



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

September 11, 2013

Mr. Alexander (Ed) Morelan
Office of Environmental Health and Safety
Los Angeles Unified School District
333 South Beaudry Avenue, 28th Floor
Los Angeles, CA 90017

TENTATIVE WASTE DISCHARGE REQUIREMENTS AND MONITORING AND REPORTING PROGRAM FOR GRATTS LEARNING ACADEMY FOR YOUNG SCHOLARS, 309 SOUTH LUCAS AVENUE, LOS ANGELES, CALIFORNIA (ORDER NO. R4-2013-XXXX, FILE NO. 13-061, CI-XXXX, GLOBAL ID WDR100011877)

Dear Mr. Morelan:

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

You have filed a Report of Waste Discharge (RoWD) for waste discharge requirements (WDRs) for the injection of non-pathogenic chlorinated-ethene degrading microbial consortium containing Dehalococcoides ethenogenes cultures, to bioremediate chlorinated volatile organic compounds (VOCs) in shallow groundwater. We have completed our review of your application. Pursuant to the California Water Code, a tentative WDR order and a monitoring and reporting program have been prepared.

Enclosed are copies of the Tentative WDRs consisting of:

- a. Tentative Regional Board Order No. R4-2013-XXXX specifying WDRs,
- b. Tentative Monitoring and Reporting Program No. CI-XXXX; and
- c. Tentative Standard Provisions Applicable to WDRs.

The documents are also available at the Regional Water Board's website:

http://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/

Mr. Alexander (Ed) Morelan
Los Angeles Unified School District

- 2 -

September 11, 2013

In accordance with administrative procedures, the Regional Board will consider the enclosed tentative WDRs and comments therein at a public hearing to be held at 9:00 AM on November 7, 2013 at the Metropolitan Water District of Southern California, 700 North Alameda Street, Los Angeles, California. The Regional Board will hear any testimony pertinent to this discharge and the tentative requirements. It is expected that the Regional Board will take action at the hearing; however, as testimony indicates, the Regional Board at its discretion may order further investigation.

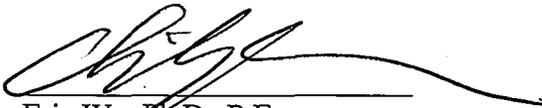
In order to be evaluated by the Regional Board staff and included in the Regional Board's agenda packet, written comments or testimony regarding these tentative WDRs must be received at the Regional Board's office by 4:00 p.m. on October 11, 2013. Failure to comply with these requirements is grounds for the Regional Board to refuse to admit the proposed written comment or exhibit into evidence. Timely submittal of written comments is encouraged to ensure that all comments are accurately and fully included in the administrative record, that Regional Board staff is able to provide timely review, and that Regional Board Members have sufficient time to give full consideration to the comments and issues raised. Comments received after the requested date may result in delay in consideration of your application.

Standard Provisions, which are part of these tentative requirements, are enclosed for the addressee only. However, these are on file in our office, and a copy will be sent to interested parties upon request.

The agenda for the meeting will be posted on the Regional Water Board's website (http://www.waterboards.ca.gov/losangeles/board_info/agenda/index.shtml) approximately one week prior to the meeting.

If you have any additional questions, please contact the Project Manager, Mr. David Koo at (213) 620-6155 or via email at dkoo@waterboards.ca.gov, or me at (213) 576-6683 or via email at ewu@waterboards.ca.gov.

Sincerely,



Eric Wu, Ph.D., P.E.
Chief of Groundwater Permitting Unit

Enclosures: Tentative WDRs Order No. R4-2013-XXXX
Tentative Monitoring and Reporting Program No. CI-XXXX
Tentative Standard Provisions Applicable to WDRs

Mr. Alexander (Ed) Morelan
Los Angeles Unified School District

- 3 -

September 11, 2013

cc (via email): Mr. Maria Butler, Gratts Learning Academy For Young Scholars
Mr. Patrick Schanen, Los Angeles Unified School District
Mr. Eric Longenecker, Los Angeles Unified School District
Mr. Thomas Cota, Department of Toxic Substances Control
Mr. Ivy Osornio, Department of Toxic Substances Control

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

320 West 4th Street, Suite 200, Los Angeles, California 90013
(213) 576-6660 • Fax (213) 576-6640
<http://www.waterboards.ca.gov/losangeles/>

ORDER NO. R4-2013-XXXX
(FILE NO. 13-061)
CI-XXXX

**WASTE DISCHARGE REQUIREMENTS
FOR
LOS ANGELES UNIFIED SCHOOL DISTRICT
BIOAUGMENTATION OF VOLATILE ORGANIC COMPOUNDS IN GROUNDWATER
AT
GRATTS LEARNING ACADEMY FOR YOUNG SCHOLARS**

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

PURPOSE OF ORDER

1. Los Angeles Unified School District (LAUSD, hereinafter Discharger) has filed a Report of Waste Discharge for injection of non-pathogenic (naturally derived, not genetically engineered) chlorinated-ethene degrading microbial consortium containing Dehalococcoides ethenogenes cultures (hereinafter Consortium), to bioremediate chlorinated volatile organic compounds (VOCs) in shallow groundwater through reductive dechlorination to ethene in groundwater at the Gratts Learning Academy for Young Scholars (Site). The injection of this Consortium is necessary to increase to suitable levels the population of those species of bacteria that selectively consume the contaminants of concerns (COCs) at the Site.

BACKGROUND

2. The Site encompasses approximately 5.2 acres located at 309 Lucas Avenue in Los Angeles, California (Latitude 34.057859 degrees North, Longitude -118.262147 degrees West, see Figure 1). The Site is located in a high-density residential area and was used primarily for residences from 1894 to 1990. A structure on the north side of the Site was used from 1923 to 1984 as a taxi garage and maintenance facility, and auto body paint shop. The Discharger acquired the property in 1990 and demolished the previous buildings in 1993. Construction of the school was completed in 1995 and it opened in 1996. The school Site utilizes all of the acquired property.
3. The Discharger began environmental investigations and cleanups during construction. The Regional Board provided regulatory oversight. The initial investigations identified soil and groundwater impacted by fuel-related petroleum hydrocarbons and chlorinated solvents. The investigations included the installation of 14 onsite and offsite groundwater monitoring wells and the excavation of impacted soil. An estimated 2,055

Draft September 11, 2013

**T
E
N
T
A
T
I
V
E**

cubic yards of fuel-impacted soil was bioremediated and used as onsite fill. Another 2,192 cubic yards of excavated soil was transported offsite for disposal.

4. The Discharger installed remediation systems in 1994, during school construction. This included a vapor extraction system for soil cleanup and a groundwater and free product extraction and treatment system. The systems focused on onsite remediation. High-density polyethylene (HDPE) membranes were installed below Site Buildings A, C and a portion of D as a vapor barrier during the spring of 1994. A passive air intake trench was also installed below Site Buildings A and C.
5. On May 10, 2001, the Regional Board referred the lead agency role for future oversight to the Department of Toxic Substances Control (DTSC). A Remedial Investigation (RI) was performed to identify sources of contamination and contaminants of concern (COCs), the extent of each COC in soil gas, soil and groundwater, and the resulting risk to human health. The RI included soil sampling at 57 onsite locations and 7 locations north of the Site, soil gas sampling at 40 onsite locations and 4 locations east of the Site, and groundwater sampling from three new wells and 14 previously-installed wells. The sampling was focused on the area east of the parking garage.
6. The final results of the RI were published in 2002. The RI identified a variety of fuel-related petroleum hydrocarbons and chlorinated solvents in soil, soil gas and groundwater. Concentrations of these compounds in soil gas did not result in a significant risk to those breathing indoor air within onsite structures. An area of elevated soil and groundwater concentrations for the COCs was identified at the former location of a cluster of underground storage tanks at the northern margin of the Site, north of school Buildings A and C.
7. Subsequent offsite investigations to identify the extent of the volatile organic compounds (VOCs) plume required the installation of two sets of nested soil vapor wells and groundwater wells in Columbia Avenue, west of the Site. Two vapor extraction wells that originally extended to groundwater (VE4 and VE5) were abandoned at this time. There are currently 23 onsite and offsite wells and two piezometers (in Witmer Street). There are also 7 sets of soil vapor wells (VP1 through VP6), located both onsite and downgradient offsite.
8. The vapor extraction system was turned off after soil closure was approved by DTSC in 2005.
9. The primary COCs at the Site are trichloroethene (TCE), cis- and trans-1,2-dichloroethene (1,2-DCE), 1,2-dichloroethane (1,2-DCA) and benzene at concentrations up to 1,200 micrograms per liter ($\mu\text{g/L}$), 1,100 $\mu\text{g/L}$, 280 $\mu\text{g/L}$, 35 $\mu\text{g/L}$, and 530 $\mu\text{g/L}$, respectively. Other fuel-related VOCs (toluene, ethylbenzene and xylenes) are still detected, but less often. Fuel oxygenates have not been detected in groundwater for over a decade.

**T
E
N
T
A
T
I
V
E**

10. The plume of impacted groundwater is currently focused on the area below the parking garage on the west side of the campus, and offsite to the west and south. The more extensive chlorinated solvent plume extends west 600 feet from the parking garage to Columbia Avenue, and approximately 700 feet south from the parking garage along Witmer Street. Fuel-related VOCs are inconsistently identified upgradient of the parking garage, to the north and east. Since operation of the pump and treat system began, the size of the onsite plume of fuel-related VOCs has decreased and concentrations of TCE has decreased in one of the onsite wells (PMW-1) by 99 percent. The current extent of the plume of fuel-related VOCs usually extends from below Building C to the eastern portion of the parking garage. However, the plume occasionally extends upgradient to north of Buildings A or C.
11. The collection of groundwater monitoring data beginning in December 1995 show that static groundwater depths vary across the Site (when including offsite wells) from 45.42 to 7.69 feet below top of casing (toc). Depths to groundwater decrease offsite to the west and to the south. The depth to groundwater below the area of highest COC concentration below the parking garage is approximately 20 feet toc.
12. The nearest active municipal water supply wells are in the Pollock Well Field, approximately 3 miles north (up-gradient) of the Site. The Pollock Well Field is in the southeastern portion of the San Fernando Groundwater Basin north of the Los Angeles Narrows and is hydraulically separated from the Site by a groundwater divide. Well head treatment to drinking water standards is currently conducted on water pumped within the well field.
13. According to the Records Unit of the Los Angeles County Department of Public Works, Well No. 2735A is located at the corner of Figueroa Street and Pico Boulevard, approximately 1.25 miles south-southwest of the Site. The last recorded depth to groundwater was 137.2 feet on April 18, 1994. Another well (No. 2746) is located 1.25 miles southeast of the Site at Broadway and 11th Street. The recorded depth to groundwater at that well was 77.2 feet on April 26, 1972. The Los Angeles Examiner Publishing Company owned this well, which was reportedly used in association with the newspaper supply business.
14. In 2009, Discharger began to evaluate alternative remedial methods that could provide offsite mitigation and control of VOCs in groundwater, and further reduce VOCs in the center of the plume below the parking garage where the concentrations of VOCs are the highest and the pump and treat system had minimal effect.
15. A bench scale microcosm study was performed in 2009, which consisted of injecting soil and groundwater from onsite well MW20 with different combinations of soy-lactate plus nutrients and inoculants and then testing those samples over time to evaluate the effectiveness of the injections. The microcosm study determined that high sulfate

**T
E
N
T
A
T
I
V
E**

concentrations in groundwater, and likely a paucity of sulfate-reducing bacteria, were limiting the effectiveness of a soy-lactate injection. After 8 weeks, degradation was limited to samples that contained a tap water spike instead of groundwater (low sulfate samples). Additional carbon substrate was then added to the microcosm samples. After 19 weeks, TCE concentrations had decreased by 69 percent and cis-1,2-DCE had decreased by 67 percent in the microcosm samples that received lactate, nutrients, yeast extract, and a microbial inoculum. The reduction of cis-1,2-DCE indicated that TCE degradation was not stalling at cis-1,2-DCE. No vinyl chloride was observed in the samples indicating that vinyl chloride buildup in the samples will not be a concern at the Site.

16. Discharger performed an injection test in 2011 to assess what fluid pressures and volumes were achievable when injecting into Site soils in the area proposed for treatment. Two locations within the parking garage were selected for the injection of potable water. The test indicated that flow rates of from 6 to 10 gallons per minute (gpm) were possible in the garage area using moderate flow pressures. These flow rates are practical flow rates for performing the injection of the inoculum.
17. Discharger also performed an investigation on the actual populations of bacteria in soil and groundwater. The investigation consisted of the collection of four soil samples from two borings at the west end of the parking garage, and three filter samples from groundwater wells GW11, GW19 and GW20. These wells are within the center of the impacted area of groundwater. Each groundwater and soil sample (seven total) was analyzed using CENSUS methodology. The analyses determined the population of the primary known bacterial group for TCE reductive dechlorination (Dahalococcoides), and concentrations of enzymes responsible for TCE and vinyl chloride dechlorination in Dahalococcoides. The results of this investigation indicated that low microbial populations determined for the soil and groundwater samples were regarded as insufficient to reduce the chlorinated compounds of interest within a reasonable timeframe.
18. A Removal Action Workplan (RAW) prepared by Pinnacle Environmental Technologies dated January 9, 2013, selected Enhanced Reductive Dechlorination with Bioaugmentation as the preferred method to continue groundwater remediation. The RAW was approved by DTSC on March 11, 2013.
19. Implementation of the RAW for the Site involves the injection of a set of products into groundwater at two basic locations: an onsite grid of 65 points in the parking garage and an offsite linear barrier of 40 points in Witmer Street (Figure 2). The products to be injected include a hydrogen release compound (HRC Primer®), and 3-D Microemulsion (3DMe™) produced by Regenesys, Inc. 3DMe is composed of three substances that provide a sequential supply of hydrogen to groundwater. The lactate is degraded earliest to begin anaerobic degradation, polylactate esters are degraded more slowly and maintain anaerobic concentrations in the subsurface for a year or more. The final stage of

**T
E
N
T
A
T
I
V
E**

anaerobic treatment is enabled by the late release of hydrogen from fatty acids and fatty acid esters. Under optimal conditions, this late stage of treatment can extend for up to four years. The HRC Primer® provides electron donor that will be used preferentially over the elevated sulfate known to exist in groundwater.

The following summarizes the volumes and concentrations of each product:

Product	Volume (gallons)	Concentration (% by Volume)	Duration (weeks)	Frequency
Consortium	Parking Garage: 65	Parking Garage: 0.3 Witmer Street: 0.3	4	Once
	Witmer Street: 32			
	Total: 97			
3DMe	Parking Garage: 1,580	Parking Garage: 6.3 Witmer Street: 4.8	4	Once
	Witmer Street: 527			
	Total : 2,107			
HRC Primer®	Parking Garage: 319	Parking Garage: 1.3 Witmer Street: 2.1	4	Once
	Witmer Street: 235			
	Total: 554			

20. The injected solution will also include an enriched natural microbial Consortium containing species of Dehalococcoides. The injection of this Consortium is necessary to increase to suitable levels the population of those species of bacteria that selectively consume the chlorinated COCs at the Site.
21. Any injection of a solution into groundwater is a discharge of waste as defined by the California Water Code (CWC). However, the discharge of 3DMe, HRC Primer® and a chlorinated-ethene degrading Consortium is intended to provide more effective remediation of chlorinated VOC-impacted groundwater and may reduce the anticipated site cleanup time as compared to pump-and-treat technology or enhanced in-situ bioremediation without addition of Consortium.
22. The application of 3DMe and HRC Primer® independent of the addition of the Consortium to groundwater may result in temporary adverse impacts to groundwater quality, but impacts that may result will be localized, and of short-term duration, and will not impact any existing or prospective uses of groundwater. The addition of 3DMe and HRC Primer® with the Consortium will improve groundwater conditions by ensuring more complete degradation of VOCs.

APPLICABLE PLANS, POLICIES AND REGULATIONS

23. *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura*

T
E
N
T
A
T
I
V
E

Counties (Basin Plan) – On June 13, 1994, the Regional Board adopted a revised Basin Plan. The Basin Plan (i) designates beneficial uses for surface and groundwater, (ii) establishes narrative and numeric water quality objectives that must be attained or maintained to protect the designated beneficial uses, and (iii) sets forth implementation programs to protect the beneficial uses of the waters of the state. The Basin Plan also incorporates State Board Resolution 68-16 (see finding No. 24 below for detail). In addition, the Basin Plan incorporates by reference applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. The Regional Board prepared the 1994 update of the Basin Plan to be consistent with previously adopted State and Regional Board plans and policies. This Order implements the plans, policies and provisions of the Regional Board’s Basin Plan.

24. Gratts Learning Academy for Young Scholars is located in the Los Angeles Coastal Plain hydrologic area and overlies the Central Basin subarea. The Basin Plan designates beneficial uses and water quality objectives for the Central Basin as follow:

Groundwater (Central Basin):

Existing: Municipal and Domestic Supply, Industrial Service Supply, Industrial Process Supply, and Agricultural Supply.

25. The California Department of Public Health (CDPH) established primary and secondary MCLs for inorganic, organic, and radioactive contaminants in drinking water. These MCLs are codified in Title 22, CCR. The Basin Plan (Chapter 3) incorporates Title 22 primary maximum contaminant levels (MCLs) by reference. This incorporation by reference is prospective including future changes to the incorporated provisions as the changes take effect. Title 22 primary MCLs (see Attachments A-1 to A-5) are applicable limitations for a receiving water to protect beneficial uses when that receiving water is designated as municipal and domestic supply. Also, the Basin Plan specifies that “Ground waters shall not contain taste or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses.” Therefore the secondary MCLs, which are limits based on aesthetic, organoleptic standards, are also incorporated into this permit to protect groundwater quality.
26. It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
27. **State Board Resolution No. 68-16** (“Statement of Policy with Respect to Maintaining High Quality Waters in California”, also called the “Antidegradation Policy”) requires the Regional Board, in regulating the discharge of waste, to maintain high quality waters of the state until it is demonstrated that any change in quality will be consistent with

T
E
N
T
A
T
I
V
E

maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the State Board's policies (e.g., quality that exceeds water quality objectives). The Regional Board finds that the discharge, as allowed in these WDRs, is consistent with Resolution No. 68-16 since this Order (1) requires compliance with the requirements sets forth in this Order, including the use of best practicable treatment and control of the discharges, (2) requires implementation of MRP; and (3) requires discharges to be treated to comply with water quality objectives.

28. Section 13267(b) of the CWC states, in part, that "In conducting an investigation specified in subdivision (a), 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 within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste outside of its region that could affect the quality of waters of the state 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 reports 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."
29. Section 13267(d) of the CWC states, in part, that "a regional board may require any person, including a person subject to a waste discharge requirements under Section 13263, who is discharging, or who proposes to discharge, wastes or fluid into an injection well, to furnish the state board or regional board with a complete report on the condition and operation of the facility or injection well, or any other information that may be reasonably required to determine whether the injection well could affect the quality of the waters of the state."
30. The technical reports required by this Order No. R4-2013-XXXX and the attached Monitoring and Reporting Program No. CI-XXXX are necessary to assure compliance with these waste discharge requirements. The Discharger operates the Site that discharges the waste subject to this Order. The burden, including costs, of providing the technical reports required by this Order bears a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

CALIFORNIA ENVIRONMENTAL QUALITY ACT AND NOTIFICATION

31. DTSC has assumed the lead agency role for this project under the California Environmental Quality Act (Public Resources Code section 21000 et seq.). DTSC has reviewed the planned activities and determined that there is no possibility that the project

T
E
N
T
A
T
I
V
E

may have a significant effect on the environment. Therefore, DTSC has exempted this project from California Environmental Quality Act (CEQA) and issued a Notice of Exemption in accordance with section 15061 of the “State CEQA Guidelines” at California Code of Regulations, title 14, section 15000 et seq.

32. On September 6, 2013, the Regional Board notified the Discharger and interested agencies and persons of the intent to issue WDRs for this discharge, and provided them with an opportunity to submit written comments for the requirements by October 7, 2013.
33. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the proposed requirements.
34. Pursuant to CWC section 13320, any person affected by this action of the Regional Board may petition the State Board to review the action in accordance with section 13320 of the California Water Code 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 LAUSD, in order to meet the provisions contained in Division 7 of the California Water Code and Regulations adopted there under, shall comply with the following:

A. DISCHARGE SPECIFICATIONS

1. The discharge of 3DMe, HRC Primer® and chlorinated-ethene degrading Consortium, into the groundwater shall only be performed while this order is in force.
2. During this remediation, the injection volume of the injected solution and individual products incorporated in the solution shall not exceed the amount specified above.
3. Discharge shall occur only between December 23, 2013 and January 10, 2014.
4. The Discharger shall restart the groundwater treatment system to provide plume control if the selected remedial method and all contingency actions do not perform as anticipated.
5. Control measures shall be considered if the monitoring data indicate that the remedial method is not performing. If either of the two contingency criteria listed below are met, the data shall be evaluated to determine if unusual environmental or other circumstances have contributed to the increases observed.

**T
E
N
T
A
T
I
V
E**

- Successive statistically significant increases in the TCE concentration for any of wells GW11, GW19, and GW20 (Compliance Wells).
- Successive increases in the four-quarter running average of TCE concentrations for any of the Compliance Wells.

Unusual environmental or other circumstance might include unusual rainfalls, indications of nearby water line leaks or well cover breaches. If unusual conditions have been eliminated, a determination will be made if additional injections of particular amendments will improve performance. This determination will be made between LAUSD, their consulting team, the Regional Board and DTSC.

B. DISCHARGE LIMITATIONS

1. During the implementation of the proposed discharges, a total of 97 gallons of Consortium, 2,107 gallons of 3DMe and 554 gallons of HRC Primer® will be injected into 105 injection points at depths approximately from 18 to 33 feet below ground surface. The injection volumes shall not exceed the aforementioned volumes.
2. The proposed discharge shall not cause the pH of the receiving groundwater at the compliance point, downgradient outside the treatment zone, beyond the range of 6.5 and 8.5.
3. The proposed discharge shall not cause the receiving groundwater at the compliance point, downgradient outside the treatment zone, in excess of 700 milligrams per liter (mg/L) of total dissolved solid, 250 mg/L of sulfate, 150 mg/L of chloride, and 1.0 mg/L of boron or background concentrations established prior to start of remediation.
4. Discharge duration for the proposed discharges shall not exceed more than four weeks, unless approved by the Executive Officer.

C. DISCHARGE PROHIBITIONS

1. The Discharger shall not cause the Consortium, the amendments, and the by-products of the bioremediation process to migrate outside of the treatment area established by the Discharger and approved by the Executive Officer.
2. The Discharger shall not cause the groundwater outside of the remediation area to exceed background concentrations of chloride and TDS established prior to the start of remediation.

**T
E
N
T
A
T
I
V
E**

3. The Discharger shall not cause the groundwater to contain taste or odor producing substances in concentrations that cause nuisance or adversely affect beneficial uses outside the treatment area.
4. The Discharger shall not cause the groundwater to contain concentrations of chemical substances or its byproducts, including the Consortium, in amounts that adversely affect any designated use as a result of the injection of solution.
5. Discharge of waste classified as 'hazardous', as defined in Section 2521(a) of Title 23, California Code of Regulations, Section 2510 et seq., is prohibited. Discharge of waste classified as 'designated,' as defined in California Water Code Section 13173, in a manner that causes violation of groundwater limitations, is prohibited.
6. Wastes shall not be disposed of in geologically unstable areas or so as to cause earth movement.
7. Wastes discharged shall not impart tastes, odors, color, foaming or other objectionable characteristics to the receiving water.
8. Odors originating at this facility shall not be perceivable beyond the limits of the property owned by the Discharger.
9. The discharge of waste shall not create a condition of pollution, contamination, or nuisance. No new connections may be made without notification to the Regional Board.
10. The discharge of any wastewater to surface waters or surface water drainage courses is prohibited without a National Pollutant Discharge Elimination System (NPDES) permit.
11. Any discharge of waste at any point other than specifically described in this Order is prohibited and constitutes a violation of this Order.

D. PROVISIONS

1. This Order includes the attached *Standard Provisions Applicable to Waste Discharge Requirements* which are incorporated herein by reference. If there is any conflict between provisions stated herein and the *Standard Provisions Applicable to Waste Discharge Requirements*, the provisions stated herein will prevail.
2. In the event of any change in name, ownership, or control of the Site, the Discharger shall notify this Regional Board in writing and shall notify any

**T
E
N
T
A
T
I
V
E**

succeeding owner or operator of the existence of this Order by a letter, a copy of which shall be forwarded to this Regional Board.

3. A copy of these requirements shall be maintained at an on-site office and be available at all times to operating personnel.
4. In accordance with Section 13260 of the Water Code, the Discharger shall file a report of any material change or proposed change in the character, location, or volume of discharge.
5. The Discharger shall notify the Regional Board immediately by telephone of any adverse condition resulting from this discharge or from operations producing this waste discharge, such notifications to be affirmed in writing within one week from the date of such occurrence.
6. This Regional Board considers the property operator and owner to have continuing responsibility of correcting any problem that may arise in the future as a result of this discharge.
7. All work must be performed by or under the direction of a registered civil engineer, registered geologist, or certified engineering geologist. A statement is required in all technical reports that the registered professional in direct responsible charge actually supervised or personally conducted all the work associated with the project.
8. The Discharger shall comply with all conditions of this Order, including timely submittal of technical and monitoring reports as specified in the attached Monitoring and Reporting Program No. CI-XXXX, Violations of any conditions may result in enforcement action, including Regional Board or Court Order requiring corrective action or imposition of civil monetary liability, or revision, or rescission of the Order.
9. The Discharger shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.
10. This Order does not relieve the Discharger from the responsibility to obtain other necessary local, state, and federal permits to construct facilities necessary for compliance with this Order; nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.
11. The Discharger shall cleanup and abate the effects of injecting amendment solution as specified in the WDR permit, including extraction of any by-products which adversely affect beneficial uses, and shall provide an alternative water

**T
E
N
T
A
T
I
V
E**

supply source for municipal, domestic or other water use wells that become contaminated in exceedance of water quality objectives as a result of this discharge.

12. In accordance with section 13263 of the California Water Code, these requirements are subject to periodic review and revision by this Regional Board.
13. The Discharger shall file with the Regional Board technical reports on self-monitoring work performed according to the detailed specifications contained in Monitoring and Reporting Program No. CI-XXXX attached hereto and incorporated herein by reference, as directed by the Executive Officer. The results of any monitoring done more frequently than required at the location and/or times specified in the Monitoring and Reporting Program shall be reported to the Regional Board. The Discharger shall comply with all of the provisions and requirements of the Monitoring and Reporting Program.
15. For any violation of requirements in this Order, the Discharger shall notify the Regional Board within 24 hours of knowledge of the violation either by telephone or electronic mail. The notification shall be followed by a written report within one week. The Discharger in the next monitoring report shall also confirm this information. In addition, the report shall include the reasons for the violations or adverse conditions, the steps being taken to correct the problem (including dates thereof), and the steps being taken to prevent a recurrence.
16. After notice and opportunity for a hearing, this Order may be terminated or modified for causes including, but not limited, to:
 - a) Violation of any term or condition contained in this Order;
 - b) Obtaining this Order by misrepresentation, or failure to disclose all relevant facts; or
 - c) A change in any condition, or the discovery of any information, that requires either a temporary or permanent reduction or elimination of the authorized discharge.
17. The Discharger shall furnish, within a reasonable time, any information the Regional Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Discharger shall also furnish to the Regional Board, upon request, copies of records required to be kept by this Order.
18. The Discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

**T
E
N
T
A
T
I
V
E**

- a) Enter upon the Discharger premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
 - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
 - c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
 - d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the CWC, any substances or parameters at any locations.
19. The WDRs contained in this Order will remain in effect and will be reviewed, if necessary. Should the Discharger wish to continue discharging to groundwater for a period of time in excess of 5 years, the Discharger must file an updated Report of Waste Discharge with the Regional Board no later than 120 days in advance of the fifth-year anniversary date of the Order for consideration of issuance of new or revised waste discharge requirements. Any discharge of waste ten years after the date of adoption of this Order, without filing an updated Report of Waste Discharge with the Regional Board, is a violation of CWC section 13264. The Regional Board is authorized to take appropriate enforcement action for any noncompliance with this provision including assessment of penalties.
 20. All discharges of waste into the waters of the State are privileges, not rights. In accordance with CWC section 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification.
 21. Failure to comply with this Order and Monitoring and Reporting Program No. CI-XXXX, could subject the Discharger to monetary civil liability pursuant to California Water Code, including sections 13268 and 13350. Person's failing to furnish monitoring reports or falsifying any information provided therein is guilty of a misdemeanor.
 22. Dischargers are directed to submit all reports required under the waste Discharger requirements (WDRs) adopted by the Regional Board including groundwater monitoring analytical data and discharge location data, to the State Water Resources Control Board GeoTracker database under Global ID WDR100011877. The GeoTracker training video is available at:
<https://waterboards.webex.com/waterboards/ldr.php?AT=pb&SP=MC&rID=44145287&rKey=7dad4352c990334b>

T
E
N
T
A
T
I
V
E

E. REOPENER

1. The Regional Board may modify, or revoke and reissue this Order if present or future investigations demonstrate that the discharge(s) governed by this Order will cause, have the potential to cause, or will contribute to adverse impacts on water quality and/or beneficial uses of the receiving waters.
2. This Order may be reopened to include additional or modified requirements to address Discharger's expansion or mitigation plans, Total Maximum Daily Load (TMDL) or Basin Plan mandates, or groundwater limitation compliance with Resolution 68-16.

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 November 7, 2013.

Samuel Unger, P. E.
Executive Officer

**T
E
N
T
A
T
I
V
E**

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

320 West 4th Street, Suite 200, Los Angeles, California 90013
(213) 576-6660 • Fax (213) 576-6640
<http://www.waterboards.ca.gov/losangeles/>

MONITORING AND REPORTING PROGRAM NO. CI-XXXX
FOR
LOS ANGELES UNIFIED SCHOOL DISTRICT
GRATTS LEARNING ACADEMY FOR YOUNG SCHOLARS
(File No. 13-061)

I. **REPORTING REQUIREMENTS**

The Los Angeles Unified School District (LAUSD, hereinafter "Discharger") shall implement this Monitoring and Reporting Program (MRP) at 309 Lucas Avenue, Los Angeles, California (Site) on the effective date (November 7, 2013) of Regional Board Order No. R4-2013-XXXX.

- A. The Discharger is required to submit a preliminary report including baseline and injection data, plus quarterly reports. The groundwater monitoring wells will be gauged and sampled and the results will be reported to the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) under the MRP according to the following schedule:

<u>Monitoring Period</u>	<u>Report Due</u>
January – March	April 15
April – June	July 15
July – September	October 15
October – December	January 15

- B. If there is no discharge or injection during any reporting period, the report shall so state.
- C. The Discharger shall submit reports detailing the results of the remediation. The reports shall include an evaluation of the effectiveness of using the hydrogen releasing amendments and Dehalococcoides consortium to remediate chlorinated volatile organic compound (VOC)-contaminated groundwater at the Site, the impact of any by-products on the receiving groundwater quality, and any other effects the *in-situ* treatment may have.
- D. The following shall be reported when wastes are transported to a different disposal site: type and quantity of wastes; name and address of the hauler (or method of transport if other than by hauling); and location of the final point(s) of disposal.
- E. Each monitoring report shall contain both tabular and graphical summaries of the monitoring data obtained during the monitoring period. In addition, the

**T
E
N
T
A
T
I
V
E**

Discharger shall explain the compliance record and the corrective actions taken, or planned, which may be needed to bring the discharge into full compliance with the waste discharge requirements (WDRs).

- F. Laboratory analyses – all groundwater chemical laboratory analyses shall be conducted at a laboratory certified for such analyses by the California Department of Public Health Environmental Laboratory Accreditation Program (ELAP). A copy of the laboratory certification shall be provided each time a new and/or renewal certification is obtained from ELAP.
- G. The method limits (MLs) employed for effluent analyses shall be lower than the permit limits established for a given parameter, unless the Discharger can demonstrate that a particular ML is not attainable and obtains approval for a higher ML from the Executive Officer. The Discharger shall submit a list of the analytical methods employed for each test and the associated laboratory quality assurance/quality control (QA/QC) procedures upon request by the Regional Board.
- H. All QA/QC samples must be run on the same dates when samples were actually analyzed. The Discharger shall make available for inspection and/or submit the QA/QC documentation upon request by Regional Board staff. Proper chain of custody procedures must be followed and a copy of the chain of custody documentation shall be submitted with the report.
- I. Each monitoring report must affirm in writing that “All chemical analyses were conducted at a laboratory certified for such analyses by the California Department of Public Health, and in accordance with current United States Environmental Protection Agency (USEPA) guideline procedures or as specified in this Monitoring Program.” Proper chain of custody procedures must be followed and a copy of the completed chain of custody form shall be submitted with the report.
- J. Each monitoring report shall contain a separate section titled “Summary of Non-Compliance” which discusses the compliance record and the corrective actions taken or planned that may be needed to bring the discharge into full compliance with WDRs. This section shall be located at the front of the report and shall clearly list all non-compliance with WDRs, as well as all excursions of effluent limitations.
- K. For every item where the requirements are not met, the Discharger shall submit a statement of the cause(s), and actions undertaken or proposed which will bring the discharge into full compliance with waste discharge requirements at the earliest possible time, including a timetable for implementation of those actions.
- L. The Discharger shall maintain all sampling and analytical results: date, exact place, and time of sampling; dates analyses were performed; analyst's name; analytical techniques used; and results of all analyses. Such records shall be

**T
E
N
T
A
T
I
V
E**

retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the regional Board.

- M. In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized to demonstrate compliance with the requirements and, where applicable, shall include results of receiving water observations.
- N. Any mitigation/remedial activity including any pre-discharge treatment conducted at the Site must be reported in the quarterly monitoring report.

**T
E
N
T
A
T
I
V
E**

II. GROUNDWATER MONITORING PROGRAM

The following groundwater wells will be included in the sampling program:

- Group A: GW8, GW11, GW19 and GW20
- Group B: GW2, GW3, GW16, GW17, GW21, and GW22
- Group C: GW1, GW7, GW14, GW15, and PW2

Figure 1 shows the location of the Site. Groundwater wells locations at the Site are shown in Figure 2. Group A sampling points are monitoring wells within each treatment area. Group A wells consist of monitoring wells that are within solution distribution zones, and will be used to evaluate carbohydrate consumption and distribution. All Group A wells will be used for performance monitoring purposes within the center of the plume. The Group B sampling points are cross- or down-gradient sample locations, and Group C are up-gradient sample points.

Baseline sampling will take place prior to injection. Upon completion of the injection of the carbohydrate solution, samples will be taken from Group A monitoring wells (Figure 2) and will be analyzed for field parameters (oxidation-reduction potential, dissolved oxygen, pH, specific conductance, temperature, turbidity and groundwater elevation), chlorinated VOCs, total organic carbon (TOC) and volatile fatty acids (VFAs) for process monitoring purposes and to provide post-injection baselines.

The required constituents to be analyzed and the monitoring schedule for each sample group are shown below:

CONSTITUENT	UNITS ¹	MINIMUM FREQUENCY OF ANALYSIS
Field Meter Groundwater Testing		
Total Daily Injections	Gallons	Per injection at each injection point
Groundwater Elevation	Feet below ground surface (bgs)	Group A: Baseline, post injection and quarterly Group B: Baseline and quarterly Group C: Baseline and quarterly
Dissolved Oxygen	mg/L	Group A: Baseline, post injection and quarterly Group B: Baseline and quarterly Group C: Baseline and quarterly
Oxidation-Reduction Potential	mV	Group A: Baseline, post injection and quarterly Group B: Baseline and quarterly Group C: Baseline and quarterly
pH	pH units	Group A: Baseline, post injection and quarterly Group B: Baseline and quarterly Group C: Baseline and quarterly
Temperature	°C	Group A: Baseline, post injection and quarterly Group B: Baseline and quarterly Group C: Baseline and quarterly
Specific Conductance	µS/cm	Group A: Baseline, post injection and quarterly Group B: Baseline and quarterly Group C: Baseline and quarterly
Turbidity	NTU	Group A: Baseline, post injection and quarterly Group B: Baseline and quarterly Group C: Baseline and quarterly
Laboratory Groundwater Analysis		
Chlorinated Volatile Organic Compounds (EPA Method 8260B)	µg/L	Group A: Baseline, post injection and quarterly Group B: Baseline and quarterly Group C: Baseline and quarterly
Total Organic Carbon (EPA Method 415.1)	mg/L	Group A: Baseline, post injection and quarterly Group B: Baseline and semi-annually Group C: Baseline and semi-annually
Total Dissolved Solids (EPA Method 160.1)	mg/L	Group A: Baseline, post injection and quarterly Group B: Baseline and quarterly Group C: Baseline and biannually
Volatile Fatty Acids (VFA) (HPLC/UV)	mg/L	Group A: Baseline, post injection and quarterly Group B: Baseline and semi-annually Group C: Baseline and semi-annually
Dissolved Metals (Arsenic, Boron, Ferrous Iron, and Manganese) (EPA Method 6010B)	mg/L	Group A: Baseline and semi-annually Group B: Baseline and semi-annually Group C: Baseline and semi-annually

T
E
N
T
A
T
I
V
E

Sulfate (EPA Method 375.1)	mg/L	Group A: Baseline and semi-annually Group B: Baseline and semi-annually Group C: Baseline and semi-annually
Chloride (EPA Method 325.2)	mg/L	Group A: Baseline and semi-annually Group B: Baseline and semi-annually Group C: Baseline and semi-annually
Nitrate and Nitrite (EPA Method 352.1)	mg/L	Group A: Baseline and semi-annually Group B: Baseline and semi-annually Group C: Baseline and semi-annually
Dissolved Hydrocarbon Gases (ethane, ethane, and methane) (EPA Method 8015B)	mg/L	Group A: Baseline and quarterly Group B: Baseline and quarterly Group C: Baseline and quarterly Group A-C: Semiannually after four quarters
Bio-Trap Analysis (Analyzed by Microbial Insights)		
Dehalococcoides PCR	Cells/bead	Group A: Baseline and semi-annually Group B: Baseline and semi-annually Group C: Baseline and semi-annually

¹ mg/L: milligrams per liter; µg/L: micrograms per liter; µS/cm: microsiemens per centimeter; mV: milivolts; °C: degree Celsius; NTU: nephelometric turbidity units

All groundwater monitoring reports must include, at minimum, the following:

- a. Well identification, date and time of sampling;
- b. Sampler identification, and laboratory identification; and
- c. Semi-annual observation of groundwater levels, recorded to 0.01 feet mean sea level and groundwater flow direction.

III. AMENDMENT AND BACTERIA CULTURE INJECTION MONITORING REQUIREMENTS

The reports shall contain the following information regarding injection activities:

1. Depth of injection points;
2. Quantities of injected amendment, selected bacteria culture, and total fluids each field day and per injection point; and
3. Total amounts of amendment, selected bacteria culture, and total fluids injected in the reporting period.

IV. MONITORING FREQUENCIES

Specifications in this monitoring program are subject to periodic revisions. Monitoring requirements may be modified or revised by the Executive Officer based on review of monitoring data submitted pursuant to this Order. Monitoring frequencies may be adjusted to a less frequent basis or parameters and locations removed by the Executive Officer if the

T
E
N
T
A
T
I
V
E

Discharger makes a request and the request is supported by statistical trends of monitoring data submitted.

V. CERTIFICATION STATEMENT

Each report shall contain the following completed declaration:

"I certify under penalty of law that this document, including all attachments and supplemental information, was prepared 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 knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment.

Executed on the ____ day of _____ at _____

_____ (Signature)

_____ (Title)"

VI. ELECTRONIC SUBMITTAL OF INFORMATION (ESI) TO GEOTRACKER

The Discharger shall comply with the Electronic Submittal of information (ESI) requirements by submitting all reports required under the MRP, including groundwater monitoring data and discharge location data (latitude and longitude), correspondence, and pdf monitoring reports to the State Water Resources Control Board GeoTracker database under Global ID WDR100011877.

All records and reports submitted in compliance with this Order are public documents and will be made available for inspection during business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region, upon request by interested parties. Only proprietary information, and only at the request of the Discharger, will be treated as confidential.

Ordered by: _____
Samuel Unger, P.E.
Executive Officer

Date: November 7, 2013

**T
E
N
T
A
T
I
V
E**

STANDARD PROVISIONS
APPLICABLE TO WASTE DISCHARGE REQUIREMENTS

1. DUTY TO COMPLY

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. [CWC Section 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350]

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code (CWC). [H&SC Section 5411, CWC Section 13263]

3. AVAILABILITY

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. [CWC Section 13263]

4. CHANGE IN OWNERSHIP

The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on. [CWC Sections 13267 and 13263]

5. CHANGE IN DISCHARGE

In the event of a material change in the character, location, or volume of a discharge, the discharger shall file with this Regional Board a new Report of Waste Discharge. [CWC Section 13260(c)]. A material change includes, but is not limited to, the following:

- (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the Waste.

**T
E
N
T
A
T
I
V
E**

November 7, 1990
WDR

Standard Provisions Applicable to
Waste Discharge Requirements

- (b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- (d) Increase in flow beyond that specified in the waste discharge requirements.
- (e) Increase in the area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. [CCR Title 23 Section 2210]

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board. [CCR Section 13263]

7. TERMINATION

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information. [CWC Sections 13260 and 13267]

8. VESTED RIGHTS

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from his liability under Federal, State or local laws, nor do they create a vested right for the discharger to continue the waste discharge. [CWC Section 13263(g)]

9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provision of these requirements are found invalid, the remainder of the requirements shall not be affected. [CWC Section 921]

**T
E
N
T
A
T
I
V
E**

Standard Provisions Applicable to
Waste Discharge Requirements

10. OPERATION AND MAINTENANCE

The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. [CWC Section 13263(f)]

11. HAZARDOUS RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. [CWC Section 1327(a)]

12. PETROLEUM RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. [CWC Section 13272]

T
E
N
T
A
T
I
V
E

Standard Provisions Applicable to
Waste Discharge Requirements

13. ENTRY AND INSPECTION

The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the California Water Code, any substances or parameters at any location. [CWC Section 13267]

14. MONITORING PROGRAM AND DEVICES

The discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. [CWC Section 13267]

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Office a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The Regional Board Executive Officer may allow use of an uncertified laboratory under exceptional circumstances, such as when the closest laboratory to the monitoring location is outside the State boundaries and therefore not subject to certification. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" [40CFR Part 136] promulgated by the U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

T
E
N
T
A
T
I
V
E

Standard Provisions Applicable to
Waste Discharge Requirements

15. TREATMENT FAILURE

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. [CWC Section 13263(f)]

16. DISCHARGE TO NAVIGABLE WATERS

Any person discharging or proposing to discharge to navigable waters from a point source (except for discharge of dredged or fill material subject to Section 404 of the Clean Water Act and discharge subject to a general NPDES permit) must file an NPDES permit application with the Regional Board. [CCR Title 2 Section 22357]

17. ENDANGERMENT TO HEALTH AND ENVIRONMENT

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Office within 24 hours:

- (a) Any bypass from any portion of the treatment facility.
- (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (c) Any treatment plan upset which causes the effluent limitation of this Order to be exceeded. [CWC Sections 13263 and 13267]

18. MAINTENANCE OF RECORDS

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and record of all data used

T
E
N
T
A
T
I
V
E

Standard Provisions Applicable to
Waste Discharge Requirements

to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurement;
 - (b) The individual(s) who performed the sampling or measurement;
 - (c) The date(s) analyses were performed;
 - (d) The individual(s) who performed the analyses;
 - (e) The analytical techniques or method used; and
 - (f) The results of such analyses.
19. (a) All application reports or information to be submitted to the Executive Office shall be signed and certified as follows:
- (1) For a corporation – by a principal executive officer or at least the level of vice president.
 - (2) For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
 - (3) For a municipality, state, federal, or other public agency – by either a principal executive officer or ranking elected official.
- (b) A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision.
 - (2) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
 - (3) The written authorization is submitted to the Executive Officer.

Any person signing a document under this Section shall make the following certification:

**T
E
N
T
A
T
I
V
E**

Standard Provisions Applicable to
Waste Discharge Requirements

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. [CWC Sections 13263, 13267, and 13268]"

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the PUC, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations Section 3680. State Boards may accept experience in lieu of qualification training. In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Health Services where reclamation is involved.

Each plan shall be operated and maintained in accordance with the operation and maintenance manual prepared by the municipality through the Clean Water Grant Program [CWC Title 23, Section 2233(d)]

ADDITIONAL PROVISIONS APPLICABLE TO
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a publicly owned wastewater treatment plant will reach capacity within four years the discharger shall notify the Regional Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Board showing flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Board, or within 120 days after receipt of notification from the Regional Board, of a finding that the treatment plant will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Board. An extension of 30 days may be granted by the Executive Officer, and longer extensions may be granted by the Regional Board itself. [CCR Title 23, Section 2232]

T
E
N
T
A
T
I
V
E