



California Regional Water Quality Control Board

Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Linda S. Adams
Agency Secretary

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

Arnold Schwarzenegger
Governor

September 10, 2007

Mr. Bob Etebar
Palm Residential, LLC
c/o ETCO Development, Inc.
9952 S. Santa Monica Boulevard, #200
Beverly Hills, CA 90212

Certified Mail
Return Receipt Requested
Claim No. 7005 0390 0000 4141 2590

Dear Mr. Etebar:

REVISED COVERAGE UNDER GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND WASTE DISCHARGE REQUIREMENTS—PALM RESIDENTIAL, LLC., PALM MERIDIAN CONDOMINIUMS, 437 N. PALM DRIVE, BEVERLY HILLS, CALIFORNIA (NPDES NO. CAG994004, CI-8941)

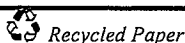
We have received and reviewed the documentation submitted on July 20, 2007, by your consultant AB Geoscience and Environmental Consultants, requesting a revision of the Monitoring and Reporting Program (MRP) contained in your enrollment under the General National Pollutant Discharge Elimination System (NPDES). The six consecutive months of your effluent monitoring data indicated consistent compliance with the effluent limitations. Therefore, you are requesting a reduction in monitoring frequency for the parameters regulated at your facility. We have revised your MRP to show the reduced frequency. About 43,200 gallons per day (gpd) of groundwater is discharged from the condominium facility to the storm drain.

Based on the information provided, the proposed discharge of groundwater meets the conditions to be regulated under Order No. R4-2003-0111, *General National Pollutant Discharge Elimination System Permit 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.

Enclosed are your Waste Discharge Requirements, which also serve as your NPDES permit, consisting of Order No. R4-2003-0111 and revised MRP No. CI-8941. Prior to starting discharge, a representative sample of the effluent must be obtained and analyzed to determine compliance with the discharge limitations. The groundwater discharge flows into 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-8941 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.

California Environmental Protection Agency



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

Mr. Bob Etebar
Palm Residential, LLC

- 2 -

September 10, 2007

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

We are sending Board 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.waterboards.ca.gov/losangeles/html/permits/general_permits.html.

If you have any questions, please contact Namiraj Jain at (213) 620-6003.

Sincerely,



Deborah J. Smith
Interim Executive Officer

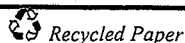
Enclosures

Revised Fact Sheet
Revised Monitoring and Reporting Program No. CI-8941
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
Philip Isorena, SWRCB, NPDES Unit
NOAA, National Marine Fisheries Service
Department of Interior, U.S. Fish and Wildlife Service
Department of Fish and Game, Region 5
Los Angeles County Department of Public Works, Flood Control and Drainage
Los Angeles County Department of Environmental Program
City Manager, Beverly Hills
Jae Kim, Tetra Tech

/nj

California Environmental Protection Agency



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

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

**REVISED FACT SHEET
WASTE DISCHARGE REQUIREMENTS**

**PALM RESIDENTIAL, LLC
(PALM MERIDIAN CONDOMINIUMS)
NPDES NO. CAG994004
CI-8941**

PROJECT LOCATION

437 N. Palm Drive
Beverly Hills, California

FACILITY MAILING ADDRESS

9952 S. Santa Monica Boulevard, #200
Beverly Hills, CA 90212

PROJECT DESCRIPTION

Palm Meridian Condominiums (Discharger) pump and discharge seepage groundwater from the building substructure located at 437 N. Palm Drive to nearby storm drain. The dewatering is necessary to protect the integrity of the building structure from rising groundwater table.

On July 20, 2007, the Discharger submitted six consecutive months of effluent monitoring data from the facility that indicated consistent compliance with the effluent limitations. Therefore, the Discharger requested a reduction in monitoring frequency for the parameters regulated at the above-referenced facility from monthly to quarterly. This Fact sheet has been revised to reflect the reduced monitoring frequency in the Monitoring and Reporting Program.

VOLUME AND DESCRIPTION OF DISCHARGE

Up to 43,200 gallons per day of groundwater is discharged from the facility to a nearby storm drain that flows into Ballona Creek (Latitude: 34° 04' 38", Longitude: 118° 23' 32"), a water of the United States. The site location map is shown in Figure 1.

APPLICABLE EFFLUENT LIMITATIONS

Based on the information provided in the NPDES Application Supplemental Requirements, the following constituents listed in the Table below have been determined to show reasonable potential to exist in the discharge. The discharge of groundwater flows into Ballona Creek, that is designated as MUN (Potential) beneficial use. Therefore, the discharge limitations under the "Other Waters" column apply to the discharge. The limitations specified in Attachment B of the Order are not applicable to this discharge.

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

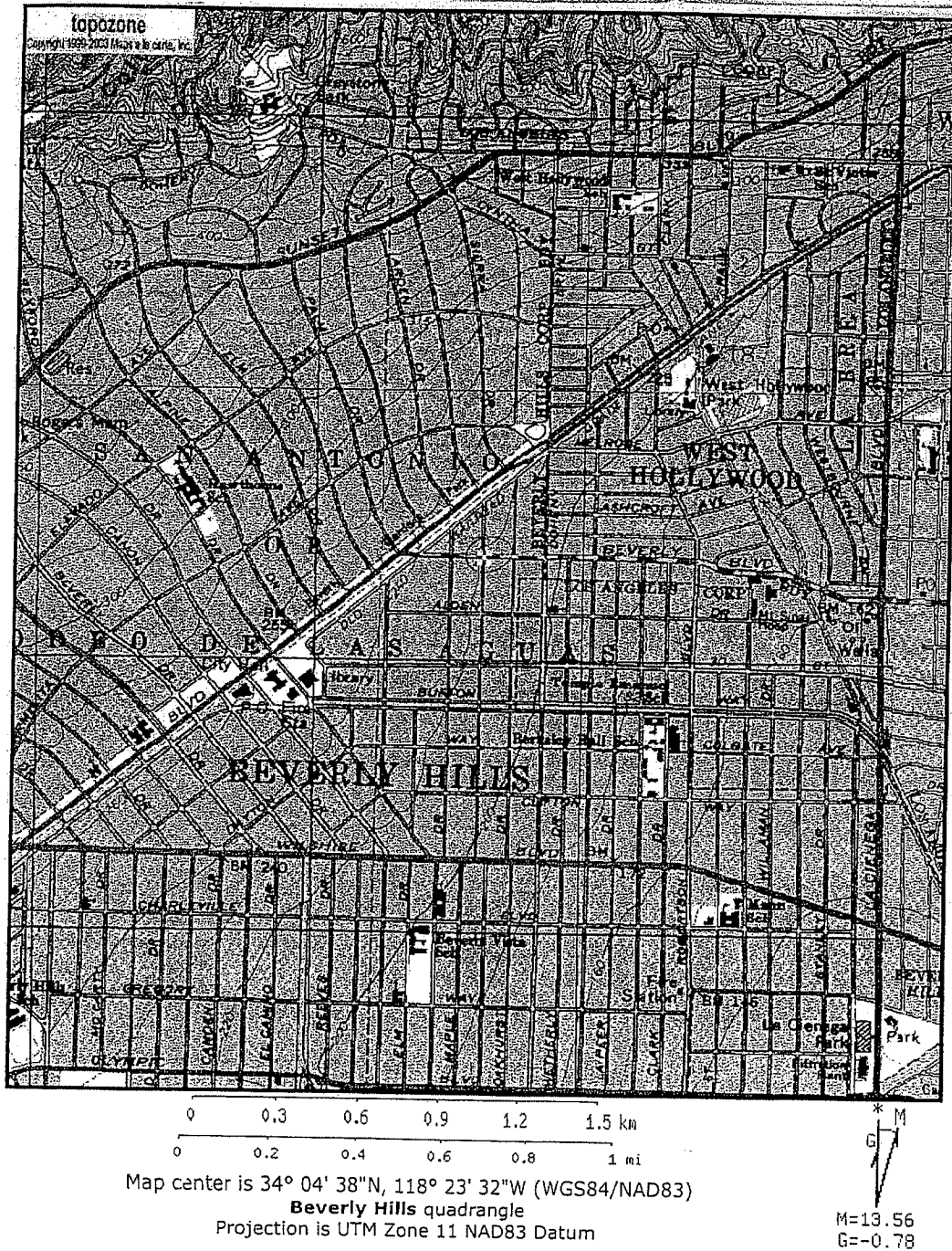
Constituents	Units	Discharge Limitations	
		Daily Maximum	Monthly Average
Total Suspended Solids	mg/L	150	50
Turbidity	NTU	150	50
BOD ₅ 20°C	mg/L	30	20
Oil and Grease	mg/L	15	10
Settleable Solids	ml/L	0.3	0.1
Sulfides	mg/L	1.0	---
Phenols	mg/L	1.0	---
Residual Chlorine	mg/L	0.1	---
Methylene Blue Active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

FREQUENCY OF DISCHARGE

The dewatering discharge is intermittent, but permanent for the life of the building structure.

REUSE OF WATER

It is not economically feasible to haul the groundwater to off-site disposal facility. Since there are no other feasible reuse options, the groundwater generated from the facility will be discharged to the storm drain in accordance with the attached Order.



Site Location
Figure 1

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

**REVISED MONITORING AND REPORTING PROGRAM NO. CI-8941
FOR
PALM RESIDENTIAL, LLC
(PALM MERIDIAN CONDOMINIUMS)
NPDES NO. CAG994004**

I. REPORTING REQUIREMENTS

- A. The discharger shall implement this monitoring program on the effective date of this permit. The discharger shall submit monitoring reports to the 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

- B. The first monitoring report under this Program is due by November 15, 2007. If there is no discharge during any reporting period, the report shall so state.
- C. All monitoring reports shall include the discharge limitations in the Order, tabulated analytical data, the chain of custody form, and the laboratory report (including but not limited to date and time of sampling, date of analyses, method of analysis and detection limits).
- D. Each monitoring report shall contain a separate section titled "Summary of Non-compliance" which discusses the compliance record and corrective action 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.
- E. Before commencing a new discharge, a representative sample of the effluent shall be collected and analyzed for toxicity and for all the constituents listed in the Fact Sheet and the test results must meet all applicable limitations of Order No. R4-2003-0111.

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 station(s) shall be established at the discharge point and shall be located where representative samples of the effluent can be obtained. Provisions shall be made to enable visual inspections before discharge. In the event of presence of oil sheen, debris, and/or other objectionable materials or odors, discharge shall not commence until compliance with the requirements is demonstrated. All visual observations shall be included in the monitoring report.
- B. If monitoring result indicate an exceedance of a limit contained in Order 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 an 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,
 - 3. Semi-annually monitoring shall be increased to quarterly, and
 - 4. Annual monitoring shall be increased to semi-annually.

If three consecutive accelerated monitoring events demonstrate full compliance with effluent limits, 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:

Constituent	Units	Type of Sample	Minimum Frequency of Analysis
Flow	gal/day	totalizer	continuously ¹
pH	pH units	grab	quarterly ²
Temperature	°F	grab	quarterly ²
Total Suspended Solids	mg/L	grab	quarterly ²
Turbidity	NTU	grab	quarterly ²
BOD ₅ 20°C	mg/L	grab	quarterly ²
Oil and Grease	mg/L	grab	quarterly ²
Settleable Solids	ml/L	grab	quarterly ²
Sulfides	mg/L	grab	quarterly ²
Phenols	mg/L	grab	quarterly ²
Residual Chlorine	mg/L	grab	quarterly ²

Constituent	Units	Type of Sample	Minimum Frequency of Analysis
Methylene Blue Active Substances (MBAS)	µg/L	grab	quarterly ²
¹ Record the monthly total flow and report the calculated daily average flow and monthly flow in the quarterly and annual reports, as appropriate. ² The monitoring frequency shall revert to monthly for any parameter where an exceedance is observed.			

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 West Coast Marine and Estuarine Organisms, First Edition, August 1995, (EPA/600-R-95/136)*.
- 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. 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 certification is obtained from ELAP.
- C. Samples must be analyzed within allowable holding time limits 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.

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 Requirements Section H.5. of Order 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:
- a. 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.
 - b. 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 Requirements Section H.5. of Order 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 Requirements Section H.5. of Order 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.

- c. 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.

- d. 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
- a. If the number of measurements (n) is odd, then the median will be calculated as $= X_{(n+1)/2}$, or
- b. If the number of measurements (n) is even, then the median will be calculated as $= [X_{n/2} + X_{(n/2)+1}]/2$, 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.C., 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 which 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 makes a request and the request is justified by statistical trends of monitoring data submitted. However, monitoring frequency may also increase based on site-specific conditions.

Ordered by:



Deborah J. Smith
Interim Executive Officer

Date: September 10, 2007

/nj