED INFORMATION

To be approved, your application MUST include a COMPLETE characterization of the discharge. If the characterization is found to be incomplete, RWQCB staff will contact you and request that additional specific information be submitted.

This application MUST be accompanied by a site map. A USGS 7.5' Quadrangle map or a street map, if more appropriate, is sufficient for most applications.

VII. OTHER

If any of the answers on your application form need further explanation, attach a separate sheet. Please list any attachments with the titles and dates on the space provided.

VIII. CERTIFICATION

Certification by the owner of the facility or the operator of the facility, if the operator is different from the owner, is required. The appropriate person must sign the application form.
Acceptable signatures are:

1. **for a corporation,** a principal executive officer of at least the level of senior vice-president;
2. **for a partnership or individual (sole proprietorship),** a general partner or the proprietor;
3. **for a governmental or public agency,** either a principal executive officer or ranking elected/appointed official.

DISCHARGE SPECIFIC INFORMATION

In most cases, a request to supply additional discharge specific information will be sent to you by a representative of the RWQCB. If the RWQCB determines that additional discharge specific information is not needed to process your application, you will be so notified.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

State of California
Regional Water Quality Control Board

APPLICATION/REPORT OF WASTE DISCHARGE GENERAL INFORMATION FORM FOR WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT

I. FACILITY INFORMATION

A. Facility:

Name:			
Address:			
City:	County:	State:	Zip Code:
Contact Person:		Telephone Number:	

B. Facility Owner:

Name:			Owner Type (Check One) 1. ☐ Individual 2. ☐ Corporation 3. ☐ Governmental Agency 4. ☐ Partnership 5. ☐ Other: _____
Address:			
City:	State:	Zip Code:	
Contact Person:		Telephone Number:	Federal Tax ID:

C. Facility Operator (The agency or business, not the person):

Name:			Operator Type (Check One) 1. ☐ Individual 2. ☐ Corporation 3. ☐ Governmental Agency 4. ☐ Partnership 5. ☐ Other: _____
Address:			
City:	State:	Zip Code:	
Contact Person:		Telephone Number:	

D. Owner of the Land:

Name:			Owner Type (Check One) 1. ☐ Individual 2. ☐ Corporation 3. ☐ Governmental Agency 4. ☐ Partnership 5. ☐ Other: _____
Address:			
City:	State:	Zip Code:	
Contact Person:		Telephone Number:	

E. Address Where Legal Notice May Be Served:

Address:		
City:	State:	Zip Code:
Contact Person:	Telephone Number:	

F. Billing Address:

Address:		
City:	State:	Zip Code:
Contact Person:	Telephone Number:	

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APPLICATION/REPORT OF WASTE DISCHARGE GENERAL INFORMATION FORM FOR WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT

II. TYPE OF DISCHARGE

Check Type of Discharge(s) Described in this Application (A or B):

☐ **A. WASTE DISCHARGE TO LAND** ☐ **B. WASTE DISCHARGE TO SURFACE WATER**

Check all that apply:

- ☐ Domestic/Municipal Wastewater Treatment and Disposal
- ☐ Cooling Water
- ☐ Mining
- ☐ Waste Pile
- ☐ Wastewater Reclamation
- ☐ Animal Waste Solids
- ☐ Land Treatment Unit
- ☐ Dredge Material Disposal
- ☐ Surface Impoundment
- ☐ Industrial Process Wastewater
- ☐ Animal or Aquacultural Wastewater
- ☐ Biosolids/Residual
- ☐ Hazardous Waste (see instructions)
- ☐ Landfill (see instructions)
- ☐ Storm Water
- ☐ Other, please describe: _____

III. LOCATION OF THE FACILITY

Describe the physical location of the facility.

1. Assessor's Parcel Number(s)	2. Latitude	3. Longitude
Facility:	Facility:	Facility:
Discharge Point:	Discharge Point:	Discharge Point:

IV. REASON FOR FILING

- ☐ New Discharge or Facility
- ☐ Changes in Ownership/Operator (see instructions)
- ☐ Change in Design or Operation
- ☐ Waste Discharge Requirements Update or NPDES Permit Reissuance
- ☐ Change in Quantity/Type of Discharge
- ☐ Other: _____

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Name of Lead Agency: _____

Has a public agency determined that the proposed project is exempt from CEQA? ☐ **Yes** ☐ **No**

If Yes, state the basis for the exemption and the name of the agency supplying the exemption on the line below.

Basis for Exemption/Agency: _____

Has a "Notice of Determination" been filed under CEQA? ☐ **Yes** ☐ **No**

If Yes, enclose a copy of the CEQA document, Environmental Impact Report, or Negative Declaration. If no, identify the expected type of CEQA document and expected date of completion.

Expected CEQA Documents:

☐ **EIR** ☐ **Negative Declaration** **Expected CEQA Completion Date:** _____

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

State of California
Regional Water Quality Control Board

APPLICATION/REPORT OF WASTE DISCHARGE GENERAL INFORMATION FORM FOR WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT

VI. OTHER REQUIRED INFORMATION

Please provide a COMPLETE characterization of your discharge. A complete characterization includes, but is not limited to, design and actual flows, a list of constituents and the discharge concentration of each constituent, a list of other appropriate waste discharge characteristics, a description and schematic drawing of all treatment processes, a description of any Best Management Practices (BMPs) used, and a description of disposal methods.

Also include a site map showing the location of the facility and, if you are submitting this application for an NPDES permit, identify the surface water to which you propose to discharge. Please try to limit your maps to a scale of 1:24,000 (7.5' USGS Quadrangle) or a street map, if more appropriate.

VII. OTHER

Attach additional sheets to explain any responses which need clarification. List attachments with titles and dates below:

_____

_____

_____

You will be notified by a representative of the RWQCB within 30 days of receipt of your application. The notice will state if your application is complete or if there is additional information you must submit to complete your Application/Report of Waste Discharge, pursuant to Division 7, Section 13260 of the California Water Code.

VIII. CERTIFICATION

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

Print Name: _____ Title: _____

Signature: _____ Date: _____

FOR OFFICE USE ONLY

Date Form 200 Received:	Letter to Discharger:	Fee Amount Received:	Check #:

California Environmental Protection Agency
Bill of Rights for Environmental
Permit Applicants

California Environmental Protection Agency (Cal/EPA) recognizes that many complex issues must be addressed when pursuing reforms of environmental permits and that significant challenges remain. We have initiated reforms and intend to continue the effort to make environmental permitting more efficient, less costly, and to ensure that those seeking permits receive timely responses from the boards and departments of the Cal/EPA. To further this goal, Cal/EPA endorses the following precepts that form the basis of a permit applicant's "Bill of Rights."

1. Permit applicants have the right to assistance in understanding regulatory and permit requirements. All Cal/EPA programs maintain an Ombudsman to work directly with applicants. Permit Assistance Centers located throughout California have permit specialists from all the State, regional, and local agencies to identify permit requirements and assist in permit processing.

2. Permit applicants have the right to know the projected fees for review of applications, how any costs will be determined and billed, and procedures for resolving any disputes over fee billings.

3. Permit applicants have the right of access to complete and clearly written guidance documents that explain the regulatory requirements. Agencies must publish a list of all information required in a permit application and of criteria used to determine whether the submitted information is adequate.

4. Permit applicants have the right of timely completeness determinations for their applications. In general, agencies notify the applicant within 30 days of any deficiencies or determine that the application is complete. California Environmental Quality Act (CEQA) and public hearing requests may require additional information.

5. Permit applicants have the right to know exactly how their applications are deficient and what further information is needed to make their applications complete. Pursuant to California Government code Section 65944, after an application is accepted as complete, an agency may not request any new or additional information that was not specified in the original application.

6. Permit applicants have the right of a timely decision on their permit application. The agencies are required to establish time limits for permit reviews.

7. Permit applicants have the right to appeal permit review time limits by statute or administratively that have been violated without good cause. For state environmental agencies, appeals are made directly to the Cal/EPA Secretary or to a specific board. For local environmental agencies, appeals are generally made to the local governing board or, under certain circumstances, to Cal/EPA. Through this appeal, applicants may obtain a set date for a decision on their permit and, in some cases, a refund of all application fees (ask boards and departments for details).

8. Permit applicants have the right to work with a single lead agency where multiple environmental approvals are needed. For multiple permits, all agency actions can be consolidated under a lead agency. For site remediation, all applicable laws can be administered through a single agency.

9. Permit applicants have the right to know who will be reviewing their application and the time required to complete the full review process.

ATTACHMENT B

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

TENTATIVE MONITORING AND REPORTING PROGRAM NO. R9-2003-0111

FOR GENERAL WASTE DISCHARGE REQUIREMENTS FOR
DISCHARGES OF TREATED GROUNDWATER FROM
VOLATILE ORGANIC COMPOUND CLEANUP SITES
TO LAND IN THE SAN DIEGO REGION

A. MONITORING PROVISIONS

1. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge and receiving water.

2. All analyses shall be performed in a laboratory certified to perform such analyses by the California Department of Health Services. The director of the laboratory whose name appears on the certification shall supervise all analytical work in his/her laboratory and shall sign all reports of such work submitted to the Regional Board.

3. Sample collection, storage and analysis must be conducted according to U.S. Environmental Protection Agency (USEPA) test procedures approved under Title 40, Code of Federal Regulations (CFR), Part 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants Under the Clean Water Act" as amended, unless other test procedures have been specified in this monitoring and reporting program.

4. The discharger shall submit a sampling and analysis plan as part of the Report of Waste Discharge required in Directive A.5 of Order No. R9-2003-0111. Specific methods of analysis, and quality assurance/quality control methods, must be identified in the plan.

5. If the discharger monitors any pollutants more frequently than required by this Order, using the most recent version of Standard USEPA Methods, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharger's monitoring report. The increased frequency of monitoring shall also be reported.

6. All monitoring instruments and equipment used by the discharger to fulfill the prescribed monitoring program shall be properly calibrated and maintained as necessary to ensure their continued accuracy.

7. The discharger shall retain records of all monitoring information, including all calibration and maintenance records and copies of all reports required by this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board.

8. Records of monitoring information shall include:

   a. the date, sample identification, monitoring point from which it was collected, and time of sampling or measurement;

   b. the individual(s) who performed the sampling or measurements;

   c. date and time that analyses were started and completed, and the name of the personnel performing each analysis;

   d. the analytical techniques or method used, including method of preserving the sample and the identity and volumes of reagents used;

   e. calculation of results; and

   f. results of analyses, and the Method Detection Limit (MDL) and Practical Quantifiable Limit (PQL) for each parameter.

   g. laboratory quality assurance results (for example, percent recovery, response factor).

9. A grab sample is a sample of at least 100 milliliters collected at a randomly selected time over a period not exceeding 15 minutes. Grab samples are collected from sample spigots installed in process piping. A well sample is a sample of at least 100 milliliters collected from a properly constructed and developed groundwater monitoring well.

10. Where the Regional Board is satisfied that any chemical constituent(s) listed in Directive B of the Monitoring and Reporting Program will not occur in the discharge, the Regional Board may elect not to require monitoring for such constituents provided the discharger submits certification that such constituent(s) are not present in the discharge. The discharger shall submit the first certification within 45 days of obtaining coverage under Order No. R9-2003-0111. The first certification shall include laboratory analysis of the discharge for the specific constituents to be waived from this monitoring and reporting program or other information showing that the constituent(s) will not be present in the discharge.

B. INFLUENT, EFFLUENT, AND RECEIVING GROUNDWATER MONITORING

1. Receiving groundwater quality shall be monitored at a location unaffected by the discharge.

2. The discharger is responsible for monitoring the following volatile organic compounds (VOCs) in the treatment system influent, effluent, and receiving groundwater and reporting in accordance with the following criteria:

CONSTITUENT	UNIT	TYPE OF SAMPLE	SAMPLING FREQUENCY	REPORTING FREQUENCY
Total Petroleum Hydrocarbons	µg/L	*	Monthly	Quarterly
Benzene	µg/L	*	Monthly	Quarterly
Ethylbenzene	µg/L	*	Monthly	Quarterly
Toluene	µg/L	*	Monthly	Quarterly
Total Xylenes	µg/L	*	Monthly	Quarterly
MTBE	µg/L	*	Monthly	Quarterly
TBA	µg/L	*	Monthly	Quarterly
TAME	µg/L	*	Monthly	Quarterly
Ethanol	µg/L	*	Monthly	Quarterly
DIPE	µg/L	*	Monthly	Quarterly
Other Oxygenates	µg/L	*	Monthly	Quarterly
Carbon Tetrachloride	µg/L	*	Monthly	Quarterly
1,2-Dichlorobenzene	µg/L	*	Monthly	Quarterly
1,4-Dichlorobenzene	µg/L	*	Monthly	Quarterly
1,1-Dichloroethane	µg/L	*	Monthly	Quarterly
1,2-Dicholroethane	µg/L	*	Monthly	Quarterly
1,1-Dichloroehylene	µg/L	*	Monthly	Quarterly
Cis-1,2-Dichloroethylene	µg/L	*	Monthly	Quarterly
Trans-1,2-Dichloroethylene	µg/L	*	Monthly	Quarterly
Dichloromethane	µg/L	*	Monthly	Quarterly
1,2-Dichloropropene	µg/L	*	Monthly	Quarterly
1,3-Dichloropropene	µg/L	*	Monthly	Quarterly
Monochlorobenzene	µg/L	*	Monthly	Quarterly
Styrene	µg/L	*	Monthly	Quarterly
1,1,2,2-Tetrachloroethane	µg/L	*	Monthly	Quarterly
Tetrachloroethylene	µg/L	*	Monthly	Quarterly
1,2,4-Trichlorobenzene	µg/L	*	Monthly	Quarterly
1,1,1-Trichloroethane	µg/L	*	Monthly	Quarterly
1,1,2-Trichloroethane	µg/L	*	Monthly	Quarterly
Trichloroethylene	µg/L	*	Monthly	Quarterly
Trichlorofluoromethane	µg/L	*	Monthly	Quarterly
1,1,2-Trichloro-1,2,2-Trifluoroethane	µg/L	*	Monthly	Quarterly
Vinyl Chloride	µg/L	*	Monthly	Quarterly

*Grab samples will be taken for the extracted and effluent groundwater sampling events. A sample will be taken from a groundwater monitoring well for receiving groundwater sampling events.

3. For sites where the groundwater basin has designated municipal and domestic supply beneficial uses, the discharger is responsible for monitoring the treatment system influent, effluent, and receiving groundwater and reporting in accordance with the following criteria:

CONSTITUENT	UNIT	TYPE OF SAMPLE	SAMPLING FREQUENCY	REPORTING FREQUENCY
Flow Rate	gallons/day	NA	Quarterly	Quarterly
Total Dissolved Solids	mg/L	*	Quarterly	Quarterly
Total Phosphorus	mg/L	*	Quarterly	Quarterly
Aluminum	µg/L	*	Quarterly	Quarterly
Antimony	µg/L	*	Quarterly	Quarterly
Arsenic	µg/L	*	Quarterly	Quarterly
Barium	mg/L	*	Quarterly	Quarterly
Beryllium	µg/L	*	Quarterly	Quarterly
Boron	mg/L	*	Quarterly	Quarterly
Cadmium	µg/L	*	Quarterly	Quarterly
Chromium VI	µg/L	*	Quarterly	Quarterly
Chromium, Total	µg/L	*	Quarterly	Quarterly
Chloride	mg/L	*	Quarterly	Quarterly
Copper	µg/L	*	Quarterly	Quarterly
Cyanide	µg/L	*	Quarterly	Quarterly
Flouride	mg/L	*	Quarterly	Quarterly
Iron	µg/L	*	Quarterly	Quarterly
Lead	mg/L	*	Quarterly	Quarterly
Manganese	µg/L	*	Quarterly	Quarterly
Mercury	µg/L	*	Quarterly	Quarterly
Nickel	µg/L	*	Quarterly	Quarterly
Nitrate as NO3	mg/L	*	Quarterly	Quarterly
Nitrate plus Nitrite (sum as Nitrogen)	mg/L	*	Quarterly	Quarterly
Nitrite as Nitrogen	mg/L	*	Quarterly	Quarterly
Percent Sodium	percent	*	Quarterly	Quarterly
Adjusted Sodium Absorption Ratio	NA	NA	Quarterly	Quarterly
Selenium	µg/L	*	Quarterly	Quarterly
Silver	µg/L	*	Quarterly	Quarterly
Sulfate (SO_4)	mg/L	*	Quarterly	Quarterly
Thallium	µg/L	*	Quarterly	Quarterly
Zinc	mg/L	*	Quarterly	Quarterly
Color	color units	*	Quarterly	Quarterly
Foaming Agents (MBAS)	µg/L	*	Quarterly	Quarterly
Odor Threshold	odor units	*	Quarterly	Quarterly
Turbidity	natural turbidity units	*	Quarterly	Quarterly
Combined Radium-226 and Radium-228	picocuries/L	*	Quarterly	Quarterly
Gross Alpha particle Activity (including Radium-226 but excluding Radon and Uranium	picocuries/L	*	Quarterly	Quarterly

CONSTITUENT	UNIT	TYPE OF SAMPLE	SAMPLING FREQUENCY	REPORTING FREQUENCY
Tritium	picocuries/L	*	Quarterly	Quarterly
Strontium-90	picocuries/L	*	Quarterly	Quarterly
Gross Beta Particle Activity	picocuries/L	*	Quarterly	Quarterly
Uranium	picocuries/L	*	Quarterly	Quarterly

*Grab samples will be taken for the extracted and effluent groundwater sampling events. A sample will be taken from a groundwater monitoring well for receiving groundwater sampling events.

4. For sites where the groundwater basin has designated industrial service supply beneficial uses, but is excepted from the "Sources of Drinking Water Policy," the discharger is responsible for monitoring the treatment system influent, effluent and receiving groundwater and reporting in accordance with the following criteria:

CONSTITUENT	UNIT	TYPE OF SAMPLE	SAMPLING FREQUENCY	REPORTING FREQUENCY
Flow Rate	gallons/day	NA	Quarterly	Quarterly
Total Dissolved Solids	mg/L	*	Quarterly	Quarterly
Fluoride	mg/L	*	Quarterly	Quarterly
Iron	mg/L	*	Quarterly	Quarterly
Manganese	mg/L	*	Quarterly	Quarterly
Chloride	mg/L	*	Quarterly	Quarterly

*Grab samples will be taken for the extracted and effluent groundwater sampling events. A sample will be taken from a groundwater monitoring well for receiving groundwater sampling events.

5. For sites where the groundwater basin has designated agricultural supply beneficial uses, but is excepted from the "Sources of Drinking Water Policy," the discharger is responsible for monitoring the treatment system influent, effluent, and receiving groundwater and reporting in accordance with the following criteria:

CONSTITUENT	UNIT	TYPE OF SAMPLE	SAMPLING FREQUENCY	REPORTING FREQUENCY
Flow Rate	Gallons per day	NA	Quarterly	Quarterly
Total Dissolved Solids	mg/L	*	Quarterly	Quarterly
Sodium Adsorption Ration and Electrical Conductivity	See Basin Plan Table 3-1.	*	Quarterly	Quarterly
Total Nitrogen	mg/L	*	Quarterly	Quarterly
Bicarbonate (HCO_3)	mg/L	*	Quarterly	Quarterly
Boron	mg/L	*	Quarterly	Quarterly
Sodium	mg/L	*	Quarterly	Quarterly
Chloride	mg/L	*	Quarterly	Quarterly

*Grab samples will be taken for the extracted and effluent groundwater sampling events. A sample will be taken from a groundwater monitoring well for receiving groundwater sampling events.

6. For sites where the groundwater basin has designated municipal and domestic supply, and agricultural supply beneficial uses, discharger is responsible for monitoring the treatment system influent, effluent, and receiving groundwater and reporting in accordance with the criteria listed in Directives B.3 and B.5 of the Monitoring and Reporting Program.

7. For sites where the groundwater basin has no designated beneficial uses, flow rate and total dissolved solids (TDS) in the treatment system influent, effluent, and receiving groundwater shall be monitored and reported quarterly.

C. REPORTING REQUIREMENTS

1. The discharger shall submit quarterly groundwater monitoring reports to the Regional Board no later than 30 days following the end of the quarter according to the following schedule:

REPORTING TERM	REPORTING PERIOD	DATE OF SUBMITTAL
1st Quarter	January, February, March	April 30th
2nd Quarter	April, May, June	July 30th
3rd Quarter	July, August, September	October 30th
4th Quarter	October, November, December	January 30th

2. All reports required by this Monitoring and Reporting Program shall be submitted pursuant to section 13267 of the California Water Code (CWC).

3. Information in the monitoring reports shall be consistent with the sampling and analysis plan required in Directive A.3 of this Monitoring and Reporting Program and shall contain sufficient information to demonstrate compliance with the discharge limitations in Order No. R9-2003-0111.

4. In reporting the monitoring data, the discharger shall arrange the data in tabular form so that the date, constituents, concentrations, and monitoring locations are readily discernible. The data shall be summarized to demonstrate compliance with waste discharge requirements. Laboratory analytical data from any soil testing and/or groundwater monitoring shall be reported in the appropriate Electronic Format to the Geotracker data warehouse if required by CWC section 13195 et seq. and California Code of Regulations (CCR), Title 23, section 2729.1. The web address for the Geotracker data warehouse is http://geotracker.swrcb.ca.gov.

5. Each report shall be sent under cover of a transmittal letter summarizing the essential points of each report. The transmittal letter shall include a discussion of any requirement violations found and actions taken or planned for correcting the violations. If no violations occurred, this shall be so stated in the transmittal letter; and

6. Each monitoring report must contain an affirmation in writing that states: "All analyses were conducted at a laboratory certified for such analyses by the California Department of Health Services and in accordance with current USEPA procedures or as specified in this Monitoring and Reporting Program."

7. Any person signing a document under this Section shall make the following certification:

   "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

8. Reports shall be submitted to the Regional Board Executive Officer:

   Executive Officer
   California Regional Water Quality Control Board
   San Diego Region
   9174 Sky Park Court, Suite 100
   San Diego, CA 92123-4340
   Attention: Supervisor, Tank Site Mitigation and Cleanup Unit

Ordered by:_____
JOHN H. ROBERTUS
Executive Officer
Date Signed:

ATTACHMENT C
WASTE DISCHARGE PROHIBITIONS IN THE BASIN PLAN

California Water Code section 13243 provides that a Regional Board, in a water quality control plan, may specify certain conditions or areas where the discharge of waste, or certain types of waste is not permitted. The following discharge prohibitions are applicable to any person, as defined by California Water Code section 13050(c), who is a citizen, domiciliary, or political agency or entity of California whose activities in California could affect the quality of waters of the State within the boundaries of the San Diego Region.

(1) The discharge of waste to waters of the State in a manner causing, or threatening to cause a condition of pollution, contamination or nuisance as defined in California Water Code section 13050 is prohibited.

(2) The discharge of waste to land, except as authorized by waste discharge requirements or the terms described in California Water Code section 13265 is prohibited.

(3) The discharge of pollutants or dredged or fill materials to waters of the United States except as authorized by an NPDES permit or a dredged or fill material permit (subject to the exemption described in California Water Code section 13376) is prohibited.

(4) The discharge of treated or untreated waste to lakes or reservoirs used for municipal water supply, or to inland surface water tributaries thereto, is prohibited.

(5) The discharge of waste to inland surface waters, except in cases where the quality of the discharge complies with applicable receiving water quality objectives, is prohibited. Allowances for dilution may be made at the discretion of the Regional Board. Consideration would include streamflow data, the degree of treatment provided and safety measures to ensure reliability of facility performance. As an example, discharge of secondary effluent would probably be permitted if streamflow probided 100:1 dilution capability.

(6) The discharge of waste in a manner causing flow, ponding, or surfacing on lands not owned or under the control of the discharger is prohibited, unless the discharge is authorized by the Regional Board.

(7) The dumping, deposition, or discharge of waste directly into waters of the State, or adjacent to such waters in any manner which may permit its being transported into the waters, is prohibited unless authorized by the Regional Board.

(8) Any discharge to a storm water conveyance system that is not composed entirely of *"storm water"* is prohibited unless authorized by the Regional Board. [The

federal regulations, 40 CFR 122.26 (b) (13), define storm water as storm water runoff, snow melt runoff, and surface runoff and drainage. 40 CFR 122.26 (b) (2) defines an illicit discharge as any discharge to a storm water conveyance system that is not composed entirely of storm water except discharges resulting from fire fighting activities.] [Section 122.26 amended as 56 FR , November 5, 1991; 57 FR 11412, April 2, 1992].

(9) The unauthorized discharge of treated or untreated sewage to waters of the State or to a storm water conveyance system is prohibited.

(10) The discharge of industrial wastes to conventional septic tank/subsurface disposal systems, except as authorized by the terms described in California Water Code section 13264, is prohibited.

(11) The discharge of radioactive wastes amenable to alternative methods of disposal into the waters of the State is prohibited.

(12) The discharge of any radiological, chemical, or biological warfare agent into waters of the State is prohibited.

(13) The discharge of waste into a natural or excavated site below historic water levels is prohibited unless the discharge is authorized by the Regional Board.

(14) The discharge of sand, silt, clay, or other earthen materials from any activity, including land grading and construction, in quantities which cause deleterious bottom deposits, turbidity or discoloration in waters of the State or which unreasonably affect, or threaten to affect, beneficial uses of such waters is prohibited.

(15) The discharge of treated or untreated sewage from vessels to Mission Bay, Oceanside Harbor, Dana Point Harbor, or other small boat harbors is prohibited.

(16) The discharge of untreated sewage from vessels to San Diego Bay is prohibited.

(17) The discharge of treated sewage from vessels to portions of San Diego Bay that are less than 30 feet deep at mean lower low water (MLLW) is prohibited.

(18) The discharge of treated sewage from vessels, which do not have a properly functioning US Coast Guard certified Type I or Type II marine sanitation device, to portions of San Diego Bay that are greater than 30 feet deep at mean lower low water (MLLW) is prohibited.

ATTACHMENT D

Standard Provisions Applicable to Waste Discharge Requirements

1) *Duty to Comply*

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Any noncompliance with this Order constitutes a violation of the CWC and is grounds for enforcement actions including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, termination, modification, or revocation of these waste discharge requirements by the Regional Board [CWC § 13261, 13265, 13268, 13300, 13301, 13304, 13350]

2) *General Prohibition*

Neither the handling, transport, treatment, disposal, nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the CWC.

3) *Availability*

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel.

4) *Change in Ownership*

The discharger must notify the Executive Officer, in writing, at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger. The notice must include a written agreement between the existing and new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on.

5) *Change in Discharge*

In the event of material change in the character, location or volume of a discharge the discharger shall file with this Regional Board a new Report of Waste Discharge. [CWC § 13260(c)]. A material change includes but is not limited to the following:

a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.

b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.

c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.

d) Increase in flow beyond that specified in the waste discharge requirements.

e) Increase in area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements.

f) Any substantial change in the amount or characteristics of pollutants used, handled, stored, or generated.

g) Any new discharge of pollutants or new potential pollutant source.

h) Other circumstances which could result in a material change in the character, amount, or location of discharges. [CWC § 13264; 23 CCR 2210]

6) *Duty to minimize or correct adverse impacts*

The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.

7) *Revision*

These waste discharge requirements are subject to review and revision by the Regional Board. [CCR § 13263 (e)]

8) *Termination or Modification*

This permit may be terminated or modified for cause, including but not limited to, all of the following:

a) Violation of any condition contained in this permit.

b) Obtaining this permit by misrepresentation, or failure to disclose fully all relevant facts.

c) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge. [CWC § 13381]

d) Failure to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste discharge or in any report to the Regional Board, he/she shall promptly submit such facts or information. [CWC § 13260 and 13267]

9) *Vested Rights*

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from his liability under Federal, State or local laws.

10) *Severability*

Provisions of these waste discharge requirements are severable. If any provisions of these requirements are found invalid, the remainder of these requirements shall not be affected.

11) *Operation and Maintenance*

The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order.

12) *Hazardous Releases*

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the CWC unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. [CWC § 13271(a)]

13) *Petroleum Releases*

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control plan. [CWC § 13272]

14) *Entry and Inspection*

The discharger shall allow the Regional Board, or any authorized representative upon the presentation of credentials and other documents as may be required by law, to:

a) Enter upon the dischargers premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;

b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;

c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and

d) Sample or monitor at reasonable times, for the purposed of assuring compliance with this Order, or as otherwise authorized by the CWC, any substances or parameters at any location.

15) *Monitoring Program and Devices*

The discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specification prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. [CWC § 13267]

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to

ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Officer a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

Unless otherwise permitted by the Regional Board Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutant [40 CFR Part 136] promulgated by the U.S. Environmental Protection Agency.

16) *Discharges to Navigable Waters*

Any person discharging or proposing to discharge to navigable waters from a point source (except for discharge of dredged or fill material subject to section 404 of the CWA and discharge subject to a general NPDES permit) must file an NPDES permit application with the Regional Board [CCR Title 2, section 22357]

17) *Endangerment to Health and Environment*

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

18) *Maintenance of Records*

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recording for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data to complete the application of this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Records of monitoring information shall include:

a) The date, exact place, and time of sampling or measurements;

b) The individual(s) who performed the sampling or measurements;

c) The date(s) analyses were performed;

d) The individual(s) who performed the analyses;

e) The analytical techniques or method used; and

f) The results of such analyses.

19) *Signatory Requirement*

All application reports or information to be submitted to the Executive Officer shall be signed and certified as follows:

a) The Report of Waste Discharge shall be signed as follows:

1) For a corporation: by a principal executive officer or at least the level of vice president.

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

3) For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

b) All other reports required by this Order and other information required by the Executive Officer shall be signed by a person designated in paragraph (a) of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:

1) The authorization is made in writing by a person described in paragraph (a) of this provision.

2) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and

3) The written authorization is submitted to the Executive Officer.

c) Any person signing a document under this Section shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment." [CWC § 13263, 13267, and 13268]