

**Amendment to the Water Quality Control Plan for the Santa Ana Basin Incorporating Language to Authorize the Inclusion of Compliance Schedules in National Pollutant Discharge Elimination System (NPDES) Permits under Specified Circumstances**

Add to end of Chapter 4, “Water Quality Objectives”:

*COMPLIANCE WITH OBJECTIVES*

*“The Regional Board recognizes that immediate compliance with new, revised or newly interpreted water quality objectives adopted by the Regional Board or the State Water Resources Control board, or with new, revised or newly interpreted water quality criteria promulgated by the U.S. Environmental Protection Agency, may not be feasible in all circumstances. Where the Regional Board determines that it is infeasible for a discharger to comply immediately with effluent limitations specified to implement such objectives or criteria, compliance shall be achieved in the shortest practicable period of time, not to exceed ten years after the adoption or interpretation of applicable objectives or criteria.*

*This provision authorizes schedules of compliance for objectives and criteria that are adopted or revised or newly interpreted after the effective date of this amendment (specify effective date here).”*

Add to Chapter 5 “Implementation” at end of section titled “National Pollutant Discharge Elimination System (NPDES) Permits:”

*“Where the Regional Board determines that it is infeasible to achieve immediate compliance with an effluent limitation specified to implement a new, revised or newly interpreted water quality objective, whether numeric or narrative, adopted by the Regional Board or State Water Resources Control Board, or with a new, revised or newly interpreted water quality criterion promulgated by the U.S. Environmental Protection Agency, the Regional Board may establish a schedule of compliance in a discharger’s waste discharge requirements (NPDES permit). The schedule of compliance shall include a time schedule for completing specific actions that demonstrate reasonable progress toward attainment of the effluent limitation and, thereby, the objective or criterion. The schedule shall contain a final compliance date, based on the shortest practicable time (determined by the Regional Board at a public hearing) required to achieve compliance. In no event shall an NPDES permit include a schedule of compliance that allows more than ten years from the date of adoption or interpretation of the applicable objective or criterion. Schedules of compliance are authorized by this provision only for those effluent limitations that implement objectives or criteria adopted, revised or newly interpreted after the effective date of this provision (specify effective date here).*

*To document the need for and justify the duration of any such compliance schedule, a discharger must submit the following information, at a minimum: (1)*

*the results of a diligent effort to quantify pollutant levels in the discharge and the sources of the pollutant(s) in the waste stream; (2) documentation of source control efforts currently underway or completed, including compliance with any Pollution Prevention programs that have been established; (3) a proposed schedule for additional source control measures or waste treatment; (4) the discharge quality that can reasonably be achieved until final compliance is attained; and (5) a demonstration that the proposed schedule is as short as possible, taking into account economic, technical and other relevant factors. The need for additional information and analyses will be determined by the Regional Board on a case-by-case basis.”*