



California Regional Water Quality Control Board

Los Angeles Region



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Agency Secretary

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March 24, 2008

Mr. Philip Vazquez
Kinder Morgan Energy Partners
2000 E. Sepulveda Boulevard
Carson, CA 90810

Certified Mail
Returned Receipt Requested
Claim No. 7007 0710 0003 2453 2289

COVERAGE UNDER GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND WASTE DISCHARGE REQUIREMENTS—KINDER MORGAN ENERGY PARTNERS, LOS ANGELES HARBOR TERMINAL TANK NO. 42741, 1900 WILMINGTON-SAN PEDRO ROAD, SAN PEDRO (CAG674001, CI—9395)

Dear Mr. Vazquez:

We have completed our review of your application for a permit to discharge waste under the National Pollutant Discharge Elimination System (NPDES).

Based on the attached Fact Sheet and other information provided, the proposed discharge of hydrostatic test water meets the conditions to be regulated under Order No. R4-2004-0109, *General National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements for Discharges of Low Threat Hydrostatic Test Water to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties*, adopted by this Board on July 1, 2004.

Enclosed are your Waste Discharge Requirements, which also serve as your NPDES permit, consisting of Order No. R4-2004-0109 and Monitoring and Reporting Program No. CI-9395. Prior to starting discharge, a representative sample of the effluent must be obtained and analyzed to determine compliance with the discharge limitations. The discharge limits in Part E of Order No. R4-2004-0109 are applicable to your discharge. The discharge flows into the Channel, thence to the Los Angeles Inner Harbor. Therefore, the discharge limitation in Attachment B is not applicable to your discharge.

The Monitoring and Reporting Program requires you to implement the monitoring program on the effective date of 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-9395 and NPDES No. CAG674001", 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.

To avoid paying future annual fees, please submit written request for termination of your enrollment under the general permit in a separate letter, when your project has been completed and the permit

California Environmental Protection Agency



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

Mr. Philip Vazquez
Kinder Morgan Energy Partners
(Los Angeles Harbor Tank No. 42741)
CI-9395

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is no longer needed. Be aware that the annual fee covers the fiscal year billing period beginning July 1 and ending June 30, the following year. You will pay full annual fee if your request for termination is made after the beginning of new fiscal year beginning July 1.

We are sending a copy of Order No. R4-2004-0109 only to the applicant. For those on the mailing list, please refer to the Board Order sent to you previously. A copy of the Order will be furnished to anyone who requests it, or it can be obtained at our website address at http://www.waterboards.ca.gov/losangeles/html/permits/general_permits.html.

If you have any questions, please contact Vilma Correa at (213) 576-6794.

Sincerely,


Tracy J. Egoscue
Executive Officer

Enclosures:

Fact Sheet
Monitoring and Reporting Program No. CI-9395
General NPDES No. CAG994001, Order No. R4-2004-0109
SWRCB Minimum Levels
Attachment,1

cc: U.S. Environmental Protection Agency, Region 9, Clean Water Act Standards
and Permits (WTR-5)
U.S. Army Corps of Engineers
NOAA, National Marine Fisheries Service
Philip Isorena, State Water Resources Control Board, NPDES Unit
Department of Interior, U.S. Fish and Wildlife Service
California Department of Fish and Game, Region 5
California Coastal Commission
Los Angeles County, DPW, Environmental Programs Division
Los Angeles County, DPW, Flood Control Division
Los Angeles County, Department of Health Services
Los Angeles County Sanitation District
City of Los Angeles, Department of Public Works
Jae Kim, Tetrattech
Thomas Hosler, Kinder Morgan Energy Partners
Steve Sellinger, Envent Corporation

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STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
320 West 4th Street, Suite 200, Los Angeles, California 90013

FACT SHEET
WASTE DISCHARGE REQUIREMENTS
FOR
KINDER MORGAN ENERGY PARTNERS
(LOS ANGELES HARBOR TERMINAL TANK NO. 42741)

(ORDER NO. R4-2004-0109, SERIES NO. 031)
(NPDES NO. CAG674001)
CI-9395

FACILITY ADDRESS

1900 Wilmington-San Pedro Road
San Pedro, CA 90733

FACILITY MAILING ADDRESS

2000 East Sepulveda Boulevard
Carson, CA 90810

PROJECT DESCRIPTION:

Kinder Morgan Energy Partners (Kinder Morgan) propose to discharge hydrostatic test water from the above ground storage tank (Tank No. 42741) at their facility. The facility is located at 1900 Wilmington-San Pedro Road, San Pedro. Hydrostatic testing is required at the facility to test the above ground tanks for leaks and structural integrity. Potable water from City of Los Angeles, Department of Water and Power will be used for the hydrostatic testing.

VOLUME AND DESCRIPTION OF DISCHARGE:

Up to 1.0 million gallons per day (MGD) of hydrostatic test water will be discharged into the Channel (Latitude: 33° 45' 23", Longitude: 118° 16' 47"). The discharge flows to the Los Angeles Inner Harbor, waters of the United States. The facility location map and site plan are shown in Figures 1 and 2.

APPLICABLE EFFLUENT LIMITATIONS

Based on the information provided, the analytical data did not show reasonable potential for toxics to exist in hydrostatic test above the *Screening Levels for Potential Pollutants of Concern in Potable Water Used for Hydrostatic Testing in Attachment A*. The discharge flows into the Los Angeles Inner Harbor. The effluent limitation in Attachment B is not applicable to your discharge.

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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
Settable Solids	ml/L	0.3	0.1
Residual Chlorine	mg/L	0.1	

FREQUENCY OF DISCHARGE:

The discharge will be intermittent. Kinder Morgan anticipates conducting the hydrostatic testing in April 2008.

REUSE OF WATER:

Reuse of water at the facility for irrigation and dust control was evaluated, but found to be infeasible at the site. The property and the immediate vicinity have no landscaped areas that require irrigation. The majority of the groundwater will be discharged into the Channel in compliance with the attached Order.

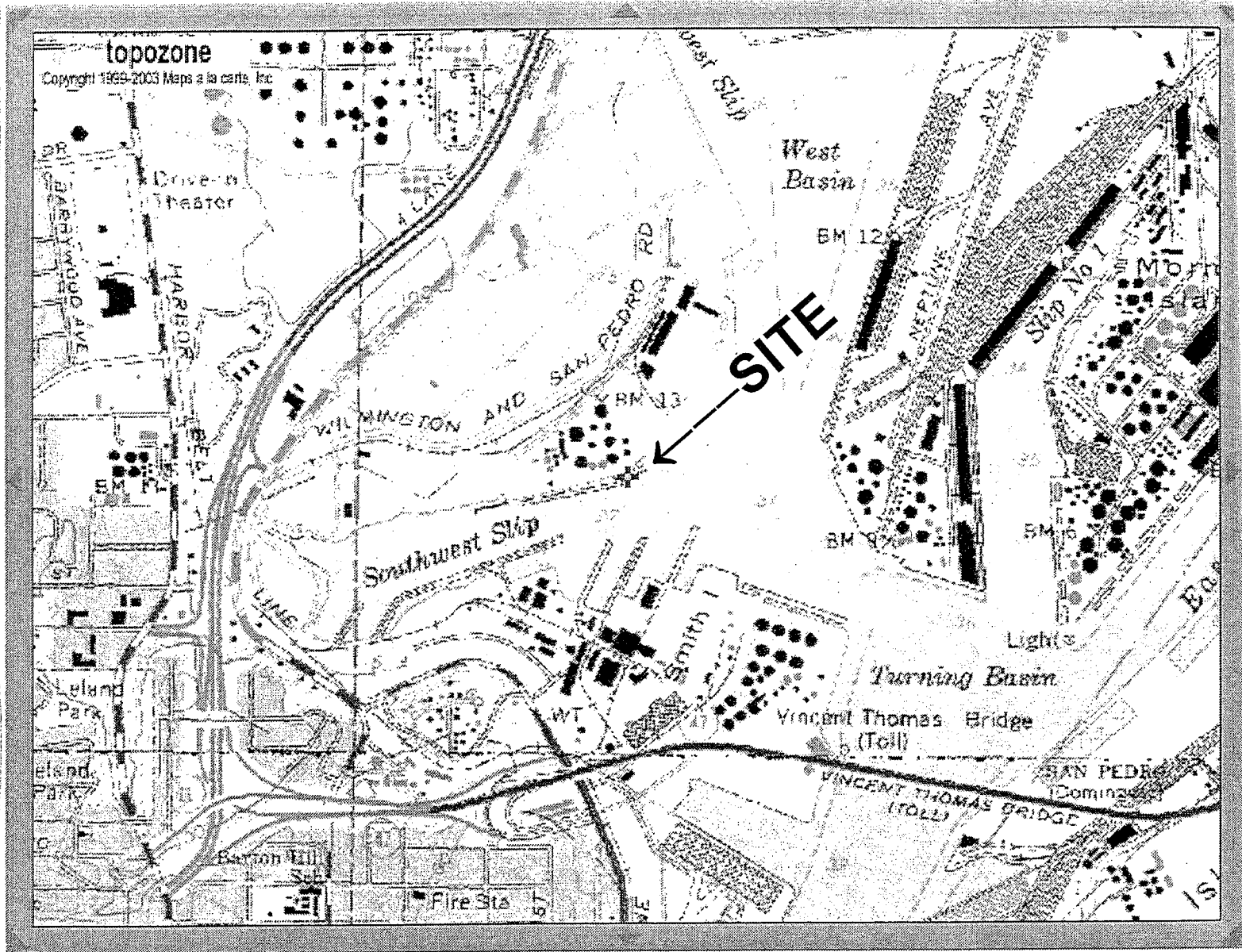


FIGURE 1

KINDER MORGAN ENERGY PARTNERS
(LOS ANGELES HARBOR TERMINAL TANK NO. 42741)

CI-9395

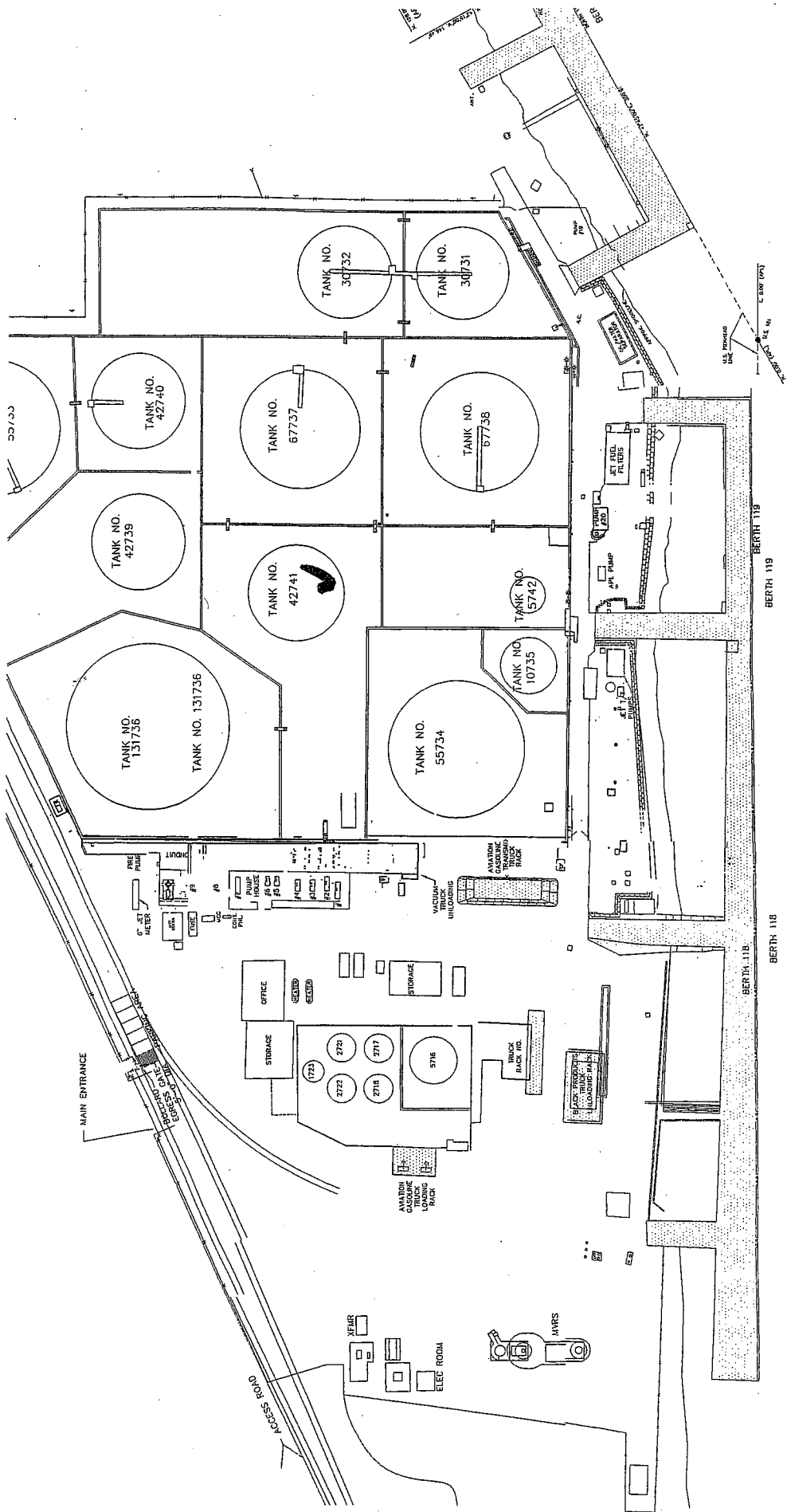


FIGURE 2
KINDER MORGAN ENERGY PARTNERS
(LOS ANGELES HARBOR TERMINAL TANK NO. 42741)

CI-9395

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

**MONITORING AND REPORTING PROGRAM NO. CI-9395
FOR
KINDER MORGAN ENERGY PARTNERS
(LOS ANGELES HARBOR TERMINAL TANK 42741)**

**(ORDER NO. R4-2004-0109, SERIES NO. 031)
(NPDES NO. CAG67401)**

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 August 15, 2008. 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 obtain and analyzed for toxicity, and for all the constituents listed in E.1 of Order No. R4-2004-0109, and test results must meet all applicable discharge limitations.

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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 any constituent exceeds the limit in Order R4-2004-0109 during any monitoring event, 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, and
 - 3. Semi-annually monitoring shall be increased to quarterly.
 - 4. Annual monitoring shall be increased to semi-annually.

If three consecutive accelerated monitoring events show 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

¹ Record the monthly total flow and report the calculated daily average flow and monthly flow in the quarterly and annual reports, as appropriate.

Constituent	Units	Type of Sample	Minimum Frequency of Analysis
pH	pH units	grab	once per discharge event ²
Temperature	°F	grab	once per discharge event ²
Total Suspended Solids	mg/L	grab	once per discharge event ²
Turbidity	NTU	grab	once per discharge event ²
BOD ₅ 20°C	mg/L	grab	once per discharge event ²
Oil and Grease	mg/L	grab	once per discharge event ²
Settleable Solids	ml/L	grab	once per discharge event ²
Sulfides	mg/L	grab	once per discharge event ²
Residual Chlorine	mg/L	grab	once per discharge event ²
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 West Coast Marine and Estuarine Organisms, First Edition, August 1195, (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.

² If discharge is continuous for more than one month, the minimum frequency of analysis becomes monthly.

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 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.4. of Order No. R4-2004-0109, 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.4. of R4-2004-0109), 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.4. of Order R4-2004-0109), 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.4. of Order R4-2004-0109), 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. R4-2004-0109. 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:


Tracy J. Egoscue

Date:

March 24, 2008

/vbc