Regulatory Options for Authorizing a Waste Discharge

Option	Strategy to Protect Beneficial Uses	Role of Alternative Compliance Project (ACP)
1	Show the discharge meets the water quality objective at the point-of-discharge.	Discharge complies with water quality standard. No other ACP needed.
2	Show the discharge meets the water quality objective at or before its confluence with the receiving water.	Discharge does not cause or contribute to an exceedance in the receiving water. No other ACP needed.
3	Require sufficient treatment to ensure the discharge complies with Option 1, 2 or 3 (above); a compliance schedule or Time Schedule Order (TSO) may be necessary.	No other ACP required; however, an interim ACP may be helpful for justifying longer compliance schedules.
4	Show there is sufficient assimilative capacity available in the receiving water to ensure it will continue to meet with the water quality objective and that allocating some or all of the assimilative capacity is consistent with state antidegradation policy.	An ACP may be useful to make required antidegradation demonstrations: a) receiving water meets standards; b) no unreasonable effects on beneficial uses; b) Best Practicable Treatment or Control (BPTC) consistent with maximum benefit to the people of California.
5	Require an "offset" in the receiving water sufficient to ensure that any residual discharge is not causing or contributing to an exceedance of water quality objectives. Traditional, mass-based "offsets" are usually implemented through a load allocation for non-point sources and/or wasteload allocation for point sources.	An ACP may be useful to: a) mitigate potential for "localized impacts" despite availability of assimilative capacity generally; b) implement a "use-based" offset rather than the more traditional "mass-based" offset.
6	Grant a temporary, conditional variance (aka "exception") from the applicable water quality standard; exception may be reauthorized at the discretion of the permitting authority.	An ACP may be needed to mitigate any adverse effects on beneficial uses as a condition for granting the exception.
7	Perform a Use Attainability Analysis (UAA) to revise the beneficial use (subcategorize, downgrade or delete) and develop a more appropriate site-specific water quality objective.	An ACP may be useful to protect an existing use where the default water quality objective cannot be reasonably attained. Subcategory recognizes existing use and need for treatment.

When none of the above alternatives are reasonable, feasible or legal, then the only remaining regulatory option is to disallow the discharge.