

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2014-XXXX

AMENDING WASTE DISCHARGE REQUIREMENTS TO ALLOW FOR PARTICIPATION IN
THE DELTA REGIONAL MONITORING PROGRAM

SACRAMENTO COUNTY

SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT WASTEWATER TREATMENT PLANT

SAN JOAQUIN COUNTY

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION DEUEL VOCATIONAL
INSTITUTION, CITY OF STOCKTON REGIONAL WASTEWATER CONTROL FACILITY, CITY OF
MANTECA WASTEWATER QUALITY CONTROL FACILITY, CITY OF TRACY WASTEWATER
TREATMENT PLANT, MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT WASTEWATER
TREATMENT PLANT, CITY OF LODI WHITE SLOUGH WATER POLLUTION CONTROL FACILITY,
LINCOLN CENTER ENVIRONMENTAL REMEDIATION TRUST GROUNDWATER TREATMENT SYSTEM

CONTRA COSTA COUNTY

IRONHOUSE SANITARY DISTRICT WATER RECYCLING FACILITY, CITY OF BRENTWOOD
WASTEWATER TREATMENT PLANT, TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
WASTEWATER TREATMENT PLANT

SOLANO COUNTY

CITY OF RIO VISTA BEACH WASTEWATER TREATMENT FACILITY, CITY OF RIO VISTA NORTHWEST
WASTEWATER TREATMENT FACILITY, CITY OF VACAVILLE EASTERLY WASTEWATER TREATMENT
PLANT

YOLO COUNTY

CITY OF DAVIS WASTEWATER TREATMENT PLANT

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Central Valley Water Board) finds that:

1. The Sacramento-San Joaquin Delta (Delta) is an important water supply for municipal, industrial and agricultural use for much of the State, and is a critical ecosystem for fish and wildlife, including many rare and endangered species.
2. Understanding the current conditions within the Delta (water quality and beneficial uses) and the potential impacts to those conditions, is important in order to preserve and enhance the Delta, and provide for corresponding regulatory and management decisions, which should be based upon sound science.
3. Currently, many agencies and organizations are conducting monitoring and data evaluation in the Delta, but there is an overall lack of coordinated monitoring and data evaluation for a variety of reasons. This lack of coordination results in the inability to conduct a regional assessment of the water quality and beneficial use conditions within the Delta, and may result in misdirected expenditure of funds for monitoring and water quality improvements.
4. The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those

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funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (Delta RMP) will provide data to better inform management and policy decisions regarding the Delta.

5. A Delta RMP is an identified priority in the State Water Resource Control Board's and Central Valley Water Board's Delta Strategic Plan, and a Delta RMP is recommended in the Delta Plan recently adopted by the Delta Stewardship Council.
6. The Delta RMP is a stakeholder effort to provide improved Delta monitoring and data evaluation. The Delta RMP is still being developed, but to date has:
 - A. Established a governance structure that includes a Steering Committee consisting of three representatives from Publicly Owned Treatment Works, two representatives from Municipal Stormwater Permittees, one representative of Irrigated Agriculture, one representative from Coordinated Monitoring Groups, one representative from Water Supply, one representative from State Regulators, one representative from Federal Regulators, and one representative from the Resource Agencies.
 - B. Established a Technical Advisory Committee (TAC) with elected Co-Chairs and representatives from each of the Steering Committee seats.
 - C. Identified the Aquatic Science Center and Central Valley Water Board staff as providers of technical and logistical support for the Delta RMP.
 - D. Established the mission, goals, objectives and guiding principles of the overarching program.
7. The Delta RMP needs secure sources of funding to be viable. The exchange of current and future individual monitoring efforts to the Delta RMP and redirection of funding from those individual efforts is one of the potential funding sources for the Delta RMP.
8. It is the intent of the Central Valley Water Board that the initial costs of Delta RMP participation by permitted dischargers should be relatively "cost neutral," in that financial or in-kind participation in the Delta RMP should be reasonably equivalent to the exchange of costs of discontinued individual monitoring and study efforts. However, it is recognized that new and evolving water quality issues will continue to develop in the Delta, and the costs of Delta RMP participation may increase in the future. It is a continuing goal to be cost neutral for permitted dischargers, even as requirements and costs of continued individual monitoring programs change.
9. It is the intent of the Central Valley Water Board that all waste dischargers with the potential to impact Delta water quality will be encouraged to, and have the flexibility to, participate in the Delta RMP.
10. Other sources of funding beyond permitted dischargers will be required to adequately fund the Delta RMP. Agencies and groups who are not waste dischargers, but use or have an interest in Delta waters, are encouraged to participate in the Delta RMP, including providing funding and/or services, participating in the Steering or technical advisory committees, and coordinating their separate activities with the Delta RMP.
11. Waste discharge requirements are amended to allow dischargers to participate in the Delta RMP in lieu of conducting their current individual monitoring efforts.

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12. The Central Valley Water Board will consider transferring special studies or other permit requirements from individual permits to the Delta RMP on a case-by-case basis, and conversely consider accepting studies conducted by the RMP in lieu of requiring studies by individual dischargers.
13. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. Active participation by discharger representatives on the Delta RMP Steering Committee or technical or other advisory committees that may be formed is encouraged.
14. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.
15. The following Sacramento-San Joaquin Delta Dischargers' NPDES Permits may be reopened and modified in accordance with the Code of Federal Regulations (CFR) at 40 CFR 122.62(a)(2):
 - A. Order R5-2010-0114
 - Sacramento Regional County Sanitation District, Sacramento Regional Wastewater Treatment Plant (NPDES No. CA0077682)
 - B. Order R5-2014-0014
 - California Department of Corrections and Rehabilitation, Deuel Vocational Institution (NPDES No. CA0078093)
 - C. Order R5-2014-0070
 - City of Stockton, Regional Wastewater Control Facility (NPDES No. CA0079138)
 - D. Order R5-2009-0095
 - City of Manteca and Dutra Farms, Inc., City of Manteca Wastewater Quality Control Facility (NPDES No. CA0081558)
 - E. Order R5-2012-0115
 - City of Tracy, Tracy Wastewater Treatment Plant (NPDES No. CA0079154)
 - F. Order R5-2013-0004
 - Mountain House Community Services District, Mountain House Wastewater Treatment Plant (NPDES No. CA0084271)
 - G. Order R5-2013-0125
 - City of Lodi, White Slough Water Pollution Control Facility (NPDES No. CA0079243)
 - H. Order R5-2011-0055
 - Lincoln Center Environmental Remediation Trust, Groundwater Treatment System (NPDES No. CA0084255)
 - I. Order R5-2013-0157
 - Ironhouse Sanitary District, Water Recycling Facility (NPDES No. CA0085260)
 - J. Order R5-2013-0106
 - City of Brentwood, Wastewater Treatment Plant (NPDES No. CA0082660)
 - K. Order R5-2014-0073
 - Town of Discovery Bay Community Services District, Discovery Bay Wastewater Treatment Plant (NPDES No. CA0078590)
 - L. Order R5-2014-0012
 - City of Rio Vista, Beach Wastewater Treatment Facility (NPDES No. CA0079588)
 - M. Order R5-2010-0081-01
 - City of Rio Vista, Northwest Wastewater Treatment Facility (NPDES No. CA0083771)

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- N. Order R5-2014-0072
 - City of Vacaville, Easterly Wastewater Treatment Plant (NPDES No. CA0077691)
- O. Order R5-2013-0127
 - City of Davis Wastewater Treatment Plant (NPDES No. CA0079049)

- 16. Issuance of modifications to the NPDES Permit are exempt from the California Environmental Quality Control Act (Public Resources Code section 21000, et seq.) in accordance with California Water Code section 13389.
- 17. The Central Valley Water Board has notified the Dischargers and interested agencies and persons of its intent to amend Waste Discharge Requirements to allow for the participation in the Delta Regional Monitoring Program and has provided them with an opportunity to submit their written views and recommendations.

IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements listed in Attachments A through O are amended as shown in underline/strikeout format in those Attachments.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resource Control Board (State Water Board) to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday (including mandatory furlough days), the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, 9/10 October 2014.

PAMELA C. CREEDON, Executive Officer

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IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2010-0114 (NPDES No. CA0077682) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.j. **Effective immediately upon adoption**, Order R5-2010-0114 is amended as shown in Items 1-3 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

L. **Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations.** Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements – Surface Water and Groundwater, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3 of this Order (including visual observations), the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger’s discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger’s eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Fact Sheet.** Add text to section VI.D.1, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

VI. Receiving Water Monitoring

1. Surface Water

Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream. New monitoring locations have been added at River Mile 44 and River Mile 43, RSWD-004 and RSWD-005, respectively, to better evaluate impacts in the receiving water.

Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting

Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Monitoring need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

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Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

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IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2014-0014 (NPDES No. CA0078093) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.h. **Effective immediately upon adoption**, Order R5-2014-0014 is amended as shown in Items 1-4 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

J. Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations. Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VIII.A.1 and VIII.A.2 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1 and VIII.A.2 of this Order (including visual observations), the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VIII.A.1 and VIII.A.2 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta

RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger’s discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger’s eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Monitoring and Reporting Program.** Add text in section IX.D, Effluent and Receiving Water Characterization, shown in underline format below:

D. Effluent and Receiving Water Characterization

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII above, the Receiving Water portion of this Characterization Monitoring need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water for the next permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization Monitoring with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

4. **Fact Sheet.** Add section V.A.2, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

1. CWA section 303(a-c), requires states to adopt water quality standards, including criteria where they are necessary to protect beneficial uses. The Central Valley Water Board adopted water quality criteria as water quality objectives in the Basin Plan. The Basin Plan states that “[t]he numerical and narrative water quality objectives define the least stringent standards that the Regional Water Board will apply to regional waters in order to protect the beneficial uses.” The Basin Plan includes numeric and narrative water

quality objectives for various beneficial uses and water bodies. This Order contains receiving surface water limitations based on the Basin Plan numerical and narrative water quality objectives for bacteria, biostimulatory substances, color, chemical constituents, dissolved oxygen, floating material, oil and grease, pH, pesticides, radioactivity, suspended sediment, settleable substances, suspended material, tastes and odors, temperature, toxicity, and turbidity.

- a. **pH.** Order R5-2008-0164 established a receiving water limitation for pH specifying that discharges from the Facility shall not cause the ambient pH to change by more than 0.5 units based on the water quality objective for pH in the Basin Plan. The Central Valley Water Board adopted Resolution R5-2007-0136 on 25 October 2007, amending the Basin Plan to delete the portion of the pH water quality objective that limits the change in pH to 0.5 units and the allowance of averaging periods for pH. The Basin Plan amendment has been approved by the State Water Board, the Office of Administrative Law, and USEPA. Consistent with the revised water quality objective in the Basin Plan, this Order does not require a receiving water limitation for pH change.

In Finding No. 14 of Resolution R5-2007-0136 the Central Valley Water Board found that the change in the pH receiving water objective is consistent with the State Water Board Resolution No. 68-16, in that the changes to water quality objectives (i) consider maximum benefit to the people of the State, (ii) will not unreasonably affect present and anticipated beneficial use of waters, and (iii) will not result in water quality less than that prescribed in policies, and is consistent with the federal Antidegradation Policy (40 CFR 131.12).

Ammonia is the only constituent in the discharge regulated by this Order directly related to pH. The fixed ammonia effluent limitations in this Order are based on reasonable worst-case conditions. Although ammonia criteria are based on pH, and the pH receiving water limitations are more lenient in this Order than in the previous permit, the fixed ammonia limits are developed to protect under worst-case pH conditions. Therefore the relaxation of the pH receiving water limitation will protect aquatic life and other beneficial uses and will not unreasonably affect present and anticipated beneficial uses nor result in water quality less than described in applicable policies. The relaxation of the receiving water limitation is not expected to cause other impacts on water quality. The Central Valley Water Board finds that the relaxation of the pH receiving water limitation (i) is to the maximum benefit to the people of the State, (ii) will not unreasonably affect present and anticipated beneficial use of waters, and (iii) will not result in water quality less than that prescribed in policies, and is consistent with the federal Antidegradation Policy (40 CFR 131.12).

The revised receiving water limitation for pH, which is based on the amendment to the Basin Plan's pH water quality objective, reflects current scientifically supported pH requirements for the protection of aquatic life and other beneficial uses. The revised receiving water limitation for pH is more consistent with the current USEPA recommended criteria and is fully protective of aquatic life and the other beneficial uses listed in the Basin Plan. Changes in pH when pH is maintained within the range of 6.5 to 8.5 are neither beneficial nor adverse and, therefore, are not considered to be degradation in water quality. Attempting to restrict pH changes to 0.5 pH units would incur substantial costs without demonstrable benefits to beneficial uses. Thus,

any changes in pH that would occur under the revised pH limitation would not only be protective of beneficial uses, but also would be consistent with maximum benefit to people of the State. Therefore the proposed amendment will not violate antidegradation policies.

- b. **Temperature.** The Thermal Plan is applicable to the discharge from the Facility. For the purposes of the Thermal Plan, the discharge is considered to be an *Existing Discharge of Elevated Temperature Waste* to an *Estuary*, as defined in the Thermal Plan. Therefore, the Discharger must meet the water quality objective at Section 5.A(1) of the Thermal Plan, which requires compliance with the following:
- i. The maximum temperature shall not exceed the natural receiving water temperature by more than 20°F.
 - ii. Elevated temperature waste discharges either individually or combined with other discharges shall not create a zone, defined by water temperatures of more than 1°F above natural receiving water temperature, which exceeds 25 percent of the cross-sectional area of a main river channel at any point.
 - iii. No discharge shall cause a surface water temperature rise greater than 4°F above the natural temperature of the receiving waters at any time or place.
 - iv. Additional limitations shall be imposed when necessary to assure protection of beneficial uses.

This Order contains receiving water limitations for temperature based on the Thermal Plan.

- c. **Turbidity.** Order R5-2008-0164 established a receiving water limitation for turbidity specifying that discharges from the Facility shall not cause the turbidity to increase more than 1 NTU where natural turbidity is between 0 and 5 NTU based on the water quality objective for turbidity in the Basin Plan. The Central Valley Water Board adopted Resolution R5-2007-0136 on 25 October 2007, amending the Basin Plan to limit turbidity to 2 NTU when the natural turbidity is less than 1 NTU. The Basin Plan amendment has been approved by the State Water Board, the Office of Administrative Law, and USEPA. Consistent with the revised water quality objective in the Basin Plan, this Order limits turbidity to 2 NTU when the natural turbidity is less than 1 NTU.

In Finding No. 14 of Resolution R5-2007-0136 the Central Valley Water Board found that the change in the turbidity receiving water objective is consistent with the State Water Board Resolution No. 68-16, in that the changes to water quality objectives (i) consider maximum benefit to the people of the State, (ii) will not unreasonably affect present and anticipated beneficial use of waters, and (iii) will not result in water quality less than that prescribed in policies, and is consistent with the federal Antidegradation Policy (40 CFR 131.12).

This Order includes operational specifications that require the Discharger to operate the treatment system to insure that turbidity shall not exceed 0.2 NTU more than 5 percent of the time within a 24 hour period and 0.5 NTU at any time. Because this Order limits the discharge of turbidity to 0.2 NTU, the Order will be protective of the receiving water under all natural background conditions as defined in the Basin Plan's revised water quality objective for turbidity. The relaxation of the turbidity receiving water limitation will protect aquatic life and other beneficial uses and will not

unreasonably affect present and anticipated beneficial uses nor result in water quality less than described in applicable policies. The relaxation of the receiving water limitation is not expected to cause other impacts on water quality. The Central Valley Water Board finds that (i) the relaxation of the turbidity receiving water limitation is to the maximum benefit to the people of the State, (ii) will not unreasonably affect present and anticipated beneficial use of waters, and (iii) will not result in water quality less than that prescribed in policies, and is consistent with the federal Antidegradation Policy (40 CFR 131.12).

The revised receiving water limitation for turbidity, which is based on the amendment to the Basin Plan's turbidity water quality objective, reflects current scientifically supported turbidity requirements for the protection of aquatic life and other beneficial uses and, therefore, will be fully protective of aquatic life and the other beneficial uses listed in the Basin Plan. Changes in turbidity allowed by the revised receiving water limitation, when ambient turbidity is below 1 NTU, would not adversely affect beneficial uses and would maintain water quality at a level higher than necessary to protect beneficial uses. Restricting low-level turbidity changes further may require costly upgrades, which would not provide any additional protection of beneficial uses. Thus, any changes in turbidity that would occur under the amended turbidity receiving water limitation would not only be protective of beneficial uses, but also would be consistent with maximum benefit to people of the State. Therefore, the relaxed receiving water limitations for turbidity will not violate antidegradation policies.

2. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta

RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger’s discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Monitoring need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

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IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2014-0070 (NPDES No. CA0079138) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.g. **Effective immediately upon adoption**, Order R5-2014-0070 is amended as shown in Items 1-4 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

M. Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations. Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VII, Receiving Water Monitoring Requirements, as shown in underline format below:

VII. RECEIVING WATER MONITORING REQUIREMENTS

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VII.A.1, VII.A.2 and VII.B.1 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VII.A.1, VII.A.2 and VII.B.1 of this Order (including visual observations), the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VII.A.1, VII.A.2 and VII.B.1 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VII.A.1, VII.A.2 and VII.B.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VII.A.1, VII.A.2 and VII.B.1, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger’s discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger’s eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Monitoring and Reporting Program.** Add text in section VIII.D, Effluent and Receiving Water Characterization, as shown in underline format below:

D. Effluent and Receiving Water Characterization

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VII above, the Receiving Water portion of this Characterization Monitoring need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water for the next permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization Monitoring with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with the Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

4. **Fact Sheet.** Add section V.A.2, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

1. CWA section 303(a-c), requires states to adopt water quality standards, including criteria where they are necessary to protect beneficial uses. The Central Valley Water Board adopted water quality criteria as water quality objectives in the Basin Plan. The Basin

Plan states that “[t]he numerical and narrative water quality objectives define the least stringent standards that the Regional Water Board will apply to regional waters in order to protect the beneficial uses.” The Basin Plan includes numeric and narrative water quality objectives for various beneficial uses and water bodies. This Order contains receiving surface water limitations based on the Basin Plan numerical and narrative water quality objectives for bacteria, biostimulatory substances, color, chemical constituents, dissolved oxygen, floating material, oil and grease, pH, pesticides, radioactivity, suspended sediment, settleable substances, suspended material, tastes and odors, toxicity, and turbidity. This Order also includes receiving surface water limitations for temperature based on the State Water Board’s Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan).

2. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VII.A.1, VII.A.2 and VII.B.1, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in

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conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VII.A.1, VII.A.2 and VII.B.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VII, the Receiving Water portion of the required Characterization Monitoring need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

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IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2009-0095 (NPDES No. CA0081558) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.I. **Effective immediately upon adoption**, Order R5-2009-0095 is amended as shown in Items 1-5 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

J. Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations. Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements – Surface Water and Groundwater, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VIII.A.1, VIII.B.1, VIII.C.1 and VIII.D.1 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1, VIII.B.1, VIII.C.1 and VIII.D.1 of this Order (including visual observations), the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VIII.A.1, VIII.B.1, VIII.C.1 and VIII.D.1 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.B.1, VIII.C.1 and VIII.D.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.B.1, VIII.C.1 and VIII.D.1, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger’s discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger’s eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Monitoring and Reporting Program.** Add text in section IX.E, Effluent and Receiving Water Characterization Study, as shown in underline/strikeout format below:

E. Effluent and Receiving Water Characterization Study. An effluent and receiving water monitoring study is required to ensure adequate information is available for the next permit renewal. During the third year of this permit term, the Discharger shall conduct monthly monitoring of the effluent at EFF-001 and of the receiving water at RSW-001 for all priority pollutants and other constituents of concern as described in Attachment H. Dioxin and Furan sampling shall be performed only twice during the year, as described in Attachment I. ~~The report shall be completed in conformance with the following schedule.~~

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water for the next permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization study with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

The report shall be completed in conformance with the following schedule.

4. **Fact Sheet.** Add section VI.D.c, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

VI. RATIONALE FOR RECEIVING WATER LIMITATIONS

D. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. Receiving water limitations for Bacteria and Pesticides are included in this Order to comply with Basin Plan objectives, and therefore, this Order requires monitoring of the number of Fecal Coliform Organisms and concentrations of Persistent Chlorinated Hydrocarbon Pesticides (biweekly and monthly monitoring, respectively) in the receiving water.
- c. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.B.1, VIII.C.1 and VIII.D.1, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples

collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.B.1, VIII.C.1 and VIII.D.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

5. **Effluent and Receiving Water Characterization Study (Attachment H).** Add language to section II, Monitoring Requirements, as shown in underline format below:

II. Monitoring Requirements

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, all or part of the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program plus any receiving water characterization conducted by the Discharger will be utilized to characterize the receiving water for the next permit renewal.

IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2012-0115 (NPDES No. CA0079154) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.h. **Effective immediately upon adoption**, Order R5-2012-0115 is amended as shown in Items 1-5 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

M. Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations. Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements – Surface Water and Groundwater, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Section VIII.A.1 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Section VIII.A.1 of this Order (including visual observations), the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Section VIII.A.1 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Section VIII.A.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Section VIII.A.1, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta

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RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger’s discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger’s eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Monitoring and Reporting Program.** Add text in section X.D.5, Effluent and Receiving Water Characterization Study, as shown in underline format below:

D. Effluent and Receiving Water Characterization Study. An effluent and receiving water monitoring study is required to ensure adequate information is available for the next permit renewal. During the third year of this permit term, the Discharger shall conduct bi-monthly monitoring of the effluent at EFF-001 and of the receiving water at RSW-001 for all priority pollutants and other constituents of concern as described in Attachment I. To complete the SIP requirements for Dioxin and Furan monitoring, during the term of this Order Dioxin and Furan sampling shall be performed for three consecutive years during dry weather, as described in Attachment J. ~~The report shall be completed in conformance with the following schedule.~~

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water for the next permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization study with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

The report shall be completed in conformance with the following schedule.

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4. **Fact Sheet.** Add section VI.D.1, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

D. Receiving Water Monitoring

1. Surface Water

Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.

Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Section VIII.A.1, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water

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flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

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5. **Effluent and Receiving Water Characterization Study (Attachment I).** Add language to section II, Monitoring Requirements, as shown in underline format below:

III. Monitoring Requirements

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, all or part of the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program plus any receiving water characterization conducted by the Discharger will be utilized to characterize the receiving water for the next permit renewal.

IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2013-0004 (NPDES No. CA0084271) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.J. **Effective immediately upon adoption**, Order R5-2013-0004 is amended as shown in Items 1-5 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

- I. **Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations.** Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements – Surface Water and Groundwater, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VIII.A.1 and VIII.A.2 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1 and VIII.A.2 of this Order (including visual observations), the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VIII.A.1 and VIII.A.2 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta

RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger’s discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger’s eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Monitoring and Reporting Program.** Add text in section X.D.4, Effluent and Receiving Water Characterization Study, as shown in underline format below:

4. **Effluent and Receiving Water Characterization Study.** An effluent and receiving water monitoring study is required to ensure adequate information is available for the next permit renewal. The Discharger shall conduct quarterly monitoring of the effluent at Monitoring Location EFF-001 and of the receiving water at Monitoring Location RSW-003 during the third or fourth year of this permit term for all priority pollutants and other constituents of concern as described in Attachment I. ~~The report shall be completed in conformance with the following schedule.~~

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water for the next permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization Study with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

The report shall be completed in conformance with the following schedule.

4. **Fact Sheet.** Add section VI.D.1.f, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

D. Receiving Water Monitoring

1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. Receiving water monitoring frequencies and sample types for dissolved oxygen (weekly), electrical conductivity (weekly), hardness (monthly), pH, (weekly), and temperature (weekly) have been retained from Order R5-2007-0039.
- c. Receiving water monitoring requirements contained in Order R5-2007-0039 at Monitoring Location RSW-004 have not been retained because they are not necessary to determine compliance with limitations and requirements of this Order.
- d. Receiving water monitoring requirements for chloroform, phosphorus, total kjedahl nitrogen, total organic carbon, and standard minerals have not been retained from Order R5-2007-0039 as they are not necessary to determine compliance with requirements of this Order.
- e. Priority pollutant data for the receiving water has been provided by the Discharger over the term of Order R5-2007-0039, and was used to conduct a meaningful RPA. In accordance with Section 1.3 of the SIP, periodic monitoring for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established is required. During the third or fourth year of this permit term, the Discharger shall perform quarterly monitoring for priority pollutants and other pollutants of concern, performed concurrently with effluent monitoring, at Monitoring Location RSW-003 during outgoing tide when Monitoring Location RSW-003 is upstream of Discharge Point No. 001 in order to collect data to conduct an RPA for the next permit renewal. See Attachment I for more detailed requirements related to performing priority pollutant monitoring.
- f. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with

this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

5. **Effluent and Receiving Water Characterization Study (Attachment I).** Add language to section II, Monitoring Requirements, as shown in underline format below:

IV. Monitoring Requirements

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, all or part of the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program plus any receiving water characterization conducted by the Discharger will be utilized to characterize the receiving water for the next permit renewal.

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IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2013-0125 (NPDES No. CA0079243) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.g. **Effective immediately upon adoption**, Order R5-2013-0125 is amended as shown in Items 1-4 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

- I. **Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations.** Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements – Surface Water, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Section VIII.A.1 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Section VIII.A.1 of this Order (including visual observations), the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Section VIII.A.1 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Section VIII.A.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Section VIII.A.1, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP

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monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger's eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Fact Sheet.** Add section VI.D.1.b, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

D. Receiving Water Monitoring

1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.

b. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring

Program and the date on which individual receiving water monitoring under Attachment E, Section VIII.A.1, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Section VIII.A.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions,

then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

4. **Effluent and Receiving Water Characterization Study (Attachment I).** Add language to section II, Monitoring Requirements, as shown in underline format below:

II. Monitoring Requirements

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, all or part of the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program plus any receiving water characterization conducted by the Discharger will be utilized to characterize the receiving water for the next permit renewal.

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IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2011-0055 (NPDES No. CA0084255) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.a. **Effective immediately upon adoption**, Order R5-2011-0055 is amended as shown in Items 1-4 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

D. Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations. Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements – Surface Water and Groundwater, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VIII.A.1, VIII.A.2, VIII.B.1 and VIII.C.1 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1, VIII.A.2, VIII.B.1 and VIII.C.1 of this Order (including visual observations), the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VIII.A.1, VIII.A.2, VIII.B.1 and VIII.C.1 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2, VIII.B.1 and VIII.C.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2, VIII.B.1 and VIII.C.1, upon written notice from the Executive Officer.

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Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger’s discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger’s eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Fact Sheet.** Add section VI.D.1.e, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

D. Receiving Water Monitoring

1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.

Order No. R5-2005-0144-01 established monitoring requirements at Monitoring Location R-001, that was thought to be located 100 feet upstream from the outfall of the storm drain to Fourteen Mile Slough. However, the Facility actually discharges to a storm drain that terminates at the head of Fourteen Mile Slough, and is upstream of R-001. Therefore, there is no physical upstream receiving water monitoring location and it is infeasible to collect upstream receiving water samples. Therefore, this Order discontinues monitoring requirements at Monitoring Location R-001. Rather than renumbering the monitoring locations, this Order includes receiving water monitoring at Monitoring Locations RSW-002, RSW-003, and RSW-004.

b. Monitoring Location RSW-002

- i. Monitoring Location RSW-002 is located in Fourteen Mile Slough approximately 200 feet downstream of the outfall of the storm drain to Fourteen Mile Slough.

- ii. Receiving water monitoring frequencies and sample types for barium, dissolved oxygen, electrical conductivity, hardness, and turbidity have been retained from Order No. R5-2005-0144-01.
- iii. This Order requires effluent monitoring for ammonia monthly. This Order revises the receiving water monitoring frequency for pH and temperature, which are necessary to adjust water quality criteria for ammonia, from quarterly to monthly to be consistent with effluent monitoring requirements for ammonia.
- iv. Order No. R5-2005-0144-01 established monitoring requirements for chloride, total dissolved solids, iron, manganese, sulfate, and chlordane. Receiving water monitoring for these constituent is not necessary to determine compliance with the requirements of this Order. Therefore, monitoring requirements for these constituents have not been retained in this Order.

c. Monitoring Location RSW-003

- i. Order No. R5-2005-0144-01 established Monitoring Location RSW-003, located approximately 5,500 feet downstream of the outfall of the storm drain to Fourteen Mile Slough at the Feather River Drive Bridge, in order to verify the results of the Discharger's mixing zone/dilution study for arsenic and barium. Monitoring Location RSW-003 is located approximately 600 feet downstream of the I-5 overpass at the Feather River Drive Bridge due to access and safety concerns at the I-5 overpass.
- ii. Receiving water monitoring frequencies and sample types for flow, tide stage, pH, arsenic, barium, electrical conductivity, and temperature have been retained from Order No. R5-2005-0144-01.

d. Monitoring Location RSW-004

- i. Order No. R5-2005-0144-01 established Monitoring Location RSW-004, located approximately 6.4 miles downstream of the outfall of the storm drain to Fourteen Mile Slough at Juggler's Island (i.e., the confluence of the San Joaquin River and Fourteen Mile Slough), in order to verify the results of the Discharger's mixing zone/dilution study for arsenic and barium. Because Fourteen Mile Slough is tidally influenced, Monitoring Location RSW-004 is expected to provide a more representative location for ambient background receiving water sampling to verify the appropriateness of the mixing zones/dilution credits for arsenic and barium.
- ii. Receiving water monitoring frequencies and sample types for pH, arsenic, barium, electrical conductivity, and temperature have been retained from Order No. R5-2005-0144-01.

The Discharger's dilution/mixing zone study for arsenic and barium indicated that the San Joaquin River at Juggler's Island (i.e., the confluence of Fourteen Mile Slough and the San Joaquin River), where the tidally influenced waters originate for Fourteen Mile Slough, is a more representative location for ambient background receiving water sampling. Therefore, consistent with the effluent monitoring requirements, quarterly monitoring during the third or fourth year of the permit term for priority pollutants at RSW-004 is required to collect the necessary data to determine reasonable potential as

required in section 1.2 of the SIP. The hardness (as CaCO₃) of the receiving water shall also be monitored concurrently with the priority pollutants, as well as pH, to ensure the water quality criteria/objectives are correctly adjusted for the receiving water when determining reasonable potential as specified in section 1.3 of the SIP. See Attachment I for more detailed requirements related to performing priority pollutant monitoring.

e. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2, VIII.B.1 and VIII.C.1, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2, VIII.B.1 and VIII.C.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

4. **Effluent and Receiving Water Characterization Study (Attachment I).** Add language to section II, Monitoring Requirements, as shown in underline format below:

III. Monitoring Requirements

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, all or part of the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program plus any receiving water characterization conducted by the Discharger will be utilized to characterize the receiving water for the next permit renewal.

IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2013-0157 (NPDES No. CA0085260) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.g. **Effective immediately upon adoption**, Order R5-2013-0157 is amended as shown in Items 1-4 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

- I. **Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations.** Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VIII.A.1 and VIII.B.1 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1 and VIII.B.1 of this Order the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VIII.A.1 and VIII.B.1 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP

monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger's eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Fact Sheet.** Add section VII.D.1.e, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

D. Receiving Water Monitoring

1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. Order R5-2008-0057 required receiving water monitoring at four monitoring locations: Monitoring Location RSW-001 located approximately 7 miles upstream; Monitoring Location RSW-002 located 500 feet upstream; Monitoring Location RSW-003 located 500 feet downstream; and Monitoring Location RSW-004 located approximately 3 miles downstream at the Antioch Bridge. The San Joaquin River at the point of discharge is 3,300 feet wide, whereas the outfall extends approximately 550 feet into the San Joaquin River with the last 150 feet including the diffuser ports. Due to the large size of the San Joaquin River at the point of discharge, the significant dilution available, the high level of treatment, and the effluent limitations for pH, temperature, and oxygen demanding substances, (i.e., BOD5, TSS, and ammonia), this Order discontinues effluent monitoring requirements at Monitoring Locations RSW-002, RSW-003, and RSW-004, as they are not necessary to evaluate compliance with the receiving water limits and are most likely not effective at doing so.
- c. In accordance with Section 1.3 of the SIP, periodic monitoring for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established is required. This Order requires monitoring for priority pollutants and other pollutants of concern quarterly during the third year of the permit term, performed concurrently with effluent monitoring, at Monitoring Location RSW-001 in order to collect data to conduct an RPA for the next permit renewal. See Attachment H for more detailed requirements related to performing priority pollutant monitoring.

- d. This Order includes an effluent limitation for temperature which requires that the effluent temperature not exceed the natural receiving water temperature by more than 20°F. In order to characterize the natural receiving water temperature, this Order establishes a new monitoring location, defined as Monitoring Location RSW-002, located in the San Joaquin River at Jersey Point, approximately 1 mile upstream of Discharge Point 001. The Discharger may report results obtained from the San Joaquin River at Jersey Point at U.S. Bureau of Reclamation Station JER to satisfy this monitoring requirement.
- e. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the

Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

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4. **Effluent and Receiving Water Characterization Study (Attachment H).** Add language to section II, Monitoring Requirements, as shown in underline format below:

II. Monitoring Requirements

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, all or part of the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program plus any receiving water characterization conducted by the Discharger will be utilized to characterize the receiving water for the next permit renewal.

IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2013-0106 (NPDES No. CA0082660) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.i. **Effective immediately upon adoption**, Order R5-2013-0106 is amended as shown in Items 1-5 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

J. Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations. Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements – Surface Water and Groundwater, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Section VIII.A.1 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Section VIII.A.1 of this Order the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Section VIII.A.1 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Section VIII.A.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Section VIII.A.1, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as “integrator sites” to evaluate the

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combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger's eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Monitoring and Reporting Program.** Add text in section X.D.4, Effluent and Receiving Water Characterization Study, as shown in underline format below:

4. **Effluent and Receiving Water Characterization Study.** An effluent and receiving water monitoring study is required to ensure adequate information is available for the next permit renewal. During the third or fourth year of this permit term, the Discharger shall conduct quarterly monitoring of the effluent at EFF-001 and of the receiving water at RSW-001 for all priority pollutants and other constituents of concern as described in Attachment I. ~~The report shall be completed in conformance with the following schedule.~~

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water for the next permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization study with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

The report shall be completed in conformance with the following schedule.

4. **Fact Sheet.** Add section VI.D.1.b, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

D. Receiving Water Monitoring

1. Surface Water

- a. Weekly receiving water monitoring frequencies and sample types for dissolved oxygen, electrical conductivity, pH, temperature, turbidity, hardness, and quarterly during the third year for priority pollutants have been retained from Order R5 2008 0006 01 to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Section VIII.A.1, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Section VIII.A.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

5. **Effluent and Receiving Water Characterization Study (Attachment I).** Add language to section II, Monitoring Requirements, as shown in underline format below:

III. Monitoring Requirements

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, all or part of the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program plus any receiving water characterization conducted by the Discharger will be utilized to characterize the receiving water for the next permit renewal.

IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2014-0073 (NPDES No. CA0078590) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.g. **Effective immediately upon adoption**, Order R5-2014-0073 is amended as shown in Items 1-4 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

- I. **Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations.** Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VIII.A.1 and VIII.A.2 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1 and VIII.A.2 of this Order (including visual observations) the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VIII.A.1 and VIII.A.2 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the

combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger's eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Monitoring and Reporting Program.** Add text in section X.D, Effluent and Receiving Water Characterization, as shown in underline format below:

D. Effluent and Receiving Water Characterization

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of this Characterization Monitoring need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water for the next permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization Monitoring with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

4. **Fact Sheet.** Add section VII.D.1.g, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

E. Receiving Water Monitoring

1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. The receiving water monitoring frequency and sample type for hardness (monthly), and fecal coliform organisms (quarterly) have been retained from Order R5-2008-0179-01.

- c. Order R5-2008-0179-01 required monthly monitoring for pH, dissolved oxygen, temperature, and turbidity. This Order continues this monitoring frequency.
- d. Order R5-2008-0179-01 required monitoring for chloride, electrical conductivity, and total dissolved solids twice per month. As discussed in section IV.C.3.a of this Fact Sheet, the discharge does not exhibit reasonable potential to cause or contribute to an exceedance of the water quality objectives for salinity. Therefore, this Order reduces the receiving water monitoring frequency for these parameters to monthly.
- e. This Order establishes quarterly receiving water monitoring for copper and nitrate and twice per month for ammonia to determine assimilative capacity and assess the impacts of the discharge on the receiving water.
- f. In accordance with Section 1.3 of the SIP, periodic monitoring for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires monitoring for priority pollutants and other pollutants of concern at Monitoring Location RSW-001 quarterly during the third year of the permit term, concurrent with effluent monitoring, in order to collect data to conduct an RPA for the next permit renewal. See Attachment E, Section IX.D for more detailed requirements related to performing priority pollutant monitoring.
- g. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of

any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Monitoring need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

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IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2014-0012 (NPDES No. CA0079588) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.g. **Effective immediately upon adoption**, Order R5-2014-0012 is amended as shown in Items 1-4 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

- I. **Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations.** Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VIII.A.1 and VIII.B.1 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1 and VIII.B.1, of this Order the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VIII.A.1 and VIII.B.1 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP

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monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger's eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Fact Sheet.** Add section VII.D.1.e, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

D. Receiving Water Monitoring

1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. The receiving water monitoring frequency and sample type for dissolved oxygen (quarterly), pH (quarterly), electrical conductivity (quarterly), temperature (quarterly), total dissolved solids (quarterly), and turbidity (quarterly) at Monitoring Locations RSW-002 and RSW-003 have been retained from Order R5-2008-0108-01.
- c. This Order establishes monthly monitoring for hardness to ensure that adequate data is available to properly adjust water quality criteria for hardness-based metals.
- d. In accordance with Section 1.3 of the SIP, periodic monitoring for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established is required. This Order requires monitoring for priority pollutants and other pollutants of concern quarterly during the third year of the permit term, performed concurrently with effluent monitoring, at Monitoring Location RSW-001 in order to collect data to conduct an RPA for the next permit renewal. See Attachment H for more detailed requirements related to performing priority pollutant monitoring.
- e. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and

provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will

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recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

4. **Effluent and Receiving Water Characterization Study (Attachment I).** Add language to section II, Monitoring Requirements, as shown in underline format below:

IV. Monitoring Requirements

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, all or part of the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program plus any receiving water characterization conducted by the Discharger will be utilized to characterize the receiving water for the next permit renewal.

IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2014-0081-01 (NPDES No. CA0083771) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.a. **Effective immediately upon adoption**, Order R5-2014-0081-01 is amended as shown in Items 1-5 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

G. Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations. Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements – Surface Water, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Section VIII.A.1 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Section VIII.A.1 of this Order (including visual observations) the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Section VIII.A.1 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Section VIII.A.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Section VIII.A.1, upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP

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monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger's eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Monitoring and Reporting Program.** Add text in section IX.E, Effluent and Receiving Water Characterization Study, as shown in underline format below:

E. Effluent and Receiving Water Characterization

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of this Characterization Monitoring need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water for the next permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization Monitoring with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

An effluent and receiving water monitoring study is required to ensure adequate information is available for the next permit renewal. During the third year of this permit term, the Discharger shall conduct quarterly monitoring of the effluent at EFF-001 and of the receiving water at RSW-001 for all priority pollutants and other constituents of concern as described in Attachment H. Dioxin and Furan sampling shall be performed only twice during the year, as described in Attachment I. The report shall be completed in conformance with the following schedule.

4. **Fact Sheet.** Add section VI.D.1.c, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

D. Receiving Water Monitoring

1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. Quarterly monitoring for priority pollutants upstream of Discharge Point No. 001 at RSW-001 is required during the third year of the permit term to collect the necessary data to determine reasonable potential as required in section 1.2 of the SIP. The pH and hardness (as CaCO₃) of the upstream receiving water shall also be monitored concurrently with the priority pollutants to ensure the water quality criteria/objectives are correctly adjusted for the receiving water when determining reasonable potential as specified in Section 1.3 of the SIP.
- c. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Section VIII.A.1, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the

Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Section VIII.A.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

5. **Effluent and Receiving Water Characterization Study (Attachment H).** Add language to section II, Monitoring Requirements, as shown in underline format below:

V. Monitoring Requirements

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, all or part of the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program plus any receiving water characterization conducted by the Discharger will be utilized to characterize the receiving water for the next permit renewal.

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IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2014-0072 (NPDES No. CA0077691) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.d. **Effective immediately upon adoption**, Order R5-2014-0072 is amended as shown in Items 1-4 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

H. Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations. Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VIII.A.1 and VIII.B.1 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1 and VIII.B.1 of this Order the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VIII.A.1 and VIII.B.1 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1 upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP

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monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger's eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Monitoring and Reporting Program.** Add text in section IX.C, Effluent and Receiving Water Characterization Study (July 2017 – June 2018), as shown in underline format below:

C. Effluent and Receiving Water Characterization (July 2017 – June 2018)

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of this Characterization Monitoring need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water for the next permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization Monitoring with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

4. **Fact Sheet.** Add section VII.D.1.c, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

D. Receiving Water Monitoring

1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.B.1, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall

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consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Monitoring need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

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IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2013-0127 (NPDES No. CA0079049) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.g. **Effective immediately upon adoption**, Order R5-2013-0127 is amended as shown in Items 1-5 below.

1. **Limitations and Discharge Specifications.** Add the following text in section VII, Compliance Determination, as shown in underline format below:

L. Use of Delta Regional Monitoring Program and other Receiving Water Data to determine compliance with Receiving Water Limitations. Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this permit, will not be used directly to determine that the discharge is in violation of this Permit. Such data may be used in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Permit.

2. **Monitoring and Reporting Program.** Add the following text in section VIII, Receiving Water Monitoring Requirements – Surface Water and Groundwater, as shown in underline format below:

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

The Discharger shall implement the Receiving Water Monitoring Requirements in Attachment E, Sections VIII.A.1 and VIII.A.2 of this Order. However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1 and VIII.A.2 of this Order (including visual observations) the Discharger may elect to participate in the Delta Regional Monitoring Program. The Discharger may choose to conduct all or part of the receiving water monitoring through the Delta Regional Monitoring Program. If the Discharger elects to cease all or part of the individual receiving water monitoring and instead participates in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative informing the Board that the Discharger will participate in the Delta Regional Monitoring Program, and the date on which individual receiving water monitoring required under Attachment E, Sections VIII.A.1 and VIII.A.2 will cease, and specific monitoring location and constituent combinations that will no longer be conducted individually. Approval by the Executive Officer is not required prior to participating in the Delta Regional Monitoring Program.

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. If the Discharger fails to adequately support the Delta Regional Monitoring Program, the Discharger shall reinstate individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2 upon written notice from the Executive Officer.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta

RMP monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the applicability of the data for that purpose. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger’s discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report the individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR). In addition, the Discharger’s eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit.

3. **Monitoring and Reporting Program.** Add text in section X.D.4, Effluent and Receiving Water Characterization Study, as shown in underline format below:

4. **Effluent and Receiving Water Characterization Study.** An effluent and receiving water monitoring study is required to ensure adequate information is available for the next permit renewal. The Discharger shall conduct bi-monthly monitoring of the effluent during the third year of the permit term at Monitoring Locations EFF-001 and EFF-002 and of the receiving water at Monitoring Locations RSW-001U and RSW-002U for all priority pollutants and other constituents of concern as described in Attachment I.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water for the next permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization Study with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

4. **Fact Sheet.** Add section VI.D.1.d, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

D. Receiving Water Monitoring

1. Surface Water

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- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. Receiving water monitoring frequencies and sample types for dissolved oxygen (weekly), electrical conductivity (weekly), fecal coliform organisms (monthly), hardness (quarterly), pH (weekly), temperature (weekly), and turbidity (monthly) have been retained from Order R5-2007-0132-02.
- c. Order R5-2007-0132-02 did not require priority pollutant monitoring for the upstream receiving waters. In accordance with section 1.3 of the SIP, periodic monitoring for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires bimonthly monitoring during the third year of the permit term for priority pollutants and other pollutants of concern, performed concurrently with effluent monitoring, in order to collect data to conduct an RPA for the next permit renewal. See Attachment I for more detailed requirements related to performing priority pollutant monitoring.

d. Delta Regional Monitoring Program

The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively, and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program (RMP) will provide data to better inform management and policy decisions regarding the Delta.

This Order will allow Dischargers to elect to participate in the Delta RMP in lieu of conducting all or part of the individual receiving water monitoring required in the Monitoring and Reporting Program. If the Discharger elects to cease individual receiving water monitoring and participate in the Delta Regional Monitoring Program, the Discharger shall submit a letter signed by an authorized representative to the Executive Officer informing the Board that the Discharger will participate in the Delta Regional Monitoring Program and the date on which individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, will cease. Approval by the Executive Officer is not required.

Delta RMP data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Permit. Delta RMP monitoring stations are established generally as "integrator sites" to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta RMP monitoring stations would not normally be able to identify the source of any specific constituent, but would be used to identify water quality issues needing further evaluation. Delta RMP monitoring data may be used to help establish background receiving water quality for Reasonable Potential analyses in an NPDES Permit after evaluation of the

applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta RMP data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

If the Discharger begins to participate in the Delta Regional Monitoring Program in lieu of individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstated. Receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. Participation in the Delta RMP by a Discharger shall consist of providing funds and/or in-kind services to the Delta RMP at least equivalent to discontinued individual monitoring and study efforts. If a discharger or discharger group fails to maintain adequate participation in the Delta RMP, as determined through criteria to be developed by the Delta RMP Steering Committee, the Steering Committee will recommend to the Central Valley Water Board that an individual monitoring program be reinstated for that discharger or discharger group.

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, the Receiving Water portion of the required Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional Monitoring Program will be utilized to characterize the receiving water for the next permit renewal. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Study. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of Reasonable Potential analysis.

5. **Effluent and Receiving Water Characterization Study (Attachment H).** Add language to section II, Monitoring Requirements, as shown in underline format below:

II. Monitoring Requirements

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, all or part of the Receiving Water portion of this Characterization Study need not be conducted by the Discharger. Instead, data from the Delta Regional

ORDER R5-2014-XXXX
AMENDING WASTE DISCHARGE REQUIREMENTS ORDER R5-2013-0127
CITY OF DAVIS
WASTEWATER TREATMENT PLANT
YOLO COUNTY

ATTACHMENT O

Monitoring Program plus any receiving water characterization conducted by the Discharger will be utilized to characterize the receiving water for the next permit renewal.

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