



MEMORANDUM

TO: All Division of Water Resources (DWR) and Underground Storage Tanks (DUST) staff

FROM:  Jeremy Dodd, DWR Water Quality Branch Deputy Director and Cindy Greene, PE, DUST Deputy Director of Central Office Operations 

DATE: November 12, 2014

SUBJECT: NPDES permits - Re-issuance and required toxicity testing at Underground Storage Tank remediation sites

The Division of Water Resources (DWR) and Division of Underground Storage Tanks (DUST) have reached an agreement pertaining to the re-issuance of a large number of NPDES general permit coverages at UST clean-up sites in 2013 and 2014. Below is a list of agreements for UST sites with re-issued NPDES permit coverages:

- 1) The general NPDES permit required whole effluent toxicity (WET) testing. It is agreed that UST clean-up sites that enter closure monitoring by achieving Site Specific Clean-up Levels (SSCLs) prior to October 1, 2015, will not be required to conduct this sampling. The remediation system will not be running during the closure monitoring period (usually one year) because the SSCLs have been achieved and no discharge will occur. If contaminant concentrations rebound above the SSCLs during the closure monitoring period and the remediation system is placed back online (operating), then WET testing should be conducted within ninety (90) days of system reactivation in accordance with permit requirements.
- 2) If WET testing is required at an active remediation site or one where the remediation system has been reactivated because of contaminant concentration rebound during closure monitoring, then a grab sample (rather than composite) shall be collected to provide a more accurate discharge composition since the UST remediation system operates on an intermittent, batch system discharge design (not continuous). Since each site with a re-issued permit has previously conducted toxicity testing and the source may have been treated for up to five (5) years previously, a single grab sample collected on one day is sufficient for this requirement.
- 3) Permit discretion is being exercised in this situation and an extension of the original deadline for WET testing has been granted until December 31, 2015, for any UST clean-up site with a re-issued NPDES permit coverage and an operating remediation system on or after October 1, 2015.