California Regional Water Quality Control Board
Santa Ana Region

ORDER NO. R8-2002-0068

NPDES No. CA8000364
Waste Discharge Requirements
for
Sunkist Growers, Inc.
San Bernardino County

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter, the Board), finds that:

1. Sunkist Growers Inc. (hereinafter discharger), operates a citrus processing plant located in the Ontario area of San Bernardino County. The discharge of process wastewater from the facility is currently regulated under waste discharge requirements, Order No. 97-56, which was adopted by the Board on October 17, 1997.

2. The discharger processes oranges, grapefruit, and lemons to produce natural strength juices, juice concentrates, citrus oil and citrus peel products. The wastewater comes from washing of citrus and cleaning of the fruit processing equipment. The discharger produces approximately 1.8 million gallons per day (mgd) of washwater. All washwater is collected in two sumps and then flows by gravity to approximately 238 acres of farmland for irrigation via Outfall No. 001. The farmland is located along Archibald and Edison Avenues within the portions of Section 15, T2S, R7W, SBB&M, in Chino. All stormwater runoff from this portion of the plant is also discharged to Outfall No. 001.

3. The east building area (located between Campus and Taylor Avenues and Sunkist and California Streets) and area east of the main processing plant consist of storage areas, parking lot, truck wash station, research and development building, and other administration sales support buildings. All dry weather discharges originating from these areas are collected in a sump and discharged to Outfall No. 001. All washwater discharges at the truck wash station are directed to an oil/water separator before discharging to Outfall No. 001. During the first hour of a rain storm, stormwater runoff produced is also collected in a sump and then discharged to Outfall No. 001. After the first hour, all stormwater runoff is discharged to the local storm drain (Outfall No. 002). Storm water discharges from the facility are located at latitude 34°03'27", longitude 117°38'25" ,which is tributary to Reach 3 of the Santa Ana River.

4. The facility and the discharge areas overlie the Chino II Groundwater Subbasin, the beneficial uses of which include:

   a. Municipal and domestic supply,

   b. Agricultural supply,

   c. Industrial service supply, and

   d. Industrial process supply.

5. The beneficial uses of the Santa Ana River, Reach 3, include:

   a. Agricultural supply,
   b. Groundwater recharge,
   c. Non-contact water recreation,
   d. Water contact recreation,
   e. Warm freshwater habitat, and
   f. Wildlife habitat.

6. The requirements contained in this Order are necessary to implement the Basin Plan.

7. It is appropriate and necessary to limit the concentrations of individual mineral/inorganic constituents that may be discharged from the facility.

8. The Chino II Groundwater Subbasin lacks assimilative capacity for total dissolved solids (TDS). Consequently, this Order specifies a TDS limit of 330 mg/l, the water quality objective for that groundwater subbasin.

9. On April 17, 1997, the State Board adopted the General Industrial Storm Water Permit, Order No. 97-03-DWQ, NPDES No. CAS000001. This General Permit implements the Final Regulations (40 CFR 122,123, and 124) for storm water runoff published on November 16, 1990 by the United States Environmental Protection Agency (USEPA) in compliance with Section 402(p) of the Clean Water Act. This Order includes pertinent provisions of the General Industrial Storm Water permit appropriate for this discharge.

10. In accordance with Water Code Section 13389, the issuance of waste discharge requirements for this discharge is exempt from those provisions of the California Environmental Quality Act contained in Chapter 3 (commencing with Section 21100), Division 13 of the Public Resources Code.

11. Effluent limitations, national standards of performance, and toxic pretreatment effluent standards established pursuant to Section 208(b), 301, 303(d), 304, and 307 of the Clean Water Act and amendments thereto are applicable to the discharge.

12. The Regional Board has considered antidegradation pursuant to 40CFR 131.12 and State Board Resolution No. 68-16 and finds that the discharge is consistent with those provisions.

13. The Regional Board has notified the discharger and other interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written views and recommendations.

14. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED THAT the discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

A. Discharge Specifications:

1. The discharge of waste to Discharge Outfall No. 001 containing constituent concentrations in excess of the following limits is prohibited:

Constituent	Maximum Daily Concentration (mg/l)
Oil and grease	15
Surfactants	0.5

2. The discharge of wastes to the farmland containing a 12-month average total dissolved solids (TDS) concentration in excess of 330 mg/l is prohibited, unless :

   (a) The discharger demonstrates to the satisfaction of the Regional Board's Executive Officer that:

      i. Discharges in excess of 330 mg/l are due to the quality of water supply sources utilized by the discharger, and that all reasonable steps, as agreed upon by the Executive Officer, have been taken to ensure that the best quality supplies are obtained and utilized by the discharger; or

      ii. Discharges in excess of 330 mg/l are due solely to chemical additions in the treatment process and the discharger has taken all steps to optimize chemical additions so as to minimize the increases; and

   (b) The discharger implements a plan acceptable to the Regional Board's Executive Officer to offset discharges in excess of 330 mg/l.

3. The discharge of process wastewater or any other wastewater, except stormwater, to any storm drain or any other surface water body is prohibited.

4. The discharge of any substances in concentrations toxic to human, animal, plant life is prohibited.

5. Truck washing shall be restricted to the outside of the trucks only. The discharge of any truck engine washwater or gasoline/diesel to any area that may affect water quality is prohibited.

6. The discharger shall design, construct and maintain a wastewater management system to prevent any process wastewater from leaving property owned or controlled by the discharger. All storm water runoff that may come in contact with process waste or process chemicals stored or used onsite shall be contained on property owned or controlled by the discharger.

B. RECEIVING WATER LIMITATIONS: [1]

1. The discharge of wastes shall not cause a violation of any applicable water quality standards for receiving waters adopted by the Board or State Board, as required by the Clean Water Act and regulations adopted thereunder.

2. The discharge shall not cause any of the following:

   a. Coloration of the receiving waters which causes a nuisance or adversely affects beneficial uses.

   b. Deposition of oil, grease, wax or other materials in the receiving waters in concentrations which result in a visible film or in coating objects in the water, or which cause a nuisance or affect beneficial uses.

   c. An increase in the amounts of suspended or settleable solids in the receiving waters which will cause a nuisance or adversely affect beneficial uses as a result of controllable water quality factors.

   d. Taste or odor producing substances in the receiving waters at concentrations which cause a nuisance or adversely affect beneficial uses.

   e. The presence of radioactive materials in the receiving waters in concentrations which are deleterious to human, plant or animal life.

   f. The depletion of the dissolved oxygen concentration below 5.0 mg/l.

   g. The temperature of the receiving waters to be raised above 90°F (32°C) during the period of June through October, or above 78°F (26°C) during the rest of the year.

   h. The concentration of pollutants in the water column, sediments, or biota to adversely affect the beneficial uses of the receiving water. The discharge shall not result in the degradation of inland surface water communities and populations, including vertebrate, invertebrate, and plant species.

3. Pollutants not specifically mentioned and limited in this Order shall not be discharged at levels that will bioaccumulate in aquatic resources to levels which are harmful to human health.

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1 Receiving water limitations are specific interpretations of water quality objectives from applicable water quality control plans. As such they are a required part of this Order. A receiving water condition not in conformance with any of these receiving water limitations, is not necessarily a violation of this Order. The Regional Board may require an investigation to determine the cause and culpability prior to asserting a violation has occurred, or requiring that corrective action be taken.

C. STORM WATER REQUIREMENTS:

1. Storm water[2] discharges shall not:

   a. cause or contribute to a violation of any applicable water quality standards contained in the Basin Plan, or in the State or Federal regulations.

   b. cause or threaten to cause pollution, contamination, or nuisance.

   c. contain a hazardous substance equal to or in excess of a reportable quantity listed in 40 CFR Part 117 and/or 40 CFR Part 302.

   d. adversely impact human health or the environment.

   e. result in noncompliance with the lawful requirements of municipalities, counties, drainage districts, and other local agencies on storm water discharges into storm drain systems or other courses under their jurisdiction.

2. The discharger must update and implement the Storm Water Pollution Prevention Plan for the facility in accordance with Attachment "A" of this Order.

3. The discharger shall comply with the Storm Water Monitoring and Reporting Requirements included as Attachment "1" of Monitoring and Reporting Program No. R8-2002-0068.

D. REQUIRED NOTICES AND REPORTS:

1. Reporting Provisions:

   a. All applications, reports, or information submitted to the Regional Board shall be signed and certified in accordance with 40 CFR 122.22 except as otherwise specified by the Regional Board's Executive Officer.

   b. The discharger shall furnish, within a reasonable time, any information the Regional Board or EPA may request to determine compliance with this Order or whether cause exists for modifying, revoking and reissuing, or terminating this Order. The discharger shall also furnish to the Regional Board, upon request, copies of records required to be kept by this Order.

   c. Except for data determined to be confidential under Section 308 of the CWA, all reports prepared in accordance with the terms of this Order shall be available for public inspection at the offices of the Regional Board and the Regional Administrator of EPA. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statements on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the CWA and Section 13387 of the California Water Code.

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2 Storm water means storm water runoff and surface runoff and drainage.

2. The discharger shall give advance notice to the Regional Board of any planned physical alterations or additions to the permitted facility or changes in operation or activity that may result in noncompliance with these waste discharge requirements.

3. In the event of any change in control or ownership of land or waste discharge facility presently owned or controlled by the discharger, the discharger shall immediately notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Regional Board.

4. The discharger shall file with the Regional Board a Report of Waste Discharge at least 180 days before making any material change in the character, location, or volume of the discharge.

5. The discharger shall report any noncompliance that may endanger human health or the environment. Any such information shall be provided to the Executive Officer (909-782-4130) and the Office of Emergency Services (1-800-852-7550), if appropriate, as soon as the discharger becomes aware of the circumstances. A written report shall be submitted to the Executive Officer within five (5) days and shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

E. PENALTIES:

1. Violation of any of the provisions of the NPDES program or of any of the provisions of this Order may subject the violator to any of the penalties described under Section 309(c) of the CWA, or any subsequent amendments to Section 309(c). The violator may be subjected to any combination of the penalties described herein at the discretion of the prosecuting authority; however, only one kind of penalty may be applied for each kind of violation.

2. The CWA provides that any person who violates any portion of this Order implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA, or any order requirement or limitation implementing any such sections in this Order, is subject to a civil penalty not to exceed $25,000 per day for each violation. The CWA provides that any person who willfully or negligently violates this Order with regard to these sections of the CWA is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both. Any person who knowingly violates a provision implementing these sections is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment of not more than 3 years, or both.

3. The CWA provides that any person who knowingly falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this Order shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 2 years per violation, or by both.

4. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 2 years per violation, or by both.

5. The California Water Code provides that any person who violates an order of the Regional Board is subject to civil penalties of up to $25,000 per day of violation, and when the violation involves the discharge of pollutants, additional civil penalties of up to $25 per gallon.

F. PROVISIONS:

1. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the CWA, or amendments thereto, that shall become effective 10 days after the date of adoption, provided the Regional Administrator of the EPA has no objection. If the Regional Administrator objects to its issuance, this Order shall not serve as an NPDES permit until such objection is withdrawn.

2. Neither the treatment nor the discharge of waste shall create, or threaten to create, a nuisance or pollution as defined by Section 13050 of the California Water Code.

3. Order No. 97-56 is hereby rescinded.

4. This Order expires October 1, 2007 and the discharger must file a Report of Waste Discharge in accordance with Title 23, Division 3, Chapter 9 of the California Code of Regulations not later than 180 days in advance of this expiration date. The Report of Waste Discharge shall serve as the application for issuance of new waste discharge requirements.

5. The discharger shall comply with Monitoring and Reporting Program No. R8-2002-0068 as issued by the Executive Officer. Revision of this monitoring and reporting program may be necessary to confirm that the discharger is in compliance with the requirements and provisions contained in this Order. Revisions may be made at any time during the term of this Order, and may include an increase in the number of parameters to be monitored, the frequency of the monitoring or the number and size of samples collected. Any such increases may be reduced back to the levels specified originally at the discretion of the Executive Officer.

6. The discharger shall maintain a copy of this Order at the site so that it is available to site operating personnel at all times. Key operating personnel shall be familiar with its content.

7. The discharger shall comply with all of the terms, requirements and conditions of this Order. Any violation of this Order constitutes a violation of the California Water Code and may constitute a violation of the Clean Water Act and its regulations, and is grounds for enforcement action, termination of the Order, revocation and reissuance of the Order, denial of an application for reissuance of the Order; or a combination thereof.

8. The provisions of this Order are severable, and if any provision of this Order, or the application of any provisions of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order shall not be affected thereby.

9. This Order does not convey any property rights of any sort, or any exclusive privilege.

10. The requirements prescribed herein do not authorize the commission of any act causing injury to the property of another, nor protect the discharger from his liabilities under federal, state, or local laws, nor guarantee the discharger a capacity right in the receiving waters.

11. This Order is not transferable to any person except after notice to and approval by the Executive Officer. The Executive Officer may require modification or revocation and reissuance of this Order to change the name of the discharger and incorporate such other requirements as may be necessary under the Clean Water Act.

12. The discharger shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.

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

14. It shall not be a defense for the discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order.

15. The Regional Board, USEPA, and other authorized representatives shall be allowed:

    a. Entry upon premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;

b. Access to copy any records that are kept under the conditions of the Order;

c. To inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and

d. To photograph, sample and monitor for the purpose of assuring compliance with this Order, or as otherwise authorized by Clean Water Act.

G. PERMIT RE-OPENING, REVISION, REVOCATION, AND RE-ISSUANCE:

1. This Order may be reopened to address any changes in State or federal plans, policies or regulations that would affect the quality requirements for the discharges.

2. This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the discharger for modification, revocation and reissuance, or termination of this Order or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

3. This Order may be reopened to include effluent limitations for pollutants determined to be present in the discharge in concentrations that pose a reasonable potential to cause or contribute to violations of water quality objectives.

I, Gerard J. Thibeault, 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, Santa Ana Region, on October 25, 2002.

Gerard J. Thibeault
Executive Officer

California Regional Water Quality Control Board
Santa Ana Region

Monitoring and Reporting Program No. R8-2002-0068
NPDES No. CA8000364
for
Sunkist Growers, Inc.
Ontario, San Bernardino County

A. MONITORING AND REPORTING REQUIREMENTS:

1. All sampling and sample preservation shall be in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater" (American Public Health Association).

2. All laboratory analyses shall be performed in accordance with test procedures under 40 CFR 136 (latest edition) "Guidelines Establishing Test Procedures for the Analysis of Pollutants," promulgated by the United States Environmental Protection Agency (EPA), unless otherwise specified in this monitoring and reporting program (M&RP). In addition, the Regional Board and/or EPA, at their discretion, may specify test methods that are more sensitive than those specified in 40 CFR 136. Laboratory analysis for biosolids shall be in accordance with 40 CFR 503.8.

3. All analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services or EPA or at laboratories approved by the Regional Board's Executive Officer.

4. A sampling station shall be established for each discharge point such that representative samples can be collected. Samples shall be taken downstream of the last addition of waste to the treatment or discharge works where a representative sample may be obtained prior to mixing with the receiving waters.

5. 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. In the event that continuous monitoring equipment is out of service for greater than a 24 hour period, the discharger shall obtain a representative grab sample each day the equipment is out of service. The discharger shall correct the cause(s) of failure of the continuous monitoring equipment as soon as practicable. In its monitoring report, the discharger shall specify the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the discharger is taking or proposes to take to bring the equipment back into service and the schedule for these actions.

6. Monitoring and reporting shall be in accordance with the following:

   a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

b. The results of any analysis of samples taken more frequently than required at the locations specified in this M&RP shall be reported to the Regional Board.

c. Whenever the discharger monitors any pollutant more frequently than is required by this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharge monitoring report specified by the Executive Officer.

7. The discharger shall assure that records of all monitoring information are maintained and accessible for a period of at least five years from the date of the sample, report, or application. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or by the request of the Regional Board at any time. 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, and/or measurements;

c. The date(s) analyses were performed;

d. The laboratory which performed the analyses,

e. The individual(s) who performed the analyses;

f. The analytical techniques or methods used;

g. All sampling and analytical results;

h. All monitoring equipment calibration and maintenance records;

i. All original strip charts from continuous monitoring devices;

j. All data used to complete the application for this Order;

k. Copies of all reports required by this Order; and.

l. Electronic data. and information generated by the Supervisory Control And Data Acquisition (SCADA) System.

8. Discharge monitoring data shall be submitted in a format acceptable by the Regional Board and EPA. Specific reporting format may include preprinted forms and/or electronic media. The results of all monitoring required by this Order shall be reported to the Regional Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this Order. The hard copy of submitted reports shall serve as the official submittal.

9. The discharger shall tabulate the monitoring data to clearly illustrate compliance and/or noncompliance with the requirements of the Order.

10. For every item of monitoring data where the requirements are not met, the monitoring report shall include a statement discussing the reasons for noncompliance, and of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time, and an estimate of the date when the discharger will be in compliance. The discharger shall notify the Regional Board by letter when compliance with the time schedule has been achieved.

11. A "grab" sample is defined as any individual sample collected in less than 15 minutes.

12. A composite sample is defined as a combination of no fewer than eight individual grab samples obtained over the specified sampling period. The volume of each individual grab sample shall be proportional to the discharge flow rate at the time of sampling or, the number of equal volume samples shall be proportional to the flow over the sampling period. The compositing period shall equal the specific sampling period, or 24 hours, if no period is specified.

13. A "grab" effluent samples shall be collected at peak flow.

14. Daily samples shall be collected on each day of the week.

15. Monthly samples shall be collected on any representative day of each month.

16. Annual samples shall be collected during the first week of October, or during the first day of rain, whichever comes first.

17. All reports shall be signed by either a principal executive officer or ranking elected or appointed official or a duly authorized representative of a principal executive officer or ranking elected or appointed official. A duly authorized representative of a principal executive officer or ranking elected or appointed official may sign the reports only if;

    a. The authorization is made in writing by a principal executive officer or ranking elected or appointed official,

    b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position), and

    c. The written authorization is submitted to the Regional Board.

    Each person signing a report required by this Order or other information requested by the Regional Board shall make the following certification:

" I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate[3], and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

B. Effluent Monitoring:

1. Representative samples shall be collected at Outfall No. 001 and analyzed for the following constituents:

Constituent	Type of Sample	Units	Minimum Frequency of Sampling and Analysis
Flow	-	mgd	Continuous
Total Dissolved Solids[4]	Composite	mg/l	Monthly
Oil and Grease	Grab	mg/l	Monthly
Surfactants	Grab	mg/l	Monthly
Total Petroleum Hydrocarbons (TPH-G[5])	Grab	mg/l	Monthly
Volatile Organics Portion of the EPA[6] Priority Pollutants (See Attachment "B")	Grab	µg/l	Annually

C. Storm Water Monitoring:

For storm water discharges, the discharger shall comply with the monitoring and reporting requirements as outlined in Attachment "C".

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3 For the purposes of this certification the term "accurate" refers to the veracity of the information submittal and not to the performance characteristics of the measurement system.

4 Total Dissolved Solids at 550°C.

5 Total Petroleum Hydrocarbons with gasoline distinction. TPH-G (Modified 8015) must include analysis for carbon range C4 through C12.

6 Analysis for Acrylonitrile and Acrolein are not required.

D. Reporting:

1. Monitoring reports shall be submitted by the 30th day of the month and shall include for the previous month:

   a. Average daily flow and analytical results of samples collected at Outfall No. 001,
   b. A certification that no truck engine wastewater was discharged to any area that may affect water quality,
   c. A copy of daily log of visual observations, and
   d. Analytical results of the samples.

2. The discharger shall promptly report to the Regional Board any proposed change in the character, location, or method of disposal of the discharge, or any proposed change in ownership of the facility.

3. For every item where the requirements are not met, the discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with the requirements at the earliest time and submit a timetable for correction.

4. All reports shall be submitted by a responsible officer or duly authorized employee of the discharger and shall be submitted under penalty of perjury.

Gerard J. Thibeault
Executive Officer

October 25, 2002

STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS

1. *Implementation Schedule*

The storm water pollution prevention plan (SWPPP) shall be updated and implemented in a timely manner, but in no case later than April 30, 2003.

2. *Objectives*

The SWPPP has two major objectives: (a) to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of storm water discharges and authorized non-storm water discharges from the facility; and (b) to identify and implement site-specific best management practices (BMPs) to reduce or prevent pollutants associated with industrial activities in storm water discharges and authorized non-storm water discharges. BMPs may include a variety of pollution prevention measures or other low-cost pollution control measures. They are generally categorized as non-structural BMPs (activity schedules, prohibitions of practices, maintenance procedures, and other low-cost measures) and as structural BMPs (treatment measures, run-off controls, over-head coverage). To achieve these objectives, dischargers should consider the five phase process for SWPPP development and implementation as shown in Table A (see page 10 of 11, below).

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

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

3. *Planning and Organization*

a. Pollution Prevention Team

The SWPPP shall identify a specific individual or individuals and their positions within the facility organization as members of a storm water pollution prevention team responsible for developing the SWPPP, assisting the facility manager in SWPPP implementation and revision, and conducting all monitoring program activities required in the Stormwater monitoring program of Order No. R8-2002-0068. The SWPPP shall clearly identify the storm water pollution prevention related responsibilities, duties, and activities of each team member.

b. Review Other Requirements and Existing Facility Plans

The SWPPP may incorporate or reference the appropriate elements of other regulatory requirements. The discharger shall review all local, state, and federal requirements that impact, complement, or are consistent with the requirements of Order No. R8-2002-0068. The discharger shall identify any existing facility plans that contain storm water pollutant control measures or relate to the requirements of Order No. R8-2002-0068. As examples, dischargers whose facilities are subject to Federal Spill Prevention Control and Countermeasures' requirements should already have instituted a plan to control spills of certain hazardous materials. Similarly, the discharger whose facilities are subject to air quality related permits and regulations may already have evaluated industrial activities that generate dust or particulates.

4. *Site Map*

The SWPPP shall include a site map. The site map shall be provided on an 8-1/2 x 11 inch or larger sheet and include notes, legends, and other data as appropriate to ensure that the site map is clear and understandable. If necessary, the discharger may provide the required information on multiple site maps. The following information shall be included on the site map:

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

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

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

d. Locations where materials are directly exposed to precipitation and the locations where significant spills or leaks identified in Section 6.a.(4)., below, have occurred.

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

5. *List of Significant Materials*

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

6. *Description of Potential Pollutant Sources*

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

(1) Industrial Processes

Describe each industrial process, the type, characteristics, and quantity of significant materials used in or resulting from the process, and a description of the processes (manufacturing or treatment), cleaning, rinsing, recycling, disposal, or other activities related to the process. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

(2) Material Handling and Storage Areas

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

(3) Dust and Particulate Generating Activities

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

(4) Significant Spills and Leaks

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

The description shall include the type, characteristics, and approximate quantity of the material spilled or leaked, the cleanup or remedial actions that have occurred or are planned, the approximate remaining quantity of materials that may be exposed to storm water or non-storm water discharges, and the preventative measures taken to ensure spills or leaks do not reoccur. Such list shall be updated as appropriate during the term of Order No. R8-2002-0068.

(5) Non-Storm Water Discharges

The discharger shall investigate the facility to identify all non-storm water discharges and their sources. As part of this investigation, all drains (inlets and outlets) shall be evaluated to identify whether they connect to the storm drain system.

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

Non-storm water discharges that contain significant quantities of pollutants or that do not meet the conditions of Order No. R8-2002-0068 are prohibited. (Examples of prohibited non-storm water discharges are contact and non-contact cooling water, boiler blowdown, rinse water, wash water, etc.). The SWPPP must include BMPs to prevent or reduce contact of non-storm water discharges with significant materials or equipment.

(6) Soil Erosion

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

b. The SWPPP shall include a summary of all areas of industrial activities, potential pollutant sources, and potential pollutants. This information should be summarized similar to Table B (see page 11 of 11, below). The last column of Table B, "Control Practices", should be completed in accordance with Section 8., below.

7. *Assessment of Potential Pollutant Sources*

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

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

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

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

The discharger is required to develop and implement additional BMPs as appropriate and necessary to prevent or reduce pollutants associated with each pollutant source. The BMPs will be narratively described in Section 8., below.

8. *Storm Water Best Management Practices*

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

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

The discharger shall consider the following BMPs for implementation at the facility:

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

(1) Good Housekeeping: Good housekeeping generally consist of practical procedures to maintain a clean and orderly facility.

(2) Preventive Maintenance: Preventive maintenance includes the regular inspection and maintenance of structural storm water controls (catch basins, oil/water separators, etc.) as well as other facility equipment and systems.

(3) Spill Response: This includes spill clean-up procedures and necessary clean-up equipment based upon the quantities and locations of significant materials that may spill or leak.

(4) Material Handling and Storage: This includes all procedures to minimize the potential for spills and leaks and to minimize exposure of significant materials to storm water and authorized non-storm water discharges.

(5) Employee Training: This includes training of personnel who are responsible for (a) implementing activities identified in the SWPPP, (b) conducting inspections, sampling, and visual observations, and (c) managing storm water. Training should address topics such as spill response, good housekeeping, and material handling procedures, and actions necessary to implement all BMPs identified in the SWPPP. The SWPPP shall identify periodic dates for such training. Records shall be maintained of all training sessions held.

(6) Waste Handling/Recycling: This includes the procedures or processes to handle, store, or dispose of waste materials or recyclable materials.

(7) Record Keeping and Internal Reporting: This includes the procedures to ensure that all records of inspections, spills, maintenance activities, corrective actions, visual observations, etc., are developed, retained, and provided, as necessary, to the appropriate facility personnel.

(8) Erosion Control and Site Stabilization: This includes a description of all sediment and erosion control activities. This may include the planting and maintenance of vegetation, diversion of run-on and runoff, placement of sandbags, silt screens, or other sediment control devices, etc.

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

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

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

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

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

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

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

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

9. *Annual Comprehensive Site Compliance Evaluation*

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

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

results.

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

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

d. An evaluation report that includes, (1) identification of personnel performing the evaluation, (2) the date(s) of the evaluation, (3) necessary SWPPP revisions, (4) schedule, as required in Section 10.e, below, for implementing SWPPP revisions, (5) any incidents of non-compliance and the corrective actions taken, and (6) a certification that the discharger is in compliance with Order No. R8-2002-0068. If the above certification cannot be provided, explain in the evaluation report why the discharger is not in compliance with this order. The evaluation report shall be submitted as part of the annual report, retained for at least five years, and signed and certified in accordance with Section H.1. "Required Notices and Reports" of Order No. R8-2002-0068.

10. *SWPPP General Requirements*

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

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

c. The SWPPP shall be revised, as appropriate, and implemented prior to changes in industrial activities which (1) may significantly increase the quantities of pollutants in storm water discharge, (2) cause a new area of industrial activity at the facility to be exposed to storm water, or (3) begin an industrial activity which would introduce a new pollutant source at the facility.

d. The SWPPP shall be revised and implemented in a timely manner, but in no case more than 90 days after a discharger determines that the SWPPP is in violation of any requirement(s) of Order No. R8-2002-0068.

e. When any part of the SWPPP is infeasible to implement by the deadlines specified in Order No. R8-2002-0068, due to proposed significant structural changes, the discharger shall submit a report to the Regional Board prior to the applicable deadline that (1) describes the portion of the SWPPP that is infeasible to implement by the deadline, (2) provides justification for a time extension, (3) provides a schedule for completing and implementing that portion of the SWPPP, and (4) describes the BMPs that will be implemented in the interim period to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Such reports are subject to Regional Board approval and/or modifications. The discharger shall provide written notification to the Regional Board within 14 days after the SWPPP revisions are implemented.

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

TABLE A

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

PLANNING AND ORGANIZATION

*Form pollution prevention team
*Review other plans

ASSESSMENT PHASE

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

BEST MANAGEMENT PRACTICES IDENTIFICATION PHASE

*Non-structural BMPs
*Structural BMPs
*Select activity and site-specific BMPs

IMPLEMENTATION PHASE

*Train employees
*Implement BMPs
*Conduct record keeping and reporting

EVALUATION / MONITORING

*Conduct annual site evaluation
*Review monitoring information
*Evaluate BMPs
*Review and revise SWPPP

TABLE B

EXAMPLE

ASSESSMENT OF POTENTIAL POLLUTION SOURCES AND CORRESPONDING BEST MANAGEMENT PRACTICES SUMMARY

AREA	ACTIVITY	POLLUTANT SOURCE	POLLUTANT	BEST MANAGEMENT PRACTICES
Vehicle & equipment fueling	Fueling	Spills and leaks during delivery	Fuel oil	- Use spill and overflow protection - Minimize run-on of storm water into the fueling area - Cover fueling area - Use dry cleanup methods rather than hosing down area - Implement proper spill prevention control program - Implement adequate preventative maintenance program to prevent tank and line leaks - Inspect fueling areas regularly to detect problems before they occur - Train employees on proper fueling, cleanup, and spill response techniques.
		Spills caused by topping off fuel oil	Fuel oil	
		Hosing or washing down fuel area	Fuel oil	
		Leaking storage tanks	Fuel oil	
		Rainfall running off fueling areas, and rainfall running onto and off fueling area	Fuel oil	

Attachment "B"
M&RP No. R8-2002-0068

EPA PRIORITY POLLUTANT LIST

Metals	Method
Antimony	ICP
Arsenic	GF/AA
Beryllium	ICP
Cadmium	ICP
Chromium	ICP
Copper	GF/AA
Lead	GF/AA
Mercury	CV/AA
Nickel	ICP
Selenium	GF/HYDRIDE
Silver	ICP
Thallium	ICP
Zinc	ICP

Miscellaneous	Method
Cyanide	335.2/335.3
Asbestos (not required unless requested)	
2,3,7,8-Tetrachlorodibenzo-P-Dioxin (TCDD)	8280

Pesticides	Method
Aldrin	608
Chlordane	"
Dieldrin	"
4, 4' - DDT	"
4, 4' - DDE	"
4, 4' - DDD	"
Alpha Endosulfan	"
Beta Endosulfan	"
Endosulfan Sulfate	"
Endrin	"
Endrin Aldehyde	"
Heptachlor	"
Heptachlor Epoxide	"
Alpha BHC	"
Beta BHC	"
Delta BHC	"
Gamma BHC	"
Toxaphene	"
PCB 1016	"
PCB 1221	"
PCB 1232	"
PCB 1242	"
PCB 1248	"
PCB 1254	"
PCB 1260	"

Base/Neutral Extractibles	Method
Acenaphthene	625
Acenaphthylene	"
Anthracene	"
Benzidine	"
Benzo (a) Anthracene	"
Benzo (a) Pyrene	"
Benzo (b) Fluoranthene	"
Benzo (g,h,i) Perylene	"
Benzo (k) Fluoranthene	"
Bis (2-Chloroethoxy) Methane	"
Bis (2-Chloroethyl) Ether	"
Bis (2-Chloroisopropyl) Ether	"
Bis (2-Ethylhexyl) Phthalate	"
4-Bromophenyl Phenyl Ether	"
Butyl Benzyl Phthalate	"
2-Chloronaphthalene	"
Chrysene	"
Dibenzo (a,h) Anthracene	"
4-Chlorophenyl Phenyl Ether	"
1,2-Dichlorobenzene	"
1,3-Dichlorobenzene	"
1,4-Dichlorobenzene	"
3,3-Dichlorobenzidine	"
Diethyl Phthalate	"
Dimethyl Phthalate	"
Di-N-Butyl Phthalate	"
2,4-Dinitrotoluene	"
2-6-Dinitrotoluene	"
1,2-Dipenylhydrazine (as Azobenzene)	"
Di-N-Octyl Phthalate	"
Fluoranthene	"
Fluorene	"
Hexachlorobenzene	"
Hexachlorobutadiene	"
Hexachlorocyclopentadiene	"
Hexachloroethane	"
Indeno (1,2,3-cd) Pyrene	"
Isophorone	"
Naphthalene	"
Nitrobenzene	"
N-Nitrosodimethylamine	"
N-Nitrosodi-N-Propylamine	"
N-Nitrosodiphenylamine	"
Phenanthrene	"
Pyrene	"
1,2,4-Trichlorobenzene	"

Acid Extractibles	Method
2-Chlorophenol	625
2,4-Dichlorophenol	"
2,4-Dimethylphenol	"
4,6-Dinitro-O-Cresol	"
2,4-Dinitrophenol	"
2-Nitrophenol	"
4-Nitrophenol	"
P-Chloro-M-Cresol	"
Pentachlorophenol	"
Phenol	"
2, 4, 6 - Trichlorophenol	"

Volatile Organics	Method
Acrolein	603
Acrylonitrile	"
Benzene	601/602
Bromoform	"
Carbon Tetrachloride	"
Chlorobenzene	"
Chlorodibromomethane	"
Chloroethane	"
2-Chloroethyl Vinyl Ether	"
Chloroform	"
Dichlorobromomethane	"
1,1-Dichloroethane	"
1,2-Dichloroethane	"
1,1-Dichloroethylene	"
1,2-Dichloropropane	"
1,3-Dichloropropylene	"
Ethylbenzene	"
Methyl Bromide	"
Methyl Chloride	"
Methylene Chloride	"
1,1,2,2-Tetrachloroethane	"
Tetrachloroethylene	"
Toluene	"
1,2-Trans-Dichloroethylene	"
1,1,1-Trichloroethane	"
1,1,2-Trichloroethane	"
Trichloroethylene	"
Vinyl Chloride	"

STORMWATER MONITORING PROGRAM AND REPORTING REQUIREMENTS

1. *Implementation Schedule*

The discharger shall continue to implement their existing Stormwater monitoring program and implement any necessary revisions to their Stormwater monitoring program in a timely manner, but in no case later than April 30, 2003. The discharger may use the monitoring results conducted in accordance with their existing Stormwater monitoring program to satisfy the pollutant/parameter reduction requirements in Section 5.c., below, and Sampling and Analysis Exemptions and Reduction Certifications in Section 10, below.

2. *Objectives*

The objectives of the monitoring program are to:

a. Ensure that storm water discharges are in compliance with waste discharge requirements specified in Order No. R8-2002-0068.

b. Ensure practices at the facility to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges are evaluated and revised to meet changing conditions.

c. Aid in the implementation and revision of the SWPPP required by Attachment "A" Stormwater Pollution Prevention Plan of Order No. R8-2002-0068.

d. Measure the effectiveness of best management practices (BMPs) to prevent or reduce pollutants in storm water discharges and authorized non-storm water discharges. Much of the information necessary to develop the monitoring program, such as discharge locations, drainage areas, pollutant sources, etc., should be found in the Storm Water Pollution Prevention Plan (SWPPP). The facility's monitoring program shall be a written, site-specific document that shall be revised whenever appropriate and be readily available for review by employees or Regional Board inspectors.

3. *Non-Storm Water Discharge Visual Observations*

a. The discharger shall visually observe all drainage areas within their facility for the presence of unauthorized non-storm water discharges;

b. The discharger shall visually observe the facility's authorized non-storm water discharges and their sources;

c. The visual observations required above shall occur quarterly, during daylight hours, on days with no storm water discharges, and during scheduled facility operating hours[1]. Quarterly visual observations shall be conducted in each of the following periods: January-March, April-June, July-September, and October-December. The discharger shall conduct quarterly visual observations within 6-18 weeks of each other.

d. Visual observations shall document the presence of any discolorations, stains, odors, floating materials, etc., as well as the source of any discharge. Records shall be maintained of the visual observation dates, locations observed, observations, and response taken to eliminate unauthorized non-storm water discharges and to reduce or prevent pollutants from contacting non-storm water discharges. The SWPPP shall be revised, as necessary, and implemented in accordance with Attachment "A" Stormwater Pollution Prevention Plan of Order No. R8-2002-0068.

4. *Storm Water Discharge Visual Observations*

a. With the exception of those facilities described in Section 4.d., below, the discharger shall visually observe storm water discharges from one storm event per month during the wet season (October 1-May 30). These visual observations shall occur during the first hour of discharge and at all discharge locations. Visual observations of stored or contained storm water shall occur at the time of release.

b. Visual observations are only required of storm water discharges that occur during daylight hours that are preceded by at least three (3) working days[2] without storm water discharges and that occur during scheduled facility operating hours.

c. Visual observations shall document the presence of any floating and suspended material, oil and grease, discolorations, turbidity, odor, and source of any pollutants. Records shall be maintained of observation dates, locations observed, observations, and response taken to reduce or prevent pollutants in storm water discharges. The SWPPP shall be revised, as necessary, and implemented in accordance with Attachment "A" Stormwater Pollution Prevention Plan of Order No. R8-2002-0068.

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1 *"Scheduled facility operating hours" are the time periods when the facility is staffed to conduct any function related to industrial activity, but excluding time periods where only routine maintenance, emergency response, security, and/or janitorial services are performed.*

2 *Three (3) working days may be separated by non-working days such as weekends and holidays provided that no storm water discharges occur during the three (3) working days and the non-working days.*

d. The discharger with storm water containment facilities shall conduct monthly inspections of their containment areas to detect leaks and ensure maintenance of adequate freeboard. Records shall be maintained of the inspection dates, observations, and any response taken to eliminate leaks and to maintain adequate freeboard.

5. *Sampling and Analysis*

a. The discharger shall collect storm water samples during the first hour of discharge from (1) the first storm event of the wet season, and (2) at least one other storm event in the wet season. All storm water discharge locations shall be sampled. Sampling of stored or contained storm water shall occur at the time the stored or contained storm water is released. The discharger that does not collect samples from the first storm event of the wet season are still required to collect samples from two other storm events of the wet season and shall explain in the "Annual Stormwater Report" (see Section 12, below) why the first storm event was not sampled.

b. Sample collection is only required of storm water discharges that occur during scheduled facility operating hours and that are preceded by at least (3) three working days without storm water discharge.

c. The samples shall be analyzed for:

(1) Total suspended solids (TSS) pH, specific conductance, and total organic carbon (TOC). Oil and grease (O&G) may be substituted for TOC;

(2) Toxic chemicals and other pollutants that are likely to be present in storm water discharges in significant quantities. If these pollutants are not detected in significant quantities after two consecutive sampling events, the discharger may eliminate the pollutant from future sample analysis until the pollutant is likely to be present again;

(3) The discharger is not required to analyze a parameter when either of the two following conditions are met: (a) the parameter has not been detected in significant quantities from the last two consecutive sampling events, or (b) the parameter is not likely to be present in storm water discharges and authorized non-storm water discharges in significant quantities based upon the discharger's evaluation of the facilities industrial activities, potential pollutant sources, and SWPPP; and

(4) Other parameters as required by the Regional Board.

6. *Sample Storm Water Discharge Locations*

   a. The discharger shall visually observe and collect samples of storm water discharges from all drainage areas that represent the quality and quantity of the facility's storm water discharges from the storm event.

   b. If the facility's storm water discharges are commingled with run-on from surrounding areas, the discharger should identify other visual observation and sample collection locations that have not been commingled by run-on and that represent the quality and quantity of the facility's storm water discharges from the storm event.

   c. If visual observation and sample collection locations are difficult to observe or sample (e.g., sheet flow, submerged outfalls), the discharger shall identify and collect samples from other locations that represent the quality and quantity of the facility's storm water discharges from the storm event.

   d. The discharger that determines that the industrial activities and BMPs within two or more drainage areas are substantially identical may either (1) collect samples from a reduced number of substantially identical drainage areas, or (2) collect samples from each substantially identical drainage area and analyze a combined sample from each substantially identical drainage area. The discharger must document such a determination in the annual Stormwater report.

7. Visual Observation and Sample Collection Exceptions

The discharger is required to be prepared to collect samples and conduct visual observations at the beginning of the wet season (October 1) and throughout the wet season until the minimum requirements of Sections 4. and 5., above, are completed with the following exceptions:

   a. The discharger is not required to collect a sample and conduct visual observations in accordance with Section 4 and Section 5, above, due to dangerous weather conditions, such as flooding, electrical storm, etc., when storm water discharges begin after scheduled facility operating hours or when storm water discharges are not preceded by three working days without discharge. Visual observations are only required during daylight hours. The discharger that does not collect the required samples or visual observations during a wet season due to these exceptions shall include an explanation in the "Annual Stormwater Report" why the sampling or visual observations could not be conducted.

b. The discharger may conduct visual observations and sample collection more than one hour after discharge begins if the discharger determines that the objectives of this section will be better satisfied. The discharger shall include an explanation in the "Annual Stormwater Report" why the visual observations and sample collection should be conducted after the first hour of discharge.

8. *Alternative Monitoring Procedures*

The discharger may propose an alternative monitoring program that meets Section 2, above, monitoring program objectives for approval by the Regional Board's Executive Officer. The discharger shall continue to comply with the monitoring requirements of this section and may not implement an alternative monitoring plan until the alternative monitoring plan is approved by the Regional Board's Executive Officer. Alternative monitoring plans are subject to modification by the Regional Board's Executive Officer.

9. *Monitoring Methods*

a. The discharger shall explain how the facility's monitoring program will satisfy the monitoring program objectives of Section 2., above. This shall include:

(1) Rationale and description of the visual observation methods, location, and frequency;

(2) Rationale and description of the sampling methods, location, and frequency; and

(3) Identification of the analytical methods and corresponding method detection limits used to detect pollutants in storm water discharges. This shall include justification that the method detection limits are adequate to satisfy the objectives of the monitoring program.

b. All sampling and sample preservation shall be in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater" (American Public Health Association). All monitoring instruments and equipment (including the discharger's own field instruments for measuring pH and Electro-conductivity) shall be calibrated and maintained in accordance with manufacturers' specifications to ensure accurate measurements. All laboratory analyses must be conducted according to test procedures under 40 CFR Part 136, unless other test procedures have been specified in Order No. R8-2002-0068 or by the Regional Board's Executive Officer. All metals shall be reported as total recoverable metals or unless otherwise specified in Order No. R8-2002-0068. With the exception of analysis conducted by the discharger, all laboratory analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The discharger may conduct their own sample analyses if the discharger has sufficient capability (qualified employees, laboratory equipment, etc.) to adequately perform the test procedures.

10. *Sampling and Analysis Exemptions and Reductions*

A discharger who qualifies for sampling and analysis exemptions, as described below in Section 10.a.(1) or who qualifies for reduced sampling and analysis, as described below in Section 10.b., must submit the appropriate certifications and required documentation to the Regional Board prior to the wet season (October 1) and certify as part of the annual Stormwater report submittal. A discharger that qualifies for either the Regional Board or local agency certification programs, as described below in Section 10.a.(2) and (3), shall submit certification and documentation in accordance with the requirements of those programs. The discharger who provides certification(s) in accordance with this section are still required to comply with all other monitoring program and reporting requirements. The discharger shall prepare and submit their certification(s) using forms and instructions provided by the State Water Board, Regional Board, or local agency or shall submit their information on a form that contains equivalent information. The discharger whose facility no longer meets the certification conditions must notify the Regional Board's Executive Officer (and local agency) within 30 days and immediately comply with Section 5., Sampling and Analysis requirements. Should a Regional Board (or local agency) determine that a certification does not meet the conditions set forth below, the discharger must immediately comply with the Section 5., Sampling and Analysis requirements.

a. Sampling and Analysis Exemptions

A discharger is not required to collect and analyze samples in accordance with Section 5., above, if the discharger meets all of the conditions of one of the following certification programs:

(1) No Exposure Certification (NEC)

This exemption is designed primarily for those facilities where all industrial activities are conducted inside buildings and where all materials stored and handled are not exposed to storm water. To qualify for this exemption, the discharger must certify that their facilities meet all of the following conditions:

(a) All prohibited non-storm water discharges have been eliminated or otherwise permitted.

(b) All authorized non-storm water discharges have been identified and addressed in the SWPPP.

(c) All areas of past exposure have been inspected and cleaned, as appropriate.

(d) All significant materials related to industrial activity (including waste materials) are not exposed to storm water or authorized non-storm water discharges.

(e) All industrial activities and industrial equipment are not exposed to storm water or authorized non-storm water discharges.

(f) There is no exposure of storm water to significant materials associated with industrial activity through other direct or indirect pathways such as from industrial activities that generate dust and particulates.

(g) There is periodic re-evaluation of the facility to ensure conditions (a), (b), (d), (e), and (f) above are continuously met. At a minimum, re-evaluation shall be conducted once a year.

(2) Regional Board Certification Programs

The Regional Board may grant an exemption to the Section 5. Sampling and Analysis requirements if it determines a discharger has met the conditions set forth in a Regional Board certification program. Regional Board certification programs may include conditions to (a) exempt the discharger whose facilities infrequently discharge storm water to waters of the United States, and (b) exempt the discharger that demonstrate compliance with the terms and conditions of Order No. R8-2002-0068.

(3) Local Agency Certifications

A local agency may develop a local agency certification program. Such programs must be approved by the Regional Board. An approved local agency program may either grant an exemption from Section 5. Sampling and Analysis requirements or reduce the frequency of sampling if it determines that a discharger has demonstrated compliance with the terms and conditions of the Industrial Activities Storm Water General Permit Order No. 97-03-DWQ which was adopted by the State Water Resources Control Board on April 17, 1997.

b. Sampling and Analysis Reduction

(1) A discharger may reduce the number of sampling events required to be sampled for the remaining term of Order No. R8-2002-0068 if the discharger provides certification that the following conditions have been met:

(a) The discharger has collected and analyzed samples from a minimum of six storm events from all required drainage areas;

(b) All prohibited non-storm water discharges have been eliminated or otherwise permitted;

(c) The discharger demonstrates compliance with the terms and conditions of the Order No. R8-2002-0068 for the previous two years (i.e., completed Annual Stormwater Reports, performed visual observations, implemented appropriate BMPs, etc.);

(d) The discharger demonstrates that the facility's storm water discharges and authorized non-storm water discharges do not contain significant quantities of pollutants; and

(e) Conditions (b), (c), and (d) above are expected to remain in effect for a minimum of one year after filing the certification.

(2) Unless otherwise instructed by the Regional Board, the discharger shall collect and analyze samples from two additional storm events during the remaining term of Order No. R8-2002-0068 in accordance with Table A, below. The discharger shall collect samples of the first storm event of the wet season. The discharger that does not collect samples from the first storm event of the wet season shall collect samples from another storm event during the same wet season. The discharger that does not collect a sample in a required wet season shall collect the sample from another storm event in the next wet season. The discharger shall explain in the "Annual Stormwater Report" why the first storm event of a wet season was not sampled or a sample was not taken from any storm event in accordance with the Table A schedule, below.

Table A
REDUCED MONITORING SAMPLING SCHEDULE

Discharger Filing Sampling Reduction Certification By	Samples Shall be Collected and Analyzed in these wet seasons	
	Sample 1	Sample 2
Sept. 1, 2002	Oct. 1, 2003-May 31, 2004	Oct. 1, 2005-May 31, 2006
Sept. 1, 2003	Oct. 1, 2004-May 31, 2005	Oct. 1, 2006-May 31, 2007
Sept. 1, 2004	Oct. 1, 2005-May 31, 2006	Oct. 1, 2007-May 31, 2008
Sept. 1, 2005	Oct. 1, 2006-May 31, 2007	Oct. 1, 2008-May 31, 2009

11. Records

Records of all storm water monitoring information and copies of all reports (including the Annual Stormwater Reports) required by Order No. R8-2002-0068 shall be retained for a period of at least five years. These records shall include:

a. The date, place, and time of site inspections, sampling, visual observations, and/or measurements;

b. The individual(s) who performed the site inspections, sampling, visual observations, and or measurements;

c. Flow measurements or estimates;

d. The date and approximate time of analyses;

e. The individual(s) who performed the analyses;

f. Analytical results, method detection limits, and the analytical techniques or methods used;

g. Quality assurance/quality control records and results;

h. Non-storm water discharge inspections and visual observations and storm water discharge visual observation records (see Sections 3. and 4., above);

i. Visual observation and sample collection exception records (see Section 5.a, 6.d, 7, and 10.b.(2), above;

j. All calibration and maintenance records of on-site instruments used;

k. All Sampling and Analysis Exemption and Reduction certifications and supporting documentation (see Section 10);

l. The records of any corrective actions and follow-up activities that resulted from the visual observations.

12. *Annual Report*

The discharger shall submit an Annual Stormwater Report by July 1 of each year to the Executive Officer of the Regional Board and to the local agency (if requested). The report shall include a summary of visual observations and sampling results, an evaluation of the visual observation and sampling and analysis results, laboratory reports, the Annual Comprehensive Site Compliance Evaluation Report required in Section 9. of Attachment "A" of Order No. R8-2002-0068, an explanation of why a facility did not implement any activities required by Order No. R8-2002-0068 (if not already included in the Evaluation Report), and records specified in Section 11., above. The method detection limit of each analytical parameter shall be included. Analytical results that are less than the method detection limit shall be reported as "less than the method detection limit". The Annual Stormwater Report shall be signed and certified in accordance with Section H.1. "Required Notices and Reports" of Order No. R8-2002-0068. The discharger shall prepare and submit their Annual Stormwater Reports using the annual report forms provided by the State Water Board or Regional Board or shall submit their information on a form that contains equivalent information.

13. *Watershed Monitoring Option*

Regional Boards may approve proposals to substitute watershed monitoring for some or all of the requirements of this section if the Regional Board finds that the watershed monitoring will provide substantially similar monitoring information in evaluating discharger compliance with the requirements of Order No. R8-2002-0068.

California Regional Water Quality Control Board
Santa Ana Region

October 25, 2002

STAFF REPORT

ITEM: **12**

SUBJECT: Waste Discharge Requirements for Sunkist Growers, Inc., Ontario, San Bernardino County, Order No. R8-2002-0068, NPDES No. CA8000364

DISCUSSION:

Sunkist Growers Inc., operates a citrus processing plant in the City of Ontario. The facility produces up to approximately 1.8 million gallons a day (mgd) of process washwater. The discharge of process wastewater from the facility is currently regulated under waste discharge requirements, Order No. 97-56, NPDES No. CA8000364, which was adopted by the Board on October 17, 1997. Order No. 97-56 expired on October 1, 2002.

The discharger processes oranges, grapefruit, and lemons to produce natural strength juices, juice concentrates, citrus oil, and citrus peel products. The citrus is transported to the facility from various packinghouses and/or growers primarily located in California and Arizona. Upon delivery, the citrus is off-loaded onto a conveyance system directing the fruit to the processing area where it is washed, sorted, sized, and processed. The processing includes juice and oil extraction with additional treatments prior to packaging, storage and/or immediate shipment. By-products, such as peel, may be further processed for feed or specialty markets. On average, the discharger may process up to 1200 tons per day. To maintain a sanitary environment, cleaning chemicals including dilute caustic solutions are used daily to clean the fruit processing equipment. Spent caustic chemicals are discharged to the non-reclaimable waste system.

The wastewater comes from washing of citrus and cleaning of the fruit processing equipment. All washwater and all stormwater runoff originating from the processing plant are collected into two sumps and then pumped to farmland located along Archibald and Edison Avenues in Chino within the portions of Section 15, T2S, R7W, SBB&M. This has been designated as Outfall No. 001. The locations of the facility and farmland are shown in Attachment "A".

The east building area (located between Campus and Taylor Avenues and Sunkist and California Streets) and the area east of the main processing plant consist of storage areas, parking lot, truck wash station, research and development building, and other administration sales support buildings. All dry weather discharges originating from these areas are collected in a sump and discharged to Outfall No. 001. All washwater discharges at the truck wash station are directed to an oil/water separator before discharging to Outfall No. 001. During the first hour of a rain storm, stormwater runoff produced is also collected in a sump and then discharged to Outfall No. 001. After the first hour, all stormwater runoff is discharged to the local storm drain (Outfall No. 002), which is tributary to Reach 3 of the Santa Ana River. Storm water discharges from the facility are located at latitude 34°03'27", longitude 117°38'25. A schematic of wastewater and stormwater flows is shown in Attachment "B".

The beneficial uses of the Santa Ana River, Reach 3, include agricultural supply, groundwater recharge, non-contact water recreation, water contact recreation, warm freshwater habitat, and wildlife habitat. The facility and the discharge areas overlie the Chino II Groundwater Subbasin, the beneficial uses of which include municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply. The Chino II Groundwater Subbasin lacks assimilative capacity for TDS. Consequently, discharges to this subbasin must meet the TDS objective of 330 mg/l.

The discharge limitations of the proposed Order are based on the Water Quality Control Plan (Basin Plan) for the Santa Ana Region and best professional judgement. These limitations are intended to meet the water quality objectives established in the Basin Plan to protect both surface water and groundwater and to ensure that the discharge will not create conditions of pollution or nuisance.

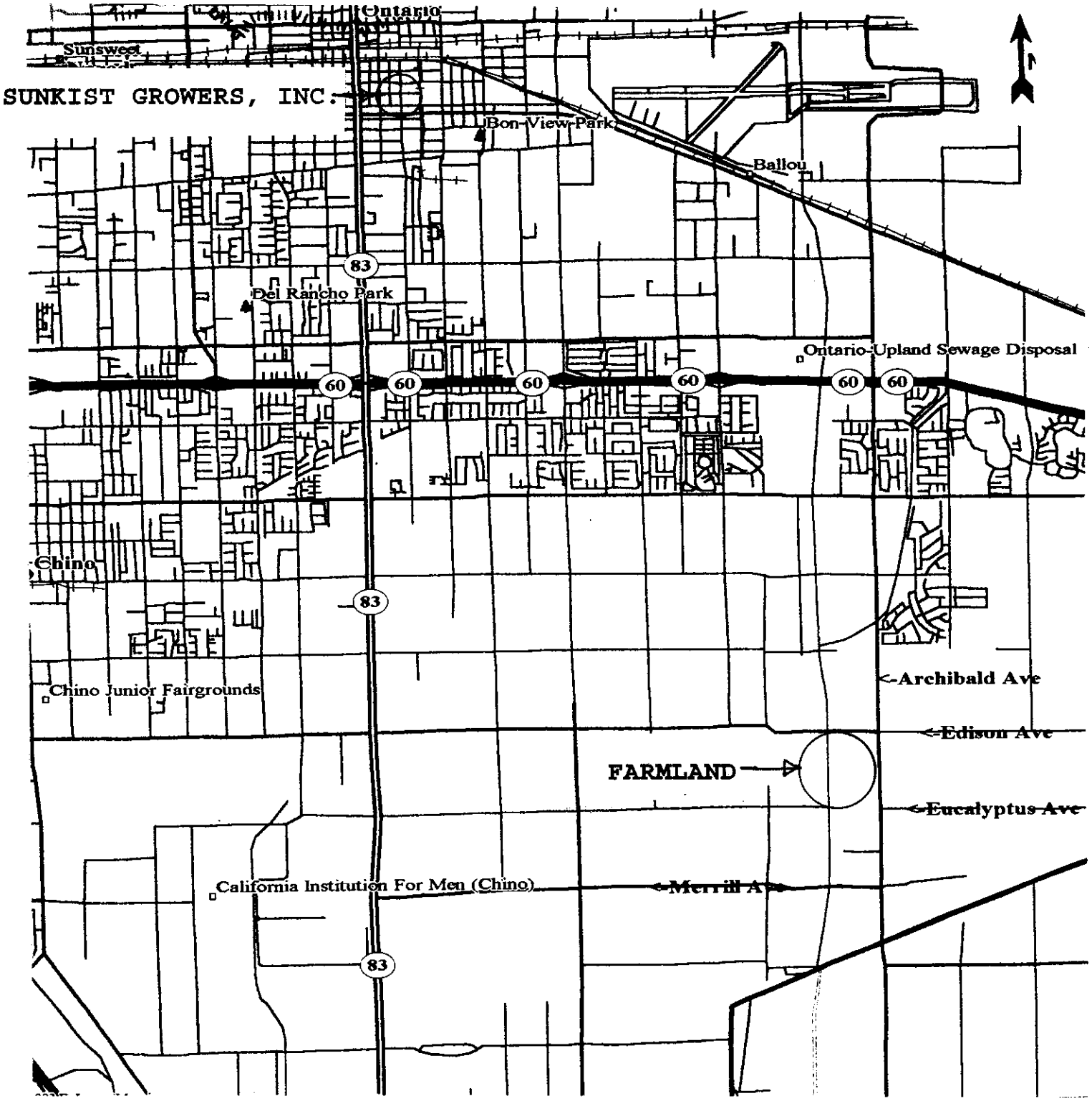
In accordance with Section 402(p) of the Federal Clean Water Act, EPA published the final regulations for storm water runoff on November 16, 1990 (40 CFR Parts 122, 123 and 124). Industrial facilities, including POTW sites, are required to obtain NPDES Permits for storm water discharges. On April 17, 1997, the State Board adopted a General Industrial Storm Water Permit, Order No. 97-03-DWQ, NPDES No. CAS000001. Accordingly, this Order incorporates pertinent provisions of the General Industrial Storm Water Permit appropriate for this discharge. The discharger is required to implement the Storm Water Pollution Prevention Plan for the facility to reduce the pollutants in storm water to the maximum extent practicable.

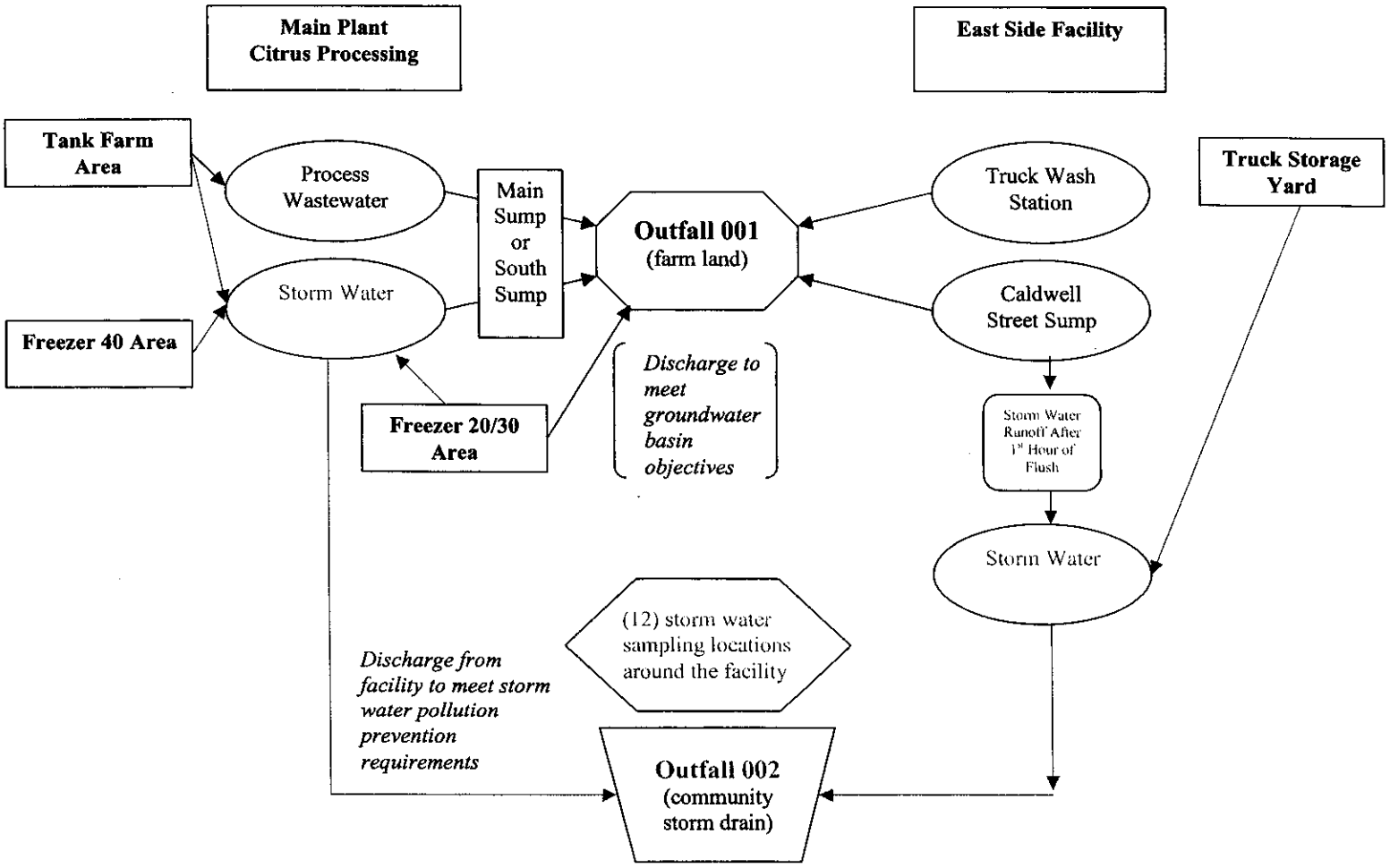
RECOMMENDATION:

Adopt Order No. R8-2002-0068, as presented.

Comments were solicited from the discharger and from the following agencies:

U.S. Environmental Protection Agency, Permits Issuance Section (WTR-5) – Terry Oda
U.S. Army District, Los Angeles, Corps of Engineers, Regulatory Branch
U.S. Fish and Wildlife Service – Carlsbad
State Water Resources Control Board, Office of the Chief Counsel – Jorge Leon
State Water Resources Control Board, Division of Water Quality – Jim Maughan
State Department of Health Services, San Bernardino – Kalyanpur Baliga
State Department of Water Resources - Glendale
State Department of Fish and Game – Long Beach
Orange County Water District – Nira Yamachika
San Bernardino County Department of Environmental Health Services – Pamela Bennett
San Bernardino County Transportation/Flood Control District – Naresh Varma
Santa Ana River Dischargers Association
City of Ontario - Mohamed El-Amamy
Orange County Coastkeeper – Garry Brown
Lawyers for Clean Water C/c San Francisco Baykeeper


Ontario
Sunsweet
SUNKIST GROWERS, INC.
Bon-View Park
Ballou
83
Del Rancho Park
Ontario-Upland Sewage Disposal
60
60
60
60
60
60
Chino
83
Chino Junior Fairgrounds
Archibald Ave
Edison Ave
FARMLAND
Eucalyptus Ave
California Institution For Men (Chino)
Merrill Ave
83


Main Plant
Citrus Processing
East Side Facility
Tank Farm Area
Process Wastewater
Main Sump or South Sump
Outfall 001
(farm land)
Truck Wash Station
Truck Storage Yard
Storm Water
Caldwell Street Sump
Freezer 40 Area
Discharge to meet groundwater basin objectives
Freezer 20/30 Area
Storm Water Runoff After 1st Hour of Flush
Storm Water
(12) storm water sampling locations around the facility
Discharge from facility to meet storm water pollution prevention requirements
Outfall 002
(community storm drain)