

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER NO. R5-2002-0206

NPDES NO. CAS082597

MONITORING AND REPORTING PROGRAM

COUNTY OF SACRAMENTO AND  
CITIES OF CITRUS HEIGHTS, ELK GROVE, FOLSOM, GALT AND SACRAMENTO  
SACRAMENTO COUNTY

I. **MONITORING AND REPORTING PROGRAM REQUIREMENTS**

This Monitoring and Reporting Program (MRP) is issued pursuant to the California Water Code Section 13267 and 13383. Because the Permittees operate facilities that discharge waste subject to storm water regulations, this MRP is necessary to ensure compliance with Order No. R5-2002-0206 (hereafter "Order").

The Permittees shall not cease or reduce any monitoring required by this MRP unless and until the Central Valley Regional Water Quality Control Board (hereafter "Regional Board") or the Regional Board's Executive Officer issues a revised MRP.

- A. **Annual Monitoring Plan:** The Permittees shall submit by **1 May** of each year a proposed joint-Permittee Annual Monitoring Plan, that includes clearly defined tasks, responsibilities, and schedules for implementation of monitoring activities for the next fiscal year. The Annual Monitoring Plan shall be deemed to be final and enforceable under this Order as of **1 July** of each year unless determined to be unacceptable by the Executive Officer. Each Permittee shall address any comments or conditions of acceptability received from the Executive Officer on the Permittees' Annual Monitoring Plan.
- B. **Annual Report:** The Permittees shall submit, in both electronic and paper formats and no later than **1 October** of each year, an Annual Report documenting the progress of the Permittees' implementation of the Storm Water Quality Improvement Plan (SQIP) and the requirements of this Order. The Annual Report shall discuss each Permittee's status of compliance with this Order and the SQIPs, including a compilation of deliverables and milestones completed during the previous fiscal year, and a discussion of program effectiveness relative to performance standards defined in the SQIPs. In each Annual Report, the Permittees may propose pertinent updates, improvements, or revisions to the SQIPs, which shall be complied with under this Order unless disapproved by the Executive Officer or acted upon in accordance with this Order.

Each Permittee shall complete and submit the attached form (MRP Attachment A) as part of the Annual Report, or propose an alternative, comparable form in the SQIP to be used instead of the attached form.

The Annual Reports shall also include the following:

1. Documentation of compliance with requirements for annual reports listed in 40 CFR 122.42(c);
2. An executive summary discussing the effectiveness of the SQIP to reduce storm water pollution to the maximum extent practicable (MEP) and to achieve compliance with water quality standards in receiving waters;
3. A summary of activities conducted by the Permittees;
4. Identification of BMPs and a discussion of their effectiveness at reducing urban runoff pollutants and flow, where applicable;
5. A summary of monitoring data for the effective year of the Annual Report and all previous years' data for years covered under this Order. The summary shall include a comparison of monitoring data with applicable water quality standards in the Basin Plan, the California Toxics Rule (CTR), and Title 22 of the California Code of Regulations (Title 22);
6. Any Reports of Water Quality Exceedance prepared pursuant to Receiving Water Limitations of this Order;
7. A map or maps showing all monitoring station locations and descriptions of each location, major waterways, and urbanized areas within Sacramento County; and
8. Recommendations to improve the monitoring program, BMPs, performance standards, and the SQIP to address water quality exceedances and potential pollutant sources, and to meet the MEP requirement.

In addition to the requirements listed above, the final Annual Report of this Order (i.e., the Annual Report for the fiscal year ending **30 June 2007**) shall include:

1. An estimate of total pollutant loads attributable to urban runoff for each monitoring station; and
2. An evaluation of the long-term trends in MS4 discharges and receiving water quality.

3. An evaluation of any correlation between target pollutants identified by the Permittees (including but not limited to metals and PAHs) and TSS loadings for the sampling events that are analyzed for the full suite of constituents.
- C. **Notification of Water Quality Exceedance:** The Permittees shall notify the Regional Board, in writing, of any exceedance of applicable water quality standards within **90 days** of the monitoring event from which the exceedance was detected.
- D. **Report of Water Quality Exceedance:** Upon a determination by either the Permittees or the Regional Board that discharges are causing or contributing to exceedance(s) of an applicable water quality standard, the Permittees shall prepare a RWQE pursuant to the procedure described in Receiving Water Limitation B.2 of this Order.
- E. **Certification:** All work plans and reports submitted to the Regional Board shall be signed and certified pursuant to federal regulations at 40 CFR 122.41(k). Each report shall contain the following completed declaration:

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

Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility, of a fine and imprisonment for knowing violations.

Executed on the \_\_\_ day of \_\_\_\_\_, 20\_\_.

at \_\_\_\_\_.

(Signature)\_\_\_\_\_ (Title)\_\_\_\_\_";

The Permittees shall mail the original of each annual report to:

CALIFORNIA REGIONAL WATER QUALITY  
CONTROL BOARD – CENTRAL VALLEY REGION  
3443 ROUTIER ROAD, SUITE A  
SACRAMENTO, CA 95827

A copy of each annual report shall also be mailed to:

REGIONAL ADMINISTRATOR  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 9  
75 Hawthorne Street  
San Francisco, CA 94105

## II. MONITORING PROGRAM

The primary objectives of the Monitoring Program include:

- Provide data necessary to assess compliance with this Order;
- Measuring and improving the effectiveness of the SQIP and implemented BMPs;
- Assessing the physical, chemical, and biological impacts of urban runoff on receiving waters;
- Characterizing urban runoff discharges;
- Identifying sources of pollutants; and
- Assessing the overall health and evaluating long-term trends in receiving water quality.

Ultimately, the results of the monitoring requirements outlined below should be used to refine the SQIP to reduce pollutant loadings and protect and enhance the beneficial uses of the receiving waters in the urbanized areas of Sacramento County.

The Permittees shall implement the Monitoring Program as follows:

### A. Sampling Protocol

1. Samples collected from the receiving water and urban discharge monitoring stations described below shall be analyzed for constituents listed in Table 1 for all sampling events unless otherwise noted.
2. Samples collected from the monitoring stations described below shall be analyzed for constituents listed in Table 2 during the first storm event of the 2<sup>nd</sup> and 5<sup>th</sup> years of this Order.
3. If a Table 1 constituent is not detected at the method detection limit for its respective test method in more than 75 percent of the first 12 sampling events, the Permittees may request that the constituent be moved from Table 1 to Table 2; however, if the constituent is detected at any time at or above state water quality standards, it must continue to be monitored.

4. The Permittees shall collect flow data at the time of sampling for all monitoring stations sampled during a given year. Receiving water or urban discharge flow may be estimated using U.S. Environmental Protection Agency (USEPA) methods<sup>1</sup> at sites where flow measurement devices are not in place.
5. All sample collection and analyses shall follow standard USEPA protocol.
6. To meet a monitoring requirement, the Permittees may support (financially or otherwise) another agency or monitoring program that will conduct the monitoring.

#### B. Receiving Water Monitoring

The new receiving water monitoring requirements described herein will require the Permittees to establish new monitoring stations, develop new operating procedures, and train personnel. The new receiving water monitoring requirements shall therefore take effect on **1 July 2003** allow the Permittees adequate time to accomplish the necessary tasks.

Receiving water monitoring as part of this MRP includes regular monitoring of the American and Sacramento Rivers and three tributaries: Arcade, Morrison and Willow Creeks. Receiving water monitoring may be postponed if a given monitoring station cannot be safely accessed because of hazardous weather, high river flow conditions or any other reasonable condition. Receiving water monitoring requirements for rivers and creeks are described below.

##### 1. American and Sacramento River Monitoring

Each year, samples shall be collected **during two wet season storm events**, targeting the first storm of the wet season, and **two dry season events**. Monitoring shall be conducted at the following locations:

##### American River

- (1) Between the Capitol City Freeway (a.k.a. Business 80) and the Strong Ranch Slough urban discharge point
- (2) West of Sump 111 (Discovery Park Station)

##### Sacramento River

- (1) Veteran's Bridge Station (upstream of urban area)
- (2) Just south of the Sump 34 urban discharge point (Freeport Bridge Station)

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<sup>1</sup> NPDES Storm Water Sampling Guidance Document, USEPA 833-B-92-001, July 1992

The precise locations of these monitoring stations shall be presented in the SQIP and Annual Monitoring Plans.

American and Sacramento River monitoring shall be conducted in a manner that measures the maximum anticipated water quality impacts from MS4 discharges from the following pump stations: Chicken/Strong Ranch Slough and Sumps 34, 104 and 111.

Receiving water samples shall be cross-sectional, depth-composite samples unless a particular parameter analysis requires grab samples, or low flow or dangerous flow conditions warrant the collection of grab samples.

2. Urban Tributary Monitoring at Arcade, Morrison and Willow Creeks
  - a. Samples shall be collected during **three wet season storm events**, targeting the first storm of the wet season, and **one dry weather event** per year shall also be monitored at each station. If a given tributary is dry or has only standing water during a scheduled sampling event, then sampling is not required; however, Permittees shall attempt to sample tributaries at times when water flows are more likely, such as the early part of the dry season.
  - b. Tributary receiving water samples shall be either grab collected at mid-depth and mid-stream or time-composite samples collected using an automated sampler.
  - c. Samples shall be taken just upstream of the tributary's confluence with the main stem of creeks or rivers. Constituents to be analyzed for each location shall include the following:
    - i. Priority pollutants listed in Table 1 for the first sampling event of the wet season only;
    - ii. Constituents listed in Table 2 for the first sampling event of the wet season for the 2<sup>nd</sup> and 5<sup>th</sup> years of this Order;
    - iii. Dissolved oxygen, pH, temperature, conductivity, and total suspended solids;
    - iv. Indicator bacteria; and
    - v. Constituents for which the water body is impaired downstream of the monitoring station<sup>2</sup>;

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<sup>2</sup> The current California 303(d) List and TMDL Priority Schedule lists pollutants for each impaired water body.

### C. **Urban Discharge Monitoring**

Consistent with the established urban discharge monitoring program, the Permittees shall monitor urban discharges from the following monitoring stations: Strong Ranch Slough, Sump 104 and Sump 111. Monitoring shall alternate on a schedule of two years of monitoring with the following year off. For each monitoring year, samples shall be collected during **three wet season storm events**, targeting the first storm of the wet season, and from **two dry season events** for each monitoring station. Any storm event monitoring missed because of a lack of rain shall be made up the following event or year.

Whenever possible, urban discharge monitoring events shall be conducted during the same storm event, or on the same day for dry season monitoring, as receiving water monitoring events.

Samples shall be flow-weighted composites collected for the duration of the storm, with a maximum composite period of 24 hours. Because of the inherent difficulty in fully capturing an entire storm event, the Permittees shall report the portion of the storm event “captured” or during which samples were collected. Samples may be collected manually or automatically.

### D. **Water Column Toxicity Monitoring**

The Permittees shall analyze samples to evaluate the extent and causes of toxicity in receiving waters, and to provide information to support identification of practices that eliminate sources of toxicity or remove them to the MEP.

The Permittees shall conduct short-term chronic toxicity testing at each downstream receiving water monitoring station during the second of the five fiscal years (July 1 of the current year to June 30 of the following year) of this Order. Toxicity testing shall include (1) analysis of samples from **two wet season storm events**, targeting the first storm of the wet season, **and two dry season events** from each receiving water monitoring station; and (2) analysis of at least the following two freshwater test species for each storm event: Fathead minnow (*Pimephales promelas*) and water flea (*Ceriodaphnia dubia*). If new toxicants are discovered in the first toxicity testing, the Permittees will perform additional toxicity tests as directed by the Executive Officer.

If toxicity is detected in a sample, a dilution series shall be initiated (0.5x steps) ranging from the undiluted sample (or the highest concentration that can be tested within the limitations of the test methods or sample type) to less than or equal to six percent of the sample. Further, if toxicity is detected at a given monitoring station, the Permittees will continue conducting toxicity testing and TIEs until the nature and cause(s) of the toxicity are defined.

1. Toxicity Identification Evaluations (TIE)

The Permittees shall begin a Phase I TIE immediately on all samples that are substantially toxic to either test species.<sup>3</sup> Alternatively, the Permittees may employ directed TIE methods in parallel to the toxicity testing (e.g., PBO addition) instead of a Phase I TIE when there are strong indications as to the cause(s) of toxicity.

2. Toxicity Reduction Evaluations (TRE)

- a. When the same pollutant or class of pollutants is identified through the TIE process as causing at least 50 percent of the toxic responses in at least three samples at a sampling location, a TRE shall be performed for that identified toxic pollutant. The TRE shall include all reasonable steps to identify the source(s) of toxicity and discuss appropriate BMPs to eliminate the causes of toxicity. Once the source of toxicity and appropriate BMPs are identified, the Permittees shall submit the TRE to the Executive Officer for approval.

At a minimum, the TRE shall include a discussion of the following items:

- i. The potential sources of pollutant(s) causing toxicity;
  - ii. A list of Permittees having jurisdiction over sources of pollutant(s) causing toxicity;
  - iii. Recommended BMPs to reduce the pollutant(s) causing toxicity;
  - iv. Proposed changes to the SQIP to reduce the pollutant(s) causing toxicity; and
  - v. Suggested follow-up monitoring to demonstrate that toxicity has been removed.
- b. The Permittees do not need to prepare a TRE if the identified pollutant is already being addressed in the Permittees' Target Pollutant Reduction Process and/or through the Pollutant Control Strategy. If this is the case, the toxicity found shall be noted and addressed through on-going implementation of that Pollutant Control Strategy.

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<sup>3</sup> Substantial toxicity means the amount of toxicity necessary to successfully conduct a Phase I TIE. Toxic Units are calculated by dividing 100 by the calculated median test response value (e.g., LC50 or EC50). For example, a LC50 of 50% sample equals 2 Toxic Units. Ceriodaphnia TIEs require at least 50% mortality in undiluted sample (1 Toxic Unit) at any time during the 7-day duration of the initial chronic bioassay (SCCWRP).



- c. If TRE implementation for a specific pollutant coincides with Total Maximum Daily Load (TMDL) implementation for that pollutant, the efforts may be coordinated.
- d. Upon approval by the Executive Officer, the Permittees(s) having jurisdiction over sources causing or contributing to toxicity shall implement the recommended BMPs and take all reasonable steps necessary to eliminate toxicity.
- e. The Permittees shall develop a maximum of two TREs per year. If applicable, the Permittees may use the same TRE for the same toxic pollutant or pollutant class in different watersheds or basins. The TRE process shall be coordinated with TMDL development and implementation to avoid overlap.
- f. The Permittees shall report on the development, implementation, and results for each TRE in the Annual Reports, beginning the year following the identification of each pollutant or pollutant class causing toxicity.

**E. Additional Pesticide Monitoring**

In addition to the pesticide monitoring associated with receiving water and urban discharge monitoring, the Permittees shall do the following:

1. Monitor trends in the levels of diazinon and chlorpyrifos in 303(d) listed waters within the Permittees' jurisdictions (in addition to receiving waters identified in Section B, Elder Creek, Elk Grove Creek, and Natomas East Main Drain will be monitored);
2. Monitor for diazinon and chlorpyrifos in Morrison Creek prior to its entry into high density residential/commercial areas;
3. Sampling must take place, at a minimum, in one storm event during the dormant spray application season, one storm event following the dormant spray application season, and once during the dry season. The Permittees shall conduct this additional pesticide monitoring for a minimum of one complete program year. Additional pesticide monitoring may be discontinued if the Permittees can demonstrate through an evaluation of all the pesticide monitoring conducted as part of the storm water discharge, receiving water, and this additional pesticide monitoring that the receiving water and discharge monitoring results are representative of the additional four water bodies. The Permittees shall submit such an evaluation and formal request to Regional Board staff for the reduction or discontinuation of additional pesticide monitoring;

4. Monitor diazinon and chlorpyrifos in rainwater at one site within and one site outside of the Sacramento urban area, beginning in the second year of this Order. This monitoring shall be done during five wet season storm events (if possible) per year and shall only be required if it can be performed in conjunction with other rainwater monitoring to be performed by others outside of Sacramento County (e.g., Regional Board or U.S. Geological Survey). The Permittees may request that rainwater monitoring be discontinued or reduced after the third year of this Order. The Permittees shall submit an evaluation and formal request to Regional Board staff for the reduction or discontinuation of rainwater monitoring. Discontinuation of monitoring may be granted if diazinon and chlorpyrifos are not found in rainwater or if diazinon and chlorpyrifos in urban streams are below receiving water limitations.
5. Should the Regional Board determine that a Diazinon and Chlorpyrifos Mitigation Program is required per the Order, the Permittees shall prepare a diazinon and chlorpyrifos monitoring and surveillance plan as part of that mitigation strategy to identify and quantify the remaining urban sources of diazinon and chlorpyrifos. This monitoring and surveillance may be based on known remaining uses of diazinon and chlorpyrifos in the Sacramento urban area; and
6. The Permittees shall provide an assessment of the relative contribution of urban storm water runoff to diazinon and chlorpyrifos levels in waters within its jurisdiction that are identified as a toxic hot spot (per Section 13394 of California Water Code) or are on the Federal Clean Water Act (CWA) 303(d) list. This assessment should take into account the contribution of the sources outside of the urban area (including contributions via atmospheric transport). This assessment should include a determination as to whether urban storm water runoff continues to contribute to the maintenance of a toxic hot spot or to the non-attainment of water quality standards in CWA 303(d) listed water bodies. The results of this assessment shall be reported in the **1 October 2005 Annual Report**. Updates to the initial assessment results shall be conducted as needed as part of subsequent Annual Reports unless the Regional Board determines that diazinon and chlorpyrifos in urban storm water runoff no longer causes or contributes to the maintenance of a toxic hot spot or non-attainment of water quality standards in CWA 303(d) listed water bodies.

The monitoring required above may be conducted in collaboration with the Regional Board and/or the Department of Pesticide Regulation.

## F. **Bioassessment**

The Permittees shall participate and coordinate with the Surface Water Ambient Monitoring Program (SWAMP) being developed by the State Water Resources Control Board (State Board). The SWAMP has begun work on a statewide effort to determine how to identify reference sites with the goal of Index of Biological Integrity (IBI) development.

The purpose of this requirement is to detect biological trends in receiving waters and to collect data for the development of an IBI. The ultimate goals of bioassessment are to assess the biological integrity of receiving waters, to detect biological responses to pollution, and to identify probable causes of impairment not detected by chemical and physical water quality analysis.

1. The Permittees shall participate in and coordinate with the SWAMP to identify the most appropriate locations for bioassessment stations within Sacramento County's urbanized areas.
2. The Permittees shall submit a bioassessment monitoring plan by **1 September 2003**. Monitoring shall begin as soon as practicable after approval of the monitoring plan and stations by the Executive Officer. A minimum of three replicate samples shall be collected at each station during each sampling event.
3. The Permittees shall develop Standard Operation Procedures (SOPs) for the bioassessment monitoring program that describe all procedures and responsible parties. The SOPs must contain step-by-step field, laboratory, data entry, and QA/QC procedures. A copy of the SOPs shall be made available to the Executive Officer upon request.
4. Field sampling must conform to the SOPs established for the California Stream Bioassessment Procedure (CSBP)<sup>4</sup> when appropriate. For sampling of aquatic environments where the CSBP is not appropriate (e.g., an estuary or unswimmable stream), the California Department of Fish and Game (DFG) and the Executive Officer shall be consulted in order to determine the most appropriate protocol to be implemented. Field crews shall be trained on aspects of the protocol and appropriate safety issues. Field data and sample Chain-of-Custody (COC) forms shall be examined for completion and errors by the field crews, the Permittees, and the receiving laboratory. These forms shall be made available to DFG or the Executive Officer upon request.

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<sup>4</sup> California Stream Bioassessment Procedure (Protocol Brief for Biological and Physical/Habitat Assessment in Swimmable Streams), California Department of Fish and Game - Aquatic Bioassessment Laboratory, May 1999. Located at [www.dfg.ca.gov/cabw/protocols.html](http://www.dfg.ca.gov/cabw/protocols.html).

5. Field sampling events shall be (1) planned at random intervals, and (2) performed by personnel (i.e., consultants, Permittee employees, or citizen volunteers) properly trained in field and quality assurance procedures, and CSBP methods.
6. A professional environmental laboratory shall perform all laboratory, quality assurance, and analytical procedures. Taxonomic identification laboratories shall process the biological samples; this usually consists of sub-sampling organisms, enumerating and identifying taxonomic groups and entering the information into an electronic format. There should be intra-laboratory QA/QC results for sub-sampling, taxonomic validation and corrective actions. Biological laboratories should also maintain reference collections, vouchered specimens (the Permittees can request return of their sample voucher collections) and remnant collections. Biological laboratories shall participate in an inter-laboratory (external) taxonomic validation program at a recommended level of 20 percent for the first two years of the program. If there are no substantial QA/QC problems, the level of external validation may be decreased to 10 percent in the third year of monitoring upon approval by the Executive Officer. External QA/QC should be arranged through the DFG's Aquatic Bioassessment Laboratory in Rancho Cordova.
7. The following results and information shall be included in each Annual Report beginning with the **1 October 2004** Annual Report:
  - a. All physical, chemical and biological data collected in the assessment;
  - b. Photographs and GPS locations of all stations;
  - c. Documentation of quality assurance and control procedures;
  - d. Analysis that shall include calculation of the metrics used in the CSBP;
  - e. Comparison of mean biological and habitat assessment metric values between stations and year-to-year trends;
  - f. Electronic data formatted to the DFG Aquatic Bioassessment Laboratory for inclusion in the Statewide Access Bioassessment Database; and
  - g. Copies of all QA/AC documents from laboratories.

### III. SPECIAL STUDIES

#### A. Water Quality Detention Basin Effectiveness Study

The Permittees previously completed a multi-year study to assess the effectiveness of a local dry extended detention basin (Brown Road Basin on Strawberry Creek). The Permittees shall submit by **1 September 2003** a work plan to similarly assess the pollutant removal performance of a representative wet water quality detention basin.

The County shall continue its multi-year study of sediment quality for several water quality detention basins.

B. Erosion Potential Study

The Permittees have implemented development standards that include control of peak runoff rates, velocities, volumes, and durations of flow. The primary objective is flood control, but there may also be water quality benefits, depending on the area and/or project. In conjunction with the preparation of the Development Standards Plan, the Permittees shall review the existing standards and determine if modifications are needed to better address downstream erosion impacts. This work will include a representative field investigation to determine whether or not the existing standards are protective of downstream creek stability and habitat<sup>5</sup>. The Permittees shall submit this report by **1 December 2004**.

C. Dry Weather Flow Study

The Permittees shall conduct a study evaluating the feasibility of routing dry weather urban runoff discharges from collection sumps (e.g., Sumps 34, 104, 111 and Chicken Ranch Slough) into the sanitary and/or combined sewer systems. The report shall include discussions of technical issues, any jurisdictional or legal issues, a cost-benefit analysis, and any recommendations for further action. The report shall be submitted with the **1 October 2006** Annual Report.

D. Structural BMP Effectiveness Studies

The Permittees shall continue the investigation of structural control measures (BMPs) in an effort to require manufacturers to produce adequate field test data to verify their claims of product performance. The study shall be updated biannually and results shall determine which BMPs are acceptable for more widespread use in the Sacramento region.

Concurrently, the Permittees shall continue to work with manufacturers of structural BMPs to encourage, support and/or cost-share on local studies to evaluate the effectiveness of selected BMPs. The objectives of these studies shall include the following:

1. Monitor the reduction of pollutants of concern in site runoff. Monitoring shall be continued until the effectiveness of the BMP is determined;
2. Evaluate the requirements and costs for installation and maintenance cost of the BMP; and

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<sup>5</sup> Order No. R5-2002-0206 (under "Development Standards") requires the development of numerical criteria for peak flow control in natural drainage systems.

3. Develop recommendations for more widespread use of the BMP in the Sacramento region.

#### IV. STANDARD MONITORING PROVISIONS

All monitoring activities shall meet the following requirements:

A. Monitoring and Records [40 CFR 122.41(j)(1)]

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

B. Monitoring and Records [40 CFR 122.41(j)(2)] [California Water Code §13383(a)]

The Permittees shall retain records of all monitoring information, including all calibration and maintenance of monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the Report of Waste Discharge and application for this Order, for a period of at least five (5) years from the date of the sample, measurement, report, or application. This period may be extended by request of the Regional Board or USEPA at any time and shall be extended during the course of any unresolved litigation regarding this discharge.

C. Monitoring and Records [40 CFR 122.41(j)(3)]. Records of monitoring information shall include:

1. Date, location, and time of sampling or measurements;
2. Individual(s) who performed the sampling or measurements;
3. Date analyses were performed;
4. Individual(s) who performed the analyses;
5. The analytical techniques or methods used; and
6. Results of such analyses.

D. Monitoring and Records [40 CFR 122.41(j)(4)]

All sampling, sample preservation, and analyses must be conducted according to test procedures under 40 CFR Part 136, unless other test procedures have been specified in this Order.

E. Monitoring and Records [40 CFR 122.41(j)(5)]

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

violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by both.

- F. All chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by an appropriate governmental regulatory agency.
- G. For priority toxic pollutants that are identified in the CTR (65 Fed. Reg. 31682), the MLs published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California - 2000 (SIP) shall be used for all analyses, unless otherwise specified. For pollutants not contained in Appendix 4 of the SIP, the test method and method detection limit (MDL) listed in Table 1 shall be used for all analyses, and the ML for these parameters shall be lower than or equal to the lowest applicable water quality criteria from the Basin Plan.
- H. The Monitoring Report shall specify the analytical method used, the MDL and the ML for each pollutant. For the purpose of reporting compliance with numerical limitations, performance goals, and receiving water limitations, analytical data shall be reported with one of the following methods, as appropriate:
  - 1. An actual numeric value for sample results greater than or equal to the ML;
  - 2. "Not-detected (ND)" for sample results less than the laboratory's MDL with the MDL indicated for the analytical method used; or
  - 3. "Detected, but Not Quantified (DNQ)" if results are greater than or equal to the laboratory's MDL but less than the ML. The estimated chemical concentration of the sample shall also be reported. This is the concentration that results from the confirmed detection of the substance by the analytical method below the ML value.
- I. For priority toxic pollutants, if the Permittees can demonstrate that a particular ML is not attainable, in accordance with procedures set forth in 40 CFR 136, the lowest quantifiable concentration of the lowest calibration standard analyzed by a specific analytical procedure (assuming that all the method-specified sample weights, volumes, and processing steps have been followed) may be used instead of the ML listed in Appendix 4 of the SIP. The Permittees must submit documentation from the laboratory to the Executive Officer for approval prior to raising the ML for any constituent.
- J. Monitoring Reports [40 CFR 122.41(1)(4)(ii)]

If the Permittees monitor any pollutant more frequently than required by the permit using test procedures approved under 40 CFR part 136, unless otherwise specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Annual Report.

K. Monitoring Reports [40 CFR 122.41(1)(4)(iii)]

Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this Order.

L. The Executive Officer or the Regional Board, consistent with 40 CFR 122.41, may approve changes to the Monitoring Program, after providing the opportunity for public comment, either:

1. By petition of the Permittees or by petition of interested parties after the submittal of the Annual Report. Such petition shall be filed not later than 60 days after the Annual Report submittal date, or
2. As deemed necessary by the Executive Officer following notice to the Permittees.

Ordered by \_\_\_\_\_

THOMAS R. PINKOS, Executive Officer

\_\_\_\_\_

Date