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7 Attorneys for CITY OF LOS ANGELES
ACTING BY AND THROUGH ITS
8 DEPARTMENT OF WATER AND POWER

9
10 BEFORE THE STATE WATER RESOURCES CONTROL BOARD

11
12 In the Matter of the Petition for Review by
13 the City of Los Angeles Acting by and
14 through its Department of Water and Power
15 of Investigative Order No. R4-2014-0164

**PETITION FOR REVIEW AND
REQUEST FOR HEARING**

16
17 The City of Los Angeles by and through its Department of Water and Power
18 (“Petitioner”) hereby files this petition for review and request for hearing by the State Water
19 Resources Control Board (“State Board”) of Investigative Order No. R4-2014-0164 (“Order”)
20 issued August 11, 2014 by the Executive Officer of the Regional Water Quality Control Board,
21 Los Angeles Region (“Regional Board”). This petition for review is filed pursuant to California
22 Water Code § 13320 and CCR §§ 2050 et. Seq. A copy of the Order and letter of transmittal are
23 attached hereto as Exhibit A.

24 Petitioner requests the State Board hold the petition in abeyance pursuant to 23 CCR §
25 2050.5. Petitioner reserves the right to seek a stay of the Order by the State Board.

26 I. Name, Address, Telephone and Email Address of Petitioner

27 Petitioner is the City of Los Angeles by and through its Department of Water and Power
28 (“LADWP”). Petitioner’s address is 111 North Hope Street, Los Angeles, CA 90012.

1 Petitioner's telephone number is 213-367-8700. Petitioner's email address is
2 katherine.rubin@ladwp.com

3 II. Regional Board Executive Officer Action that is the Subject of this Petition

4 The Regional Board Executive Officer action that is the subject of this petition is
5 Investigative Order No. R4-2014-0164.

6 III. Date on Which Regional Board Executive Officer Acted

7 The date of the Regional Board Executive Officer's action that is the subject of this
8 petition is August 11, 2014.

9 IV. Statement of Reasons the Action was Inappropriate or Improper

10 The Order is improper because:

- 11 A. The Order includes findings of fact that are not supported by the evidence, including
12 but not limited to, findings that the potable water discharged through the City's MS4
13 system to distant water bodies including the Ballona Estuary some 7.7 miles from the
14 point of discharge and to the Santa Monica Bay.
- 15 B. The Regional Board failed to identify the evidence that supports requiring Petitioner to
16 provide the requested reports in violation of Water Code section 13267.
- 17 C. The Order impermissibly utilizes Water Code sections 13267 and 13383 in an attempt
18 to impose additional monitoring, reporting and waste discharge requirements upon
19 Petitioner without a hearing or opportunity to comment when the discharge at issue is
20 regulated under the MS4 Permit as a conditionally exempt unplanned discharge of
21 potable water by a water supplier.
- 22 D. The Order improperly seeks technical and monitoring reports, including but not
23 limited to a request for extensive information about *all* main breaks within the last 5
24 years and monitoring of the Ballona Estuary. These requests are unduly burdensome
25 and costly to Petitioner and do not bear a reasonable relationship to the need or benefit
26 of such reports given that this was a release of potable water (treated to drinking water
27 standards and ready to be served to the public) regulated under the MS4 permit.
- 28 E. Issuing an order pursuant to Water Code sections 13267 and 13383 to a water supplier

1 based upon the discharge of potable water is contrary to public policy, an abuse of
2 discretion and violates the legislature's intent in enacting these sections.

3 F. The Order constitutes an unfunded state mandate, the determination of which is left to
4 the Commission on State Mandates in the first instance.

5 V. How Petitioner is Aggrieved

6 The Order seeks to make Petitioner responsible for assembling detailed technical
7 information regarding every main break involving the discharge of potable water over the
8 last five years. In addition, the Order seeks to require Petitioner to monitor the Ballona
9 Estuary, approximately 7.7 miles away from the point of discharge, for pollutants not
10 contained within Petitioner's discharge of potable water. The effort required to assemble
11 this information, to the extent it is even available, in the timeframe required by the Order
12 will be very costly. In addition, failure to comply with the Order subjects Petitioner to
13 administrative civil liability of up to \$10,000 per day or civil penalties imposed by the
14 Superior Court of up to \$25,000 per day.

15 VI. Petitioner's Requested Action by the State Board

16 Petitioner respectfully requests that the State Board determine that the Regional Board's
17 action in issuing the Order was inappropriate and improper, and that it assume the powers
18 of the Regional Board to either (1) set aside the Order in its entirety; or (2) amend the
19 Order in accordance with this petition and applicable law. Petitioner request the State
20 Board to hold in abeyance this petition for review and request for hearing pending
21 ongoing discussions between Petitioner and the Regional Board. Petitioner will notify the
22 State Board if it intends to activate this appeal. Petitioner understands it will have the
23 opportunity to amend this petition and submit detailed points and authorities in the event
24 this petition is converted to active status.

25 VII. Statement of Points and Authorities

26 Petitioner will provide a detailed statement of points and authorities in the event it
27 activates the petition for review.

28 ///

1 VIII. Statement that the Petition Has Been Sent to the Regional Board

2 A copy of this petition was mailed to the Regional Board Executive Officer, Sam Unger,
3 on September 10, 2014.

4 IX. Statement Regarding Raising Substantive Issues or Objections Before the Regional Board

5 The substantive issues and objections raised in this petition could not have come before
6 the Regional Board because the Order was issued by the Executive Officer
7 without prior notice or hearing.

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9 DATED: September 10, 2014

10 Respectfully Submitted,

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12 CITY OF LOS ANGELES, DEPARTMENT OF
13 WATER AND POWER

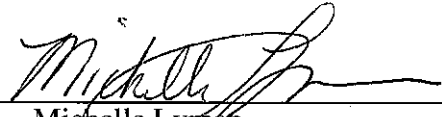
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15 By: 
16 Michelle Lyman
17 Attorneys for CITY OF LOS ANGELES ACTING
18 BY AND THROUGH ITS DEPARTMENT OF
19 WATER AND POWER
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EXHIBIT A



Los Angeles Regional Water Quality Control Board

August 11, 2014

Mayor Eric Garcetti
City of Los Angeles
200 N. Spring St.
Los Angeles, CA 90012

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 7011297000006453076

ORDER TO SUBMIT TECHNICAL AND MONITORING REPORTS PURSUANT TO CALIFORNIA WATER CODE SECTIONS 13267 AND 13383 – INVESTIGATIVE ORDER NO. R4-2014-0164 – JULY 29 2014, DISCHARGE OF POTABLE WATER; 10600 BLOCK OF WEST SUNSET BOULEVARD, LOS ANGELES, CALIFORNIA

Dear Mayor Garcetti:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board), is the public agency with primary responsibility for the protection of surface and ground water quality within major portions of Los Angeles and Ventura Counties, including the above-referenced site.


Enclosed is Regional Water Board Investigative Order No. R4-2014-0164 directing the City of Los Angeles to submit technical and monitoring reports pursuant to California Water Code sections 13267 and 13383. As part of our effort to protect water quality, the Regional Water Board is investigating the discharge of approximately 20 million gallons of potable water on July 29, 2014, from a break in a section of the City of Los Angeles' water main in the 10600 block of West Sunset Boulevard. A large portion of the 20 million gallons of potable water discharged through the City's municipal separate storm sewer system (MS4) to the Sepulveda Canyon Channel, Ballona Creek, the Ballona Creek Estuary, and Santa Monica Bay. There is a likelihood that a portion of the 20 million gallons of potable water also directly discharged to Stone Canyon Creek.

The Regional Water Board recognizes that this unplanned discharge event resulted in an emergency situation; however, the Regional Water Board is concerned about the pollutant loads from the discharge itself, given the sizable volume of the release, as well as the mobilization and subsequent discharge of pollutants from the land surfaces that were in the flow path of the discharge. The mobilization of pollutants during this event is potentially significant given the large land area inundated by the discharge and the fact that this area includes streets, parking structures, and landscaped areas on which a variety of pollutants may have been previously deposited. These pollutant loads have the potential to impact the abovementioned surface waters.

The Regional Water Board requires the information set forth in the enclosed Investigative Order to evaluate the discharges that resulted from the July 29, 2014 water main break. Given that both the Los Angeles Department of Water and Power and the Bureau of Sanitation each have a role in recordkeeping and reporting of the discharge event, we encourage a collaborative effort between the two to respond to the Order.

If you have any questions regarding this matter, please call me (213) 576-6605 or Ms. Renee Purdy at (213) 576-6622.

Sincerely,


Samuel Unger, P.E.
Executive Officer

Enclosure

cc: (via email)
Mr. Shahram Kharaghani, City of Los Angeles, Bureau of Sanitation
(Shahram.Kharaghani@lacity.org)
Mr. Martin Adams, City of Los Angeles, Department of Water and Power
(Martin.Adams@ladwp.org)
Mr. Mark Sedlacek, City of Los Angeles, Department of Water and Power
(Mark.Sedlacek@ladwp.org)
Ms. Katherine Rubin, City of Los Angeles, Department of Water and Power
(Katherine.Rubin@ladwp.org)
Mr. Hubertus Cox, City of Los Angeles, Bureau of Sanitation (hubertus.cox@lacity.org)



Los Angeles Regional Water Quality Control Board

**INVESTIGATIVE ORDER NO. R4-2014-0164 TO PROVIDE
TECHNICAL AND MONITORING REPORTS ON**

THE WESTWOOD/SUNSET WATER TRUNK LINE BREAK

DIRECTED TO THE CITY OF LOS ANGELES

PURSUANT TO CALIFORNIA WATER CODE SECTIONS 13267 AND 13383

The Regional Water Quality Control Board, Los Angeles Region (Regional Water Board) makes the following findings and issues this Order pursuant to California Water Code sections 13267 and 13383.

1. The City of Los Angeles (City) owns and operates potable water supply distribution systems to provide drinking water to residents and businesses in the City and surrounding areas. The City also owns and operates a municipal separate storm sewer system (MS4), with which it collects and discharges storm water and non-storm water to receiving waters.
2. On July 29, 2014, a break in a section of the water main in the 10600 block of West Sunset Boulevard at the juncture of two trunk lines owned and operated by the City caused a release of approximately 20 million gallons of potable water from the City's distribution system. According to the City, this section of the water main is a 30 to 36-inch, approximately 90-year old riveted steel pipe that delivers water to the area at a high velocity from Upper Stone Canyon Reservoir. A large portion of the 20 million gallons of potable water discharged through the City's MS4 to the Sepulveda Canyon Channel, Ballona Creek, the Ballona Creek Estuary, and Santa Monica Bay, which are all waters of the state and United States. (See Figure 1.) There is the likelihood that a portion of the 20 million gallons of potable water also directly discharged to Stone Canyon Creek, which is also a water of the State and United States. (See Figure 2.)
3. Regional Water Board Order No. R4-2012-0175, *Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges Within the Coastal Watersheds of Los Angeles County, Except those Discharges Originating from the City of Long Beach MS4* (LA County MS4 Permit), regulates MS4 discharges of storm water and non-storm water by the Los Angeles County Flood Control District, the County of Los Angeles, and 84 incorporated cities within the coastal watersheds of Los Angeles County, including the City of Los Angeles. The LA County MS4 Permit prohibits non-storm water discharges through the MS4 to receiving waters, except for certain conditional exemptions that are based on the assumption that some specified categories of non-storm water discharges are not a significant source of pollutants to the MS4 due to the incidental volume of the discharge, the water quality characteristics of the discharge, and/or the potential to control pollutants in the non-storm water discharge with best management practices (BMPs). These conditional exemptions are detailed in Part III.A.2.a.ii of the LA County MS4 Permit and include discharges of potable water

from drinking water supplier distribution systems as one category. This conditional exemption requires that, for all discharges greater than 100,000 gallons, the MS4 permittees work with the drinking water suppliers to ensure: (1) notification at least 72 hours prior to a planned discharge and as soon as possible after an unplanned discharge; (2) monitoring of any pollutants of concern¹ in the drinking water supplier distribution system release; and (3) record keeping by the drinking water supplier. The conditional exemption also mandates that MS4 permittees require that the following information is maintained by the drinking water supplier(s) for all discharges to the MS4 (planned and unplanned) greater than 100,000 gallons: name of discharger, date and time of notification (for planned discharges), method of notification, location of discharge, discharge pathway, receiving water, date of discharge, time of the beginning and end of the discharge, duration of the discharge, flow rate or velocity, total number of gallons discharged, type of dechlorination equipment used, type of dechlorination chemicals used, concentration of residual chlorine, type(s) of sediment controls used, pH of discharge, type(s) of volumetric and velocity controls used, and field and laboratory monitoring data. Records shall be retained for five years and made available upon request by the MS4 permittee or the Regional Water Board.

4. The potable water discharged from the City's distribution system is considered a non-storm water discharge as it did not originate from a precipitation event. As a potable water discharge from a distribution system, it is generally subject to the conditional exemption detailed in Part III.A.2.a.ii of the LA County MS4 Permit. However, due to the extraordinary volume of the discharge, it is uncharacteristic of the typical conditionally exempt non-storm water discharges to the Los Angeles County MS4.
5. Ballona Creek is included on the Clean Water Act section 303(d) list of impaired waterbodies for dissolved copper, dissolved lead, total selenium, dissolved zinc, toxicity, and trash. Sepulveda Canyon Channel is impaired for dissolved copper, dissolved lead, total selenium, and dissolved zinc as well as bacteria. Ballona Creek and Ballona Creek Estuary are also impaired for cadmium, copper, lead, silver, zinc, chlordane, dichlorodiphenyltrichloroethane (DDT), polychlorinated biphenyls (PCBs), polycyclic aromatic hydrocarbons (PAHs), and toxicity in sediments as well as bacteria. These impairments are being addressed by total maximum daily loads (TMDLs) for metals, toxics, bacteria and trash.
6. On December 5, 2013, the Regional Water Board adopted Resolution No. R13-010, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Loads for Metals in Ballona Creek and the Total Maximum Daily Loads for Toxic Pollutants in the Ballona Creek Estuary* (Ballona Creek Metals TMDL and Ballona Creek Estuary Toxics TMDL). Through State Water Board Resolution No. 2014-0030, the State Water Resources Control Board (State Water Board) approved the Ballona Creek Metals TMDL and Ballona Creek Estuary Toxics TMDL on June 17, 2014. Through the process of revising the two TMDLs, the Regional Water Board reconfirmed the abovementioned impairments from metals and other toxic pollutants with the exception of selenium in Ballona Creek and PAHs in the estuary. More recent data

¹ Pollutants of concern from drinking water supplier distribution system releases may include trash and debris, including organic matter, total suspended solids (TSS), residual chlorine, pH, and any pollutant for which there is a water quality-based effluent limitation in Part VI.E of the LA County MS4 Permit applicable to discharges from the MS4 to the receiving water.

indicate that these selenium and PAHs are not present in Ballona Creek and Ballona Creek Estuary, respectively; at levels exceeding numeric targets established in Total Maximum Daily Loads (TMDLs) and are not impairing the designated beneficial uses.

7. While the Regional Water Board recognizes that this unplanned discharge event resulted in an emergency situation, the Regional Water Board is concerned about both the pollutant loads from the discharge itself, given the sizable volume of the release, as well as the mobilization and subsequent discharge of sediment and suspended solids; toxic pollutants absorbed to the sediment and suspended solids; trash and other debris from the land surfaces that were in the flow paths of the discharge. The mobilization of pollutants during this event is potentially significant given the large land area inundated by the discharge and the fact that this area includes streets, parking structures, and landscaped areas on which a variety of pollutants may have been previously deposited. These pollutant loads were discharged either through the MS4 to a waterbody or to a waterbody directly. These pollutant loads have the potential to impact receiving waters including Stone Canyon Creek, Sepulveda Canyon Channel, Ballona Creek, Ballona Creek Estuary, and Santa Monica Bay. The Regional Water Board is concerned about the potential short and long-term effects of the discharge of these pollutants on the receiving waters and the beneficial uses of those waters. Sediment and suspended solids can cloud the receiving water, reduce the amount of sunlight reaching aquatic plants, clog fish gills, smother aquatic habitat, impede navigation, and impact the benthic macroinvertebrates. Sediment and suspended solids can also transport other pollutants that are absorbed to the sediment particles, such as metals and other toxic pollutants, to a receiving water. This is especially of concern when the receiving water is already impaired for metals and toxic pollutants, such as in Sepulveda Canyon Channel, Ballona Creek and Ballona Creek Estuary.
8. California Water Code section 13267, subdivision (b)(1), states, in part: In conducting an investigation. . . , the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or, discharging, or who proposes to discharge waste within its region . . . shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.
9. California Water Code section 13383, subdivision (a), states, in part: A regional board may establish monitoring, inspection, entry, reporting, and recordkeeping requirements, as authorized by Sections 13160, 13376, and 13377 or by subdivisions (b) and (c) of this section, for any person who discharges, or proposes to discharge, to navigable waters.
10. This Order identifies the City as a person who has discharged or is suspected of having discharged waste to waters of the state and the United States within the jurisdiction of the Regional Water Board. The City is the entity responsible for the water main break that led to the discharge of a portion of the 20 million gallons of potable water to waters of the State and United States.
11. This Order requires the City to prepare and submit technical and monitoring reports pursuant to Water Code sections 13267 and 13383 providing complete and detailed information as described below.

12. On July 31, August 5, and August 6, 2014 Regional Water Board staff spoke with representatives of the City concerning the unplanned discharge event. At the request of the Regional Water Board, the City representatives indicated that information required to be maintained by the City as a drinking water supplier for unplanned discharges of potable water to the MS4 pursuant to the LA County MS4 Permit will be submitted to the Regional Water Board within 30 days of the discharge event. This Order requires the submission of information that is supplementary to the information required pursuant to the LA County MS4 Permit.
13. The burdens, including costs, of the technical and monitoring reports bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The discharge of a large volume of water at a high velocity over a period of approximately 5.5 hours flooded buildings, streets, and parking structures, and likely mobilized debris, trash, and sediment/suspended solids transporting metals and other toxic pollutants prior to discharging to Sepulveda Canyon Channel, Ballona Creek and the Ballona Creek Estuary, which are water bodies identified as impaired for cadmium, copper, lead, silver, zinc, chlordane, DDT, PCBs, PAHs, and toxicity in sediments as well as trash and bacteria. The Regional Water Board requires this information in order to determine the nature and extent of possible short and long-term impacts to receiving waters associated with the release of 20 million gallons of potable water, to assess whether further action is required to protect beneficial uses of the receiving waters, to determine what other BMPs can be implemented for this event and for future events of this nature to minimize the potential effects on receiving waters, and to evaluate the cause of the break and identify other vulnerable parts of the system to prevent future losses of potable water especially during a drought.
14. The issuance of this Order is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section sections 15306 and 15321, subdivision (a)(2), Chapter 3, Title 14 of the California Code of Regulations.
15. Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must *receive* the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality/ or will be provided upon request.

THEREFORE, IT IS HEREBY ORDERED that the City of Los Angeles, pursuant to sections 13267, subdivision (b), and 13383, subdivision (a), of the California Water Code, is required to:

1. By **September 10, 2014**, submit a technical report to the Regional Water Board that includes comprehensive information on the details of the July 29, 2014 unplanned discharge event, including:
 - a. The exact cause of the break in the section of the water main in the 10600 block of West Sunset Boulevard at the juncture of two trunk lines;

- b. Volume released from the water main break in the 10600 block of West Sunset Boulevard at the juncture of two trunk lines;
 - c. Drainage area impacted (based on presence of water/inundation) from the release;
 - d. Map of the MS4 within the drainage area impacted including catch basins and outfalls to downstream receiving waters as well as receiving waters directly within the drainage area affected;
 - e. Estimate of the volume (gallons and percent of total volume released) entering each receiving water, including Stone Canyon Creek, Sepulveda Canyon Channel, Ballona Creek, and Ballona Creek Estuary;
 - f. Any photographic documentation of the impact on flow in each of the receiving waters, including Ballona Creek/Estuary, Sepulveda Canyon Channel, and Stone Canyon Creek;
 - g. The notifications conducted during or after the unplanned discharge, including who was notified, when, etc.;
 - h. Other information as set forth in Part III.A.2.a.ii of the LA County MS4 Permit; and
 - i. Description of the BMPs that were implemented (including the type(s) and timing of BMP implementation) during and/or after the unplanned discharge event, including but not limited to:
 - i. Placement of a trash boom or other type of containment boom in the downstream receiving water(s), if implemented;
 - ii. Visual inspections of MS4 entry and exit points, if any;
 - iii. Maintenance and/or inspection of catch basins, trash screens, and open channels to remove trash and other debris from the MS4 or other receiving waters, if any;
 - iv. Proper disposal of trash and debris from maintenance activities in i. and ii. above, if any; and
 - v. Proper disposal of trash, debris and sediment from post-event cleanup activities, if any.
2. By **November 10, 2014**, submit a technical report to the Regional Water Board that includes comprehensive information on:
- a. Historical record and analysis of water main breaks within the City's distribution system in the past 5 years at a minimum, including information on:
 - i. Location of the break (i.e., address or vicinity);
 - ii. Cause of the break;
 - iii. Location of the break in the physical distribution system (i.e. whether the break was at a joint/juncture of a pipe);
 - iv. Size of the pipe;
 - v. Age of the pipe;
 - vi. Volume released;
 - vii. Duration of the release;
 - viii. Receiving water(s);
 - ix. Estimate of the volume (gallons and/or as a percent of the total amount released) entering the receiving water(s); and
 - x. Evaluation of the information above and other information as appropriate to determine high risk areas within the City's distribution system to support future prioritization of portions of the system for replacement/reinforcement. If this evaluation is available through the

Trunk Line Condition Assessment Program, a report from this program may be used to meet this requirement. The report should also include a listing of other sections of pipeline known to contain, or are subject to similar defects or conditions that resulted in the July 29, 2014 break, including dates they were last tested, evaluation of their condition, and schedule for repair or replacement.

- b. The City's plan to address possible future unplanned releases due to water main breaks, including:
 - i. Mobilization for BMPs during unplanned releases (e.g. coordination with appropriate agency(ies) to place trash booms or another type of containment boom in downstream receiving waters);
 - ii. Mobilization of field personnel to document impact(s) on receiving water(s) from unplanned release (e.g., document change in flow, discharge of sediment, trash, and debris); and
 - iii. Implementation of post-event BMPs (e.g., visual inspections; maintenance of catch basins, trash screens, and open channels, where necessary; proper disposal of trash, debris, and sediment from MS4 maintenance activities; and proper disposal of trash, debris, and sediment from cleanup activities).
3. By **November 10, 2014**, submit a monitoring report to the Regional Water Board that includes detailed information on:
- a. Monitoring results for pollutants of concern from samples of the drinking water supply distribution system release at the break in a section of the water main in the 10600 block of West Sunset Boulevard;
 - b. Receiving water monitoring, which shall include sampling of sediment in Ballona Creek Estuary and Stone Canyon Creek. **Samples shall be collected as soon as possible and no later than September 10, 2014.** Ballona Creek Estuary shall be sampled at the six established monitoring locations (BCE-1 to BCE-6) for the Ballona Creek Estuary Toxics TMDL. (See Figure 3.) The sediment samples from the estuary shall be analyzed for total chlordane, total DDT, total PCBs, dieldrin, total organic carbon, cadmium, copper, lead, silver, zinc, sea urchin fertilization, amphipod survival, and red abalone development. Stone Canyon Creek shall be sampled at the southern end of the creek. (See Figure 2.) Samples collected from Stone Canyon Creek shall be analyzed for total chlordane, total DDT, total PCBs, dieldrin, total organic carbon, cadmium, copper, lead, silver, and zinc.

The above items shall be submitted as a PDF file via email or disk (CD-ROM or CD) to:


Ms. Renee Purdy
Los Angeles Regional Water Quality Control Board
320 W. 4th Street, Suite 200
Los Angeles, CA 90013-2343
Email: Renee.Purdy@waterboards.ca.gov
Phone: (213) 576-6622

The technical and monitoring report are required to be submitted under California Water Code sections 13267 and 13383. Pursuant to section 13267, subdivision (a), of the California Water Code, any person who fails to submit reports in accordance with the Order is guilty of a misdemeanor. Pursuant to section 13268, subdivision (b)(1), of the California Water Code, failure to submit the required technical and monitoring reports described above by the specified due date(s) may result in the imposition of administrative civil liability by the Regional Water Board in an amount up to one thousand dollars (\$1,000) per day for each day the report is not received after the above due date. Administrative civil liability may also be imposed pursuant to California Water Code section 13385, subdivision (c), in an amount not to exceed ten thousand dollars (\$10,000) per day for each day the report is not received after the above due date. These civil liabilities may be assessed by the Regional Water Board for failure to comply, beginning with the date that the violations first occurred, and without further warning.

The above items shall be submitted by you under penalty of perjury under the laws of the State of California. The Regional Water Board, under the authority given by California Water Code section 13267, subdivision (b)(1), requires you to include a perjury statement in all reports submitted under this Order. The perjury statement shall be signed by a senior authorized representative (not by a consultant). The perjury statement shall be in the following format:

"I, [NAME], certify under penalty of perjury under the laws of the State of California that this document and all attachments were prepared by me, or under my direction or supervision, in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

SO ORDERED



Samuel Unger, P.E.

Executive Officer



8-11-14

DATE

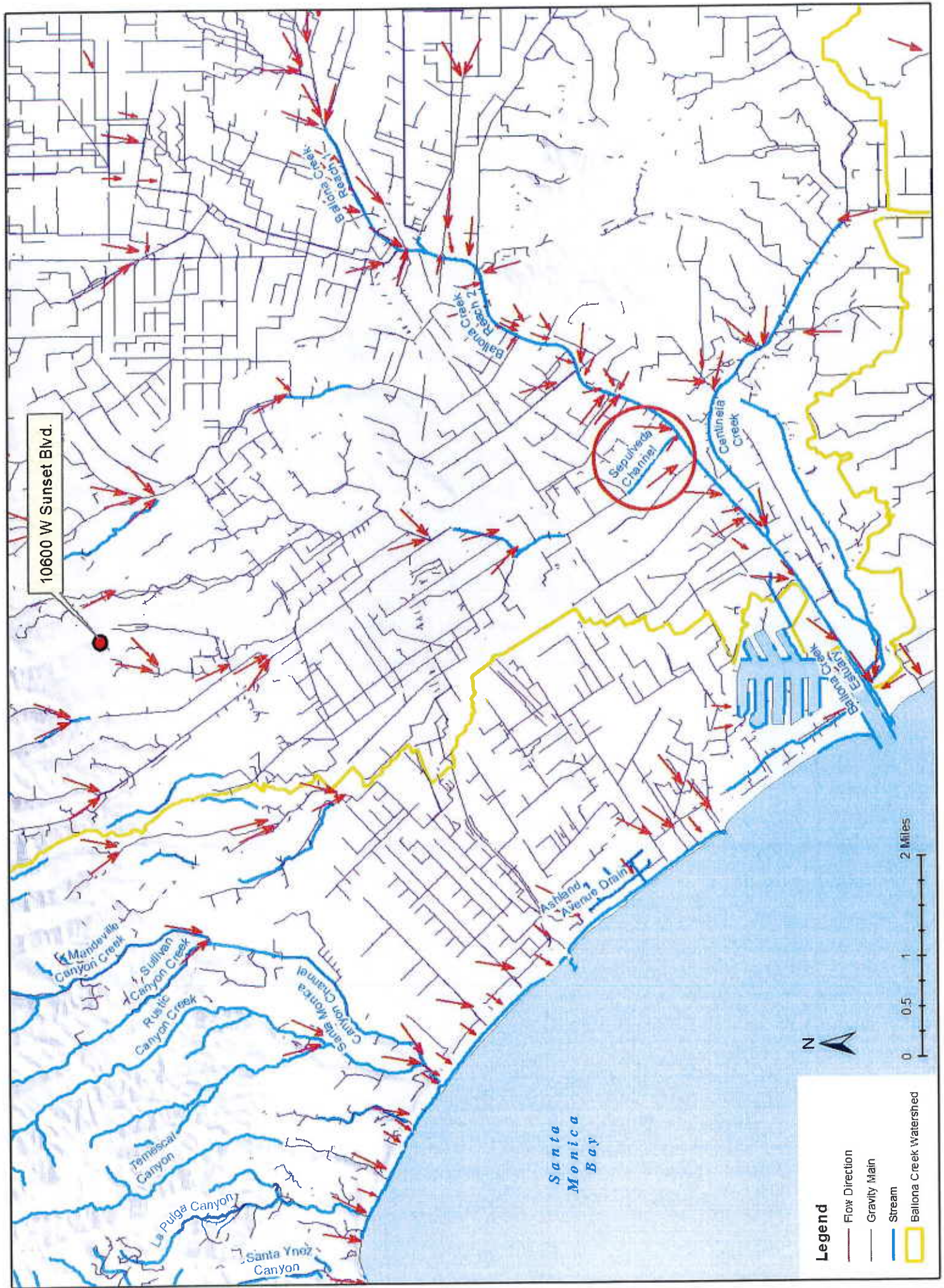


Fig.1 Municipal Separate Storm Sewer System and Receiving Waters in Vicinity of July 29, 2014 Westwood/Sunset Water Trunk Line Break.



Fig.2 Stone Canyon Creek Relative to General Location of July 29, 2014 Westwood/Sunset Water Trunk Line Break.

Figure 3. Ballona Creek Estuary Sediment Locations

