

SPECIAL DISCHARGE PERMIT STANDARD TERMS AND CONDITIONS

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INTRODUCTION

This document contains criteria, general stipulations, reporting requirements, and sampling requirements pertaining to Special Discharge Permits issued by the District. Special Discharge Permits are issued pursuant to East Bay Municipal Utility District (EBMUD) Wastewater Control Ordinance (Ordinance) and may waive certain Ordinance requirements or prohibitions.

Issuance of a Special Discharge Permit is subject to preliminary, source, and administrative criteria described in Section A of this document. Special Discharge Permit Standard Terms and Conditions are enforceable terms and conditions of Special Discharge Permits. Special Discharge Permits may include rates and charges for discharge volume, wastewater strength, system capacity, and monitoring. These rates are established by EBMUD resolution.

SECTION A. SPECIAL DISCHARGE CRITERIA

The District established the following three sets of criteria under the Special Discharge Permit Program. Wastewater proposed for discharge must meet Preliminary, Source, and Administrative Criteria prior to the issuance of a Special Discharge Permit.

- I. <u>Preliminary Criteria</u>
 - a) Reasonable and cost effective means of recycling and reuse of the wastewater are unavailable. The applicant shall investigate and document alternatives for wastewater recycling and reuse.
 - b) Wastewater is not suitable for discharge to the storm sewer. The applicant shall provide documentation regarding alternative disposal methods.
 - c) Wastewater is generated within the EBMUD SD-1 wastewater service area. The applicant shall determine if the location is within the service area.
 - d) The side sewer through which the wastewater is discharged has been identified. Upon District approval of the discharge location, the applicant may be required to provide documentation demonstrating that the applicable public agency authorized its use.
 - e) Known and potential pollutants present in the wastewater are characterized. The applicant shall submit both a complete certified laboratory analytical report, and a summary of the results.
 - f) Treatment technology or Best Management Practices (BMPs) have been identified which will result in achieving compliance with the wastewater discharge limits. Depending on the source of the wastewater, the applicant may be required to demonstrate that pollutant concentrations will not exceed Ordinance Wastewater Discharge Limits. Any treatment employed must be a proven and conventional technology.



II. Source Criteria

The following describes the source criteria for Special Discharge Wastewater requiring special regulation (Ordinance, Title IV, Section I, a, 2 and 3).

- a) *Boiler and/or Cooling Tower Maintenance* Wastewater generated by nonroutine system flushing or discharge of spent boiler/cooling water.
- b) *Construction Dewatering* Groundwater or stormwater generated from trenching or excavation operations.
- c) *Infrastructure Maintenance* Any wastewater generated by nonroutine cleaning or maintenance activities. This may include wastewater generated during line flushing and equipment cleaning.
- d) *Monitoring Well Groundwater* Groundwater collected from monitoring wells for the purpose of characterization, study, or review.
- e) *Nonroutine Tank Cleaning* Wastewater originating from cleaning or descaling of product, process, or waste storage tanks.
- f) *Other Sources* Wastewater generated from other temporary sources may require a Special Discharge Permit.
- g) *Sewage Spill* Wastewater generated from the clean up of any uncontrolled sewage spill. This may include collected raw sewage from a sewer line backup and/or clean-up water posing a potential environmental/public health concern.
- h) *Spill* An accidental discharge of a substance that may pose an environmental or public health concern.
- i) *Spill Cleanup* Wastewater generated from the clean up of spilled product or process wastes (excluding sewage) at a facility not otherwise required to have a wastewater discharge permit.
- j) *Sump Discharge/Flooded Basement* Wastewater generated during a single event and collected into sumps, basements, and loading docks, etc. not connected to the sanitary sewer.
- k) *Surface Cleaning* Any wastewater generated from flat surface cleaning activities that is not suitable for discharge to the storm sewer and is not regulated by other wastewater controls.
- 1) *Treated Bilge Water* Wastewater collected in the bilge of a ship that has subsequently been treated for pollutants that may be present.



III. Administrative Criteria

Ordinance applies to all discharges within SD-1 Service Area. Unless specifically waived by the Special Discharge Permit, the following wastewater criteria apply. Waivers of Ordinance are granted by the authority of Ordinance, Title I, Section 6.

- a) The wastewater must not contain storm water, drainage water, or groundwater (Ordinance, Title I, Section 5). Special Discharge Permits issued for Construction Dewatering, Sump Discharge/Flooded Basement, and Monitoring Well Groundwater may waive this prohibition.
- b) The wastewater must not originate from an unpolluted source (Ordinance, Title II, Section 2, c). Wastewater that meets requirements for discharge to storm sewers or receiving waters of the State will not be considered for a Special Discharge Permit.
- c) The wastewater must be discharged through a side sewer (Ordinance, Title II, Section 2, d). The discharge of wastewater directly into a manhole or other opening in the community sewer system is prohibited, except for sewer construction and maintenance by public agencies. Special Discharge Permits may authorize direct discharge into a manhole or other opening if alternative means of discharge are unavailable.
- d) The wastewater does not pose significant concerns under this Special Discharge Permit Program. The District will determine if the wastewater poses a significant concern based on the information provided in the Special Discharge Permit Application.

SECTION B. GENERAL PROVISIONS

I. <u>Duty to Comply</u>

Special Discharge Permit Holders shall comply with Ordinance, Special Discharge Permit Terms and Conditions, and this document.

II. Terms and Conditions of Special Discharge Permit

A Special Discharge Permit is issued for discharges only from the location and specific wastewater source described therein. Applications for a Special Discharge Permit shall be submitted to EBMUD a minimum of ten working days prior to the date of the discharge. No discharge shall proceed prior to issuance of the Special Discharge Permit, completion of any required site inspections, and approval by EBMUD staff. Issuance of a Special Discharge Permit does not exempt or preclude a facility from being issued an EBMUD Discharge Minimization or Pollution Prevention Permit.



III. Disposal of Hazardous Waste

The Special Discharge Permit Holder shall handle and dispose of hazardous waste in accordance with all local, state, and federal laws and regulations.

IV. <u>Dilution Prohibition</u>

The Special Discharge Permit Holder shall not in any way dilute the wastewater discharge as a substitute for treatment to achieve compliance with the Special Discharge Permit Terms and Conditions.

V. <u>Bypass of Treatment Facilities</u>

The Special Discharge Permit Holder shall not bypass treatment facilities unless:

- a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage. (Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production).
- b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventative maintenance.
- c) The Special Discharge Permit Holder submitted advance notice of the need for a bypass to the District. If the Special Discharge Permit Holder knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass.

The Special Discharge Permit Holder shall notify the District of an unanticipated bypass within 24 hours. The Special Discharge Permit Holder shall also submit a written report explaining the circumstances of the bypass.

VI. <u>Calibration and Maintenance of Equipment</u>

The Special Discharge Permit Holder shall calibrate, inspect, and maintain all flow measuring, discharge sampling, monitoring, and pretreatment equipment to ensure the equipment accuracy and reliability.

VII. <u>Availability of Special Discharge Permit</u> A copy of the Special Discharge Permit shall be maintained by the Special Discharge Permit Holder and be available to both facility and EBMUD staff at all times.



- VIII. <u>Payment of Special Discharge Permit Fees and Charges</u> The applicant shall pay all Special Discharge Permit fees, monitoring and testing charges, and wastewater treatment/disposal charges.
- IX. <u>Special Discharge Permit Termination</u> The District may terminate the Special Discharge Permit for violation of the Special Discharge Permit Terms and Conditions or for violation of Ordinance provisions.
- X. <u>Transfer of Special Discharge Permit Prohibition</u> The Special Discharge Permit Holder shall not assign or transfer the Special Discharge Permit.
- XI. <u>Severability</u>

If any provision of the Special Discharge Permit, Ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of the Special Discharge Permit or Ordinance, or the application of such provision to other persons or circumstances, shall not be affected thereby.

XII. Property Rights

The issuance of the Special Discharge Permit does not convey to the Special Discharge Permit Holder any property rights of any sort or any exclusive privileges. Nor does such issuance authorize any injury to private property, any invasion of property rights, or any violation of federal, state or local laws.

SECTION C. REPORTING AND RECORD KEEPING

I. Spill/Slug Load or Slug Discharge Notification

Immediately upon discovering any spill or slug discharge to the sanitary sewer, the Special Discharge Permit Holder shall notify EBMUD Environmental Services Division at (510) 287-1651 during business hours or 1-866-403-2683 during non-business hours. The Special Discharge Permit Holder shall submit to the District within five days of the occurrence a formal written notification describing:

- a) circumstances of the discharge
- b) what was discharged
- c) volume of the discharge
- d) duration of the discharge including beginning and end times, and dates
- e) corrective actions to prevent recurrence
- f) if discharge violates the terms and conditions of the Special Discharge Permit



II. <u>Twenty-Four Hour Violation Reporting</u>

- a) The Special Discharge Permit Holder shall notify the District within 24 hours of becoming aware of any of the following violations:
 - 1. discharges prohibited by Ordinance, Title II, except where authorized by the Special Discharge Permit
 - 2. exceedence of wastewater discharge limits as established in the Special Discharge Permit
 - 3. failure to perform any BMPs included in the Special Discharge Permit
 - 4. bypass of any part of a required pretreatment system
- b) The Special Discharge Permit Holder shall submit a written report to the District within five days after becoming aware of the violation. The report shall include the following information:
 - 1. description of the violation, including the cause, date and time of the violation
 - 2. date and time the discharge was stopped
 - 3. measures taken to correct the violation
 - 4. measures taken to prevent future violations

Prior to receiving District authorization to resume discharge, the Special Discharge Permit Holder may be required to demonstrate compliance with the Special Discharge Permit Terms and Conditions.

III. Changes in Quantity and Quality of Wastewater

The Special Discharge Permit Holder shall promptly notify the District in advance of any significant change to the quality or volume of the wastewater discharge or any deviation from the terms and conditions of the Special Discharge Permit; including immediate notification of any changes that affect the potential for a slug discharge.

IV. Hazardous Waste Notification

The Special Discharge Permit Holder shall submit to the District a written notification in accordance with 40 CFR 403.12(p) of any discharge, which, if otherwise disposed of, would be a hazardous waste under 40 CFR 261.

V. <u>Signatory Requirements</u>

The Permit Holder shall submit in accordance with the signatory requirements of 40 CFR 403.12 (l) all applications, self-monitoring reports, violation response reports, compliance reports, and other reports or documents required by the District.



VI. <u>Retention of Records</u>

- a) The Special Discharge Permit Holder shall retain all of the following documents:
 - 1. all records used to complete the Special Discharge Permit Application
 - 2. copies of reports required by the Special Discharge Permit
 - 3. all records of monitoring information, including calibration and maintenance records, and original strip chart recordings of continuous monitoring instrumentation
 - 4. documentation of compliance with BMP requirements
- b) The Special Discharge Permit Holder shall retain all reports and records for a period of at least three years from the date of the application, report, or monitoring event. The District may extend the document retention period. The Special Discharge Permit Holder shall provide all retained records and documents when requested by the District.
- c) The Special Discharge Permit Holder shall retain and preserve all records pertaining to special orders or any other enforcement or litigation activities brought by the District until all enforcement activities have concluded and all periods of limitation with respect to any appeals have expired.

SECTION D. MONITORING AND SAMPLING

I. <u>Representative Sampling</u>

Samples and measurements taken, as required in the Special Discharge Permit or those submitted with the application, shall be representative of the volume and nature of the monitored discharge. The Special Discharge Permit may require that a sample be representative of certain discharge periods.

All data submitted in reports or applications shall be representative of conditions during the reporting period.

Analytical method detection limits shall be sufficient to determine compliance with the Special Discharge Permit Terms and Conditions.

II. <u>Chain of Custody</u>

- a) The Special Discharge Permit Holder shall submit a Chain of Custody Record that documents the following for each sample:
 - 1. sampling location and facility name
 - 2. type of sample, i.e., grab or composite
 - 3. date, time or span of time the sample was collected
 - 4. number of containers and type, e.g., glass, plastic, vial, etc.



- 5. preservation techniques, e.g., ice, refrigeration at 4° C, chemicals added, etc.
- 6. sample collector's name legibly written
- 7. sample identification number that corresponds to the sample identification number on the analytical report
- 8. printed name and signature of all persons handling the sample, and date and time the sample was relinquished and accepted
- b) The Special Discharge Permit Holder shall ensure that a sample transported or handled by a courier, delivery service (public or private) or shipper shall include the company or individual's name and the method of packaging the sample, on the Chain of Custody Record.
- c) The Special Discharge Permit Holder shall show all sample analyses performed in the field on the Chain of Custody Record, e.g. pH field test.
- d) The District may require resampling of the wastewater if an incomplete or incorrect Chain of Custody Record is submitted.
- III. Sample Preservation and Analytical Methods

Unless the Special Discharge Permit requires otherwise, the Special Discharge Permit Holder shall use sampling methods, sample preservation, and analytical methods for each parameter in accordance with applicable sections of:

- a) EBMUD Table of Approved Test Methods (Appendix A)
- b) Standard Methods of Water and Wastewater Analysis, edition used in the EBMUD Table of Approved Test Methods (Appendix A)
- c) EPA 40 CFR Part 136, *Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act, latest edition*
- IV. Laboratory Report

The Special Discharge Permit requires that each sample analysis be performed by a laboratory certified by the State Department of Health Services for that analysis. The laboratory report for each sample shall include:

- a) name and address of the laboratory performing the analyses
- b) sample identification number that corresponds to the sample identification number on the Chain of Custody Record
- c) analytical result(s)
- d) date of sampling, the date the sample was received at the laboratory, and the date of analysis
- e) *Standard Methods of Water and Wastewater Analysis* method or EPA method used for analysis
- f) method detection limit
- g) signature and title of an authorized representative of the laboratory, who reviewed the laboratory results



V. Additional Monitoring

If the Permit Holder monitors any pollutant at the appropriate sampling location (compliance point) more frequently than required by the Permit, using procedures and test methods specified in the Permit, the results of such monitoring shall be included in the subsequent self-monitoring report.

VI. Flow Measurements

The Special Discharge Permit Holder shall use appropriate flow measurement devices and methods when required by the District. Flow measurement devices and methods are subject to approval by the District.

VII. <u>Tampering with Equipment</u> The Special Discharge Permit Holder shall not tamper with monitoring equipment or pretreatment units.

VIII. Access to Facilities

The District may inspect a facility to determine compliance with the Special Discharge Permit Terms and Conditions and Ordinance. The Special Discharge Permit Holder shall provide access for this purpose.

SECTION E. ENFORCEMENT AND PENALTIES

I. <u>Violations of Special Discharge Permit Terms and Conditions</u> The Special Discharge Permit Holder shall be subject to District actions for failure to comply with the terms and conditions of the Special Discharge Permit. The actions may include violation follow-up inspections and fees, issuance of Cease and Desist Orders, Administrative Civil Liability penalties, and other actions as authorized by Ordinance,

SECTION F. DEFINITIONS

Title VI.

BMPs – Best Management Practices (also known as Pollution Prevention Practices) are guidelines and procedures that focus on the reduction or elimination of pollutants or wastes at the source. BMPs can include a schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in the Ordinance, Title II, Section 2. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Bypass – A bypass is a diversion of wastestreams from any portion of a pretreatment unit.

Chain of Custody – A Chain of Custody is a legal record of each person who had possession of a sample. A Chain of Custody record must be included with an analytical report.



Director – Director refers to the term "Manager", as defined in Ordinance, the Director of the District's Wastewater Department, or his/her designated representative.

Discharge Minimization Permit – A Discharge Minimization Permit is a permit regulating wastewater discharge to the sanitary sewer. Discharge Minimization Permits generally include monitoring and reporting requirements and District inspections.

District – District refers to East Bay Municipal Utility District (EBMUD). EBMUD is a publicly owned water district formed in 1923 under the Municipal Utility District Act of 1921.

Ordinance – EBMUD Wastewater Control Ordinance is the EBMUD ordinance that regulates the interception, treatment and disposal of wastewater and industrial wastes.

Hazardous Waste – Hazardous Wastes are listed and characterized under Section 3001 of the Resource Conservation and Recovery Act, as described in the Code of Federal Regulations (40 CFR Part 261) or as defined in California Health and Safety Code Section 25117.

Pollution Prevention Permits – Pollution Prevention Permits are permits issued to businesses in specific commercial categories. Pollution Prevention Permits are based on pollution prevention or waste minimization at sources, and the implementation of specific BMPs.

POTW - POTW refers to Publicly Owned Treatment Works, e.g., EBMUD SD-1

Pretreatment Program – A Pretreatment Program is administered by a POTW that meets the criteria established in EPA 40 CFR Part 403.8, 403.9 and 403.11.

Prohibition – Prohibition refers to prohibited discharges of wastewater as defined in EPA 40 CFR Part 403.5 or Ordinance, Title I, Section 5, and Title II, Section 2.

Regional Water Quality Control Board – The California Regional Water Quality Control Board, San Francisco Bay Region, is the approval authority for the District's Pretreatment Program.

Sample – Sample refers to a portion of wastewater that is representative of a larger volume of wastewater being discharged. The two types of samples are:

- a) Grab an individual sample collected in a short period of time not exceeding fifteen minutes
- b) Composite a sample consisting of a number of discrete aliquots combined into a single sample, representative of a period of time

SD-1 – SD-1 refers to EBMUD Special District No. 1, a district established to provide treatment of wastewater from the following East Bay Communities: Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont, and the Stege Sanitary District that includes the City of El Cerrito, the Richmond Annex, and the Kensington area. [Ref. MUD Act, Division 6, Chapter 8, Section 13451].

Slug Load or Slug Discharge – Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in the Ordinance, Title 2, Section 2. A Slug Discharge is any non-routine batch discharge that may cause problems to the POTW including interference [40 CFR 403.3(i)] or pass-through [40 CFR 403.3(n)], or that may result in the



Special Discharge Permit Holder violating the General Prohibitions or Specific Prohibitions contained in 40 CFR 403.5.

Special Discharge Permit – A Special Discharge Permit is a mandatory permit issued for short term or unique discharges determined by the Director to require special regulations or source control (Ordinance, Title IV, Section 1a.).

Special Discharge Permit Holder – A Special Discharge Permit Holder is any individual, partnership, firm, association, corporation, or public agency issued a Special Discharge Permit.

Special Discharge Wastewater – Special Discharge Wastewater is wastewater described under Section A. Special Discharge Criteria, Paragraph II. Source Criteria.

Spill – A spill is an accidental discharge of a substance that may pose an environmental, public health, or wastewater quality concern.

Wastewater Discharge Limit – A wastewater discharge limit is the maximum concentration of a pollutant allowed to be discharged at any time, as determined from the analysis of a grab or composite sample.

APPENDIX -- EBMUD Table of Approved Test Methods

The District has approved the following test methods for wastewater analysis. These methods are generally used for District and self-monitoring. Other methods not listed in this table may be required. Refer to the self-monitoring section of your wastewater discharge permit for required specific test methods.

Deviations from Approved Test Methods:

(1) Equivalent EPA methods for water and wastewater may also be acceptable; however, the permit holder should contact their EBMUD Representative for approval. Also, any alternative methods should have detection limits that are lower than the corresponding wastewater strength limits listed in EBMUD's Ordinance, Title (2). In case listed analytical methods change and no longer approved, the permit holder should contact their EBMUD Representative for updated information regarding approved methods.

Parameter	Preservative	Maximum Hold Time	EPA Method	STD Methods1
Arsenic (Total)	HNO ₃ to pH<2 Cool to 4° C	6 months	206.5 200.7 200.8	3114 B 3120 B
Cadmium (Total)	HNO ₃ to pH<2 Cool to 4° C	6 months	200.7 200.8	3113 B 3120 B
CODF, using a Whatman 934AH Glass Microfiber filter, or equivalent	Preserve with H ₂ SO ₄ to pH <2 Cool to 4° C	28 days	410.4 v2.0	5220 D
Chromium (Total)	HNO ₃ to pH<2 Cool to 4° C	6 months	200.7 200.8	3113 B 3120 B
Copper (Total)	HNO ₃ to pH<2 Cool to 4° C	6 months	200.7 200.8	3113 B 3120 B
Cyanide (Amenable)	NaOH to pH>12 Ascorbic acid if Cl ₂ present Cool to 4° C	14 days	NA	4500-CN G
Cyanide (Total)	NaOH to pH>12, ascorbic acid if Cl_2 present Cool to 4° C	14 days	335.4	4500-CN B-E
Iron (Total)	HNO ₃ to pH<2 Cool to 4° C	6 months	200.7	3113 B 3120 B
Lead (Total)	HNO ₃ to pH<2 Cool to 4° C	6 months	200.7 200.8	3113 B 3120 B
Mercury (Total)	HNO ₃ to pH<2 Cool to 4° C	28 days	245.1 245.2 245.7	3112 B
Nickel (Total)	HNO ₃ to pH<2 Cool to 4° C	6 months	200.7 200.8	3113 B 3120 B
Oil & Grease (Total)	HCl or H ₂ SO ₄ to pH<2	28 days	1664 HEM	

Parameter	Preservative	Maximum Hold Time	EPA Method	STD Methods1
Oil & Grease (HC)	Cool to 4° C		1664 HEM- SGT	
Phenolic Compounds	H_2SO_4 to pH<2 Cool to 4° C	28 days	420.1 420.4	5530-D
pH, Hydrogen Ion	None	Analyze Immediately	NA	4500-H+ B
Silver (Total)	HNO ₃ to pH<2 Cool to 4° C	6 months	200.7 200.8	3113 B 3120 B
Temperature (°C)	None	Analyze immediately	NA	2550 B
Total Suspended Solids TSS, filtered with Whatman 934 AH Glass Microfiber filter, or equivalent	Cool to 4° C	7 days	NA	2540D
Zinc (Total)	HNO ₃ to pH<2 Cool to 4° C	6 months	289.2 200.7 200.8	
Organochlorine Pesticides & Poly Chlorinated Biphenyls (PCBs)	Cool to 4° C	7 days until extraction; 40 days after extraction	608	6630B & C
Purgeable Organics (BTEX)	HCI to pH <2, add ascorbic acid if Cl ₂ is present. VOA vials, No headspace. Cool to 4° C	14 days	624 ² 8021 B 8260 B	
Semi-Volatile Organics (BNA's)	Cool to 4° C	7 days until extraction; 40 days after extraction	625	
Total Identifiable Chlorinated Hydrocarbon (Volatile Organics)	HCl to pH<2, add ascorbic acid if Cl ₂ is present. VOA vials, no headspace. Cool to 4° C	14 days	624 8260 B	

Notes

1 Standard Methods for the Examination of Water and Wastewater, American Water Works Association

2 EPA Method 624 table in 40CFR Part 136 does not list xylenes; however, EBMUD may accept xylenes detected by this method.