



# 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

May 9, 2008

Certified Mail  
Return Receipt Requested  
Claim No. 7007 0710 0003 2453 2326

Mr. John Hartz  
BRE/TZ HHL Holdings, LLC  
10880 Wilshire Boulevard, Suite 1010  
Los Angeles, CA 90045

**COVERAGE UNDER GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND WASTE DISCHARGE REQUIREMENTS—BRE/TZ HHL HOLDINGS, LLC, 5901 CENTER DRIVE PROJECT, 5901 CENTER DRIVE, LOS ANGELES, CALIFORNIA (NPDES NO. CAG994004, CI—9413)**

Dear Mr. Hartz:

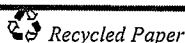
We have completed our review of your application for a permit to discharge groundwater to surface waters under a National Pollutant Discharge Elimination System (NPDES).

Based on the attached Fact Sheet and other information provided, we have determined that the proposed discharge at the above-referenced site meets the conditions to be regulated under Order No. R4-2003-0111, *General National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements for Groundwater Discharges 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 Monitoring and Reporting Program No. CI-9413. The discharge limitations in Part E.1.a and b 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 from the project drains into the Ballona Creek. Therefore, the discharge limitations in Attachment B of Order No. R4-2003-0111 is not applicable to your discharge. Prior to starting discharge, a representative sample of the effluent shall be obtained and analyzed to determine compliance with the discharge limitations.

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-9413 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. John Hartz  
BRE/TZ HHL Holding, LLC  
(5901 Center Drive Project)  
CI-9413

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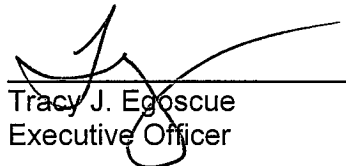
May 9, 2008

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 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. R4-2003-0111 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/rwqcblosangeles/html/permits/general\\_permits.html](http://www.waterboards.ca.gov/rwqcblosangeles/html/permits/general_permits.html).

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

Sincerely,



Tracy J. Egoscue  
Executive Officer

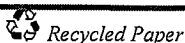
Enclosures:

General NPDES No. CAG994004, Order No. R4-2003-0111  
Fact Sheet  
Monitoring and Reporting Program No. CI-9413

cc: Environmental Protection Agency, Region 9, Permit Section (WTR-5)  
U.S. Army Corps of Engineers  
U.S. Fish and Wildlife Services, Division of Ecological Services  
NOAA, National Marine Fisheries Service  
Philip Isorena, State Water Resources Control Board, NPDES Unit  
California Department of Fish and Game, Marine Resources, Region 5  
California Department of Health Services, Environmental Branch  
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, Stormwater Management Division  
City of Los Angeles, Bureau of Sanitation  
Jae Kim, Tetrattech  
Michael E. Slaby, Pure Effect Inc.

/vbc

***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

**FACT SHEET  
WASTE DISCHARGE REQUIREMENTS  
FOR  
BRE/TZ HHL HOLDINGS, LLC  
(5901 CENTER DRIVE PROJECT)**

**(ORDER NO. R4-2003-0111 SERIES NO. 293)  
NPDES NO. CAG994004**

**CI-9413**

**FACILITY LOCATION**

5901 Center Drive  
Los Angeles, CA

**FACILITY MAILING ADDRESS**

10880 Wilshire Boulevard, Ste. 1010  
Los Angeles, CA 90045

**PROJECT DESCRIPTION**

BRE/TZ HHL Holdings, LLC proposes to discharge groundwater generated from the construction dewatering for the proposed residential/commercial building located at 5901 Center Drive, Los Angeles. The construction dewatering project will be completed within ten months. Prior to discharge, the extracted groundwater will be treated by passing it through two 2000-lbs granular activated carbon (GAC) absorption vessels. Metals removal will be achieved through chemical coagulation, settlement and clarification. The treated water will then be passed through polishing filters before the discharge.

**VOLUME AND DESCRIPTION OF DISCHARGE**

Up to 58,000 gallons per day (gpd) of groundwater will be discharged to the storm drain located between Center Drive and Howard Hughes Parkway (Latitude: 33° 58' 5", Longitude: 118° 23' 3"). The discharge from the storm drain flows into Ballona Creek, a water of the United States. The site location map and process flow diagrams are shown in Figures 1 and 2, respectively.

**APPLICABLE EFFLUENT LIMITATIONS**

Based on the information provided in NPDES Application Supplemental Requirements, the following constituents listed in the Table below have been determined to show reasonable potential to exist in your discharge. Therefore, the discharge limitations for these constituents in Part E.1.a and b of Order No. R4-2003-0111 are applicable to your discharge. The discharge flows into the Ballona Creek. The discharge limitations in Attachment B of the Order No. R4-2003-0111 is not applicable to your discharge.

May 9, 2008

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

Constituents	Units	Discharge Limitations	
		Daily Maximum	Monthly Average
Total Petroleum Hydrocarbons (TPH)	µg/L	100	
Perchlorate	µg/L	4	
Chromium III	µg/L	50	
Copper	µg/L	44.4	22.1
Lead	µg/L	25.6	12.8
Mercury	µg/L	0.1	0.05
Nickel	µg/L	100	100
Zinc	µg/L	350	170
Total Suspended Solids	mg/L	150	50
Turbidity	NTU	150	50
Oil and Grease	mg/L	15	10
BOD <sub>5</sub> 20°C	mg/L	30	20
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 discharge of groundwater will be intermittent and will last approximately ten months.

#### REUSE OF WATER

Water reuse alternatives and its applicability were evaluated. A small volume of the groundwater will be used for dust control and soil compaction within the project area. The majority of the groundwater will be discharged into the Ballona Creek in compliance with the requirements of the attached order.

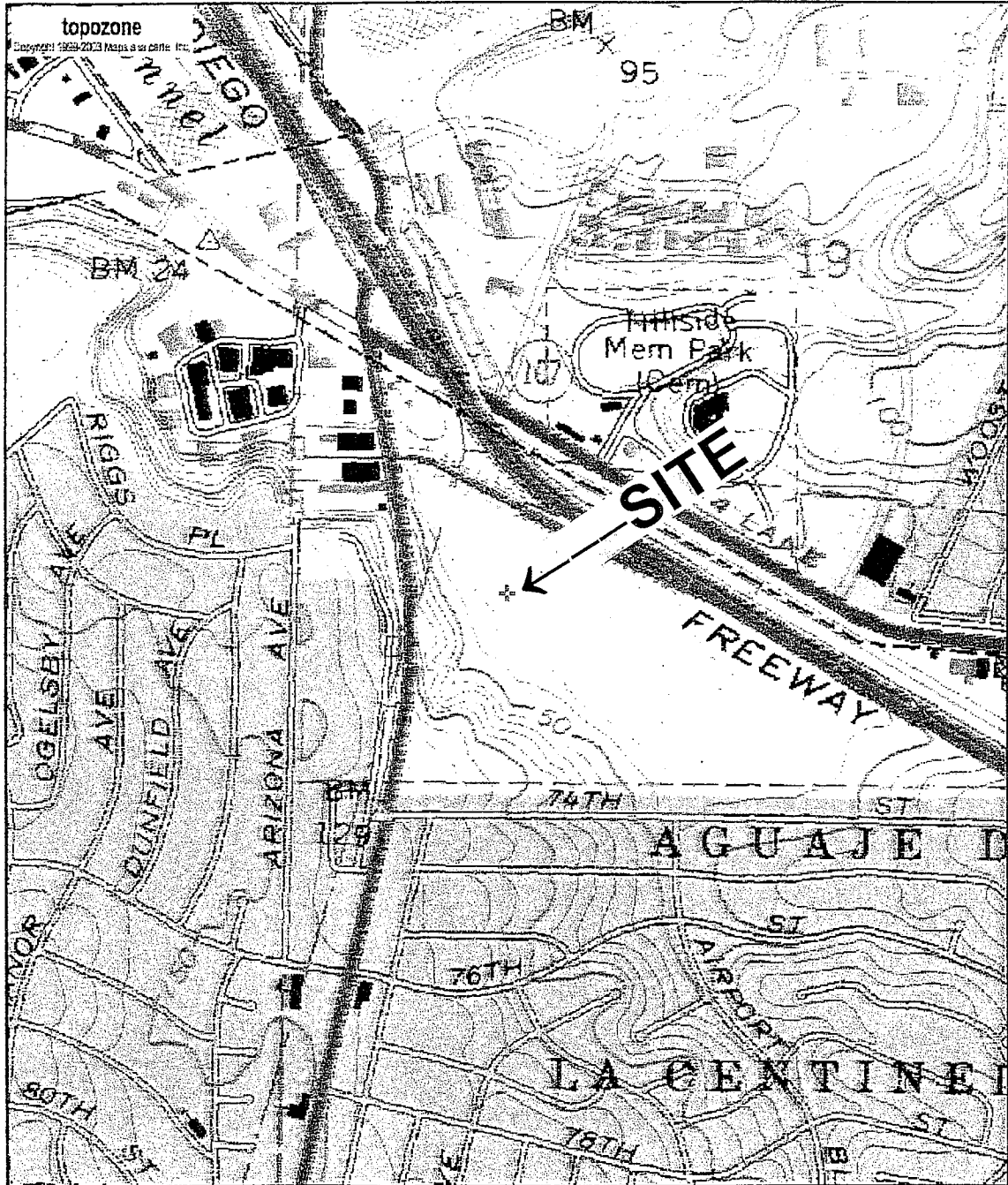


FIGURE 1

BRE/TZ HHL HOLDINGS, LLC  
(5901 CENTER DRIVE PROJECT)

CI-9413

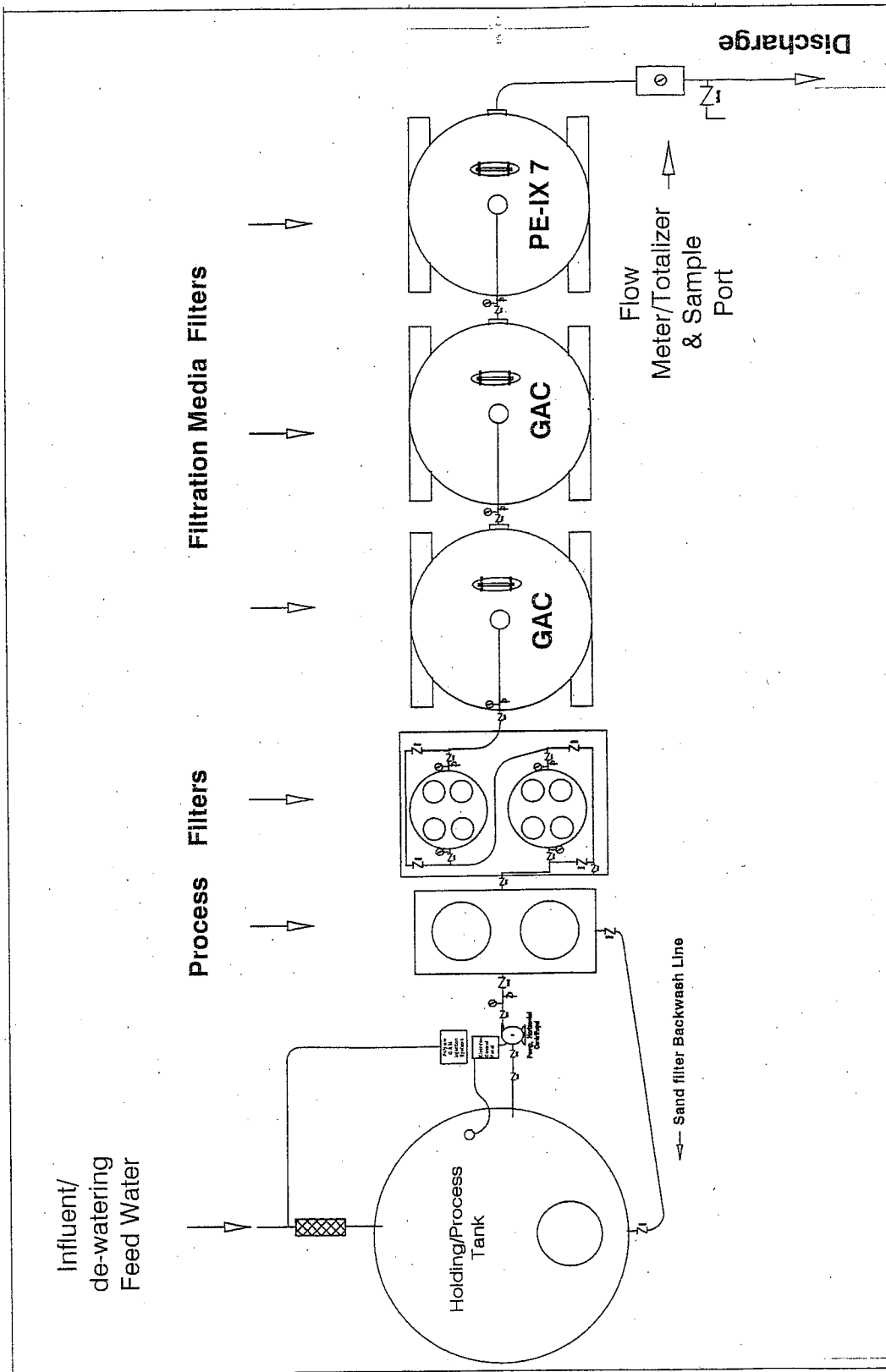


FIGURE 2

BREITZ HHL HOLDINGS, LLC  
 (5901 CENTER DRIVE PROJECT)

CI-9413

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

**MONITORING AND REPORTING PROGRAM NO. CI-9413**  
**for**  
**BRE/TZ HHL HOLDINGS, LLC**  
**(5901 CENTER DRIVE PROJECT)**

**(ORDER NO. R4-2003-0111, SERIES NO. 293)**  
**(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 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 at each outfall location, a representative sample of the effluent shall be collected and analyzed for all the constituents listed in the Fact Sheet and the test results must meet all applicable limitations of Order No. R4-2003-0111.

May 9, 2008

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 <sup>1</sup>
Chromium III	µg/L	grab	weekly <sup>2</sup>

<sup>1</sup> 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
Copper	µg/L	grab	weekly <sup>2</sup>
Lead	µg/L	grab	weekly <sup>2</sup>
Mercury	µg/L	grab	weekly <sup>2</sup>
Nickel	µg/L	grab	weekly <sup>2</sup>
Zinc	µg/L	grab	weekly <sup>2</sup>
Total Petroleum Hydrocarbons (TPH)	µg/L	grab	weekly <sup>2</sup>
Perchlorate	µg/L	grab	weekly <sup>2</sup>
pH	pH units	grab	monthly
Temperature	°F	grab	monthly
Total Suspended Solids	mg/L	grab	monthly
Turbidity	NTU	grab	monthly
BOD <sub>5</sub> 20°C	mg/L	grab	monthly
Oil and Grease	mg/L	grab	monthly
Settleable Solids	ml/L	grab	monthly
Sulfides	mg/L	grab	quarterly
Phenols	mg/L	grab	quarterly
Residual Chlorine	mg/L	grab	quarterly
Methylene Blue Active Substances (MBAS)	mg/L	grab	quarterly
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, First Edition, August 1995, (EPA/600-R-95-136)*.

<sup>2</sup>

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

- 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 certification 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.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.

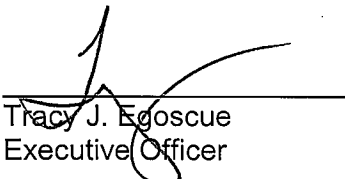
No discharge of such chemical shall be made prior to obtaining the Executive Officer's approval.

- 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:

  
Tracy J. Egoscue  
Executive Officer

Date: May 9, 2008

/vbc