

State of California  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION

ORDER NO. R4-2003-0120  
NPDES PERMIT NO. CA0064068

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
AND  
WASTE DISCHARGE REQUIREMENTS  
FOR  
LINCOLN AVENUE WATER COMPANY  
South Coulter Surface Water Treatment Plant

The California Regional Water Quality Board, Los Angeles Region (hereinafter Regional Board), finds:

**Background**

1. Lincoln Avenue Water Company, (hereinafter LAWC or Discharger) discharges backwash wastewater from its water treatment plant and drainage water from its settling basin under waste discharge requirements (WDRs) contained in Order No. 97-002 adopted by the Regional Board on January 27, 1997. Order No. 97-032 serves as a National Pollutant Discharge Elimination System (NPDES) permit (NPDES No. CA0064068). Order No. 97-002 expired on December 10, 2001.
2. LAWC has filed a report of waste discharge and has applied for renewal of its WDRs and NPDES permit for discharge of wastes to surface waters.

**Purpose of Order**

3. The purpose of this Order is to renew the WDRs for the LAWC facility. This NPDES permit regulates the discharge of backwash wastewater from the water treatment plant and drainage water from the settling basin through Discharge Serial No. 001 into an unnamed canyon, tributary to Arroyo Seco, a water of the United States, above the estuary. The point of discharge of backwash wastewater from the water treatment plant and drainage water from the settling basin is located at Latitude 34°12' 49" North, Longitude 118°08'34" West.

**Facility Description**

4. LAWC operates the South Coulter Surface Water Treatment Plant (Plant) located at 3939 Chaney Trail (Sunset Ridge east of Chaney Trail) in Altadena, California. Figure 1 depicts the location of the Plant. The Plant is a domestic drinking water treatment plant. The Plant is operated as a back-up, intermittent, water treatment system for the community of Altadena (population approximately 16,000) during the winter months when surface water is flowing from the mountains to the Plant's intake point.

5. The treatment system of the Plant consists of 2-stage high-pressure garnet filtration system capable of treating 700 gallons per minute (gpm) of non-potable water. The first stage consists of seven garnet filtration vessels and the second stage consists of five garnet filtration vessels. Figure 2 depicts the water treatment filtration system of the Plant.

Surface water is piped from an existing diversion structure located in Millard Canyon, through a settling basin for removal of leaves and other debris, then to a 1,000,000-gallon storage tank (Upper Coulter Reservoir). The water then flows via gravity to the 2-stage garnet filtration system. A food-grade, cationic polymer is added to the water prior to reaching the first stage of the filter system via a chemical pump feeding from a container of neat chemical, for solids coagulation and improved filtration. Cationic polymer is also added in front of the second stage of the filter system. Then chlorine is added for disinfection of the product water. The treated water is directed to, and stored in, a second 1,000,000-gallon storage tank (Lower Coulter Reservoir), then flows via gravity to customers in Altadena.

### **Discharge Description**

6. LAWC discharges up to 18,500 gpd of backwash wastewater from the Plant and drainage water from the settling basin through Discharge Serial No. 001 into an unnamed canyon, tributary to Arroyo Seco, above the estuary. The discharge of backwash wastewater is intermittent. The facility generally operates during the winter months (December, January, February) if there is adequate stream flow from the mountains for intake water.
7. The garnet filters in each stage of the treatment system are backwashed with non-potable water from the system. The process vessels are piped to backwash in series (both first and second stage filter systems), through separated pipelines, and the first and second stage filters are backwashed separately. Only one tank is backwashed at any one time using clean filtered water generated by the adjacent filter tanks. During backwashing, filtered water is not delivered to the clean water storage reservoir. Filtered and chemically treated raw water is used to backwash the filters at a pre-set backwash flow rate of 300 gpm for the first stage filters and 270 gpm for the second stage filters. Backwash is done for 5 minutes per tank on alternate days during the operating season with an automatic valve sequence programmed for the operation. Prior to backwash, the chlorine injection is shut down (since raw water is chlorinated between the raw water storage tank and the filtration system), and there is a non-operating period of 5 minutes prior to backwash to allow chlorinated water to leave the filter vessel. When backwash is initiated, filtered, non-chlorinated water is used so that the discharge to Discharge Serial No. 001 does not contain residual chlorine.
8. As part of normal operating procedures, the settling basin is drained and cleaned of leaves, branches, and other debris at the beginning of each operating season, and are not directed to Discharge Serial No. 001. During cleaning, water resulting from drainage of the settling basin flows to Discharge Serial No. 001.

### **Storm Water Management**

9. The objective of this Order is to protect the beneficial uses of receiving waters. To meet this objective, this Order requires LAWC to develop a Storm Water Pollution Prevention Plan (SWPPP) consistent with the SWPPP requirements in the NPDES General Permit for Storm Water Discharges Associated with Industrial Activity [State Water Resources Control Board (State Board) Order No. 97-03-DWQ, NPDES Permit No. CAS000001]. The SWPPP will outline site-specific management practices for minimizing storm water runoff contamination and for preventing contaminated storm water runoff from being discharged directly into surface waters.

### **Applicable Plans, Policies, and Regulations**

10. On June 13, 1994, the Regional Board adopted a revised *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) as amended on January 27, 1997 by Regional Board Resolution No. 97-02. The Basin Plan (i) designates beneficial uses for surface and groundwaters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state antidegradation policy (*Statement of Policy with Respect to Maintaining High Quality Waters in California*, State Board Resolution No. 68-16, October 28, 1968), and (iii) describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates (by reference) applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. The Regional Board prepared the 1994 update of the Basin Plan to be consistent with all previously adopted State and Regional Board plans and policies. This Order implements the plans, policies and provisions of the Regional Board's Basin Plan.
11. **Ammonia Basin Plan Amendment.** The 1994 Basin Plan provided water quality objectives for ammonia to protect aquatic life, in Tables 3-1 through Tables 3-4. However, those ammonia objectives were revised on April 25, 2002, by the Regional Board with the adoption of Resolution No. 2002-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Update the Ammonia Objectives for Inland Surface Waters (Including Enclosed Bays, Estuaries and Wetlands) with Beneficial Use Designations for Protection of Aquatic Life*. The ammonia Basin Plan amendment was approved by the State Board, the Office of Administrative Law, and USEPA on April 30, 2003, June 5, 2003, and June 19, 2003, respectively. Although the revised ammonia water quality objectives may be less stringent than those contained in the 1994 Basin Plan, they are still protective of aquatic life and are consistent with USEPA's 1999 ammonia criteria update.
12. The Basin Plan contains water quality objectives and beneficial uses for inland surface waters and for the Pacific Ocean. Inland surface waters consist of rivers, streams, lakes, reservoirs, and inland wetlands. Beneficial uses for a surface water can be designated, whether or not they have been attained on a waterbody, in order to implement either federal or state mandates and goals (such as fishable and swimmable for regional waters).

13. The receiving water for the permitted discharge covered by this permit is the Arroyo Seco. The beneficial uses listed in the Basin Plan for the Arroyo Seco are as follows:

Existing: municipal and domestic supply, industrial service supply, industrial process supply, ground water recharge, water contact recreation, non-contact water recreation, warm freshwater habitat, cold freshwater habitat, wildlife habitat, wetland habitat.

14. The State Water Resources Control Board (State Board) adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for inland surface waters.
15. On May 18, 2000, the U.S. Environmental Protection Agency (USEPA) promulgated numeric criteria for priority pollutants for the State of California [known as the *California Toxics Rule* (CTR) and codified as 40 CFR 131.38]. In the CTR, USEPA promulgated criteria that protect the general population at an incremental cancer risk level of one in a million ( $10^{-6}$ ), for all priority toxic pollutants regulated as carcinogens. The CTR also provides a schedule of compliance not to exceed 5 years from the date of permit issuance for a point source discharge if the Discharger demonstrates that it is infeasible to promptly comply with the CTR criteria.
16. On March 2, 2000, the State Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP was effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the USEPA through the National Toxics Rule (NTR), and to the priority pollutant objectives established by the Regional Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that have been approved by the USEPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP was effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The SIP requires the dischargers' submittal of data sufficient to conduct the determination of priority pollutants requiring water quality-based effluent limits (WQBELs) and to calculate the effluent limitations. The CTR criteria for freshwater or human health for consumption of organisms, whichever is more stringent, are used to develop the effluent limitations in this Order to protect the beneficial uses of the Arroyo Seco.
17. Under 40 CFR 122.44(d), Water Quality Standards and State Requirements, "Limitations must control all pollutants or pollutant parameters (either conventional, non-conventional, or toxic pollutants), which the Director [permitting authority] determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." Where numeric effluent limitations for a pollutant or pollutant parameter have not been established in the applicable state water quality control plan, 40 CFR section 122.44(d)(1)(vi) specifies that WQBELs may be set based on USEPA criteria, and may be supplemented where necessary by other relevant information to attain and maintain narrative water quality criteria, and to fully protect designated beneficial uses.

18. Effluent limitation guidelines requiring the application of best practicable control technology currently available (BPT), best conventional pollutant control technology (BCT), and best available technology economically achievable (BAT), were promulgated by the USEPA for some pollutants in this discharge. Effluent limitations for pollutants not subject to the USEPA effluent limitation guidelines are based on one of the following: best professional judgment (BPJ) of BPT, BCT or BAT; current plant performance; or WQBELs. The WQBELs are based on the Basin Plan, other State plans and policies, or USEPA water quality criteria which are taken from the CTR. These requirements, as they are met, will protect and maintain existing beneficial uses of the receiving water. The attached Fact Sheet for this Order includes specific bases for the effluent limitations.
19. State and Federal antibacksliding and antidegradation policies require Regional Board actions to protect the water quality of a water body and to ensure that the waterbody will not be further degraded. The antibacksliding provisions are specified in section 402(o) of the Clean Water Act (CWA) and in Title 40, Code of Federal Regulations (40 CFR), section 122.44(l). Those provisions require a reissued permit to be as stringent as the previous permit with some exceptions where effluent limitations may be relaxed.
20. Effluent limitations are established in accordance with sections 301, 304, 306, and 307 of the CWA, and amendments thereto. These requirements, as they are met, will maintain and protect the beneficial uses of the Arroyo Seco.

#### **Watershed Management Approach and Total Maximum Daily Loads (TMDLs)**

21. The Regional Board has implemented the Watershed Management Approach to address water quality issues in the region. Watershed management may include diverse issues as defined by stakeholders to identify comprehensive solutions to protect, maintain, enhance, and restore water quality and beneficial uses. To achieve this goal, the Watershed Management Approach integrates the Regional Board's many diverse programs, particularly Total Maximum Daily Loads (TMDLs), to better assess cumulative impacts of pollutants from all point and non-point sources. A TMDL is a tool for implementing water quality standards and is based on the relationship between pollution sources and in-stream water quality conditions. The TMDL establishes the allowable loadings or other quantifiable parameters for a waterbody and thereby provides the basis to establish water quality-based controls. These controls should provide the pollution reduction necessary for a waterbody to meet water quality standards. This process facilitates the development of watershed-specific solutions that balance the environmental and economic impacts within the watershed. The TMDLs will establish waste load allocation (WLAs) and load allocations (LAs) for point and non-point sources, and will result in achieving water quality standards for the waterbody.
22. The Basin Plan as well as the 303(d) list, divides Arroyo Seco into two reaches. The effluent discharge point appears to be within Reach 2. The 303(d) List classifies both reaches of Arroyo Seco, as impaired by algae and high coliform count. The Arroyo Seco, Reach 2 is also impaired by trash.

### **Data Availability and Reasonable Potential Monitoring**

23. 40 CFR 122.44(d)(1)(i) and (ii) require that each toxic pollutant be analyzed with respect to its reasonable potential to (1) cause; (2) have the reasonable potential to cause; or (3) contribute to the exceedance of a receiving water quality objective. This is done by performing a reasonable potential analysis (RPA) for each pollutant.
24. Section 1.3 of the SIP requires that a limit be imposed for a toxic pollutant if (1) the maximum effluent concentration (MEC) is greater than the most stringent CTR criteria, or (2) the background concentration is greater than the CTR criteria, or (3) other information is available. Sufficient effluent data are needed for this analysis.
25. Certain effluent limitations have been established based on the revised water quality criteria contained in the CTR and the requirements contained in Section 1.4 of the SIP. Monitoring data from December 11, 2001, through February 11, 2003 were used to conduct RPAs for toxic pollutants for which effluent data were available. Based on the RPA results, the following pollutants have a reasonable potential and are subject to effluent limitations: zinc, and dichlorobromomethane. Existing permit limitations for conventional pollutants and nonconventional pollutants were carried over from the previous permit.
26. This permit also includes requirements for comprehensive monitoring to provide the data needed to complete an RPA on all of the priority pollutants.

### **Compliance Schedules and Interim Limitations**

27. LAWAC may not be able to achieve immediate compliance with the WQBELs for dichlorobromomethane in Section I.B.4. of this Order. Data submitted in self-monitoring reports indicate that this constituent has been detected at concentrations greater than the new limit proposed in this Order. The Discharger may not be able to achieve immediate compliance with an effluent limitation based on CTR criterion for these constituents.
28. 40 CFR 131.38(e) provides conditions under which interim effluent limits and compliance schedules may be issued. The CTR and SIP allow inclusion of an interim limit with a specific compliance schedule included in a NPDES permit for priority pollutants if the limit for the priority pollutant is CTR-based. Interim limit has been included in this Order for dichlorobromomethane and is based on the current treatment facility performance. During the compliance period, the Discharger shall comply with the interim effluent limit for dichlorobromomethane.
29. The SIP requires that the Regional Board establish other interim requirements, such as requiring the Discharger to develop a pollutant minimization plan and/or source control measures, and participate in the activities necessary to develop final effluent limitations. When interim requirements have been completed, the Regional Board shall calculate final WQBELs for that pollutant based on the collected data, reopen the permit, and include the final effluent limitations in the permit provisions.

### **CEQA and Notifications**

30. The Regional Board has notified the Discharger and interested agencies and persons of its intent to issue waste discharge requirements for this discharge, and has provided them with an opportunity to submit their written views and recommendations.
31. The Regional Board, in a public hearing, heard and considered all comments pertaining to the discharge and to the tentative requirements.
32. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the Federal Clean Water Act or amendments thereto, and shall take effect in accordance with federal law, provided the Regional Administrator, USEPA, has no objections.
33. Pursuant to California Water Code section 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board. A petition must be sent to the State Water Resources Control Board, Office of Chief Counsel, ATTN: Elizabeth Miller Jennings, Senior Staff Counsel, 1001 I Street, 22nd Floor, Sacramento, California, 95814, within 30 days of adoption of this Order.
34. The issuance of waste discharge requirements for this discharge is exempt from the provisions of Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code (CEQA) in accordance with the California Water Code, section 13389.

**IT IS HEREBY ORDERED** that Lincoln Avenue Water Company, South Coulter Surface Water Treatment Plant, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, and the provisions of the Federal Clean Water Act and regulations and guidelines adopted there under, shall comply with the following:

### **I. DISCHARGE REQUIREMENTS**

#### **A. Discharge Prohibitions**

1. Wastes discharged shall be limited to a maximum of 18,500 gallons per day (gpd) of backwash wastewater from the water treatment plant and settling basin drainage water.
2. Discharges of water, materials, thermal wastes, elevated temperature wastes, toxic wastes, deleterious substances, or wastes other than those authorized by this Order, to a storm drain system, the Arroyo Seco, or waters of the State, are prohibited.

## B. Effluent Limitations

The discharge of an effluent in excess of the following limitations is prohibited:

1. A pH value less than 6.5 or greater than 8.5.
2. A temperature greater than 100° F.
3. Toxicity limitations:
  - a) Acute Toxicity Limitation and Requirements
    - (1) The acute toxicity of the effluent shall be such that (i) the average survival in the undiluted effluent for any three (3) consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, and (ii) no single test producing less than 70% survival.
    - (2) If either of the above requirements [Section I.B.3.a.(1)] is not met, the Discharger shall conduct six additional tests over a six-week period. The Discharger shall ensure that they receive results of a failing acute toxicity test within 24 hours of the completion of the test, and the additional tests shall begin within 3 business days of the receipt of the result. If the additional tests indicate compliance with acute toxicity limitation, the Discharger may resume regular testing. However if the results of any two of the six accelerated tests are less than 90% survival, then the Discharger shall begin a Toxicity Identification Evaluation (TIE). The TIE shall include all reasonable steps to identify the source(s) of toxicity. Once the source(s) of toxicity is identified, the Discharger shall take all reasonable steps to reduce the toxicity to meet the objective.
    - (3) If the initial test and the additional six acute toxicity bioassay tests result in less than 70% survival, including the initial test, the Discharger shall immediately begin a TIE.
    - (4) The Discharger shall conduct acute toxicity monitoring as specified in Monitoring and Reporting Program No. 7752.



4. Final effluent limitations: In addition to the Requirements I.B.1 through I.B.3, the discharge of treated groundwater and settling basin drainage water from Discharge Serial No. 001 containing constituents in excess of the following limitations is prohibited:

Constituents	Units	Discharge Limitations <sup>1/</sup>	
		Monthly Average	Daily Maximum
Total suspended solids	Mg/L lbs/day <sup>2/</sup>	50 7.71	75 11.56
BOD <sub>5</sub> 20°C	Mg/L lbs/day <sup>2/</sup>	20 3.09	30 4.62
Oil and Grease	Mg/L lbs/day <sup>2/</sup>	10 1.54	15 2.31
Turbidity	NTU	50	75
Settleable solids	MI/L	0.1	0.3
Sulfides	Mg/L	---	1.0
Total dissolved solids	Mg/L lbs/day <sup>2/</sup>	---	950 146
Chloride	Mg/L lbs/day <sup>2/</sup>	---	150 23.12
Sulfate	Mg/L lbs/day <sup>2/</sup>	---	300 46.23
Nitrate + Nitrite (as nitrogen)	Mg/L lbs/day <sup>2/</sup>	---	8 1.54
Residual chlorine	Mg/L	---	0.1
Zinc <sup>3/</sup>	µg/L	92.65	185.94
Dichlorobromomethane <sup>4/</sup>	µg/L	0.56	1.12

<sup>1/</sup> The monthly average concentration shall be the arithmetic average of all the values of daily concentrations calculated using the results of analyses of all samples collected during the month. If only one sample is taken in that month, compliance shall be based on this sample result.

<sup>2/</sup> The mass-based effluent limitations (lbs/day) for pollutants are based on a maximum discharge flow rate of 18,500 gallons per day, using the formula:

$$m = 8.34 C_i Q$$

where: m = mass discharge for a pollutant, lb/day  
 C<sub>i</sub> = limitation concentration for a pollutant, mg/L  
 Q = actual discharge flow rate, mgd

The mass emission (in lbs/day) for the discharge shall be calculated and reported using the limitation concentration and the actual flow rate measured at the time of discharge, using the above formula.

<sup>3/</sup> Discharge limitations for these metals are expressed as total recoverable.

<sup>4/</sup> The interim limit in Section I.B.5. below is applicable from the date of adoption of the Order through September 11, 2005.

5. Interim Effluent Limitations. From the effective date of this Order until September 11, 2005, the discharge of an effluent in excess of the following limitations is prohibited:

Constituents	Units	Discharge Limitations	
		Monthly Average	Daily Maximum
Dichlorobromomethane	µg/L	---	1.3 <sup>1/</sup>

<sup>1/</sup> Base on the maximum effluent concentration (MEC).

C. Receiving Water Limitations

1. The discharge shall not cause the following conditions to exist in the receiving waters:
  - a) Floating, suspended or deposited macroscopic particulate matter or foam;
  - b) Alteration of temperature, turbidity, or apparent color beyond present natural background levels;
  - c) Visible, floating, suspended or deposited oil or other products of petroleum origin;
  - d) Bottom deposits or aquatic growths; or,
  - e) Toxic or other deleterious substances to be present in concentrations or quantities which cause deleterious effects on aquatic biota, wildlife, or waterfowl or render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentration.
2. The discharge shall not cause nuisance, or adversely effect beneficial uses of the receiving water.
3. No discharge shall cause a surface water temperature rise greater than 5°F above the natural temperature of the receiving waters at any time or place.
4. The discharge shall not cause the following limitations to be exceeded in the receiving waters at any place within the waterbody of the receiving waters:
  - a) The pH shall not be depressed below 6.5 nor raised above 8.5, nor caused to vary from normal ambient pH levels by more than 0.5 units;

- b) Dissolved oxygen shall not be less than 5.0 mg/L anytime, and the median dissolved oxygen concentration for any three consecutive months shall not be less than 80 percent of the dissolved oxygen content at saturation;
- c) Dissolved sulfide shall not be greater than 0.1 mg/L;
- d) The discharge shall not cause a violation of any applicable water quality standards for receiving waters adopted by the Regional Board or State Board. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Regional Board will revise or modify this Order in accordance with such standards.

## II. REQUIREMENTS

### A. Pollution Minimization Program (PMP):

The goal of the PMP is to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the WQBEL(s). The PMP shall include, but not be limited to, the following actions and submittals acceptable to the Regional Board:

1. An annual review and semi-annual monitoring of potential sources of the reportable priority pollutant(s), which may include fish tissue monitoring and other bio-uptake sampling;
2. Quarterly monitoring for the reportable priority pollutant(s) in the influent to the wastewater treatment system;
3. Submittal of a control strategy designed to maintain concentrations of the reportable priority pollutant(s) in the effluent at or below the effluent limitation;
4. Implementation of appropriate cost-effective control measures for the reportable priority pollutant(s), consistent with the control strategy; and
5. An annual status report that shall be sent to the Regional Board including:
  - All PMP monitoring results for the previous year;
  - A list of potential sources of the reportable priority pollutant(s);
  - A summary of all actions undertaken pursuant to the control strategy; and
  - A description of corrective and preventive actions to be taken in the following year to maintain/achieve compliance.

The Discharger shall develop the PMP as soon as a priority pollutant is detected above

its effluent limitation. However, the PMP is not required if the Discharger takes additional samples or has conducted an accelerated monitoring program during the period of discharge and the analytical results disputed the initial excursion and showed full compliance with the effluent limitation.

B. The Discharger shall submit within 90 days of the effective date of this Order an updated Storm Water Pollution Prevention Plan (SWPPP) for the Executive Officer's approval. The plan shall be site-specific and shall describe management practices for minimizing storm water from being contaminated, and for preventing contaminated storm water runoff from being discharged directly to waters of the State. The SWPPP shall be developed in accordance with the requirements contained in Attachment A.

D. Pursuant to the requirements of 40 CFR 122.42(a), the Discharger must notify the Board as soon as it knows or has reason to believe (1) that it has begun or expected to begin, use or manufacture a toxic pollutant not reported in the permit application, or (2) a discharge of toxic pollutant not limited by this Order has occurred, or will occur, in concentrations that exceed the specified limits in 40 CFR 122.42(a).

E. Compliance Plan

1. The Discharger shall submit quarterly progress reports to describe the progress of studies and or actions undertaken to reduce these compounds in the effluent, and to achieve compliance with the limits in this Order by the deadline specified in provision I.B.5. The first progress report shall be received by the Regional Board by February 15, 2004.

2. LAWC shall submit within **six months** after the adoption of this permit, an engineering work plan detailing how the final limitations contained in this Order will be met. The plan shall include, at a minimum, the following elements:

a. An engineering analysis of all water quality data collected since the adoption of the Order, along with an identification of the type of source reductions planned;

b. An evaluation of treatment methods or other corrective actions to be taken to meet the requirements of this Order;

c. A layout of the implementation plan, along with the cost estimates for same;

d. An explanation regarding any additional monitoring that will be required in order to finalize the implementation plan; and,

e. A schedule setting forth compliance implementation dates. There shall be no more than one year between events in the compliance implementation schedule.

3. The interim limits stipulated shall be in effect for a period not to extend beyond September 11, 2005. Thereafter, the Discharger shall comply with the limitations specified in Section I.B.4. of this Order.

4. The Discharger must notify the Regional Board's Executive Officer, in writing, no later than 14 days following each interim date, compliance implementation event, or quarterly report, of the Discharger's compliance or noncompliance with the interim requirements.
- F. In the determination of compliance with the monthly average limitations, the following provisions shall apply to all constituents:
1. If the analytical result of a single sample, monitored monthly or at a lesser frequency, does not exceed the monthly average limit for that constituent, the Discharger will have demonstrated compliance with the monthly average limit for that month.
  2. If the analytical result of a single sample, monitored monthly or at a lesser frequency, exceeds the monthly average limit for any constituent, the Discharger shall collect three additional samples at approximately equal intervals during the month provided that there are subsequent discharge events. All four analytical results shall be reported in the monitoring report for that month, or 45 days after the sample was obtained, whichever is later.  
  
If the numerical average of the analytical result of these four samples does not exceed the monthly average limit for that constituent, compliance with the monthly average limit has been demonstrated for that month. Otherwise, the monthly average limit has been violated.
  3. In the event of noncompliance with a monthly average effluent limitation, the sampling frequency for that constituent shall be increased to weekly provided that there are subsequent discharge events and shall continue at this level until compliance with the monthly average effluent limitation has been demonstrated.
  4. Any single reported value which exceeds a daily maximum effluent concentration of the waste discharge requirements shall be considered a violation of said limit.
- G. The discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.
- H. The Discharger shall comply with the waste load allocations that will be developed from the TMDL process for the 303 (d) listed pollutants.
- I. The discharge of any product registered under the Federal Insecticide, Fungicide, and Rodenticide Act to any waste stream which may ultimately be released to waters of the United States, is prohibited unless specifically authorized elsewhere in this permit or another NPDES permit. This requirement is not applicable to products used for lawn and agricultural purposes.
- J. The discharge of any waste resulting from the combustion of toxic or hazardous wastes to any waste stream which ultimately discharges to waters of the United States is

prohibited, unless specifically authorized elsewhere in this permit.

- K. There shall be no discharge of PCB compounds such as those once commonly used for transformer fluid.
- L. The Discharger shall notify the Executive Officer in writing no later than 6 months prior to planned discharge of any chemical, other than chlorine or other product previously reported to the Executive Officer, which may be toxic to aquatic life. Such notification shall include:
  - 1. Name and general composition of the chemical,
  - 2. Frequency of use,
  - 3. Quantities to be used,
  - 4. Proposed discharge concentrations, and
  - 5. USEPA registration number, if applicable.

No discharge of such chemical shall be made prior to the Executive Officer's approval.

- M. The Regional Board and USEPA shall be notified immediately by telephone, of the presence of adverse conditions in the receiving waters as a result of wastes discharged; written confirmation shall follow as soon as possible but not later than five working days after occurrence.

### III. PROVISIONS

- A. This Order includes the attached *Standard Provisions and General Monitoring and Reporting Requirements* (Standard Provisions, Attachment N). If there is any conflict between provisions stated herein and the attached Standard Provisions, those provisions stated herein shall prevail.
- B. This Order includes the attached Monitoring and Reporting Program No. 7752. If there is any conflict between provisions stated in the Monitoring and Reporting Program and the Standard Provisions, those provisions stated in the former shall prevail.
- C. The Discharger shall comply with the requirements of SWPPP updates associated with industrial activity (State Board Order No. 97-03-DWQ adopted on April 17, 1997) and SWPPP updates requirements of State Board general permit for discharges of storm water and Construction Activity (State Board Order No. 99-08-DWQ adopted on August 19, 1999). This Order R4-2003-0120 shall take precedence where conflicts or differences arise between it and the aforementioned Orders.
- D. This Order includes the applicable requirements contained in the attached *Storm Water Pollution Prevention Plan Requirements* (Attachment A).
- E. This Order may be modified, revoked, reissued, or terminated in accordance with the provisions of 40 CFR sections 122.44, 122.62, 122.63, 122.64, 125.62 and 125.64.

Causes for taking such actions include, but are not limited to: failure to comply with any condition of this Order; endangerment to human health or the environment resulting from the permitted activity; or acquisition of newly-obtained information which would have justified the application of different conditions if known at the time of Order adoption. The filing of a request by the Discharger for an Order modification, revocation, and issuance or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

- F. The Discharger must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of storm water to storm drain systems or other water courses under their jurisdiction; including applicable requirements in municipal storm water management program developed to comply with NPDES permits issued by the Regional Board to local agencies.
- G. Discharge of wastes to any point other than specifically described in this Order and permit is prohibited and constitutes a violation thereof.
- H. The Discharger shall comply with all applicable effluent limitations, national standards of performance, toxic effluent standards, and all federal regulations established pursuant to Sections 301, 302, 303(d), 304, 306, 307, 316, and 423 of the Federal Clean Water Act and amendments thereto.

#### **IV. REOPENERS**

- A. This Order may be reopened and modified, in accordance with SIP Section 2.2.2.A, to incorporate new limits based on future RPA to be conducted, upon completion of the collection of additional data by the Discharger.
- B. This Order may be reopened and modified, to incorporate in accordance with the provisions set forth in 40 CFR Parts 122 and 124, to include requirements for the implementation of the watershed management approach.
- C. This Order may be reopened and modified, in accordance with the provisions set forth in 40 CFR Parts 122 and 124, to include new minimum levels (MLs).
- D. This Order may be reopened and modified, to revise effluent limitations as a result of future Basin Plan Amendments, or the adoption of a TMDL for the Arroyo Seco.
- E. This Order may be reopened upon the submission by the Discharger, of adequate information, as determined by the Regional Board, to provide for dilution credits or a mixing zone, as may be appropriate.
- F. This Order may be reopened and modified, to revise the toxicity language once that language becomes standardized.
- G. This Order may also be reopened and modified, revoked, and reissued or terminated in accordance with the provisions of 40 CFR sections 122.44, 122.62 to 122.64, 125.62,

and 125.64. Causes for taking such actions include, but are not limited to, failure to comply with any condition of this order and permit, endangerment to human health or the environment resulting from the permitted activity.

**V. EXPIRATION DATE**

This Order expires on August 10, 2008.

The Discharger must file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of such date as application for issuance of new waste discharge requirements.

**VI. RESCISSION**

Order No. 97-002, adopted by this Regional Board on January 27, 1997, is hereby rescinded except for enforcement purposes.

I, Dennis Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on September 11, 2003.

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Dennis A. Dickerson  
Executive Officer