

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

ORDER NO. R4-2002-0185
NPDES NO. CA0064467

WASTE DISCHARGE REQUIREMENTS
for
HOME DEPOT, U.S.A. (FORMER ITT AEROSPACE CONTROLS FACILITY)

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

Purpose of Order

1. Home Depot, U.S.A. (former ITT Aerospace Controls facility) proposes to discharge treated groundwater under waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit.
2. On July 27, 2001, Home Depot, U.S.A. (hereinafter Home Depot or Discharger) filed a report of waste discharge and has applied for WDRs and NPDES permit for discharge of wastes to surface waters. This tentative order is the issuance of the WDRs and NPDES permit for discharges from Home Depot.

Description of Facility

3. Home Depot plans to construct a retail building supply store at 1200 South Flower Street, Burbank, California. From 1940 to 1963, General Controls manufactured thermostats and pressure instruments at this site. In 1963, ITT purchased General Controls and named it ITT General Controls. From 1963 to 1994, aerospace controls manufacturing business was conducted at the site. The manufacturing process included metal plating and the use of solvents for cleaning of electronic components. During the routine handling of these chemicals, accidental leaks and spills of spent solvents occurred. The owners ceased operation in 1994 and relocated. There have been no other occupants at this facility. Groundwater contamination has necessitated the installation of a groundwater cleanup facility at the site. Home Depot is currently working with the Regional Board to perform the necessary remediation at the site. Figure 1 shows the location map of the facility.

Description of Waste Discharge

4. Home Depot proposes to discharge up to 57,600 gallons per day (0.0576 million gallons per day, MGD) of treated groundwater produced from the cleanup of solvents, petroleum hydrocarbons and heavy metals contamination. The discharge enters a storm drain located on Flower Street, close to the site (Latitude: 118°, 17', 54" North and Longitude: 34°, 10', 13" West) and flows to Los Angeles River, a water of the United States.
5. Groundwater will be extracted from dual-phase extraction wells to an oil/water separator for

removal of any free product. Free product will be stored in a tank and hauled away for off-site disposal. Groundwater from oil/water separator will flow to an equalization tank and then to a bag filter to remove suspended solids. The groundwater will then pass through two liquid phase granulated activated carbon vessels in series for removal of volatile organic compounds. Following carbon treatment, groundwater will flow through a reverse osmosis filtering process to remove metals and then discharged to the storm drain. Figure 2 is a block diagram of the wastewater treatment system.

6. Home Depot has also applied to the City of Burbank to discharge the treated wastewater to the municipal sanitary sewer. The City of Burbank is currently performing hydraulic studies to determine the hydraulic capacity availability. Home Depot prefer to discharge to sanitary sewer, if granted permission by the City of Burbank.

Applicable Plans, Policies, and Regulations

7. The Clean Water Act (CWA) authorizes the USEPA to permit a state to serve as the NPDES permitting authority in lieu of the U.S. Environmental Protection Agency (USEPA). The State of California has in-lieu authority for an NPDES program. The Porter-Cologne Water Quality Control Act authorizes the State Water Resources Control Board (State Board), through the Regional Boards, to regulate and control the discharge of pollutants into waters of the State. The State Board entered into a Memorandum of Agreement (MOA) with the USEPA, on September 22, 1989, to administer the NPDES Program governing discharges to waters of the U.S.
8. 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 groundwater, (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.
9. 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 of streams that have intermittent flows, as is true for many Southern California streams, are designated as intermittent.
10. The Basin Plan contains water quality objectives, and lists the following beneficial uses of Los Angeles River (Upstream of Figueroa Street – Hydrologic Unit 405.21).

Existing: groundwater recharge, contact and non-contact water recreation, warm freshwater habitat, wildlife habitat, and wetland habitat.

Potential: municipal and domestic supply and industrial service supply. The potential beneficial use of municipal and domestic water supply (MUN) for the water body is consistent with Regional Board Resolution 89-03; however the Regional Board has only conditionally designated the MUN beneficial uses and at this time cannot establish effluent limitations solely to protect a conditional designation.

- 11 The 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 Los Angeles River.
12. On May 18, 2000, the USEPA promulgated numeric criteria for priority pollutants for the State of California [known as the *California Toxics Rule* (CTR) and codified as 40 CFR section 131.38]. In the CTR, USEPA promulgated criteria that protects the general population at an incremental cancer risk level of one in a million (10^{-6}), for all priority toxic pollutants regulated as carcinogens.
13. 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 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 protocols identified in the SIP provide a rationale approach for determining reasonable potential and represent the best available science with respect to minimum levels for all surface water discharges. The SIP requires the dischargers' submittal of data sufficient to conduct the determination of priority pollutants requiring Water Quality Based Effluent Limitations (WQBELs) and to calculate the effluent limitations. The CTR criteria for fresh water 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 Los Angeles River.
14. 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.

15. 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; 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.
16. State and Federal antidegradation policies require that Regional Board actions to protect the water quality of a water body and to ensure that the waterbody will not be further degraded. The Los Angeles River upstream of Figueroa Street is impaired for certain constituents and consistent with the anti-degradation policy contained at 40 CFR 131.12 and State Board Resolution 68-16, the effluent limitations established in this Order will protect and maintain the level of water quality necessary to protect the existing uses in the receiving water. The highest statutory and regulatory requirements are required for this new point source. Allowing the discharge covered by this Order is consistent with the maximum benefit to the people of the State, as it allows historical contamination that threatens local groundwater resources to be remediated and thereby assures a safe, consistent source of drinking water for thousands of citizens.
17. Effluent limitations are established in accordance with sections 301, 304, 306, and 307 of the federal CWA, and amendments thereto. These requirements, as they are met, will maintain and protect the beneficial uses of the Los Angeles River.

Watershed Management and Total Maximum Daily Loads

18. 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.
19. The Los Angeles River watershed is one of the largest in the Region. It is also one of the

most diverse in terms of land use patterns. Los Angeles River flows for 55 miles from the Santa Monica Mountains at the western end of the San Fernando Valley to the Pacific Ocean at San Pedro Bay. The natural hydrology of the river and many of its tributaries has been altered by flood control efforts including the channelization of much of the river and construction of flood control reservoirs. Most of the mainstream of the Los Angeles River and most of the tributaries are concrete-lined. Approximately 324 square miles of the watershed are covered by forest or open space land. The rest of the watershed is highly developed. Major tributaries to the river include: Pacoima Wash, Tujunga Wash, Burbank Western Channel, Verdugo Wash, Arroyo Seco, Rio Hondo, and Compton Creek.

20. The 1998 State Board's Water Quality Assessment (WQA) classifies the water quality conditions of water bodies in the state. Within the Los Angeles River Watershed the following water bodies are classified as impaired water bodies, and are listed on the 1998 California 303 (d) List and TMDL Schedule: Los Angeles River Reaches 1,2,3,4, 5, and 6, Tujunga Wash, Burbank Western Channel, Verdugo Wash Reaches 1 and 2, Arroyo Seco Reaches 1 and 2, Rio Hondo Reaches 1 and 2, Compton Creek, and Aliso Canyon Wash.

The 1998 California 303(d) list, approved by the USEPA on May 12, 1999, identified the following pollutants of concern for Los Angeles River - Reach 2 (Carson to Figueroa Street) : ammonia, coliform, lead, nutrients (algae), odors, oil, scum, and trash.

21. Section 303(d) of the CWA requires that the State identify a list of impaired water bodies and develop and implement TMDL for these water bodies. A TMDL specifies the maximum amount of a pollutant that a water body can receive and still protect beneficial uses. The USEPA entered into a consent decree with the Natural Resources Defense Council (NRDC), Heal the Bay, and the Santa Monica BayKeeper on March 22, 1999, under which the Regional Board must adopt all TMDLs for the Los Angeles Region within 13 years from that date. This permit incorporates a provision to reopen the permit to implement and enforce approved waste load allocations for wastewater discharge from Home Depot and require changes to comply with the allocated discharge loads.
22. To prevent further degradation of the water quality of Los Angeles River and to protect its beneficial uses, mixing zones and dilution credits are not allowed in this Order. This determination is based on:
 - The 303(d)-listed pollutants exceed water column criteria. Since there is no assimilative capacity of the receiving water, a dilution factor is not appropriate, and the final WQBEL should be numeric objective applied end-of-pipe.
 - The discharge may contain the 303(d)-listed pollutants that are bioaccumulative. These pollutants, when exceeding water criteria within the mixing zone, can potentially result in tissue contamination of organism directly or indirectly through contamination of bed sediments with subsequent incorporation into the food chain.

The proposed human health and wildlife criteria are sufficiently protective for persistent bioaccumulative chemicals. It is necessary that mass-based limits be established to assure that the discharge will not cause or contribute to an exceedance of water quality standards, including narrative standards.

Data Availability and Reasonable Potential Monitoring

23. 40 CFR 122.44(d)(1)(ii) requires that each toxic pollutant be analyzed with respect to its reasonable potential when determining whether a discharge (1) causes; (2) has the reasonable potential to cause; or (3) contributes 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. However, for the pollutants on the 303(d) list, due to the impairment of the Los Angeles River, the background concentrations have already been determined to be higher than the CTR criteria. Sufficient effluent data are needed for this analysis. However, Regional Board may determine whether a reasonable potential exists based on the discharger type and other appropriate information under Step 7 of section 1.3. For this discharge, the contaminants the Discharger is treating are likely to be present in effluent based on the treatment system influent and the Regional Board's experience with similar discharges. As a result, it is appropriate to conclude that there is reasonable potential for certain toxic chemicals present in the discharge. Accompanying effluent limitations are appropriate given that this is a new discharge and consistent with antidegradation requirements.
25. The CTR and SIP require dischargers' submittal of data sufficient to conduct the determination of priority pollutants requiring WQBELs and to calculate the effluent limitations. The Discharger will be required to gather the appropriate data for the Regional Board to conduct the RPA for other CTR constituents for which the Regional Board does not establish effluent limitations. Upon review of the data, and if the Regional Board determines that WQBELs are needed to protect the beneficial uses, the permit will be reopened for appropriate modification. The CTR criteria for freshwater or human health for consumption of organisms, whichever is more stringent, are used to prescribe the effluent limitations in this Order to protect the beneficial uses of the Los Angeles River.
26. On October 8, 1997, the state of California then Governor Pete Wilson signed Assembly Bill 592. Assembly Bill 592 requires the State of California, Department of Health Services (DHS) to adopt primary and secondary drinking water standards for MTBE. In January 1999, the DHS adopted 5 µg/L as the secondary standard for MTBE based on taste and odor threshold. In April 2000, the DHS adopted 13 µg/L as the primary Maximum Contaminant Level (MCL) for MTBE. This Order includes an effluent limitation for MTBE of 13 µg/L.
27. Tertiary Butyl Alcohol (TBA) is a gasoline constituent, an impurity in commercial-grade MTBE, and/or a breakdown product of MTBE. In 1999, California's Office of Environmental Health Hazard Assessment (OEHHA) conducted an interim assessment based on preliminary calculations of the carcinogenicity of TBA, concluding that exposures to TBA via the oral route represent a one in a million excess cancer risk or 12 µg/L. Based on this assessment, OEHHA has set an Action Level of TBA of 12 µg/L.
28. The effluent limitations for MTBE and TBA are necessary to protect the groundwater

recharge beneficial use of the Los Angeles River, and the municipal and domestic drinking water use of the receiving groundwater. Moreover, a limitation is appropriate consistent with antidegradation provisions of state and federal law. The Discharger is initiating a new discharge which may result in the anthropogenic compounds of MTBE and TBA being discharged to the Los Angeles River. As a result, an effluent limitation to prevent degradation is necessary.

29. Effluent limitations prescribed in this Order are based on the CTR, SIP, Basin Plan, and best professional judgment (BPJ). These requirements, as they are met, will protect and maintain existing beneficial uses of the receiving water.
30. The TMDL development for Los Angeles River is scheduled for fiscal year 2003 beginning with nitrogen. The TMDL development for the remaining of 303(d)-listed pollutants is not scheduled within the life of this permit. The TMDLs will include WLAs for the 303(d)-listed pollutants. Upon completion of the TMDL, the Board will adopt a water quality-based effluent limitation (WQBEL) consistent with the corresponding WLA. If authorized, a time schedule may be included in a revised permit to require compliance with the final WQBEL. The TMDL development for the toxic pollutants in Los Angeles River will be scheduled beyond the life of this permit.

CEQA and Notifications

31. 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.
32. The Regional Board, in a public hearing, heard and considered all comments pertaining to the discharge and to the tentative requirements.
33. This Order shall serve as a NPDES permit pursuant to Section 402 of the Federal Clean Water Act or amendments thereto, and shall take effect at the end of ten days from the date of its adoption provided the Regional Administrator, USEPA, has no objections.
34. 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 the Order.
35. 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 Home Depot, U.S.A., 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:

I. Discharge Requirements

A. Discharge Prohibition

1. Wastes discharged shall be limited to treated groundwater as proposed. The discharge of water from accidental spills or other sources is prohibited.
2. Discharges of water, materials, thermal wastes, elevated temperature wastes, toxic wastes, deleterious substances, or wastes other than those authorized by this Order, to Los Angeles River, or waters of the State, are prohibited.
3. The discharge of any radiological, chemical, or biological warfare agent or high level radiological waste is prohibited.

B. Effluent Limitations

1. The pH of the discharge shall at all times be within the range of 6.5 and 8.5.
2. The temperature of the discharge shall not exceed 100°F.
3. Toxicity limitations:
 - a. Acute Toxicity Limitation and Requirements
 - i. 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.
 - ii. If any acute toxicity bioassay test result is less than 90% survival, 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 close 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 sources of toxicity. Once the sources are identified, the Discharger shall take all reasonable steps to reduce toxicity to meet objective.
 - iii. If any two out of the initial test and the additional six acute toxicity bioassay test result in less than 70% survival, including the initial test, the Discharger shall immediately begin a TIE.
 - iv. The Discharger shall conduct acute toxicity monitoring as specified in Monitoring and Reporting Program (MRP) No. 8382.

b. Chronic Toxicity Limitation and Requirements:

- i. This Order includes a chronic testing toxicity trigger defined as an exceedance of 1.0 TU_c in a critical life stage test for 100% effluent. (The monthly median for chronic toxicity of 100% effluent shall not exceed 1.0 TU_c in a critical life stage test.)
- ii. If the chronic toxicity of the effluent exceeds 1.0 TU_c , the Discharger shall immediately implement an accelerated chronic toxicity testing according to MRP No. 8382, Section IV.D. If the results of two of the six accelerated tests exceed 1.0 TU_c , the Discharger shall initiate a TIE and implement the Initial Investigation TRE Workplan. (see I.B.3.b.v, below).
- iii. The Discharger shall conduct chronic toxicity monitoring as specified in MRP No. 8382.
- iv. The chronic toxicity of the effluent shall be expressed and reported in toxic units, where:

$$TU_c = \frac{100}{NOEC}$$

The No Observable Effect Concentration (NOEC) is expressed as the maximum percent effluent concentration that causes no observable effect on test organisms, as determined by the results of a critical life stage toxicity test.

- v. Preparation of an Initial Investigation TRE Workplan
 - (a). The Discharger shall submit a copy of the Discharger's initial investigation Toxicity Reduction Evaluation (TRE) workplan (1-2 pages) to the Executive Officer of the Regional Board for approval within 90 days of the effective date of this permit. If the Regional Board Executive Officer does not disapprove the workplan within 60 days, the workplan shall become effective. The Discharger shall use EPA manuals EPA/600/2-88/070 (industrial) or EPA/833B-99/002 (municipal) as guidance. This workplan shall describe the steps the Discharger intends to follow if toxicity is detected, and should include, at a minimum:
 - (b). A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency;
 - (c). A description of the facility's methods of maximizing in-house treatment efficiency and good housekeeping practices, and a list of all chemicals used in operation of the facility; and,

- (d). If a TIE is necessary, an indication of the person who would conduct the TIEs (i.e., an in-house expert or an outside contractor) (See MRP Section IV.E.3. for guidance manuals).

3. Discharge of an effluent in excess of the following limitations is prohibited:

| Constituents | Units | Discharge Limitations | |
|-------------------------------------|-----------------------|---|----------------------|
| | | Monthly Average ^{4/} | Daily Maximum |
| Total suspended solids | mg/L | 50 | 75 |
| | Lbs/day ^{2/} | 24 | 36 |
| BOD ₅ 20°C | mg/L | 20 | 30 |
| | Lbs/day ^{2/} | 9.6 | 14.4 |
| Oil and grease | mg/L | 10 | 15 |
| | Lbs/day ^{2/} | 4.8 | 7.2 |
| Turbidity | NTU | 50 | 75 |
| Settleable solids | ml/L | 0.1 | 0.3 |
| Sulfides | mg/L | | 1.0 |
| | Lbs/day ^{2/} | | 0.48 |
| Phenols | mg/L | | 1.0 |
| | Lbs/day ^{2/} | | 0.48 |
| Phenolic compounds (chlorinated) | µg/L | | 1.0 |
| | Lbs/day ^{2/} | | 0.0005 |
| Benzene | µg/L | | 1.2 |
| | Lbs/day ^{2/} | | 0.0006 |
| Toluene | µg/L | | 150 |
| | Lbs/day ^{2/} | | 0.072 |
| Xylene | µg/L | | 1750 |
| | Lbs/day ^{2/} | | 0.83 |
| Ethylbenzene | µg/L | | 700 |
| | Lbs/day ^{2/} | | 0.336 |
| Carbon tetrachloride | µg/L | | 0.25 |
| | Lbs/day ^{2/} | | 0.0001 |
| Tetrachloroethylene | µg/L | | 0.8 |
| | Lbs/day ^{2/} | | 0.0004 |
| Trichloroethylene | µg/L | | 2.7 |
| | Lbs/day ^{2/} | | 0.001 |
| 1,1,1-trichloroethane | µg/L | | 200 |
| | Lbs/day ^{2/} | | 0.096 |
| 1,4-dichlorobenzene | µg/L | | 400 |
| | Lbs/day ^{2/} | | 0.19 |
| 1,1-dichloroethane | µg/L | | 5.0 |
| | Lbs/day ^{2/} | | 0.0024 |
| 1,2-dichloroethane | µg/L | | 0.38 |
| | Lbs/day ^{2/} | | 0.0002 |
| 1,1-dichloroethylene | µg/L | | 0.057 |
| | Lbs/day ^{2/} | | 0.00003 |
| Vinyl chloride | µg/L | | 2 |

| Constituents | Units | Discharge Limitations | |
|------------------------------------|-------------------------------|-------------------------------|-----------------|
| | | Monthly Average ^{1/} | Daily Maximum |
| | Lbs/day ^{2/} | | 0.0009 |
| Tertiary butyl alcohol (TBA) | µg/L Lbs/day ^{2/} | | 12 0.0058 |
| Methyl tertiary butyl ether (MTBE) | µg/L Lbs/day ^{2/} | | 13 0.006 |
| Arsenic ^{3/} | µg/L Lbs/day ^{2/} | 150 0.07 | 340 0.16 |
| Cadmium ^{3/} | µg/L Lbs/day ^{2/} | 2.2 0.001 | 4.3 0.002 |
| Chromium III ^{3/} | µg/L Lbs/day ^{2/} | 180 0.08 | 550 0.26 |
| Chromium (VI) ^{3/} | µg/L Lbs/day ^{2/} | 11.0 0.0053 | 16.0 0.0077 |
| Copper ^{3/} | µg/L Lbs/day ^{2/} | 9 0.004 | 13 0.006 |
| Lead ^{3/} | µg/L Lbs/day ^{2/} | 2.5 0.0012 | 65 0.031 |
| Mercury ^{3/} | µg/L Lbs/day ^{2/} | | 0.05 0.00002 |
| Nickel ^{3/} | µg/L Lbs/day ^{2/} | 52 0.025 | 470 0.22 |
| Silver ^{3/} | µg/L Lbs/day ^{2/} | | 3.4 0.0016 |
| Selenium ^{3/} | µg/L Lbs/day ^{2/} | 5 0.0024 | |
| Zinc ^{3/} | µg/L Lbs/day ^{2/} | | 120 0.058 |

^{1/} 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 within that month, compliance shall be based on this sample result.

^{2/} The mass emission for a pollutant was calculated based on a discharge flow rate of 57,600 gallons per day for treated groundwater.

^{3/} Metals limits are for total recoverable concentrations.

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. The temperature at any time or place and within any given 24-hour period to be altered by more than 5°F above natural temperature; but at no time be raised above 80°F for waters with a beneficial use of WARM (Warm Freshwater Habitat)
4. The discharge shall not cause the following limits 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; and,
 - c. Dissolved sulfide shall not be greater than 0.1 mg/L.
5. 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 CWA, or amendments thereto, the Regional Board will revise or modify this Order in accordance with such standards.
6. The discharge shall not cause the following to be present in receiving waters:
 - a. Biostimulatory substances at concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses;
 - b. Chemical substances in amounts that adversely affect any designated beneficial use;

- c. 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;
 - d. Suspended or settleable materials in concentrations that cause nuisance or adversely affect beneficial uses;
 - e. Taste or odor-producing substances in concentrations that alter the natural taste, odor, and/or color of fish, shellfish, or other edible aquatic resources; cause nuisance; or adversely affect beneficial uses;
 - f. Substances that result in increases of BOD₅20⁰C that adversely affect beneficial uses;
7. The discharge shall not alter the color, create a visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters.
 8. The discharge shall not degrade surface water communities and population including vertebrate, invertebrate, and plant species.
 9. The discharge shall not damage, discolor, nor cause formation of sludge deposits on flood control structures or facilities nor overload their design capacity.
 10. The discharge shall not cause problems associated with breeding of mosquitoes, gnats, black flies, midges, or other pests.

II. Requirements

- A. The Discharger shall immediately develop a Pollutant Minimization Plan (PMP) when there is evidence that a priority pollutant is present in the effluent above an effluent limitation.

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. Submittal of a control strategy designed to maintain concentrations of the reportable priority pollutant(s) in the effluent at or below the effluent limitation;
3. Implementation of appropriate cost-effective control measures for the reportable priority pollutant(s), consistent with the control strategy; and,
4. 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.
- B. The Discharger shall submit within 180 days of the effective date of this Order an updated Spill Contingency Plan. The Contingency Plan shall be site-specific and shall cover all areas of the facility. The Contingency Plan shall be reviewed at the same time as the BMPP. Updated information shall be submitted within 30 days of revision.
- C. 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, to 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).
- D. 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. 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 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.

III. Provisions

- A. The Discharger shall comply with all the applicable items of the *Standard Provisions and Reporting for Waste Discharge Requirements* (Standard Provisions, Attachment

- N). If there is any conflict between provisions stated herein and the Standard Provisions, those provisions stated herein prevail.
- B. This Order includes the attached Monitoring and Reporting Program. If there is any conflict between provisions stated in the Monitoring and Reporting Program and the Standard Provisions, those provisions stated in the former prevail.
- C. This Order neither exempt the discharger from compliance with any other laws, regulations, or ordinances that may be applicable, nor legalize the waste disposal facility.
- D. The discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.
- E. Pursuant to 40CFR §122.61(b), coverage under this Order may be transferred in case of change of ownership of land or discharge facility provided the existing discharger notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new dischargers containing a specific date of transfer of coverage, responsibility for compliance with this Order, and liability between them.
- F. 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.
- G. The Discharger must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of storm water to their storm drain systems.

V. Reopeners

- A. Pursuant to 40 CFR §§122.62 and 122.63, this Order may be modified, revoked and reissued, or terminated for cause. Reasons for modification may include new information on the impact of discharges regulated under this Order become available, promulgation of new effluent standards and/or regulations, adoption of new policies and/or water quality objectives, and/or new judicial decisions affecting requirements of this Order,
- B. This Order may be reopened and modified, in accordance with SIP Section 2.2.2.A, to incorporate new limits based on future reasonable potential analysis to be conducted, upon completion of the collection of additional data by the Discharger.
- C. 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.

- D. 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.
- E. This Order may be reopened and modified, to revise effluent limitations as a result of future Basin Plan Amendments, such as an update of the Ammonia objective, or the adoption of a TMDL for Los Angeles River Watershed.
- 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.

VI. EXPIRATION DATE

This Order expires on November 10, 2007.

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.

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 December 12, 2002.

Dennis A. Dickerson
Executive Officer