

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

**320 W. 4th Street, Suite 200
Los Angeles, California 90013
(213) 576-6600**

**Public Notice No. 18-023
NPDES No. CA0055719**

NOTICE OF PUBLIC HEARING

**PROPOSED REISSUANCE
OF
WASTE DISCHARGE REQUIREMENTS
(National Pollutant Discharge Elimination System Permit)**

DISCHARGER	DISCHARGE LOCATION	RECEIVING WATER
Ultramar, Inc. Wilmington Marine Terminal, Berth 164	961 La Paloma Avenue Wilmington, CA 90744	Los Angeles Inner Harbor

Ultramar, Inc. (hereinafter, Discharger) discharges storm water from the Wilmington Marine Terminal, Berth 164 (hereinafter, Facility) to the Los Angeles Inner Harbor, a water of the United States. The discharge was previously regulated by Order No. R4-2013-0133, which was adopted on September 12, 2013, and became effective on November 1, 2013. Order No. R4-2013-0133, which also serves as a National Pollutant Discharge Elimination System (NPDES No. CA0055719) Permit, expired on November 1, 2018. The Discharger filed a Report of Waste Discharge (ROWD) on March 23, 2018, and applied to the Regional Water Board for the reissuance of waste discharge requirements (WDRs) and an NPDES permit to discharge storm water from the Facility. Pursuant to California Code of Regulations, title 23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Discharger complies with all federal NPDES requirements for continuation of expired permits.

The Discharger owns and operates the Wilmington Marine Terminal, Berth 164, located at 961 La Paloma Avenue, Wilmington, California, within the Port of Los Angeles. The Facility is a bulk storage and distribution facility that receives and ships intermediates, feedstock, and refined petroleum products by pipeline, marine vessels, and trucks. The Facility is connected through pipelines to the Discharger's Wilmington Refinery (Wilmington Refinery) located two miles northeast from the Facility. The Facility occupies approximately 8 acres, most of which is unpaved. It consists of a dock, two unloading rack areas, a fired heater area, a warehouse, a control house, offices, and five tank farm parcels. Each tank farm parcel is bermed.

Under the proposed Order, discharge from Discharge Points 001, 002, and 004 (which were included in previous Order No. R4-2013-0133) will be eliminated. Storm water from Parcels 1, 2, and 3, which was formerly discharged into Discharge Points 001 (from Parcel 1 and 2) and 002 (from Parcel 3) under Order No. R4-2013-0133, will be allowed to evaporate or percolate into the soil, or be transferred to Ultramar's Wilmington Refinery via vacuum truck for treatment and discharge to the Los Angeles County Sanitation Districts' (LACSD's) sanitary sewer under the Wilmington Refinery's industrial wastewater permit. If the amount of storm water exceeds Parcel 1, 2, and 3's storage capacities and the amount that can be transferred to the Wilmington Refinery, then storm water from Parcels 1, 2, and 3 may be transferred to Parcels 4

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and 5 using temporary hoses or vacuum trucks, treated using an oil-water separator, and discharged through Discharge Point 003. Hydrostatic test water, which was formerly discharged through Discharge Point 004, is now transferred to the Wilmington Refinery for treatment and discharge through LACSD's sanitary sewer. The Discharger is proposing to discharge up to 0.72 million gallons per day (MGD) of storm water collected from Parcels 4 and 5 through Discharge Point 003 into the Los Angeles Inner Harbor, a water of the United States.

Based on staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, Los Angeles Region, tentatively proposes to issue waste discharge requirements, including effluent limitations and special conditions.

HEARING DATE AND LOCATION

Date: February 14, 2019
Time: 9:00 a.m.
Place: City of Simi Valley (Council Chambers)
2929 Tapo Canyon Road,
Simi Valley, California

AVAILABILITY OF DOCUMENTS

The Report of Waste Discharge, related documents, tentative requirements, comments received, and other information received on the discharge are available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. at the following address:

California Regional Water Quality Control Board
Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Arrangements for file review and/or obtaining copies of the documents may be made by calling the Los Angeles Regional Water Board at (213) 576-6600. The entire file will become a part of the administrative record of this proceeding, irrespective of whether individual documents are specifically referenced during the hearing. The entire file will not be present in the hearing room. Should any interested persons desire staff to bring to the hearing any particular documents that are not included in the agenda packet, they must submit a written or electronic request to staff during business hours, not later than 5 business days before the hearing. The request must identify the documents with enough specificity for staff to locate them.

The tentative requirements, and when they are available comments received and response to comments, will be posted on the Regional Water Board website at:

http://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/index.shtml

NATURE OF HEARING

This will be a formal adjudicative hearing pursuant to section 648 et seq. of title 23 of the California Code of Regulations. Chapter 5 of the California Administrative Procedure Act (commencing with section 11500 of the Government Code) will not apply to this proceeding.

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Ex Parte Communications Prohibited: As a quasi-adjudicative proceeding, no board member may discuss the subject of this hearing with any person, except during the public hearing itself. Any communications to the Regional Water Board must be directed to staff.

COMMUNICATIONS WITH STAFF BEFORE THE HEARING

The lead staff member responsible for this item is:

Ching Yin To
320 West 4th Street, Suite 200
Los Angeles, CA 90013
PHONE: (213) 576-6696
FAX: (213) 576-6660
Ching-yin.to@waterboards.ca.gov

PARTIES TO THE HEARING

The following are the parties to this proceeding:

1. The applicant/permittee

Any other persons requesting party status must submit a written or electronic request to staff not later than 20 business days before the hearing. All parties will be notified if other persons are so designated.

Regional Water Board staff is not a party to the proceeding; their participation in this proceeding exists for the purpose of advising and assisting the Regional Water Board.

PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment upon or object to the tentative waste discharge requirements, or submit evidence for the Board to consider, are invited to submit them in writing to the above address. To be evaluated and responded to by staff, included in the Board's agenda folder, and fully considered by the Board, written comments must be submitted to losangeles@waterboards.ca.gov with a copy to Ching-Yin.To@waterboards.ca.gov no later than close of business on **January 19, 2019**. Please reference the comments as "Comments on tentative NPDES Permit, Ultramar, Inc., Wilmington Marine Terminal, Berth 164, CA0055719". Comments or evidence received after that date will be submitted, ex agenda, to the Board for consideration, but only included in the administrative record with express approval of the Chair during the hearing. Additionally, if the Board receives only supportive comments, the permit may be placed on the Board's consent calendar, and approved without oral testimony.

HEARING PROCEDURE

The meeting, in which the hearing will be a part of, will start at 9:00 a.m. Interested persons are invited to attend. Staff will present the matter under consideration, after which oral statements from parties or interested persons will be heard. For accuracy of the record, all important testimony should be in writing. The Board will include in the administrative record written transcriptions of oral testimony that is actually presented at the hearing. Oral testimony may be limited to 3 minutes maximum or less for each speaker, depending on the number of persons

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wishing to be heard. Parties or persons with similar concerns or opinions are encouraged to choose one representative to speak. At the conclusion of testimony, the Board will deliberate in open or close session, and render a decision.

Parties or persons with special procedural requests should contact staff. Any procedure not specified in this hearing notice will be waived pursuant to section 648(d) of title 23 of the California Code of Regulations. Objections to any procedure to be used during this hearing must be submitted in writing not later than close of business 15 business days prior to the date of the hearing. Procedural objections will not be entertained at the hearing.

If there should not be a quorum on the scheduled date of this meeting, this case will be automatically continued to the next scheduled meeting in March 2019. A continuance will not extend any time set forth herein.

Date: December 18, 2018