

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

**TIME SCHEDULE ORDER NO. R4-2025-0251
REQUIRING PASADENA WATER AND POWER DEPARTMENT**

**TO COMPLY WITH REQUIREMENTS PRESCRIBED IN GENERAL PERMIT FOR
STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES
AMENDED NOVEMBER 6, 2018 AND EFFECTIVE JULY 1, 2020
(ORDER WQ 2018-0028-DWQ, NPDES PERMIT NO. CAS000001)
WDID NO. 4 19I000994**

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

1. The Pasadena Water and Power Department (PWP) owns and operates the Glenarm Power Plant (Facility), located at 45 East Glenarm Street in Pasadena, California. This Facility has a total area of 12 acres.
2. The Facility is an industrial operation that is required to obtain coverage under the State's General Permit for Storm Water Discharges Associated with Industrial Activities, as amended on November 6, 2018 and effective on July 1, 2020 (Amended General Permit). The Amended General Permit also serves as a permit under the National Pollutant Discharge Elimination System program, NPDES Permit No. CAS000001. The Facility is classified as a steam electric power generating facility and makes up for shortages when power can not be imported to Pasadena. This Facility is also the home to the decommissioned Broadway Steam Plant. The Facility has a Standard Industrial Classification (SIC) code of 4911-Electric Services. This SIC code is listed as requiring permit coverage in Attachment A to the Amended General Permit.
3. The Amended General Permit establishes numeric effluent limitations (NELs) for facilities that discharge storm water associated with industrial activities into water bodies that have certain approved Total Maximum Daily Loads (TMDLs) set forth in Attachment E to the Amended General Permit and that have waste load allocations for industrial storm water discharges. NELs are numerical limits, an exceedance of which is a violation of the Amended General Permit. The NELs require dischargers to limit the concentration of pollutants in their storm water discharges to protect water quality.
4. Storm water from the Facility discharges to the Alhambra Wash, Which flows into the Rio Hondo Channel, which then flows into Reach 2 of the Los Angeles River.

5. The NELs that apply to industrial discharges from The Facility include total cadmium, total copper, total lead, total zinc, nitrate-nitrogen, nitrite nitrogen, nitrate plus nitrite nitrogen and ammonia. These NELs are new and more stringent than the previous General Permit. These NELs are effective on July 1, 2020 and exceedances of the NELs may result in mandatory minimum penalties pursuant to California Water Code (Water Code) section 13385, subdivisions (h) and (i).
6. PWP has completed a pollutant source assessment that addresses each of these pollutants and identified total zinc and total copper as associated with industrial activities at the facility.
7. PWP is expected to exceed the NELs for total zinc and total copper based on the historical monitoring data reported to the State's online Storm Water Multiple Application and Report Tracking System (SMARTS) database. The NELs and the corresponding concentrations of these pollutants in the discharge from The Facility have been reported to be:

Pollutant	Reported Concentration Range in mg/L	Numeric Effluent Limit in mg/L
Total zinc	0.0472-14	0.159
Total copper	0.0032-0.579	0.06749

8. PWP will require pollutant control measures to comply with the applicable NELs listed in the Amended General Permit.
9. In addition to minimum Best Management Practices (BMPs), PWP has installed metal removing catch basin inserts at the Facility's discharge points to reduce the metal concentrations in their stormwater discharge. PWP also utilizes secondary containment to prevent any spills from reaching storm drains, and canopy coverage. PWP has a connection to the municipal sanitary sewer that they can discharge retained stormwater to at a maximum rate of 200 gallons per minute during off-peak hours after storm events.
10. PWP is in the process of conducting a feasibility study to explore a few potential solutions to address NEL exceedances at the Facility. The result of the feasibility study will lead to the selection and implementation of one of the following BMPs:
 - a. Diversion to a stormwater capture and infiltration and treatment facility offsite location; This option would redirect the concentrated flows from the Facility to offsite locations that have large open areas suitable for installing a subsurface storage gallery and treatment system to improve water quality through native soil infiltration or other filtration methods. The feasibility

assessment includes soil investigations and evaluating conveyance options to these sites.

- b. Diversion to the Sanitary Sewer; The power plant maintains two existing sanitary sewer connections. This alternative evaluates the installation of a new onsite capture system to divert surface runoff from Glenarm and the decommissioned Broadway site to onsite impoundment basins. From there, stored runoff could be released to the sanitary sewer in accordance with the discharge rates and time windows specified in Los Angeles County Sanitation District's Industrial Water Permits. The assessment will compare the 85th-percentile design storm runoff volumes to the permitted discharge rates to ensure the captured water can reach the storage tanks and be released within the necessary timeframe
11. PWP has developed and updated a facility-specific Storm Water Pollution Prevention Plan (SWPPP) that is currently being implemented and complies with the monitoring and reporting requirements of the Amended General Permit. The facility specific SWPPP dated November 13, 2024 has been submitted electronically to the SMARTS database.
12. Water Code section 13300 states: "Whenever a regional board finds that a discharge of waste is taking place or threatening to take place that violates or will violate requirements prescribed by the regional board, or the state board, or that the waste collection, treatment, or disposal facilities of a discharger are approaching capacity, the board may require the discharger to submit for approval of the board, with such modifications as it may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements."
13. Water Code section 13385, subdivisions (h) and (i), require the Los Angeles Water Board to impose mandatory minimum penalties when dischargers violate effluent limitations in NPDES permits. Water Code section 13385, subdivision (j)(3) allows the Regional Board to exempt certain facilities from mandatory minimum penalties "when there are exceedances of NELs if the facility is in compliance with a time schedule order issued pursuant to Section 13300 if all of the [specified] requirements are met."
14. Water Code section 13385, subdivision (j)(3)(B)(i), allows the Los Angeles Water Board to issue a Time Schedule Order (TSO) if the "regional board finds that... the discharger is not able to consistently comply with one or more of the effluent limitations established in the waste discharge requirements" if the "effluent limitation is a new, more stringent, or modified regulatory requirement that has become applicable to the waste discharge after the effective date of the waste

discharge requirements and after July 1, 2000, new or modified control measures are necessary in order to comply with the effluent limitation, and the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days.”

15. Prerequisites to issuing a TSO include those set forth in Water Code section 13385 subdivisions (j)(3)(C)(i) and (j)(3)(D):

The TSO must establish “a time schedule for bringing the waste discharge into compliance with the effluent limitation that is as short as possible, taking into account the technological, operational, and economic factors that affect design, development and implementation of the control measures that are necessary to comply with the effluent limitation.” (Wat. Code § 13385, subd. (j)(3)(C)(i).) The TSO shall not exceed five years in length unless an extension is granted in accordance with Water Code section 13385, subdivision (j)(3)(C). If the time schedule exceeds one year from the effective date of the order, the schedule shall include interim requirements and the dates for their achievement. The interim requirements shall include both (I) Effluent limitations for the pollutant or pollutants of concern. (II) Actions and milestones leading to compliance with the effluent limitation. (Wat. Code § 13385, subd. (j)(3)(C)(iii).) The discharger must “[have] prepared and [be] implementing in a timely and proper manner, or [be] required by the regional board to prepare and implement, a pollution prevention plan pursuant to section 13263.3.” (Wat. Code § 13385, subd. (j)(3)(D).)

16. The Los Angeles Water Board issues this TSO based on all the findings set forth herein.
17. The time schedule set forth herein ends on April 30, 2029. This date does not exceed five years.
18. Pursuant to Water Code section 13385, subdivision (j)(3), full compliance with the requirements of this Amended TSO exempts PWP from mandatory minimum penalties (MMPs) only for violations of the NEL for total zinc and total copper that occur after the effective date of this TSO until the expiration date of this TSO. If an interim effluent limitation contained in this TSO is exceeded, PWP may be subject to enforcement action. An exceedance of the interim effluent limitations for the purpose of this TSO is defined as when two (2) or more analytical results from samples taken for any single parameter within a reporting year exceed the interim effluent limitations. In addition, if PWP does not implement its SWPPP or comply with the time schedule in this Order, PWP may be subject to enforcement action.
19. The issuance of this TSO is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to California Code of

Regulations, Title 14, section 15301 because the TSO pertains to an existing facility and involves negligible or no expansion of an existing use. In addition, the issuance of this TSO is categorically exempt from CEQA pursuant to California Code of Regulations, Title 14, sections 15307, 15308, and 15321, subdivision (a)(2). The issuance of this TSO is an action to assure the maintenance, restoration, enhancement and protection of the environment and a natural resource and is also an enforcement order issued by the Los Angeles Water Board.

20. Pursuant to Water Code section 13167.5, subdivision (a)(3), the Los Angeles Water Board has notified PWP, interested agencies, and interested persons of its intent to issue this TSO concerning compliance with waste discharge requirements and provided a 30-day comment period. The Los Angeles Water Board considered all comments pertinent to this prior to issuing this TSO.
21. Any person aggrieved by this action of the Los Angeles Water Board may petition the State Water Board to review the action in accordance with the Water Code section 13320 and the California Code of Regulations, Title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the Los Angeles Water Board action, except that if the thirtieth day following the action falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found online at http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

IT IS HEREBY ORDERED that, pursuant to the California Water Code (Water Code) section 13300, Pasadena Water and Power Department (PWP), as owner and operator of the Facility, shall comply with the requirements listed below to ensure compliance with the NEL for total zinc contained in the Amended General Permit by April 30, 2029:

1. Comply immediately with the following interim actions, schedule, and interim effluent limitations at all discharge points:

Action:	Schedule:
Implement facility specific SWPPP	Throughout the span of enrollment in the Amended General Permit
Complete feasibility study	December 31, 2025
Select BMPs that will be implemented	March 1, 2026
Complete design of proposed BMPs	February 28, 2027
Begin Construction of BMPs	April 1, 2028
Complete construction of BMPs	April 30, 2029

Pollutant	Interim Effluent Limitation in mg/L
Total zinc	2.58
Total copper	0.15

The foregoing actions are in effect from **DATE OF IMPLEMENTATION** through April 30, 2029. During this time, PWP shall comply with the interim actions, interim effluent limitations and associated schedule as described in this TSO.

2. Submit, electronically through the SMARTS database, biannual progress reports of efforts taken to comply with the interim actions per the above schedule and with the interim effluent limitations in addition to other reporting requirements pursuant to the Amended General Permit. The reports shall summarize the progress to date, the activities conducted during the reporting period, and the activities planned for the upcoming reporting period. Biannual progress reports shall be due January 1st and July 1st each year throughout the duration of this Amended TSO.
3. Submit, electronically through the SMARTS database, a final report due on April 30, 2029 that describes a summary of all the interim actions completed and successful completion.
4. Any person signing a document submitted under this TSO shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

5. If PWP fails to comply with any provisions of this TSO, the Los Angeles Water Board may take any further action authorized by law. The Executive Officer, or his/her delegee, is authorized to take appropriate administrative enforcement action pursuant, but not limited to, Water Code sections 13350 and 13385. The Los Angeles Water Board may also refer any violations to the Attorney General for judicial enforcement, including injunction and civil monetary remedies.
6. All other provisions of the Amended General Permit that are not in conflict with this TSO, including NELs not addressed by this TSO, remain in full force and effect.
7. The Los Angeles Water Board may reopen this TSO at its discretion or at the request of the facility, if warranted. Lack of progress towards compliance with this TSO may be cause for the Los Angeles Water Board to modify the conditions of this TSO.
8. This Time Schedule Order is effective on **DATE OF IMPLEMENTATION** and expires on April 30, 2029.

SO ORDERED.

Susanna Arredondo, Executive Officer

Date