



California Regional Water Quality Control Board

Los Angeles Region

(50 Years Serving Coastal Los Angeles and Ventura Counties)



Gray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640
Internet Address: <http://www.swrcb.ca.gov/rwqcb4>

November 4, 2003

Mr. David Y. Lee
Equitable City Center
3450 Wilshire Boulevard, Suite 510
Los Angeles, CA 90010

Certified Mail
Return Receipt Requested
Claim No. 7001 2510 0002 2221 9468

Dear Mr. Lee:

CONTINUATION OF COVERAGE UNDER GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT AND WASTE DISCHARGE REQUIREMENTS – EQUITABLE CITY CENTER, 3435 WILSHIRE BOULEVARD, LOS ANGELES, CALIFORNIA (NPDES NO. CAG994004, CI-8610)

We have completed our review of your Notice of Intent (NOI) and analytical results of representative groundwater samples submitted in order to continue enrollment under the General NPDES Permit. Discharge of groundwater generated from the above-referenced facility is currently regulated under NPDES General Permit No. CAG994002 (Order No. 97-043) adopted by this Board on May 12, 1997.

Based on the attached Fact Sheet and other information provided, we have determined that the groundwater discharge meets the conditions to be regulated under Order No. R4-2003-0111, *General National Pollutant Discharge Elimination System and Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties*, adopted by this Board on August 7, 2003. Your existing enrollment under NPDES Permit No. CAG994002, Order No. 97-043, which was issued to you on July 9, 2003, is superseded by this new permit that terminated your coverage under Order No. 97-043.

Enclosed are your Waste Discharge Requirements, which also serve as your NPDES permit, consisting of Order No. R4-2003-0111 and Monitoring and Reporting Program No. CI-8610. The discharge limitations in Parts E.1.a. and E.1.c. of Order No. R4-2003-0111 for the specific constituents listed on the table with the enclosed Fact Sheet are applicable to your discharge. The groundwater discharge flows to Ballona Creek; therefore, the discharge limits in Attachment B of Order No. R4-2003-0111 are not applicable to your discharge.

The Monitoring and Reporting Program requires you to implement the monitoring program on the effective date of coverage under this permit. All monitoring reports should be sent to the Regional Board, ATTN: Information Technology Unit. When submitting monitoring or technical reports to the Regional Board per these requirements, please include a reference to "Compliance File No. CI-8610 and NPDES No. CAG994004", which will assure that the reports are directed to the appropriate file and staff. Also, please do not combine other reports with your monitoring reports. Submit each type of report as a separate document.

In order to avoid future annual fees, please submit written notification when the project has been completed and the permit is no longer needed.

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption
For a list of simple ways to reduce demand and cut your energy costs, see the tips at: <http://www.swrcb.ca.gov/news/echallenge.html>



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Mr. David Y. Lee
Equitable City Center


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November 4, 2003

We are sending a copy of Order No. R4-2003-0111 only to the applicant. For those on the mailing list, please refer to the Board Order sent to you previously or download a copy of the Order from our website at http://www.swrcb.ca.gov/rwqcb4/html/permits/general_permits.html.

If you have any questions, please contact Thizar Tintut-Williams at (213) 576-6752.

Sincerely,



AEO

Dennis A. Dickerson *for*
Executive Officer

Enclosures: Fact Sheet
Monitoring and Reporting Program No. 8610
Board Order No. R4-2003-0111, General NPDES Permit No. CAG994004

cc: Environmental Protection Agency, Region 9, Clean Water Act Standards and Permits Office (WTR-5)
U.S. Army Corps of Engineers
NOAA, National Marine Fisheries Service
Department of Interior, U.S. Fish and Wildlife Service
James Maughan, Division of Water Quality, State Water Resources Control Board
Michael Lauffer, Office of the Chief Counsel, State Water Resources Control Board
California Department of Health Services, Drinking Water and Field Operations Branch
Los Angeles County, Department of Public Works, Flood Control Division
Los Angeles County, Department of Public Works, Environmental Program Division
Los Angeles County, Department of Environmental Health
City Manager, City of Los Angeles
Michael Slaby, Pure Effect, Inc.
Brian Park, Philmont Management, Inc.

/ttw

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State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
320 West 4th Street, Suite 200, Los Angeles

FACT SHEET
WASTE DISCHARGE REQUIREMENTS
FOR
EQUITABLE CITY CENTER

NPDES NO. CAG994004
CI-8610

PROJECT LOCATION

Equitable City Center Project
3435 Wilshire Boulevard
Los Angeles, CA

FACILITY MAILING ADDRESS

Equitable City Center
3450 Wilshire Boulevard, #510
Los Angeles, CA 90010

PROJECT DESCRIPTION

Equitable (Equitable) City Center is a multilevel office building complex. Equitable will extract and treat heavy metals (specifically selenium, copper, and zinc) impacted groundwater during the construction of a subterranean level for an additional office building located at 3435 Wilshire Boulevard in Los Angeles. The treatment system consists of a settling tank, filtration unit, and PUR-Z filtration media. Treated wastewater will be discharged to a storm drain. The groundwater dewatering will occur during construction and is expected to become permanent following the completion of the construction project.

VOLUME AND DESCRIPTION OF DISCHARGE

Equitable proposes to discharge up to 1 million gallons per day of treated groundwater to a storm drain located at Outfall No. 1 (Latitude 34° 06' 65", Longitude 118° 30' 22") thence to Ballona Creek, a water of the United States. See Figures 1, and 2 for the site locations and schematic of the treatment system, respectively.

APPLICABLE EFFLUENT LIMITATIONS

Based on the information provided in the NPDES Application Supplemental Requirements, and previous monitoring reports, the following constituents listed in the table below have been determined to show reasonable potential to exist in the discharge. The discharge of treated groundwater flows into the Ballona Creek; therefore, the discharge limitations under the "saltwater waterbodies" apply to your discharge, and Attachment B is not applicable to your discharge.

This table lists the specific constituents and effluent limitations applicable to your discharge.

Constituents	Units	Discharge Limitations	
		Daily Maximum	Monthly Average
Total Suspended Solids	mg/L	150	50
Turbidity	NTU	150	50
BOD ₅ 20°C	mg/L	30	20
Oil and Grease	mg/L	15	10
Settleable Solids	ml/L	0.3	0.1
Sulfides	mg/L	1.0	---
Phenols	mg/L	1.0	---
Residual Chlorine	mg/L	0.1	---
Methylene Blue Active Substances (MBAS)	mg/L	0.5	---
Metals			
Copper	µg/L	5.8	2.9
Selenium	µg/L	120	58
Zinc	µg/L	95	47

FREQUENCY OF DISCHARGE

Discharge from the treatment system during the construction is proposed to begin in November 2003, and will last up to eight months. The groundwater dewatering is expected to become permanent following the construction project completion.

REUSE OF WATER

Equitable considered alternative reuse and/or method of disposal for the wastewater such as irrigation and discharge to a sanitary sewer. Due to the large volume of groundwater, discharge to the sanitary sewer is not a practicable option during the construction phase. Following project completion, sanitary sewer discharge may be considered for discharge of the permanent dewatered groundwater. In addition, there is limited area that could be used for irrigation. Therefore, the wastewater will be discharged to the storm drain.

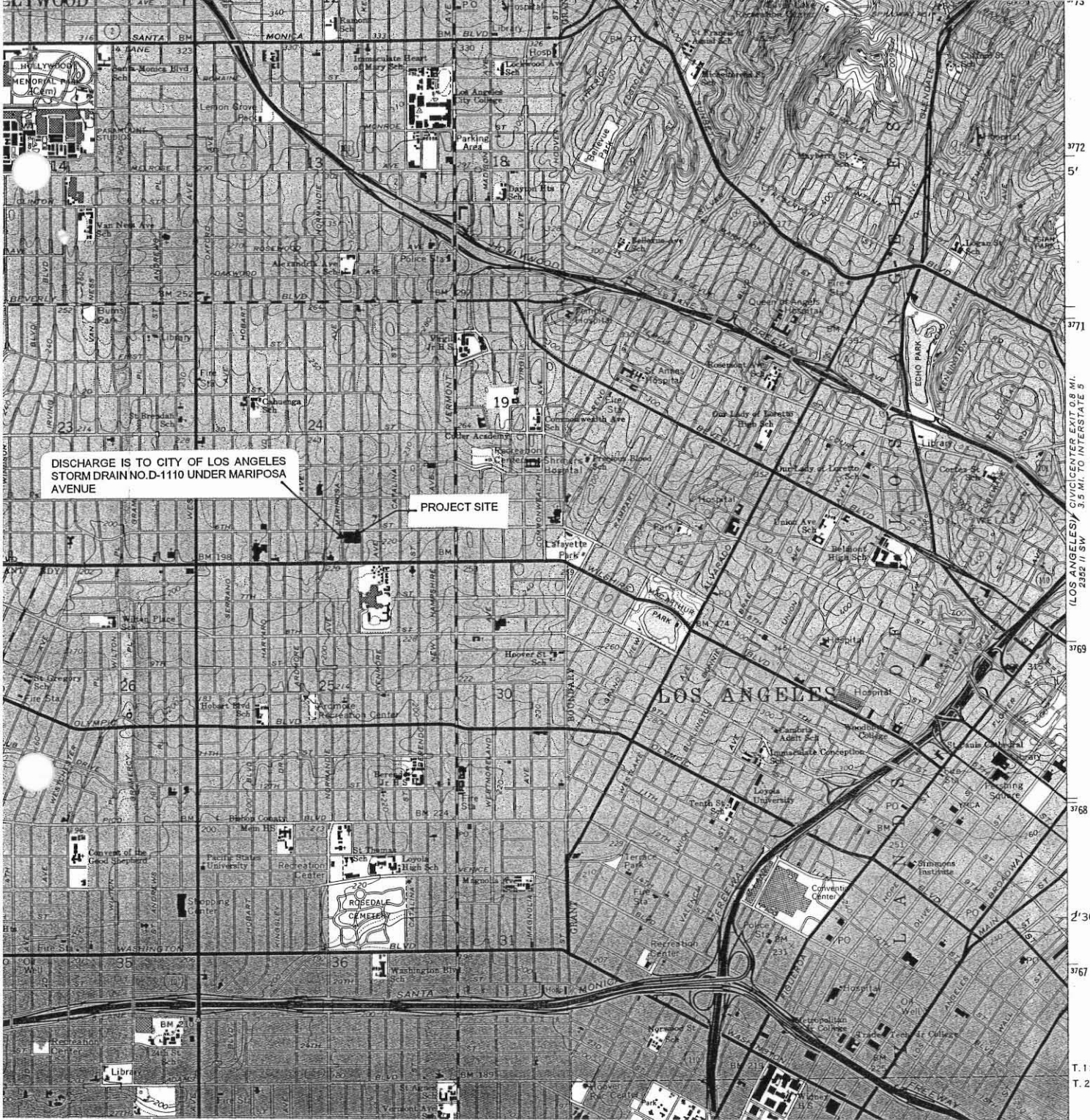
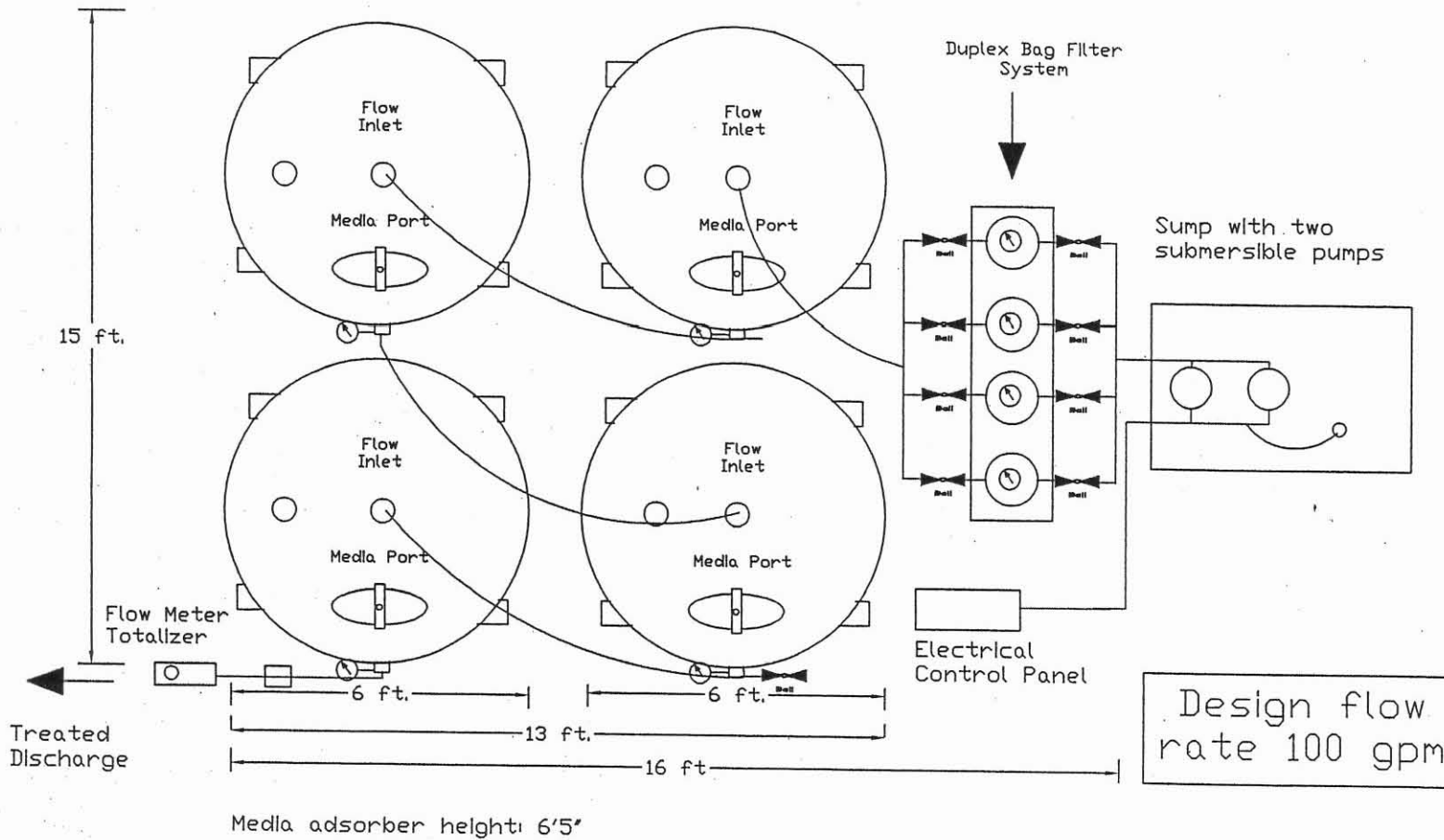


Figure 1
Site Location

Figure 2



PURE
EFFECT,
INC.

611
West
Palm
Ave., CA
92868

714-639-7873

Custom
Design
Pur-Z/ Resin
Water
Treatment
System
Project:
Equitable City
Center Los
Angeles, CA
6-20-2003

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

MONITORING AND REPORTING PROGRAM NO. 8610
for
EQUITABLE CITY CENTER
(NPDES NO. CAG994004)

I. REPORTING REQUIREMENTS

- A. The Discharger shall implement this monitoring program on the effective date of coverage under this permit. The Discharger shall submit monitoring reports to this Regional Board by the dates in the following schedule:

<u>Reporting Period</u>	<u>Report Due</u>
January – March	May 15
April – June	August 15
July – September	November 15
October – December	February 15
Annual Summary Report	March 15

- B. The first monitoring report under this Program is due by February 15, 2004. If there is no discharge during any reporting period, the report shall so state. The annual summary report shall contain a discussion of the previous year's effluent monitoring data, as well as graphical and tabular summaries of the data, and must be received by March 15, of each year.
- C. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.
- D. All monitoring reports shall include discharge limitations in the Order, tabulated analytical data, the chain of custody form, the analytical laboratory report (including, but not limited to: date and time of sampling, date of analyses, method of analysis, and detection limits), and discharge certification statement.
- E. Before commencing a new discharge, a representative sample of the effluent shall be obtained and analyzed for toxicity, and all the constituents listed in the Fact Sheet. The test results must meet all applicable discharge limitations. [This requirement does not apply to existing discharge.]

II. SAMPLE COLLECTION REQUIREMENTS (AS APPROPRIATE)

- A. Daily samples shall be collected each day.
- B. Weekly samples shall be collected on a representative day of each week.
- C. Monthly samples shall be collected on a representative day of each month.
- D. Quarterly samples shall be collected in February, May, August, and November.
- E. Semi-annual samples shall be collected in May and November.
- F. Annual samples shall be collected in November.

III. EFFLUENT MONITORING REQUIREMENTS

- A. Sampling stations shall be established for each point of discharge and shall be located where representative samples of that effluent can be obtained. The discharger shall notify this Regional Board in writing of the location(s) of the sampling stations once established. Provisions shall be made to enable visual inspection before discharge. If oil sheen, debris, and/or other objectionable materials or odors are present, discharge shall not be commenced before compliance with the requirements is demonstrated. All visual observations shall be included in the monitoring report.
- B. If monitoring result indicates an exceedance of a limit contained in R4-2003-0111, the discharge shall be terminated and shall only be resumed after remedial measures have been implemented and full compliance with the requirements has been ascertained.
- C. In addition, as applicable, following the effluent limit exceedance, the discharger shall implement the following accelerated monitoring program:
 - 1. Monthly monitoring shall be increased to weekly monitoring;
 - 2. Quarterly monitoring shall be increased to monthly monitoring; and
 - 3. Semi-annually monitoring shall be increased to quarterly.
 - 4. Annually monitoring shall be increased to semi-annually.

If three consecutive accelerated monitoring events demonstrate full compliance with effluent limits, then the discharger may return to the regular monitoring frequency, with the approval of the Executive Officer of the Regional Board.

- D. The following shall constitute the discharge monitoring program for each outfall location:

<u>Constituent</u>	<u>Unit</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Analysis</u>
Total Waste Flow	gal/day	recorder	continuously
pH	pH units	grab	monthly
Temperature	°F	grab	monthly
Total Suspended Solids	mg/L	grab	monthly
Turbidity	NTU	grab	monthly
BOD ₅ 20°C	mg/L	grab	monthly
Oil and Grease	mg/L	grab	monthly
Settleable Solids	ml/L	grab	monthly
Sulfides	mg/L	grab	monthly
Phenols	mg/L	grab	monthly
Residual Chlorine	mg/L	grab	monthly
MBAS	mg/L	grab	monthly
Copper	µg/L	grab	monthly ¹
Selenium	µg/L	grab	monthly ¹
Zinc	µg/L	grab	monthly ¹
Acute Toxicity	% survival	grab	annually

IV. EFFLUENT TOXICITY TESTING

- A. The discharger shall conduct acute toxicity testing tests on 100% effluent grab samples by methods specified in 40 CFR Part 136 which cites USEPA's Methods for Measuring the Acute Toxicity of Effluents and Receiving Water to Freshwater and Marine Organisms, October 2002, (EPA/821-R-02-012) or a more recent edition. Submission of bioassay results should include the information noted on pages 109-113 of the EPA/821-R-02-012 document.
- B. The fathead minnow, *Pimephales promelas*, shall be used as the test species for fresh water discharges and the topsmelt, *Atherinops affinis*, shall be used as the test species for brackish discharges. The method for topsmelt is found in USEPA's Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third Edition, October 2002, (EPA/821-R-02-014).
- C. If the results of the toxicity test yields a survival of less than 90%, then the frequency of analyses shall increase to monthly until at least three test results have been obtained and full compliance with effluent limitations has been demonstrated, after which the frequency of analyses shall revert to annually.

¹ Weekly for the first month, monthly thereafter, if no exceedance is observed.

Results of toxicity tests shall be included in the first monitoring report following sampling.

V. GENERAL PROVISIONS FOR REPORTING

- A. The Discharger shall inform this Regional Board 24 hours before the start of the discharge.
- B. All chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer. A copy of the laboratory certification shall be provided with the first monitoring report and each time a new and/or renewal is obtained from ELAP.
- C. Samples must be analyzed within allowable holding time as specified in 40 CFR Part 136.3. Proper chain of custody procedures must be followed and a copy shall be submitted with the report.
- D. As required in part H.5 of Order No. R4-2003-0111, the monitoring report shall specify the USEPA analytical method used, the method detection limit, and the minimum level for each pollutant as applicable.

VI. COMPLIANCE DETERMINATION (AS APPLICABLE)

- A. Compliance with single constituent effluent limitation – If the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (see Monitoring and Reporting Requirement Section H.5 of Order No. R4-2003-0111), then the Discharger is out of compliance.
- B. Compliance with monthly average limitations - In determining compliance with monthly average limitations, the following provisions shall apply to all constituents:
 - 1. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, does not exceed the monthly average limit for that constituent, the Discharger has demonstrated compliance with the monthly average limit for that month.
 - 2. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the monthly average limit for any constituent, the Discharger shall collect four additional samples at approximately equal intervals during the month. All five analytical results shall be reported in the monitoring report for that month, or 45 days after results for the additional samples were received, , whichever is later.

When all sample results are greater than or equal to the reported Minimum Level (see Monitoring and Reporting Requirement Section H.5 of Order No. R4-2003-0111), the numerical average of the analytical results of these five samples will be used for compliance determination.

When one or more sample results are reported as "Not-Detected (ND)" or "Detected, but Not Quantified (DNQ see Monitoring and Reporting Requirement Section H.5 of Order No. R4-2003-0111), the median value of these four samples shall be used for compliance determination. If one or both of the middle values is ND or DNQ, the median shall be the lower of the two middle values.

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. If only one sample was obtained for the month or more than a monthly period and the result exceed the monthly average, then the Discharger is in violation of the monthly average limit.
- C. Compliance with effluent limitations expressed as a sum of several constituents – If the sum of the individual pollutant concentrations is greater than the effluent limitation, then the Discharger is out of compliance. In calculating the sum of the concentrations of a group of pollutants, consider constituents reported as ND or DNQ to have concentrations equal to zero, provided that the applicable ML is used.
- D. Compliance with effluent limitations expressed as a median – in determining compliance with a median limitation, the analytical results in a set of data will be arranged in order of magnitude (either increasing or decreasing order); and
1. If the number of measurements (n) is odd, then the median will be calculated as $= X_{(n+1)/2}$, or
 2. If the number of measurements (n) is even, then the median will be calculated as $= [X_{n/2} + X_{(n/2)+1}]$, i.e. the midpoint between the $n/2$ and $n/2+1$ data points.

- E. In calculating mass emission rates from the monthly average concentrations, use one half of the method detection limit for "Not Detected" (ND) and the estimated concentration for "Detected, but Not Quantified" (DNQ) for the calculation of the monthly average concentration. To be consistent with section VI.B.3., if all pollutants belonging to the same group are reported as ND or DNQ, the sum of the individual pollutant concentrations should be considered as zero for the calculation of the monthly average concentration.

VII. NOTIFICATION

- A. The Discharger shall notify the Executive Officer in writing prior to discharge of any chemical that may be toxic to 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. EPA registration number, if applicable.


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

- B. The Discharger shall notify the Regional Board via telephone and/or fax within 24 hours of noticing an exceedance above the effluent limits in Order No. R4-2003-0111. The Discharger shall provide to the Regional Board within 14 days of observing the exceedance a detailed statement of the actions undertaken or proposed that will bring the discharge into full compliance with the requirements and submit a timetable for correction.

VIII. MONITORING FREQUENCIES

Monitoring frequencies may be adjusted by the Executive Officer to a less frequent basis if the Discharger requests same and the request is backed by statistical trends of monitoring data submitted.

Ordered by:



Dennis A. Dickerson
Executive Officer

AEO for

Date: November 4, 2003

/ttw