

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

**320 W. 4th Street, Suite 200
Los Angeles, California 90013
(213) 576-6600**

**Public Notice No. 15-041
NPDES No. CA0056464**

NOTICE OF PUBLIC HEARING

**PROPOSED REISSUANCE
OF
WASTE DISCHARGE REQUIREMENTS
(National Pollutant Discharge Elimination System Permit)**

<u>DISCHARGER</u>	<u>DISCHARGE LOCATION</u>	<u>RECEIVING WATER</u>
Owens-Brockway Glass Container, Incorporated	2901 Fruitland Avenue Vernon, CA 90058	Los Angeles River

Owens-Brockway Glass Container, Incorporated is the owner and operator of a glass manufacturing facility located at 2901 Fruitland Avenue in Vernon, California. Owens-Brockway Glass Container discharges up to 0.163 million gallons per day (MGD) of storm water runoff from the central yard/production area (including cullet bins, cooling tower, and silos areas), when the rain diversion system detects 0.1 inch of rain through Discharge Point 001 and up to 0.680 MGD storm water runoff from the main yard (cullet bins, cooling tower, and silos areas) through Discharge Point 002 to the Los Angeles River, a water of the United States. The discharge is regulated under waste discharge requirements contained in Order R4-2010-0087-R, adopted by this Los Angeles Regional Water Board on February 2, 2012, which was scheduled to expire on May 10, 2015. Order R4-2010-0087-R also serves as a permit under the National Pollutant Discharge Elimination System (NPDES No. CA0056464) Program. Owens-Brockway Glass Container, Incorporated filed a Report of Waste Discharge (ROWD) on November 10, 2014, and applied to the Los Angeles Regional Water Board for reissuance of waste discharge requirements (WDRs) and an NPDES permit to discharge storm water and fire protection system test water from the Owens-Brockway Glass Container Vernon Facility.

Owens-Brockway manufactures glass containers from raw materials and recycled glass, primarily for the food and beverage industries. The Facility manufactures flint (clear), amber (brown), and emerald (green) bottles from both new materials – consisting primarily of silica sand and soda ash, and recycled glass. While water is not a component of the product itself, it is used throughout the manufacturing process for supporting equipment and plant operations.

Periodically, a furnace is drained of glass for maintenance or color change purposes. During a furnace drain, glass is discharged into a flume of water flowing into a holding area in the basement or slab outside the furnace building. No chemicals are added to the water. Furnace drain water is generated infrequently; furnace drains may occur less than once per year. The Discharger collects furnace drain flume water in a fabricated “pond” for recirculation during furnace drains. Excess water is hauled off-site for disposal or discharged into the sanitary sewer. Under the existing permit, during an emergency, furnace drain water was discharged to the storm drain through Discharge Point 001. Emergency furnace drain water has not been discharged since 2004. The proposed permit does not include provisions to discharge the emergency furnace drain water to surface waters.

The previous NPDES permit (Order No. R4-2010-0087-R) authorized the discharge of 1.0453 MGD of wastewater and 1.566 MGD storm water, to surface waters. The wastewater consists of 1.0 MGD furnace drain water, 0.04 MGD oxygen plant vacuum pump seal water, and 0.0053 MGD fire protection system test water. The discharges of the plant wastewater (furnace drain water and oxygen plant vacuum pump seal water) to surface waters occur when discharge to the sanitary sewer is not possible (i.e., under emergency conditions). The ROWD and self-monitoring reports submitted, indicate that since November 2004, all routinely-generated plant wastewater is discharged to the sanitary sewer under a joint permit issued by the City of Vernon and Los Angeles County Sanitation Districts of (Permit No. 1029). Information submitted by the Discharger on November 19, 2015, indicated that the total storm water discharge from the Facility is 0.843 MGD (i.e., 0.163 MGD at Discharge Point 001 and 0.680 MGD at Discharge Point 002). Additional information submitted by the Discharger on December 18, 2015, and January 8, 2016, indicated that the fire protection test water will no longer be discharged to the storm drain. It will be either pumped into a container and/or directly routed to the basement closed loop recirculation system. Any fire protection system test water that cannot be utilized will be pumped into a container and sent offsite for appropriate disposal. Therefore, the proposed Order only regulates the discharge of storm water runoff from the central yard/production areas (cullet bins, silos, and cooling tower areas) and main yard (cullet bins, cooling towers, and silo areas).

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, Los Angeles Region, tentatively proposes to issue waste discharge requirements, including effluent limitations and special conditions.

HEARING DATE AND LOCATION

Date: March 10, 2016
Time: 9:00 a.m.
Place: Metropolitan Water District, Board Room
700 N. Alameda Street,
Los Angeles, California

AVAILABILITY OF DOCUMENTS

The Report of Waste Discharge, related documents, tentative requirements, comments received, and other information received on the discharge are available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. at the following address:

California Regional Water Quality Control Board
Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Arrangements for file review and/or obtaining copies of the documents may be made by calling the Los Angeles Regional Water Board at (213) 576-6600. The entire file will become a part of the administrative record of this proceeding, irrespective of whether individual documents are specifically referenced during the hearing. The entire file will not be present in the hearing room. Should any interested persons desire staff to bring to the hearing any particular documents that

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are not included in the agenda packet, they must submit a written or electronic request to staff during business hours, not later than 5 business days before the hearing. The request must identify the documents with enough specificity for staff to locate them.

NATURE OF HEARING

This will be a formal adjudicative hearing pursuant to section 648 et seq. of title 23 of the California Code of Regulations. Chapter 5 of the California Administrative Procedure Act (commencing with section 11500 of the Government Code) will not apply to this proceeding.

Ex Parte Communications Prohibited: As a quasi-adjudicative proceeding, no board member may discuss the subject of this hearing with any person, except during the public hearing itself. Any communications to the Regional Board must be directed to staff.

COMMUNICATIONS WITH STAFF BEFORE THE HEARING

The lead staff member responsible for this item is:

Rosario Aston
320 West 4th Street, Suite 200
Los Angeles, CA 90013
PHONE: (213) 576-6653
FAX: (213) 576-6660
Rosario.Aston@waterboards.ca.gov

PARTIES TO THE HEARING

The following are the parties to this proceeding:

1. The applicant/permittee

Any other persons requesting party status must submit a written or electronic request to staff not later than 20 business days before the hearing. All parties will be notified if other persons are so designated.

PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment upon or object to the tentative waste discharge requirements, or submit evidence for the Board to consider, are invited to submit them in writing to the above address. To be evaluated and responded to by staff, included in the Board's agenda folder, and fully considered by the Board, written comments must be submitted to the Regional Water Board staff at losangeles@waterboards.ca.gov with a copy submitted to Rosario Aston at Rosario.Aston@waterboards.ca.gov no later than 5:00 p.m. on **February 11, 2016**. Comments or evidence received after that date will be submitted, ex agenda, to the Board for consideration, but only included in administrative record with express approval of the Chair during the hearing. Additionally, if the Board receives only supportive comments, the permit may be placed on the Board's consent calendar, and approved without an oral testimony.

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HEARING PROCEDURE

The meeting, in which the hearing will be a part of, will start at 9:00 a.m. Interested persons are invited to attend. Staff will present the matter under consideration, after which oral statements from parties or interested persons will be heard. For accuracy of the record, all important testimony should be in writing. The Board will include in the administrative record written transcriptions of oral testimony that is actually presented at the hearing. Oral testimony may be limited to 3 minutes maximum or less for each speaker, depending on the number of persons wishing to be heard. Parties or persons with similar concerns or opinions are encouraged to choose one representative to speak. At the conclusion of testimony, the Board will deliberate in open or close session, and render a decision.

Parties or persons with special procedural requests should contact staff. Any procedure not specified in this hearing notice will be waived pursuant to section 648(d) of title 23 of the California Code of Regulations. Objections to any procedure to be used during this hearing must be submitted in writing not later than close of business 15 business days prior to the date of the hearing. Procedural objections will not be entertained at the hearing.

If there should not be a quorum on the scheduled date of this meeting, all cases will be automatically continued to the next scheduled meeting on April 14, 2016. A continuance will not extend any time set forth herein.

Date: January 12, 2016