

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

ORDER NO. 97-100
NPDES NO. CA0054615

WASTE DISCHARGE REQUIREMENTS
FOR
RMR PROPERTIES

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

1. RMR Properties (RMR or Discharger) operates a high rise commercial office building located at 5900 Wilshire Boulevard, Los Angeles, California, and discharges wastewater under waste discharge requirements contained in Order No. 95-005 (NPDES No. CA0056415) adopted by this Regional Board on January 22, 1996.
2. With the implementation of the Watershed Management Approach, waste discharge requirements and NPDES permit are revised and reissued for discharges of wastes to surface waters pursuant to 40 Code of Federal Regulations (CFR) §122 and §124.
3. RMR discharges up to 60,000 gallons per day (gpd) of groundwater seepage, and filter backwash and drainage water from three small reflecting pools. The groundwater seepage discharge occurs daily. The discharge of reflecting pools filter backwash water occurs once a week for five minutes (up to 100 gallons a week) and the pool drainage occurs once every five years. The wastewater is discharged into a storm drain at Wilshire Boulevard (Latitude 34° 03' 45", Longitude 118° 21' 29") then flows to Ballona Creek Upstream (above the estuary), a water of the United States. The building's cooling tower bleed-off, industrial, and sanitary wastes are discharged into the municipal sewer system.

The wastewater traverses about 6 miles of lined storm drain to Ballona Creek and an additional 3.7 miles along the creek channel prior to reaching the estuary. The discharge concentration allowed for residual chlorine at the point of discharge (0.5 mg/l) to the storm drain will dissipate by the time the wastewater reaches areas of beneficial use within Ballona Creek.

4. On June 13, 1994, this Regional Board adopted a revised basin plan, *Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties*. The plan incorporates by reference the State Water Resources Control Board's Water Quality Control Plans and policies on ocean waters [*Water Quality Control Plan for Ocean Waters in California*, March 22, 1990], temperature [*Water Quality Control Plan for Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California*, amended September 18, 1975] and antidegradation [*Statement of Policy with Respect to Maintaining High Quality Waters in California*, State Board Resolution No. 68-16, October 28, 1968].

5. In the Basin Plan, the following are listed as the beneficial uses for Ballona Creek Upstream (above the estuary):

Existing: Non-contact water recreation and wildlife habitat.

Potential: Municipal and domestic supply, warm freshwater habitat, and water contact recreation.

7. This Regional Board has implemented a Watershed Management Approach to address water quality protection in the Los Angeles region. The objective is to provide a comprehensive and integrated strategy resulting in water resource protection, enhancement, and restoration while balancing economic and environmental impacts within a hydrologically-defined drainage basin or watershed. The Management Approach emphasizes cooperative relationships between regulatory agencies, the regulated community, environmental groups, and other stakeholders in the watershed to achieve the greatest environmental improvements with the resources available. This Order and the accompanying Monitoring and Reporting Program fosters the implementation of this approach. The Executive Officer may require the Discharger to participate in a regional monitoring program for the watershed where the discharge is flowing into.
8. Pursuant to this Regional Board's watershed initiative framework, the Santa Monica Bay Watershed Management Area is the targeted watershed for fiscal year 1996-1997 and includes the Santa Monica Bay and the surrounding land area that drains naturally into the Bay, including the Ballona Creek subwatershed. Santa Monica Bay extends from the Los Angeles/Ventura County line to the northwest near Point Dume to Point Fermin on Palos Verdes Peninsula to the southwest.
9. *The Santa Monica Bay Restoration Plan (1994)* identified the following as pollutants of concern for *Santa Monica Bay*: dichloro diphenyl trichloroethane (DDT), polychlorinated biphenyls (PCBs), polycyclic aromatic hydrocarbons (PAHs), chlordane, tributyltin (TBT), heavy metals (cadmium, chromium, copper, lead, nickel, silver, zinc), bacteria/viruses, total suspended solids, nutrients, chlorine, oxygen demand, oil & grease, and trash.

Pollutants of concern identified for the Ballona Creek subwatershed include heavy metals (lead, copper, zinc, cadmium, and silver), debris, pathogens, oil and grease, PAHs, and chlordane.

10. The 1996 State Water Resources Control Board's (SWRCB) *Water Quality Assessment Report*¹ identified the water quality condition of waterbodies in the Los Angeles Region. Beneficial uses, including aquatic life, contact and noncontact water recreation, coastal salt marsh, freshwater riparian habitat, wetlands, and fish consumption of certain water bodies specifically identified in these assessments were determined to be either impaired or threatened to be impaired:

Ballona Creek (Hydrologic Unit 405.15) is impaired because of significant development in demand for housing and business with coastal amenities. Two of the many consequences associated with human inhabitation are natural habitat replacement/destruction, and increased pollutant loading to waterbodies within the subwatershed.

- a. **Habitat Degradation:** At one time, the Ballona Wetland Complex was 2,100 acres of coastal estuary and wetlands. With the developments, the Wetland Complex has been reduced to approximately 430 acres. Most part of Ballona Wetlands are degraded. The degraded wetlands support less species and less productive. Many species characteristic of pristine salt marshes in the area are lacking. Additional adverse impacts include the introduction of non-native plants and animals, debris and bacteria.
 - b. **Elevated Contaminant Levels and Toxicity:** Data collected over the years have shown contaminants are accumulated in the estuarine area of the watershed both in sediments and in marine organisms. The elevated contaminants include lead, zinc, cadmium, chlordane, trash and debris. Studies conducted by the Santa Monica Bay Restoration Project in 1993 and 1995 found that both dry-weather and wet-weather runoffs are toxic to marine organisms. Tests conducted on sediment samples also exhibited toxic effects.
11. Effluent limitations, and toxic and effluent standards established pursuant to §301, 302, 304, 306, and 307 of the Clean Water Act, as amended, are applicable to discharges under this Order.
12. The requirements contained in this Order were established by considering and are consistent with all the water quality control policies, plans, and regulations mentioned above and will protect and maintain the beneficial uses of the receiving waters.

¹ California 305(b) Report on Water Quality, State Water Resources Control Board, August 1996.

13. The issuance of waste discharge requirements and NPDES permit for this discharge is exempt from the provisions of Chapter 3 (commencing with §21100, et. seq.), Division 13, Public Resources Code, pursuant to Water Code §13389.

The Regional Board has notified interested agencies, parties 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.

The Board, in a public hearing, heard and considered all comments pertaining to the discharge to be regulated under this Order and to the tentative requirements.

This Order shall serve as an NPDES permit pursuant to §402 of the Clean Water Act as amended and shall take effect at the end of ten days from the date of its adoption provided the Regional Administrator of the USEPA, Region 9, has no objections.

IT IS HEREBY ORDERED that RMR Properties, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

A. DISCHARGE PROHIBITIONS

1. The discharge of wastes other than groundwater seepage, and pool filter backwash and drainage, as proposed, is prohibited.
2. The discharge of any radiological, chemical, or biological warfare agent or high level radiological wastes is prohibited.

B. EFFLUENT LIMITATIONS

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

1. Groundwater Seepage Only

a. Conventional and Nonconventional Pollutants

<u>Constituents</u>	<u>Units</u>	<u>Discharge Limitations</u>	
		<u>Monthly Average</u>	<u>Daily Maximum</u>
Total Suspended Solids	mg/L	50	150
	lbs/day ^[1]	25	75
Turbidity	TU	50	150
BOD ₅ 20°C	mg/L	20	30
	lbs/day ^[1]	10	15
Oil and Grease	mg/L	10	15
	lbs/day ^[1]	5	8
Settleable Solids	ml/L	0.1	0.3
Sulfides	mg/L	---	1.0
Methyl Tertiary Butyl Ether (MTBE)	µg/L	---	35

[1] Based on the maximum flow of 60,000 gallons per day (gpd).

2. Reflecting Pools Backwash Water and Drainage Only

<u>Constituents</u>	<u>Units</u>	<u>Discharge Limitations</u>	
		<u>Monthly Average</u>	<u>Daily Maximum</u>
Total Suspended Solids	mg/L	50	150
	lbs/day ^[1]	25	75
BOD ₅ 20°C	mg/L	20	30
	lbs/day ^[1]	10	15
Turbidity	TU	50	150
Settleable Solids	ml/L	0.1	0.3
Residual Chlorine	mg/L	---	0.5

[1] Based on the maximum flow of 60,000 gallons per day (gpd).

3. The pH of the discharge shall at all times be within the range of 6.0 and 9.0.
4. The temperature of the discharge shall not exceed 100°F.

C. RECEIVING WATER LIMITATIONS

1. The discharge shall not cause the following to be present in receiving waters:
 - a) Toxic pollutants at concentrations that will bioaccumulate in aquatic life to levels that are harmful to aquatic life or human health;
 - b) Biostimulatory substances at concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses;
 - c) Chemical substances in amounts that adversely affect any designated beneficial use;
 - d) Visible floating materials, including solids, liquids, foams, and scum;
 - e) Oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the receiving water or on objects in the water;
 - f) Suspended or settleable materials in concentrations that cause nuisance or adversely affect beneficial uses; and,
 - g) Taste or odor-producing substances in concentrations that alter the natural tastes or odor and/or color of fish, shellfish, or other edible aquatic resources, cause nuisance, or adversely affect beneficial uses.
 - h) Substances that result in increases of BOD₅20°C in receiving waters that adversely affect beneficial uses;
2. The discharge shall not cause the following to occur in the receiving waters:
 - a) The dissolved oxygen to be depressed below 5 mg/L;
 - b) The pH to be depressed below 6.5 or raised above 8.5, and the ambient pH levels to be changed more than 0.5 units from natural conditions for inland waters;

- c) The temperature at any time or place and within any given 24-hour period to be altered by more than 7°F above natural temperature; but at no time be raised above 80°F;
 - d) The turbidity to increase to the extent that such an increase causes nuisance or adversely affects beneficial uses. Such increase shall not exceed 20% and 10% when the natural turbidity is 50 NTU or less and over 50 NTU, respectively;
 - e) Residual chlorine at concentrations that persist in receiving waters at any concentration that impairs beneficial uses; and,
 - f) Any individual pesticide or combination of pesticides in concentrations that adversely affect beneficial uses of the receiving waters nor increase pesticide concentration in bottom sediments or aquatic life.
- 3. The discharge shall not alter the color, create a visual contrast with the natural appearance nor cause aesthetically undesirable discoloration of the receiving waters.
 - 4. The discharge shall not degrade surface water communities including vertebrate, invertebrate, and plant species.
 - 5. The discharge shall not damage, discolor, nor cause formation of sludge deposits on flood control structures or facilities.
 - 6. The discharge shall not cause problems associated with breeding of mosquitos, gnats, black flies, midges, or other pests.

D. PROVISIONS AND REQUIREMENTS

- 1. 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 in this Order and the attached *Standard Provisions*, the provisions in this Order prevail.
- 2. This Order includes the attached *Monitoring and Reporting Program*. This program may be revised by the Executive Officer to implement the regional monitoring program. The Executive Officer may require the Discharger to participate in that regional monitoring program. If there is any conflict between provisions stated in the *Monitoring and Reporting Program* and the attached *Standard Provisions*, the provisions in the former prevail.

3. The Discharger shall maintain a copy of this Order at the waste disposal facility where it will be available at all times to operating personnel.
4. Prior to application, the discharger shall submit for Executive Officer's approval the list of chemicals and proprietary additives that may affect the discharge, including rates/quantities of application, compositions, characteristics, and material safety data sheets, if any.
5. Oil or oily materials, chemicals, refuse, or other materials that may cause pollution in storm water and/or urban runoff shall not be stored or deposited in areas where they may be picked up by rainfall/urban runoff and discharged to surface waters. Any spill of such materials shall be contained, removed and cleaned immediately.
6. The discharger must comply with the lawful requirements of the county, city or municipality, drainage districts, and other local agencies where the discharge is located regarding discharges of storm water to the storm drain systems or other water courses under the jurisdiction of these entities/agencies, including applicable requirements in the storm water management programs developed to comply with the NPDES permits issued by this Regional Board to these entities/agencies.
7. This Order may be modified, revoked, reissued, or terminated pursuant to 40 CFR §122, 124 and 125.

E. EXPIRATION DATE

This Order expires on June 10, 2002.

Pursuant to 40 CFR §122.21(d) and CCR Title 23 §2235.4, RMR Properties must file a Report of Waste Discharge not later than 180 days before the expiration date of this Order as application for the reissuance of waste discharge requirements.

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F. RESCISSION

Except for enforcement purposes, Order No. 95-005, adopted by this Regional Board on January 22, 1996, is hereby rescinded.

I, Dennis A. 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 July 21, 1997.



DENNIS A. DICKERSON
Executive Officer

/RNA

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

**MONITORING AND REPORTING PROGRAM NO. CI-5881
FOR
RMR PROPERTIES**

Order No. 97-100
NPDES No. CA0054615

A. MONITORING AND REPORTING REQUIREMENTS

1. The Discharger shall implement this monitoring program on the effective date of this Order. Monitoring reports shall be submitted according to the following schedule:

<u>Monitoring Period</u>	<u>Report Due</u>
January - March	April 15
April - June	July 15
July - September	October 15
October - December	January 15
Annual Report	March 1 of each year

The first monitoring report under this program is due by October 15, 1997, covering the monitoring period from July to September 1997.

2. If no discharge occurs during the monitoring period, the report shall so state.
3. Quarterly monitoring shall be performed during the months of February, May, August, and November; semi-annual monitoring during February and August; and annual during February.
4. Laboratory analyses - all chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer. A copy of laboratory certification shall be provided each time a new and/or renewal is obtained from ELAP.
5. Water/wastewater samples must be analyzed within allowable holding time limits as specified in 40 CFR Part 136.3. All QA/QC items must be run on the same dates when samples are actually analyzed. The Discharger shall make available for inspection and/or submit the QA/QC documentation upon request by Board staff. Proper chain-of-custody procedures shall be followed and verification shall

be submitted in the report.

6. The report of analyses shall specify the USEPA analytical method used and its Method Detection Limit (MDL). For the purpose of reporting compliance with effluent limitations, and receiving water limitations, analytical data shall be reported with an actual numerical value or "nondetected (ND)" with the MDL indicated for the analytical method used.
7. The method detection limits must be lower than the permit limits established for a given parameter, unless the Discharger can demonstrate that a particular detection limit is not attainable and obtains an approval for a higher detection limit from the Executive Officer. At least once a year, the discharger shall submit a list of the analytical methods employed for each test and associated laboratory quality assurance/quality control procedures.
8. The Discharger shall submit an annual report containing a discussion of the previous year's effluent and receiving water monitoring data, as well as graphical and tabular summaries of the data. The data shall be submitted to the Regional Board on hard copy and on 3 1/2" or 5 1/4" computer diskette. The submitted data must be IBM compatible, preferably using Lotus 123, dbase, or Quattro Pro software.

In the Annual Report, the Discharger shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with waste discharge requirements. This annual report is due by March 1 of each year following the calendar year of data collection.

B. SUBMITTAL OF MONITORING AND ANNUAL REPORTS

1. All Monitoring and Annual Reports must be addressed to the Regional Board, Information and Technology Unit ~~Attention: Data and Information Management Unit~~. Reference the reports to Compliance File No. CI-5881 to facilitate routing to the appropriate staff and file.

2. Database Management System

The Regional Board is developing a database management system that when it becomes fully operational may require the Discharger to submit the Monitoring and Annual Reports electronically.

Address: Los Angeles Regional Water Quality Control Board
320 W. 4th Street, Suite 200,
Los Angeles
CA 90013

C. EFFLUENT MONITORING PROGRAM

A sampling station shall be established for each point of discharge and shall be located where representative samples of the effluent can be obtained. The location of the sampling station shall be submitted to the Executive Officer. Any changes in sampling location shall be approved by the Executive Officer.

The following shall constitute the effluent monitoring program:

a) For Groundwater Seepage Only

<u>Constituents</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Analysis</u>
Total waste flow ^[1]	gallons/day	---	monthly
pH	pH units	grab	quarterly
Total Suspended Solids	mg/L	grab	quarterly
Turbidity	TU	grab	quarterly
BOD ₅ 20°C	mg/L	grab	quarterly
Oil and Grease	mg/L	grab	quarterly
Settleable Solids	ml/L	grab	quarterly
Sulfide	mg/L	grab	annually
Methyl Tertiary Butyl Ether ^[2] (MTBE)	µg/L	grab	annually
Priority Pollutants (Listed on page T-6)	µg/L	grab	once in five years

[1] Actual monitored flow (not the maximum permitted flow) shall be reported.

[2] Analyses using USEPA Methods 8020A or 8260.

b) For Reflecting Pools Backwash Water and Drainage Only

<u>Constituents</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Analysis</u> ^[1]
Total waste flow ^[2]	gallons/day	---	monthly
pH	pH units	grab	quarterly
Residual Chlorine	mg/L	grab	semiannually
Total suspended solids	mg/L	grab	semiannually ^[3]
Settleable solids	ml/L	grab	semiannually ^[3]
Turbidity	mg/L	grab	semiannually ^[3]
BOD ₅ 20°C	mg/L	grab	annually ^[3]

Footnotes

- [1] During periods of pool drainage, at least one set of samples shall be obtained for each drainage.
- [2] Actual monitored flow (not the maximum permitted flow) shall be reported.
- [3] These constituents shall be sampled within five minutes of commencement of the discharge.

D. REGIONAL MONITORING PROGRAM

Pursuant to 40 CFR §122.41(j) and §122.48(b), the monitoring program for a discharge receiving an NPDES permit must determine compliance with NPDES permit terms and conditions, and demonstrate that water quality standards are met.

Since compliance effluent monitoring focuses only on the quality of the discharge, it is not designed to assess the impact of the discharge on the receiving water in combination with other point source discharges and other sources of pollution (e.g., nonpoint source runoff, aerial fallout) nor it is designed to evaluate the current status of important ecological resources on a regional basis. To support the Watershed Approach, a watershed-wide Regional Monitoring Program will be designed for the Ballona Creek sub-watershed, with the input of stakeholders, to determine: compliance with receiving water objectives, trends in surface water quality, impacts to beneficial uses, and data needs for modeling contaminants of concern.

Once this Regional Monitoring Program has been designed, the Executive Officer may require the Discharger to participate in the Regional Program and/or revise the existing Monitoring Program.

E. The Discharger shall notify the Executive Officer in writing prior to use of any chemicals, such as corrosion additives, that pass through the discharge which may be toxic to humans and 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 any.

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

Monitoring and Reporting Program No. CI-5881
RMR Properties

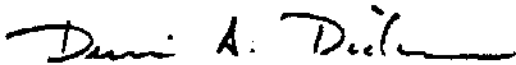
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F. If wastes (associated with the discharge covered under this permit) are transported offsite during the reporting period, the following shall be reported in the monitoring report:

1. Type of wastes and quantity of each type;
2. Name and address of the waste hauler (or the method of transport, if other than hauling); and,
3. Location of the final point(s) of disposal of the wastes.

If no wastes are transported offsite during the reporting period, a statement to that effect shall be submitted.

Ordered by:



DENNIS A. DICKERSON
Executive Officer

Date: July 21, 1997

/RNA

PRIORITY POLLUTANTS

Metals

Arsenic
Chromium
Cadmium
Lead
Selenium
Mercury
Copper
Zinc

Base, Neutral, & Acid Extractibles

1,4-Dichlorobenzene
Phenols

Volatile Organic Chemicals

Benzene
Toluene
Xylene
Ethylbenzene
Carbon tetrachloride
Tetrachloroethylene
Trichloroethylene
1,4-Dichlorobenzene
1,1-Dichloroethane
1,2-Dichloroethane
1,1-Dichloroethylene
Vinyl chloride