



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams
Agency Secretary

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Arnold Schwarzenegger
Governor

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Notice of Public Meeting/Hearing

Thursday, July 16, 2009

9:00 a.m.

Meeting Location:

**City of Simi Valley
Council Chambers
2929 Tapo Canyon Road
Simi Valley, California**

Agenda

The Regional Board strives to conduct an accessible, orderly, and fair meeting. During the meeting, the Chair will conduct the meeting and establish appropriate rules and time limitations for each item. The Board will only act on items designated as action items. Action items on the agenda are staff proposals, and may be modified by the Board as a result of public comment or Board member input. Additional information about Regional Board meeting procedures is included after the last agenda item.

To ensure a fair hearing and that the Regional Board Members have an opportunity to fully study and consider written material, unless stated otherwise, written materials must be provided to the Executive Officer **not later than 5:00 p.m. on July 6, 2009. Please consult the agenda description for specific items, because certain items may have an earlier deadline for written submissions. If you are considering submitting written materials, please consult the notes at the end of the agenda. Failure to follow the required procedures may result in your materials being excluded from the hearing record; however, failure to timely submit written materials does not preclude a person from testifying before the Board.**

INTRODUCTORY ITEMS

1. Roll Call.
2. **Order of Agenda.** The agenda items are numbered for identification purposes only and may not necessarily be considered in this order.
3. **Approval May 7- 8, 2009, June 4, 2009, and June 5, 2009 draft Meeting Minutes.**
[Ronji Harris, (213) 576-6612]
4. **Board Member Communications.**
 - 4.a. Ex Parte Disclosure. Board Members will identify any discussions they may have had requiring disclosure pursuant to Government Code section 11430.40.
 - 4.b. Board Member Reports. The Board Members may discuss communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction.
- 5.a. **Executive Officer's Report.**
[Tracy Egoscue, (213) 576-6605]
- 5.b. **Board Checklist.**

- 5.c **Update from State Board.** [Fran Spivy-Weber]
6. **Public Forum.** Any person may address the Board regarding any matter within the Board's jurisdiction provided the matter does not appear elsewhere on this agenda, has not been scheduled to appear on a future agenda, and is not expected to be imminently scheduled for the Board's consideration. Remarks will be limited to five (5) minutes, unless otherwise directed by the Chair.

UNCONTESTED ITEMS

(Items marked with an asterisk are expected to be routine and noncontroversial. The Board will be asked to approve these items at one time without discussion. Any Board member or person may request that an item be removed from the uncontested calendar. The Chair will determine the appropriate time to consider an item removed from the consent calendar.)

Waste Discharge Requirements that Serve as Individual NPDES Permits

Amendment-

- *7. Stellar Biotechnologies, Inc., Port Hueneme; NPDES No. CA0063070 (Comment submittal deadline was June 26, 2009) [Rosario Aston, (213) 576-6653]

Non-NPDES State Discharge Requirements

Termination -

- *8. Venice McLaughlin Center, Los Angeles, Waste Discharge Requirements Order No. R4-2004-0125. (Comment submittal deadline was June 28, 2009) [Rebecca Chou, (213) 620-6156]

ACTION ITEM

Waste Discharge Requirements that Serve as Individual NPDES Permits

New-

9. West Basin Municipal Water District (Temporary Ocean Water Desalination Demonstration Project), Redondo Beach; NPDES No. CA00064581 (Comment submittal deadline was June 19, 2009) [Mazhar Ali, (213) 576-6652]

Renewal-

10. Long Beach Water Department (Long Beach Prototype Seawater Desalination Research Facility), Long Beach; NPDES No. CA0064530 (Comment submittal deadline was June 19, 2009) [Jau Ren Chen, (213) 576-6656]

Non-NPDES State Discharge Requirements

Revision-

11. County Sanitation Districts of Los Angeles County (Calabasas Landfill), Calabasas; File No. 60-118 (Comment submittal deadline was April 14, 2009)[Enrique Casas, (213) 620-2299]
12. Azusa Land Reclamation Company Landfill (ALR Landfill), Azusa; File No. 59-102 (Comment submittal deadline was June 25, 2009) [Douglas Cross, (213) 620-2246]

BASIN PLANNING/TMDL

13. Consideration of the proposed revision to the list of impaired water bodies developed pursuant to Section 303(d) of the Federal Clean Water Act. (Comment submittal deadline was June 17, 2009) [Man Voong, (213) 576-6690]

INFORMATION ITEM

14. Revision of Monitoring and Reporting Program for Browning Ferris Industries of California, Inc.'s Sunshine Canyon City/County Landfill, Sylmar;(file No. 58-076) (Comment submittal deadline was April 14, 2009) [Wen Yang, (213) 620-2253]
15. Progress Report on the Los Angeles Region Conditional Waiver for Irrigated Lands (Order No. R4-2005-0080) [Rebecca Veiga Nascimento (213) 576-6784 or Jenny Newman, (213) 576-6691]

CLOSED SESSION

16. As authorized by the Government Code section 11126, the Regional Board will be meeting in closed session. Closed session items are not open to the public. Items the Board may discuss include the following: [Michael Levy (MJL), (916) 341-5193; Jennifer L. Fordyce (JLF) (916) 324-6682]
- 16.1 *Cities of Los Angeles, City of Burbank v. Los Angeles Regional Water Quality Control Board*, Los Angeles County Superior Court, Case Nos. BS 060957 and BS 060960. [Challenging the Burbank, Tillman, and Los Angeles-Glendale Water Reclamation Plants' NPDES permits]. (MJL)
- 16.2 *County of Los Angeles et al. v. Commission on State Mandates et al. and City of Artesia et al. v. State of California*, Los Angeles Superior Court Nos. BS 089769 & BS089785, Second District Court of Appeal No. B183981 [Alleging that the Los Angeles MS4 Permit created an unfunded state mandate]. (MJL)
- 16.3 *In re Halaco Engineering Company*, United States Bankruptcy Court, Central District of California, Northern Division, No. ND-02-12255 RR [Regarding a CDO and CAO at the Oxnard Property]. (JLF)
- 16.4 *Cities of Arcadia et al., v. Los Angeles Regional Water Quality Control Board*, Orange County Superior Court No. 06CC02974 [Challenging the 2004 Triennial Review]. (MJL)
- 16.5 *Cities of Bellflower et al., v. Los Angeles Regional Water Quality Control Board et al.*, Los Angeles Superior Court No BS101732 [Challenging the Los Angeles River and Ballona Creek Metals TMDLs]. (MJL)
- 16.6 *In re: Petition of the County of Los Angeles and the County Flood Control District for Review of Order No. R4-2006-0074* [Challenging the incorporation into the MS4 Permit of the Waste Load Allocations from the Santa Monica Bay Beaches Bacterial TMDL]. (MJL)
- 16.7 *U.S., People of the State of California ex rel. California Regional Water Quality Control Board, Santa Monica Baykeeper, and Intervenors v. City of Los Angeles*, United States District Court, Central District of California, Consolidated Case Nos. 98-9039-RSWL and 01-191-RSWL [Regarding a Settlement Agreement and Final Order concerning the City of Los Angeles' sewer collection system]. (JMO)
- 16.8 Consultation with counsel about:
- (a) A judicial or administrative adjudicatory proceeding that has been formally initiated to which the Regional Board is a party;
 - (b) A matter that, based on existing facts and circumstances, presents significant exposure to litigation against the Regional Board;
 - (c) A matter which, based on existing facts and circumstances, the Regional Board is deciding whether to initiate litigation. (JLF)
- 16.9 Consideration of the evaluation of performance about a public employee. (MJL)
17. **Adjournment of Current Meeting.** The next meeting will be held on September 3, 2009, beginning at 9:00 am, at the Metropolitan Water District of Southern California, located at 700 North Alameda Street, Los Angeles, California.

NOTICE

Ex Parte Communications: An ex parte communication is a communication to a board member from any person, about a pending matter, that occurs in the absence of other parties and without notice and opportunity for them to respond. The California Government Code prohibits the board members from engaging in ex parte communications during permitting, enforcement, and other "quasi-adjudicatory" matters. The Regional Board discourages ex parte communications during rulemaking and other "quasi-legislative" proceedings. The ex parte rules are intended to provide fairness, and to ensure that the board's decisions are transparent, based on the evidence in the administrative record, and that evidence is used only if stakeholders have had the opportunity to hear and respond to it. Ex parte rules do not prevent anyone from providing information to the water boards or requesting that the water boards take a

particular action. They simply require that the information come into the record through proper channels during a duly noticed, public meeting. A board member who has engaged or been engaged in a prohibited ex parte communication will be required to publicly disclose the communication on the record and may be disqualified from participating in the proceeding. For more information, please look at the ex parte questions and answers document found at www.waterboards.ca.gov/laws_regulations/docs/exparte.pdf

Hearing Procedures: The Regional Board follows procedures established by the State Water Resources Control Board. These procedures are established in regulations commencing with section 647 of title 23 of the California Code of Regulations. The Chair may establish specific procedures for each item, and consistent with section 648, subdivision (d) of title 23 of the California Code of Regulations may waive nonstatutory provisions of the regulations. Generally, all witnesses testifying before the Regional Board must affirm the truth of their testimony and are subject to questioning by the Board Members. The Board does not, generally, require the designation of parties, the prior identification of witnesses, or the cross examination of witnesses. Any requests for an alternate hearing process should be made to the Executive Officer in advance of the meeting, and under no circumstances later than 5:00 p.m. on the Thursday preceding the Board meeting. The provisions of this paragraph shall be deemed superseded to the extent that they are contradicted by a hearing notice specific to a particular agenda item.

Written Submissions: Written materials (whether hand-delivered, mailed, e-mailed, or facsimiled) **must be received prior to the relevant deadline** established in the agenda and public notice for an item. If the submitted material is more than 10 pages or contains foldouts, color graphics, maps, or similar items, 12 copies must be submitted prior to the relevant deadline.

Failure to comply with requirements for written submissions is grounds for the Chair to refuse to admit the proposed written comment or exhibit into evidence. (Cal. Code Regs. tit. 23, § 648.4(e).) The Chair may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of the written testimony, the Chair may refuse to admit it.

Administrative Record: Material presented to the Board as part of testimony that is to be made part of the record must be left with the Board. This includes photographs, slides, charts, diagrams, etc. All Board files pertaining to the items on this Agenda are hereby made a part of the record submitted to the Regional Board by staff for its consideration prior to action on the related items.

Accessibility: Individuals requiring special accommodations or language needs should contact Dolores Renick at (213) 576-6629 or drenick@waterboards.ca.gov at least ten working days prior to the meeting. TTY/TDD/Speech -to-Speech users may dial 7-1-1 for the California Relay Service.

Availability of Complete Agenda Package: A copy of the complete agenda package is available for examination at the Regional Board Office during regular working hours (8:00 a.m. to 5:00 p.m. Monday through Friday) beginning 10 days before the Board meeting. Questions about specific items on the agenda should be directed to the staff person whose name is listed with the item.

Continuance of Items: The Board will endeavor to consider all matters listed on this agenda. However, time may not allow the Board to hear all matters listed. Matters not heard at this meeting may be carried over to the next Board meeting or to a future Board meeting. Parties will be notified in writing of the rescheduling of their item. Please contact the Regional Board staff to find out about rescheduled items.

Challenging Regional Board Actions: Pursuant to Water Code section 13320, any aggrieved person may file a petition to seek review by the State Water Resources Control Board of most actions taken by the Regional Board. A petition must be filed within 30 days of the action. Petitions must be sent to State Water Resources Control Board, Office of Chief Counsel; ATTN: Elizabeth Miller Jennings, Senior Staff Counsel; 1001 "I" Street, 22nd Floor; Sacramento, CA 95814.

Electronic Information and Updates: Our web site address is www.waterboards.ca.gov/losangeles/. The site can also be accessed through the State Water Resources Control Board's web site at www.waterboards.ca.gov/, then clicking on "Regional Boards". Information available online includes the Regional Board's meeting schedule, a list of the Regional Board members, past and present Executive Officer reports, program information, a list of staff and phone numbers arranged by their work unit, and links to the Santa Monica Bay Restoration Commission's home page and other governmental agencies. Last-minute changes to the agenda, such as the continuance of an item, will be posted electronically. If you need further information, please contact Jack Price at (213) 576-6669.

Pending Water Quality Certifications: A listing of pending water quality certification applications currently on public notice pursuant to Section 401 of the Federal Clean Water Act may be obtained by calling Valerie Carrillo at (213) 576-6759.

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Settlement of Enforcement Actions: A listing of settlement enforcement actions can be accessed by the following link: <http://www.waterboards.ca.gov/enforcement/index.html>

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

Los Angeles Region

<u>Board Members</u>	<u>City of Residence</u>	<u>Appointment Category</u>
Mary Ann Lutz, Chair	Monrovia	Municipal Government
Madelyn Glickfeld, Vice Chair	Malibu	Recreation, Fish & Wildlife
Steve Blois	Camarillo	Industrial Water Use
Francine Diamond	Pacific Palisades	Water Quality
Maribel Marin	Woodland Hills	Water Quality
Maria Mehranian	La Canada	County Government
F.W. 'Dick' Richardson	Fillmore	Irrigated Agriculture
Vacant		Water Supply
Vacant		Water Quality

REGIONAL BOARD STAFF

Executive Office

Tracy Egoscue, Executive Officer (213/576-6605)

Deborah Smith, Chief Deputy Executive Officer, Surface Water Division, (213/576-6609)

Samuel Unger, P.E., Assistant Executive Officer (213) 576-6607)

Stephen Cain, Senior Environmental Planner, (213/576-6694)

Ronji Harris, Executive Assistant, (213/576-6612)

Michael Levy, Senior Staff Counsel, State Water Resources Control Board, 1001 'I' Street, Sacramento, CA, 95814 (916/341-5193)

Jennifer Fordyce, Staff Counsel, State Water Resources Control Board, 1001 'I' Street, Sacramento, CA, 95814 (916/324-6682)

Jeff Ogata, Staff Counsel, State Water Resources Control Board, 1001 'I' Street, Sacramento, CA, 95814 (916/709-5231)

Pat Guokas, Staff Services Manager II, (213) 576-6611

Administrative Services

Dolores Renick, AGPA (Lead), 576-6629

Carolina Lopez, AGPA, 576-6630

Gwendolyn Monroe, AGPA, 576-6631

Leticia Aguilar, AGPA, 576-6628

Elsa Aquino, SSA, 576-6632

Lucinda Flores, MST, 576-6633

Martha Pinto, OA, 576-6800

Torie Chairez, OA, 576-6635

Water Quality Data Program

Mary Ann Jones, EG (Lead), 576-6692

Laura Gallardo, AGPA, 576-6636

Rosie Villar, SSA, 576-1364

Information Technology

Jack Price, Sr. WRCE, 576-6669

Alex Carlos, 576-6726

Khalid Abdullah, 576-6675

Kee Fong, 576-6677

SURFACE WATER DIVISION

Watershed Regulatory

David Hung - Chief (213/576-6616)
Michael Lyons, Contaminated Sediments, 576-6718
Juanita Gallegos, 576-6617 (OT)

Rebecca Christmann, Lead (213) 576-6756

Veronica Cuevas-Alpuche, 576-6662
Jau-Ren Chen, 576-6656
Don Tsai, 576-6665
Raul Medina, 620-2160
Cathy Chang, 576-6664

Augustine Anijiello, General Permitting (213) 576-6657

Vilma Correa, 576-6794
Namiraj Jain, 620-6003
Gensen Kai, 576-6651
James Tang, 576-6696

Cassandra Owens, Industrial (213)576-6750

Mazhar Ali, 576-6652
Rosario Aston, 576-6653

COMPLIANCE & ENFORCEMENT

Paula Rasmussen, Chief (213/576-6791)
Al Novak, Permit Coordinator (213/576-6650)

Hugh Marlev, Enforcement (213) 620-6375

G. Russell Colby, 620-6373
Lala Kabadaian, 620-6370 (Leave)
Jose Morales, 620-2273
Mercedes Merino, 620-6369
Kristie Kao, 620-6368
Pansy Yuen, 620-6367

Ejigu Solomon, Stormwater Compliance & Enforcement 620-2237

Alex Alimohammadi, 620-2243
Wei-ling (Wendy) Liu, 620-2219
Enrique Loera, 620-2244
Aniela Zaskodna, 620-2120
Sean Lee, 620-2122
Harumi Goya, 620-2283

REGIONAL PROGRAMS

Renee Purdy, Staff ES, Basin Plan Coordinator, Lead, 576-6783
Shirley Birosik, Watershed Coordinator, 576-6679
Theresa Rodgers, Associate Government Program Analyst, 576-6789
Sandra Kelley, 576-6619 (OT)

L.B. Nye, Standards & TMDL (213) 576-6785

Ginachi Amah, 576-6685
Valerie Carrillo, 576-6759
Dana Cole, 576-5733
Thomas Siebels, 576-6671
Man Voong, 576-6808

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Rebecca Veiga Nascimento, 576-6784
Elisha Wakefield, 576-6763

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Stefanie Hada, 576-6804
Thanhloan Nguyen, 576-6689
Kangshi Wang, 576-6780

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James (Jim) Covin, 620-2229
Ivar Ridgeway, 620-2150
Carlos Santos, 620-2093
Carlos Urrunaga, 620-2083
Tracy Woods, 620-2095

GROUNDWATER PROTECTION DIVISION

Underground Tanks

Yue Rong, Ph.D. Chief, (213/576-6710)

Maria Bambico (OT), 576-6709

Greg Kwey, UST- San Gabriel River, (213)576-6702

Nhan Bao, 576-6703

John Chiang, 576-6708

Noman Chowdhury, 576-6704

Ahmad Lamaa, 576-6716

Joe Luera, 576-6706

Ha Nguyen, 576-6658

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Chandra Cansler, 576-6782

Arman Toumari, 576-6741

Jimmie Woo, 576-6698

Maryam Taiedi, 576-7154

Weixing Tong, Ph.D. (213) 576-6715, UST Coastal,

Daniel Piroton, 576-6714

Mercedes Hsu, 576-6712

Jay Huang, 576-6711

David Bjostad, 576-6713

REMEDIATION

Arthur Heath, Ph.D., Chief (213/576-6725)

Vacant (OT)

Su Han, 576-6735, Site Cleanup I

Peter Raftery 576-6724

Thizar Tintut-Williams, 576-6723

Ana Townsend, 576-6738

David Young, 576-6733

Niann-Jen (Ann) Chang, Ph.D., 620-6070

Luis Chang Kuon, 576-6667

Gregg Crandall, 576-6701

Adnan Siddiqui, Site Cleanup III, (213)576-6812

Angelica Casteneda, 576-6737

Noori Alavi, 576-6659

Steve Rowe, 576-6755

Daniel Gillette, 576-5730

Afshin Amini, 576-6744

Teklewold Ayele, 576-6743

Dixon Oriola, Site Cleanup II, (213)576-6803

Curt Charmley, 576-6774

Carlos Ortez, 576-6751

Don Indermill, 576-6811

Lawrence Moore, 576-6730

Pinaki Guha-Niyogi, 576-6731

Greg Bishop, 576-6727

Bizuayehu Ayele, 576-6747

GROUNDWATER PERMITS/CLEANUP

Wendy Phillips, Chief (213/576-6618)

Vacant (OT)

Rodney Nelson, Land Disposal Unit (213)620-6119

Enrique Casas, 620-2259

Douglas Cross, 620-2246

Wen Yang, 620-2253

Kwang-il Lee, Site Cleanup IV (213)576-6734

Paul Cho, 576-6721

Robert Ehe, 576-6740

GuiJun (Jeffrey) Hu, 576-6736

Mohammad Zaidi, 576-6732

Henry Jones, 576-6697

Ann (Biu) Lin, 576-6781

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Orlando Gonzalez, 620-2267

Dionisia Rodriguez, 620-6122