



California Regional Water Quality Control Board Los Angeles Region

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Matthew Rodriguez
Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

September 8, 2011

Mr. Thomas F. Edgar
Director of Administration
Magic Mountain LLC, Six Flags Magic Mountain
26101 Magic Mountain Parkway
Valencia, CA 91355

Dear Mr. Edgar:

**RESPONSE TO THE REQUEST FOR ASSISTANCE TO IDENTIFY ALTERNATIVE
DOWNSTREAM MONITORING LOCATION IN THE WASTE DISCHARGE REQUIREMENTS
(WDRs) AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMIT (ORDER NO R4-2011-0029) FOR MAGIC MOUNTAIN LLC, SIX FLAGS MAGIC
MOUNTAIN, VALENCIA, CA. (NPDES NO. CA0003352, CI NO. 6045)**

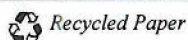
Your letter dated May 25, 2011, requested assistance to identify an appropriate, safe, and accessible alternative downstream monitoring location for the receiving water. The request was made because the downstream RSW-002 designated location is not accessible, the terrain is unsafe due to overgrowth, steep river banks, and personnel from Six Flags are unable to see or locate the receiving water from either side of the Santa Clara River. The location also seems to have a heavy population of wildlife and the sample collector has identified mountain lion tracks when attempting to access the receiving water. The letter also stated that in March 2008, Six Flags conducted a site evaluation in an attempt to discover a safe access point for downstream sampling. However, this area continues to be inaccessible. Six Flags has not been conducting receiving water sampling and observations at RSW-002 since July 2006.

Background:

Magic Mountain, LLC (Discharger) owns and operates the Six Flags Magic Mountain (Facility) located at 26101 Magic Mountain Parkway in Valencia, California. The Facility is an amusement park consisting of rides, shows, landscaping, and water attractions.

Magic Mountain, LLC discharges up to 1 million gallons per day (mgd), 0.05 mgd, and 1.3 mgd of treated wastewater and storm water runoff through Discharge Point (Outfall) Nos. 001, 002, and 003, respectively, into a storm drain thence to the Santa Clara River. The discharge is regulated by Order No. R4-2011-0029 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0003352 to the Santa Clara River. Order No. R4-2011-0029 was adopted by the Regional Water Quality Control Board (Regional Water Board) on February 3, 2011, and expires on January 10, 2016. The adopted Order included an Attachment E – Monitoring and Reporting Program (MRP) that establishes monitoring and

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reporting requirements, which implement the federal and California regulations. The MRP included requirements (Item VIII.A. & B.) for the Discharger to conduct monitoring and visual observation of the receiving water (Santa Clara River) at the monitoring locations RSW-001 (located 300 feet upstream of Discharge Point 001), and RSW-002 (located downstream of Discharge Point 003).

Site Inspection on June 21, 2011:

On June 21, 2011, Regional Water Board Staff (Staff) visited the Facility and the vicinity of the area where the receiving water monitoring stations (RSW-001 and RSW-002) are located. Staff met with the representatives from Six Flags and Kennedy/Jenks Consultants. During the site visit, Staff observed thick vegetation at the vicinity of the area where RSW-002 is located. Six Flags indicated that the Santa Clara River is approximately 200 feet away from the area where Staff and Kennedy/Jenks Consultants/Six Flags representatives were walking through. In addition, Six Flags personnel have seen snakes, coyotes, and other wildlife including footprints of mountain lions (via aerial photos) at this location. Staff was unable to locate an area where the Discharger could sample the Santa Clara River that is also downstream of Outfall 003 and less than two miles from Outfall 003. Access is difficult and a number of safety hazards were identified. Because of the remote location of RSW-002, access including safety is a problem for receiving water sampling and observation at this location.

Staff also visited the location of the monitoring station RSW-001. The RSW-001 is accessible for Six Flags to collect water samples and conduct visual observations of the Santa Clara River and Six Flags routinely monitors the location.

Search for Possible Downstream Location of RSW-002:

Staff continued to search for a downstream location for the receiving water monitoring station RSW-002. Staff searched the internet (Google Map) for potential downstream locations for RSW-002. An aerial view map (Image Date: 3/15/2006, see attached) of the vicinity of the subject area was found and Staff identified two possible locations for RSW-002.

Site Inspection on August 17, 2011:

On August 17, 2011, Staff visited the possible downstream location for the receiving water monitoring station RSW-002 identified on the Google aerial view map. Staff met with the representatives from Six Flags and Kennedy/Jenks Consultants at the Outfall 003 location. The possible downstream location is approximately one quarter of a mile away from Outfall 003 and RSW-002. During the site visit, Staff observed thick vegetation at this location. Six Flags' representative indicated that it is home to wild life including rattle snakes. Staff confirmed the presence of a steep embankment. Six Flags' representative noted that the vertical drop down of the embankment at this location is approximately 30 plus feet deep. This location is approximately 200 feet away from the Santa Clara River. Access is difficult and a number of safety hazards were identified. Staff concluded that the possible downstream location for

RSW-002 identified on the Google aerial view map is currently not safely accessible and would pose hazardous conditions in order to collect receiving water sampling and make observations.

Conclusion:

The RSW-002 monitoring point is in a remote location. The potential downstream locations identified by staff on the Google aerial view map, and the current RSW-002 monitoring point have access and safety hazards. Since staff was unable to identify an acceptable alternative downstream monitoring location, and based on the information gathered during the June 21, 2011, and August 17, 2011, site inspections, the permit will be reopened to remove the requirements for receiving water sampling and observation at station RSW-002. This action is in accordance with 40 Code of Federal Regulations (CFR) 122.62(a)(2) which states that:

“(2) *Information.* The Director has received new information. Permits may be modified during their terms for this cause only if the information was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and would have justified the application of different permit conditions at the time of issuance....”

The discharges to the Santa Clara River upstream of the Six Flags facility during the summer months is composed primarily of urban runoff and discharges from the Valencia Water Reclamation Plant, a publicly owned treatment work (POTW). The Six Flags NPDES permit includes receiving water monitoring upstream of the discharges to the Santa Clara River. It also includes monitoring of the effluent for most of the receiving water criteria; including bacteria, pH, temperature, BOD, and TSS. Hence, although the receiving water station RSW-002 will be removed, compliance with the receiving water standards can still be assessed utilizing the effluent data from the outfalls.

Regional Water Board staff will prepare a tentative amendment to the permit to remove the requirements for receiving water sampling and observations at station RSW-002. However, given the dynamic nature of the river, Regional Water Board staff will propose that Six Flags conduct an annual reconnaissance survey to determine whether a viable receiving water location is available. The Regional Water Board or Executive Officer can add back the station, as appropriate. The tentative amendment will be taken for consideration to a future Board Hearing. We will advise you accordingly of the Board Hearing date and location.

If you have any questions, please contact Rosario Aston at (213) 576-6653.

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: See Mailing List

Mr. Thomas F. Edgar
Magic Mountain LLC
Six Flags Magic Mountain

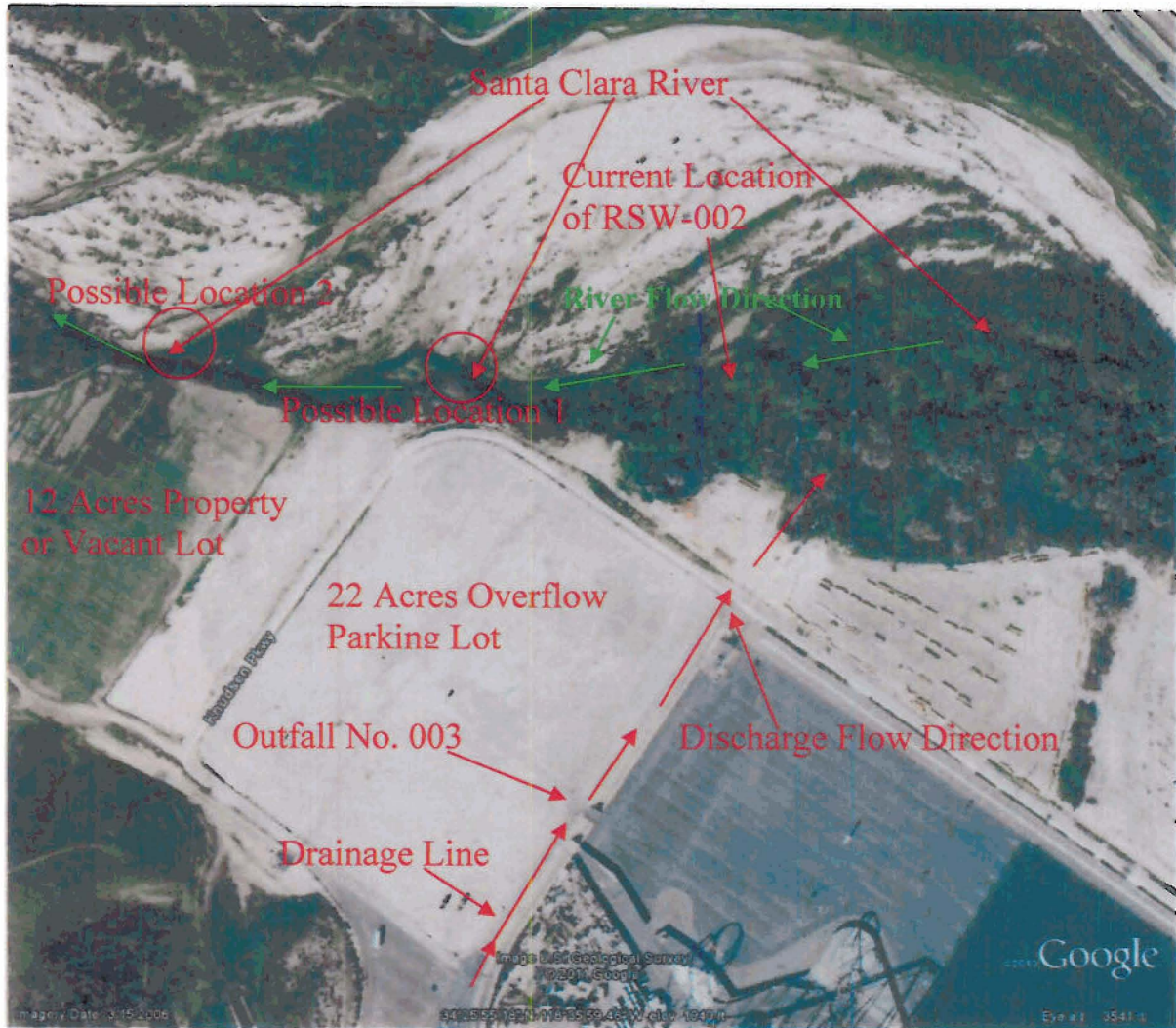
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Mailing List (Via E-mail Only)

Environmental Protection Agency (USEPA), Region 9, Permits Branch (WTR-5)
Mr. Roger Vann, USEPA, Region 9
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NPDES Wastewater Unit, State Water Resources Control Board (SWRCB), Division of Water
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California Department of Public Health
California Coastal Commission, South Coast Region
Water Replenishment District of Southern California
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Los Angeles County, Department of Public Health
Ms. Kerry Breyer, City of Santa Clarita
City of Valencia
Dr. Mark Gold, Heal the Bay
Ms. Liz Crosson, Santa Monica BayKeeper
Mr. Daniel Cooper, Lawyers for Clean Water
Mr. David Beckman, Natural Resources Defense Council
Mr. Ray Ouellette, Kennedy/Jenks Consultants
Mr. Steven L. Hoch, Hatch & Parent
Mr. Jae Kim, TetraTech

Google Aerial View Map Six Flags Magic Mountain



Based on the Google Map (Image Date: 3/15/2006), this photo shows the aerial view of the location of Outfall No. 003, the current location of receiving water RSW-002, and the Santa Clara River. It also shows the 22 Acres Overflow Parking Lot, 12 Acres Property or Vacant Lot, Drainage Line, Discharge Flow directions to Santa Clara River, and the possible locations 1 and 2 (based on the aerial view) for RSW-002. The labels were created by Staff.