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California Regional Water Quality Control Board

Los Angeles Region

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October 29, 2002

Brian Mossman
3855 Lakewood Boulevard
Building 1A MCD001-0097
Long Beach, CA 90846

WORK PLAN APPROVAL, GROUNDWATER IN SITU REACTIVE ZONE PILOT STUDY WORKPLAN, BUILDING 1/36, FORMER C-6 FACILITY, BOEING REALTY CORPORATION (FILE NO. 95-036)

Dear Mr. Mossman:

We have received the "Building 1/36 Area (Parcel C) Source-Area Groundwater In Situ Reactive Zone Pilot Study Workplan" (Work Plan) dated May 10, 2002, prepared by Arcadis G&M (Arcadis) and have the following comments:

1. Boeing has determined that the groundwater beneath the Building 1/36 area and the groundwater downgradient of Building 1/36 area is contaminated with the volatile organic compounds (VOCs) trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), 1,1-dichloroethene (1,1-DCE) and 1,1,1-trichloroethane (1,1,1-TCA). Boeing has evaluated the presence of Dehaloccocides ethogenes (DHE) in groundwater and determined that DHE microorganisms are present and that these microorganisms are capable of remediating the VOCs through reductive dechlorination. Boeing has also concluded that the presence of cis-1,2-DCE and 1,1-DCA show that biodegradation of VOCs is already occurring.

2. Boeing proposes to conduct a pilot test to evaluate the effectiveness of enhancing bioremediation of the VOCs by injecting a carbohydrate solution consisting of 10% to 20% molasses and cheese whey into the groundwater and create an "in situ reactive zone" increasing the number of DHE microorganisms and accelerating the rate of biodegradation.

3. A total of about 209 in-situ reactive zone (IRZ) injection points will be installed at 170 locations (some locations will have up to three injection points, one shallow, one mid-level, and one deeper) which will be used to deliver a carbohydrate solution to create the IRZ. Boeing will also install 12 new monitoring wells at 7 locations in the targeted source areas in the Upper B-Sand, Lower B-Sand and C-Sand units to monitor the pilot test. The volume, concentration and injection frequency of the carbohydrate solution will be adjusted based upon the results of field monitoring to optimize distribution of the injection and creation of the IRZ.

Boeing shall submit monitoring reports according to the following schedules:

Remedial Program Monitoring

Boeing is required to submit quarterly reports for the first year and semi-annual monitoring reports each additional year for the Building 1/36 Area. The groundwater monitoring wells and amendment points will be gauged, sampled, and results will be reported to the CRWQCB under the Monitoring and Reporting Program for the General WDR according to the following schedule:

Reporting Period	Sampling Month	Report Due Date
January – March 2003	January	April 30, 2003
	February	
	March	
April – June 2003	April	July 31, 2003
	June	
July – September 2003	September	October 31, 2004
October – December 2003	December	January 30, 2004
January – June 2004	January April	July 30, 2004*
July – December 2004	July October	January 31, 2005*
January – June 2005	April July	July 29, 2005*
July – December 2005	October	January 31, 2006*

* Denotes monitoring frequency changed from program outlined in the Workplan to quarterly.

In the Building 1/36 Area the following groundwater wells and amendment points will be included in the sampling program: MW-0001, MW-0002, MW-0003, MW-0004, MW-0005, MW-0006, MW-0007, TMW-2, TMW-7, AW-0030, AW-0062, AW-0074, AW-0111, and AW-0166.

Additionally, Boeing is required to submit a final report by **July 30, 2006**, to evaluate the results and recommend a final remedy.

Contaminant Plume Monitoring

Site-wide groundwater monitoring and reporting will be conducted as proposed in the Groundwater Monitoring Workplan 2002 (Haley & Aldrich, Inc., 2002). Thirty-three (33) groundwater wells will be sampled annually in April. The second groundwater monitoring event will be conducted on a semi-annual basis in October and all 33 groundwater monitoring wells will be gauged and 18 of the wells will be sampled.

Sampling Month	Report Due Date
April 2003	July 30, 2003
October 2003	January 28, 2004
April 2004	July 31, 2004
October 2004	January 30, 2005

April 2005	July 31, 2005
October 2005	January 30, 2006

These annual and quarterly reports are in addition to the Monitoring and Reporting Program reports that are required as part of the issuance and coverage under the General and Individual Waste Discharge Requirements.

We have completed our review of the Work Plan and approve its implementation. Injection of a carbohydrate solution into the groundwater is a discharge of waste as defined by the California Water Code section 13260 and Boeing is required to file a Report of Waste Discharge and receive Waste Discharge Requirements prior to any injection. On January 24, 2002, the Regional Board adopted Order No. R4-2002-0030 "General Waste Discharge Requirements for Groundwater Remediation at Petroleum Hydrocarbon Fuel and/or Volatile Organic Compound Impacted Sites" (General Permit) to expedite remediation. Based upon the Work Plan submitted, the proposed discharge is covered under this General Permit and the Regional Board anticipates that this General Permit can be issued to Boeing within 60 days upon receipt of a complete report of waste discharge (ROWD) and payment of appropriate fees. Attached are copies of the General Permit and Form 200 "Application/Report of Waste Discharge General Information Form for NPDES and other Waste Discharge Requirements."

Please call Mr. John Geroch at (213) 576-6737, or Dr. Rebecca Chou at (213) 576-6733 if you have any questions.

Sincerely,

Dennis A. Dickerson
Executive Officer

Attachments: 1. Form 200, Application/Report of Waste Discharge
2. Annual Fee Schedule

cc: Cheryl Ross, West Basin Municipal Water District
Chris Nagler, Watermaster - California Department of Water Resources
Ted Johnson, Water Replenishment District of Southern California
Vera Melnyk-Vecchio, State Department of Health Services, Drinking Water Field Operations Branch
Scott Zachary, Haley & Aldrich
James Nguyen, Arcadis G&M

FORM 200

APPLICATION/ REPORT OF WASTE DISCHARGE GENERAL INFORMATION FORM FOR NPDES PERMITS AND WASTE DISCHARGE REQUIREMENTS

BOE-C6-0049646

INTRODUCTION

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

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

a) Those landfill facilities that must use a joint Solid Waste Facility Permit Application Form, California Integrated Waste Management Board Form E-1-77; and

b) General WDRs or general NPDES permits that use a Notice of Intent to comply or specify the use of an alternative application form designed for that permit.

This application package contains:

1. Application/General Information Form for WDRs and NPDES Permits [Form 200 (6/97)].

2. Application/General Information Instructions.

Instructions

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

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

Additional Information Requirements

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

BOE-C6-0049647

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

State of California
Regional Water Quality Control Board

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

I. FACILITY INFORMATION

A. Facility:

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

B. Facility Owner:

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

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

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

D. Owner of the Land:

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

E. Address Where Legal Notice May Be Served:

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

F. Billing Address:

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

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

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CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

State of California
Regional Water Quality Control Board

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

II. TYPE OF DISCHARGE

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

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

Check all that apply:

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

III. LOCATION OF THE FACILITY

Describe the physical location of the facility.

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

IV. REASON FOR FILING

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

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Name of Lead Agency: _____

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

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

Basis for Exemption/Agency: _____

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

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

Expected CEQA Documents:

☐ EIR ☐ Negative Declaration

Expected CEQA Completion Date: _____

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

State of California
Regional Water Quality Control Board

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

VI. OTHER REQUIRED INFORMATION

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

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

VII. OTHER

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

_____

_____

_____

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

VIII. CERTIFICATION

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

Print Name: _____ **Title:** _____

Signature: _____ **Date:** _____

June 1997

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

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

I. FACILITY INFORMATION

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

A. FACILITY:

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

B. FACILITY OWNER:

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

OWNER TYPE:

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

C. FACILITY OPERATOR (The agency or business, not the person):

If applicable, the name, address, person to contact, and telephone number for the facility operator. Check the appropriate Operator Type. If identical to B. above, enter "same as owner".

D. OWNER OF THE LAND:

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

E. ADDRESS WHERE LEGAL NOTICE MAY BE SERVED:

Address where legal notice may be served, person to contact, and phone number. If identical to B. above, enter "same as owner".

F. BILLING ADDRESS

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

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II. TYPE OF DISCHARGE

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

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

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

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

III. LOCATION OF THE FACILITY

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

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

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

IV. REASON FOR FILING

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

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

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

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

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

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

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V. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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

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

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

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

VI. OTHER REQUIRED INFORMATION

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

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

VII. OTHER

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

VIII. CERTIFICATION

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

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

DISCHARGE SPECIFIC INFORMATION

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

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CALIFORNIA CODE OF REGULATIONS
TITLE 23. Division 3. Chapter 9. Waste Discharge Reports and Requirements
Article 1. Fees

§2200. Annual Fee Schedule

(a)(1) Each person for whom waste discharge requirements have been prescribed pursuant to section 13263 of the Water Code shall submit, to the State Board, an annual fee in accordance with the following schedule, except as provided in subdivisions (b), (c), (d), (e) or (f). The fee shall be submitted for each waste discharge requirements order issued to that person.

ANNUAL FEE SCHEDULE

TTWQ and CPLX[1] RATING	PROGRAM TYPE		
	NPDES[2]	NON-CHP 15 WDR[3]	CHP-15 WDR[4]
1-A	$10,000	$10,000	$10,000
1-B	7,000	5,500	7,500
1-C	5,500	3,000	6,000
2-A	4,000	2,000	5,000
2-B	2,000	1,200	4,000
2-C	1,200	900	3,000
3-A	1,000	750	2,000
3-B	750	400	1,500
3-C	400	200	750

[1] TTWQ is the acronym for Threat to Water Quality and CPLX is the acronym for Complexity.

[2] National Pollutant Discharge Elimination System (NPDES) permits are issued to point source discharges of pollutants to surface waters and are issued pursuant to Water Code Chapter 5.5 which implements the federal Clean Water Act. Examples include, but are not limited to, public wastewater treatment facilities, industries, power plants, and ground water cleanups discharging to surface waters.

[3] Non-Chapter 15 Waste Discharge Requirements (Non-Chap 15 WDRs) are those discharges of waste to land which are regulated through waste discharge requirements issued pursuant to Water Code Section 13263 that do not implement the requirements of Chapter 15 of Division 3 of Title 23. Examples include, but are not limited to, wastewater treatment plants, erosion control projects, and septic tank systems.

[4] Chapter 15 Waste Discharge Requirements (Chap 15 WDRs) are those discharges of waste to land which are regulated through waste discharge requirements issued pursuant to Water Code Section 13263 that implement the requirements of Chapter 15 of Division 3 of Title 23. Examples include, but are not limited to, landfills–both active and closed–and mining operations.

(2) The fee rating is based on the discharge's threat to water quality (TTWQ) and complexity (CPLX), defined as follows:

THREAT TO WATER QUALITY

Category "1"–Those discharges of waste which could cause the long-term loss of a designated beneficial use of the receiving water. Examples of long-term loss of beneficial use would include the loss of a drinking water supply, the closure of an area used for water contact recreation, or the posting of an area used for spawning or growth of aquatic resources, including shellfish and migratory fish.

Category "2"–Those discharges of waste which could impair the designated beneficial uses of the receiving water, cause short-term violations of water quality objectives, cause secondary drinking water standards to be violated, or cause a nuisance.

Category "3"–Those discharges of waste which could degrade water quality without violating water quality objectives, or cause a minor impairment of designated beneficial uses compared with Category 1 and Category 2.

COMPLEXITY

Category "A"–Any major NPDES discharger; any discharge of toxic wastes; any small volume discharge containing toxic waste or having numerous discharge points or ground water monitoring; any Class I waste management unit.

Category "B"–Any discharger not included above which has physical, chemical, or biological treatment systems (except for septic systems with subsurface disposal), or any Class II or Class III waste management units.

Category "C"–Any person for whom waste discharge requirements have been prescribed pursuant to Section 13263 of the Water Code not included as a Category "A" or Category "B" as described above. Included would be discharges having no waste treatment systems or that must comply with best management practices, discharges having passive treatment and disposal systems, such as septic systems with subsurface disposal systems, or dischargers having waste storage systems with land disposal.

(3) Municipal dischargers with approved pretreatment programs shall be subject to a surcharge of $3,800.

(b) NPDES permits for areawide urban storm water discharges, as defined by the United States Environmental Protection Agency (USEPA, 40 CFR Part 122), for areas with a population greater than 100,000 persons shall be subject to an annual fee of $10,000. NPDES permits for areawide urban storm water discharges, as defined by USEPA, for areas with a population less than 100,000 persons shall be subject to an annual fee of $5,000. A public entity which lies within more than one Region shall be subject to an annual fee based upon its total population without regard to the number of areawide urban storm water permits issued by a Regional Board.

(c)(1) Storm water discharges that are regulated by a general (NPDES) storm water permit and which discharge into a municipal separate storm water sewer system regulated by an areawide urban storm water permit shall pay an annual fee of $250.00.

(2) All other storm water discharges that are regulated by a general (NPDES) storm water permit shall pay an annual fee of $500.00.

(3) An amount equal to the fee prescribed in subdivisions (1) and (2) above shall be submitted with the discharger's Notice of Intent (NOI) to be regulated under a general (NPDES) permit and shall serve as the first annual fee. For the purposes of this section, a Notice of Intent (NOI) submitted is considered to be a report of waste discharge.

(4) Facilities required to have a (NPDES) storm water permit and that are regulated by waste discharge requirements adopted pursuant to Water Code Section 13263 shall be exempt from the annual fee for regulation of storm water discharges.

(5) The annual fee for persons who discharge storm water pursuant to an individual NPDES permit prescribed by a Regional Board pursuant to Water Code Section 13263 shall be based on the discharge's TTWQ and CPLX as provided in subdivision (a)(2).

(d) The annual fee for persons whose discharges are regulated by a general NPDES permit or a general waste discharge requirements issued by the State Board or a Regional Board (excluding storm water permits) shall be based on the TTWQ and CPLX of the discharge. All discharges that are subject to a given permit shall pay the same fee.

(e) "Dredge and Fill Operations Fees" Fees for fill or dredge operations shall be assessed as follows:

Fill: One acre or less, flat fee of $1,000.
More than one acre, $1,000 per acre or part thereof (not to exceed statutory maximum).

Dredge: Less than 10,000 cubic yards, flat fee of $500.
10,000 to 20,000 cubic yards, flat fee of $2,000.
More than 20,000 cubic yards, $2,000 plus $250 for each additional 5,000 cubic yards or part thereof (not to exceed the statutory maximum).

(f) Dischargers who own or operate confined animal feedlots, including dairies, shall not be assessed an annual fee for waste discharge requirements regulating those operations. They shall pay a filing fee of $2,000 which shall be submitted with each report of waste discharge or NOI. If waste discharge requirements are waived pursuant to section 13269 of the Water Code, all or a portion of the filing fee will be refunded in accordance with Section 2200.4.

NOTE: Authority cited: Sections 185 and 1058, Water Code. Reference: Section 13260, Water Code.

Section 2200.1

The State Board shall notify each discharger annually of the fee to be submitted, the basis upon which the fee was calculated, and the date upon which the fee is due.

NOTE: Authority cited: Sections 185 and 1058, Water Code. Reference: Section 13260, Water Code.

Section 2200.2

Persons proposing a new discharge shall submit to the Regional Board a report of waste discharge accompanied by a fee equal in amount to the annual fee based on the discharge's TTWQ and CPLX as specified in subsection (a)(2). This fee shall serve as the first annual fee. If the submittal of this first annual fee does not coincide with the current fiscal year billing cycle, then the next, and only the next, fiscal year billing shall be adjusted to account for the payment of a full annual fee that accompanied the discharger's report of waste discharge. Persons proposing a material change in an existing discharge are not required to submit a fee with the report of waste discharge.

NOTE: Authority cited: Sections 185 and 1058, Water Code. Reference: Section 13260, Water Code.

Section 2200.3

Failure to pay the annual fee is a misdemeanor and will result in the Regional Board seeking the collection of fees through the enforcement provisions provided pursuant to Water Code section 13261.

NOTE: Authority cited: Sections 185 and 1058, Water Code. Reference: Section 13260, Water Code.

Section 2200.4

Any refund made pursuant to section 13260(e) or for any other reason, shall withhold sufficient funds to cover actual staff time spent in reviewing the report of waste discharge which shall be calculated using a rate of $50.00 per hour.

NOTE: Authority cited: Sections 185 and 1058, Water Code. Reference: Section 13260, Water Code.