CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
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CEASE AND DESIST ORDER NO. R4-2015-XXXX (FILE NO. 61-108)

REQUIRING LOS ANGELES COUNTY FIRE DEPARTMENT AND LOS ANGELES COUNTY INTERNAL SERVICES DEPARTMENT TO UNDERTAKE ACTIONS TOWARD COMPLIANCE WITH WASTE DISCHARGE REQUIREMENTS CONTAINED IN THE WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES FROM FORESTER AND FIRE WARDEN CAMP 13 WASTEWATER TREATMENT PLANT

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds:

TENTATIVE

BACKGROUND

1. Los Angeles County Fire Department and Los Angeles County Internal Services Department (hereinafter Dischargers) are subject to Waste Discharge Requirements (WDRs) contained in Regional Board Order No. 00-110 and monitoring and reporting program (MRP) No. CI-3138, adopted on July 27, 2000.

2. Los Angeles County Fire Department (LACoFD) owns and maintains Forester and Fire Warden Camp 13 (Camp 13) located at 1250 South Encinal Canyon Road, Malibu, California. Camp 13 is operated as a low security female juvenile detention camp with kitchen, restroom, shower, and laundry facilities and overnight accommodations. It can house up to a population of 120 persons including 110 inmates and 10 staff.

3. Los Angeles County Internal Services Department (ISD) operates Camp 13 wastewater treatment plant (Camp 13 WWTP). Camp 13 WWTP treats domestic wastewater generated at Camp 13 and the treated effluent is disposed through seven evaporation/percolation ponds to groundwater.

4. The WWTP was originally constructed in the 1950's. In 2000, upon the issuance of WDR Order No. 00-110, Camp 13 WWTP needed a major rehabilitation and upgrade to continue operation in order to comply with the requirements contained in the WDR Order No. 00-110. Therefore, the Regional Board issued a Time Schedule Order (TSO) No. 00-111 associated with WDRs to allow the Dischargers to complete the upgrade and come into compliance with the WDRs within a time frame specified in the TSO.

5. The TSO required the Dischargers to complete construction by June 1, 2001 and achieve full compliance with all the requirements in Order No. 00-110 by July 1, 2001. In addition, TSO No. 00-111 directed the Dischargers to submit a workplan for groundwater monitoring and surface water monitoring by December 15, 2000.

6. On November 14, 2001, the Dischargers submitted the *Groundwater and Surface Water Monitoring Program Workplan* for Regional Board review and approval.

7. On April 8, 2002, the Dischargers requested an extension to TSO No. 00-111 due to delays in obtaining a construction contract award and all required jurisdictional approvals from agencies, including California Coastal Commission, Department of Regional Planning, and Building and Safety.

8. The upgrade to Camp 13 WWTP was completed in October 2004. The current WWTP has a design capacity for an average flow of 12,000 gallons per day (gpd) and a peak flow of 24,000 gpd.

COMPLIANCE HISTORY

The compliance history of Forester and Fire Warden Camp 13 wastewater treatment plant is summarized as follows:

9. Between November 2000 and October 2004, there were 22 biological oxygen demand (BOD_5) exceedances, two total suspended solids (TSS) exceedances, 27 turbidity exceedances, and 16 fecal coliform exceedances. After the upgrade of Camp13 WWTP completed in October 2004, the effluent continued to have 16 BOD_5 exceedances until June 2006, five TSS exceedances and three turbidity exceedances until August 2008. There were no effluent limit violations in 2009, 2011, 2012, and 2013. There was one turbidity exceedance and one oil and grease exceedance in 2010, and one turbidity exceedance observed in 2014.

10. On March 9, 2010, the Regional Board issued a Notice of Violation (NOV) for the following violations during the period from the third quarter 2000 to the fourth quarter 2009:
    - violation of effluent limit for BOD_5, TSS, turbidity, and fecal coliform;
    - failure to submit monitoring reports in a timely manner;
    - failure to submit groundwater monitoring data from the 1st Quarter 2004 to the 4th Quarter 2009;
    - failure to submit surface water monitoring data from the 1st Quarter 2004 to the 4th Quarter 2009; and
    - failure to submit operation and maintenance reports per the monitoring and Reporting program, including the name and address of the person or company responsible for operation and maintenance of the facility, and type and frequency.

11. Based on groundwater monitoring data from 2011 to 2014, groundwater was impacted with total coliform up to 140 most probable number per 100 milliliters (MPN/100mL), 1,600 MPN/100mL, and 1,600 MPN/100mL at monitoring wells MW-1, MW-2, and MW-3, respectively. Fecal coliform was detected up to 23 MPN/100mL, 1,600 MPN/100mL, and 1,600 MPN/100mL at monitoring wells MW-1, MW-2, and MW-3, respectively.

12. The groundwater monitoring data indicated groundwater containing total coliform and fecal coliform had exceeded groundwater quality objectives for total coliform of 1.1 MPN/100mL and fecal coliform of 1.1 MPN/100mL as specified in the Basin Plan.

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13. On March 17, 2015, Regional Board staff conducted the site inspection and collected wastewater samples from the chlorine contact tank, the effluent holding tank, and evaporation/percolation pond No. 2. Effluent samples collected during site inspection indicated that total coliform was detected less than 2.0 MPN/100 mL at all three locations.

14. The October 2014 effluent sampling results indicated that nitrate-nitrogen was detected at 19 milligrams per liter (mg/L). Effluent samples collected on March 17, 2015 indicated that nitrate-nitrogen were detected at 35 mg/L and 33 mg/L at the effluent holding tank and evaporation/percolation pond No. 2, respectively.

15. Groundwater samples collected at monitoring well MW-3 in December 2014 indicated that nitrate-nitrogen was detected at 29 mg/L that had exceeded groundwater quality objectives for nitrate-nitrogen of 10 mg/L as specified in the Basin Plan.

16. WDR Order No. R4-2015-xxxx, adopted by the Regional Board on June 11, 2015 specifies requirements for Camp 13 WWTP, which is owned by LACoFD and operated by ISD. ISD cannot achieve immediate compliance with the requirements listed in the WDR Order No. R4-2015-xxxx. Therefore this Cease and Desist Order (CDO) sets forth a time schedule to allow the Discharger sufficient time to complete corrective and preventative actions to achieve compliance with the WDR Order.

17. California Water Code (CWC) section 13301 provides in pertinent part "When a regional board finds that a discharge of waste is taking place, or threatening to take place, in violation of requirements or discharge prohibitions prescribed by the regional board or the state board, the board may issue an order to cease and desist and direct that those persons not complying with the requirements or discharge prohibitions (a) comply forthwith, (b) comply in accordance with a time schedule set by the board, or (c) in the event of a threatened violation, take appropriate remedial or preventive action."

18. CWC section 13267 provides in pertinent 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."

19. The Dischargers own and operate Camp 13 WWTP and the technical or monitoring reports required by this Order are necessary to determine compliance with WDR Order No. R4-2015-XXXX and this CDO.

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CALIFORNIA ENVIRONMENTAL QUALITY ACT AND NOTIFICATION

20. This project involves the issuance of WDRs for an existing facility, as such the action to revise existing WDRs is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, section 2100 et seq.) in accordance with California Code of Regulations (CCR), Title 14, Chapter 3, Section 15301. In addition, the issuance of a cease and desist order is exempted from CEQA pursuant to CCR, title 14, sections 15308 and 15321, subdivision (a)(2).

21. On April 17, 2015, the Regional Board has notified the Dischargers and interested agencies and persons of the intent to revise WDRs for this discharge, and has provided an opportunity to submit written comments by May 18, 2015.

22. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.

23. Pursuant to CWC section 13320, any person affected by this action of the Regional Board may petition the State Water Board to review the action in accordance with section 13320 of the CWC and Title 23, California Code of Regulations, Section 2050. The State Water Board (P.O. Box 100, Sacramento, California, 95812) must receive the petition within 30 days of the date this Order is adopted. The regulations regarding petitions may be found at http://www.waterboards.ca.gov/public_notices/petitions/water_quality/index.shtml

IT IS HEREBY ORDERED that, pursuant to CWC sections 13301 and 13267, the Dischargers, Los Angeles County Fire Department and Los Angeles County Internal Services Department, as the owner and operator of the Camp13 WWTP that discharges effluent to evaporation/percolation ponds shall cease and desist discharging waste in violation of CDO No. R4-2015-xxxx, by complying with the following:

1. The Dischargers shall immediately comply with the effluent limits prescribed in WDR Order No. R4-2015-xxxx except nitrate-nitrogen and total nitrogen.

2. The Dischargers shall restart denitrification process for nitrogen removal in order to meet effluent discharge limits for nitrate-nitrogen of 10 mg/L and total nitrogen of 10 mg/L as specified in WDR Order R4-2015-xxxx.

3. By **July 30, 2015**, the Dischargers shall achieve compliance with all the effluent limits contained in WDR Order No. R4-2015-xxxx.

4. The Dischargers shall immediately comply with the groundwater limits prescribed in WDR Order No. R4-2015-xxxx except total coliform, fecal coliform, nitrate-nitrogen, and total nitrogen.

5. By **October 30, 2015**, the Dischargers shall submit a groundwater investigation work plan to assess the causes of groundwater impact by total coliform, fecal coliform, and nitrate-nitrogen. The groundwater investigation work plan shall identify the numbers and locations of the groundwater monitoring wells to determine site-specific groundwater flow direction and gradient for the purposes of adequately assessing any impacts to the quality of the receiving groundwater around the evaporation/percolation ponds.

6. By **October 30, 2015**, the Dischargers shall submit a percolation evaluation report to demonstrate the existing evaporation/percolation ponds with adequate percolation capacity to accommodate the range of flows discharged from Camp 13 WWTP.

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7. By **July 30, 2016**, the Discharger shall submit a groundwater investigation report containing groundwater mitigation plan to achieve compliance with all the groundwater limits contained in WDR Order No. R4-2015-xxxx. In addition, the Dischargers shall demonstrate that the effluent from Camp 13 WWTP does not contribute to the deterioration of the groundwater, if the groundwater quality continues to exceed Basin Plan Objectives due to existing high upgradient background concentrations.

8. The Discharger shall submit quarterly progress reports on the status of the proposed investigation according to the following schedule with the first report due on **January 30, 2016**:

Reporting Period	Report Due
January - March	April 30
April - June	July 30
July - September	October 30
October - December	January 30

9. If, in the opinion of the Regional Board or its delegate, the Dischargers fail to comply with the provisions of this Order, the Regional Board may pursue further enforcement action. The Executive Officer or Assistant Executive Officer or other delegate may issue a complaint for administrative civil liability, or take any other applicable enforcement action. Failure to comply with this Order may result in the assessment of an administrative civil liability up to $1,000 per violation per day, pursuant to CWC section 13268; and/or $5,000 per violation per day, pursuant to CWC section 13350. Any discharge to waters of the United States may result in an administrative civil liability up to $10,000 per discharge violation per day pursuant to CWC section 13385. The Regional Board may refer this matter to the Attorney General for judicial enforcement. The Regional Board reserves its right to take any enforcement actions authorized by law.

ELECTRONIC SUBMITTAL OF INFORMATION

Dischargers are directed to submit all reports required under this CDO adopted by the Regional Board, including groundwater monitoring data in Electronic Data Format, discharge location data, and searchable Portable Document Format of reports and correspondence, to the State Water Resources Control Board GeoTracker database under Global ID WDR100001048.

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on June 11, 2015.

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Samuel Unger, P.E.
Executive Officer

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