STATE OF CALIFORNIA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
320 W. 4th Street, Suite 200, Los Angeles

FACT SHEET
WASTE DISCHARGE REQUIREMENTS
for
AMBASSADOR TOWERS
(Formerly Mark Wilshire Associates Apartment Tower)

NPDES Permit No.: CA0053091
Public Notice No.: 05-015

FACILITY ADDRESS	FACILITY MAILING ADDRESS
691 South Irolo Street	691 South Irolo Street
Los Angeles, CA 90005	Los Angeles, CA 90005
	Contact: Dean Segal
	Telephone: (213) 385-0191

I. Public Participation

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for the above-referenced facility. As an initial step in the WDR process, the Regional Board staff has developed tentative WDRs. The Regional Board encourages public participation in the WDR adoption process.

A. Written Comments

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments should be submitted either in person or by mail to:

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

Written comments regarding this tentative Order must be submitted to the Regional Board staff no later than 5 p.m. on May 2, 2005, in order to be evaluated by Board staff and included in the Board's agenda folder. The Regional Board chair may exclude from the record written materials received after this date. (See Cal. Code Regs., tit. 23, § 648.4.).

B. Public Hearing

The Regional Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: June 2, 2005
Time: 9:00 A.M.
Location: Metropolitan Water District of Southern California
700 North Alameda Street, Board Room
Los Angeles, California

Interested persons are invited to attend. At the public hearing, the Regional Board will hear testimony, if any, pertinent to the discharge, WDRs, and permit. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our web address is www.waterboards.ca.gov/losangeles/ where you can access the current agenda for changes in dates and locations.

C. Waste Discharge Requirements Appeals

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Board regarding the final WDRs. The petition must be submitted within 30 days of the Regional Board's action to the following address:

State Water Resources Control Board, Office of Chief Counsel
ATTN: Elizabeth Miller Jennings, Senior Staff Counsel
1001 I Street, 22nd Floor
Sacramento, CA 95814

D. Information and Copying

The Report of Waste Discharge (ROWD), related documents, tentative effluent limitations and special conditions, comments received, and other information are on file and may be inspected at 320 West 4th Street, Suite 200, Los Angeles, California 90013, at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Los Angeles Regional Board by calling (213) 576-6600.

E. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Regional Board, reference this facility, and provide a name, address, and phone number.

II. Introduction

Ambassador Towers (hereinafter Discharger) discharges wastewater to Ballona Creek, a water of the United States. Wastes discharged from Ambassador Towers are regulated by WDRs and a NPDES permit contained in Board Order No. 97-092 (NPDES Permit No. CA0053091). Order No. 97-092 expired on June 10, 2002.

The Discharger filed a Report of Waste Discharge on May 20, 2004, and applied for renewal of its NPDES permit. The tentative Order is the reissuance of the WDRs and a NPDES permit for discharges from Ambassador Towers. On August 16, 2004, the Discharger submitted an amendment to the permit renewal application. However, on April 2, 2005, the Discharger submitted additional information regarding the type of wastes discharged to either the sanitary sewer or the storm drain, including the schematic diagram of the sewer lines and drain lines of the discharge points.

A NPDES permit compliance evaluation inspection (CEI) was conducted on January 8, 2004, to observe operations and collect additional data to develop permit limitations and conditions.

III. Description of Facility and Waste Discharge

Ambassador Towers, owns and operates an apartment tower (Facility) located at 691 South Irolo Street, Los Angeles, California.

The Discharger proposes to discharge up to 3,215 gallons per day (gpd) of wastewater through Discharge Serial Nos. 001, 002, and 003 into a storm drain thence to Ballona Creek, a water of the United States. The wastewater consists of the following:

Discharge Serial No. 001: up to 700 gpd of groundwater seepage.

Discharge Serial No. 002: up to 2,500 gpd of reflecting pond drainage water. Discharge occurs every three to four months.

Discharge Serial No. 003: up to 15 gpd of storm water runoff from the parking area and outdoor stairwell, collected in a sump.

Discharge Serial No. 001 discharges to a storm drain located at Ardmore Avenue. Discharge Serial Nos. 002 and 003 discharge at separate locations then flows into a storm drain located at Irolo Street. The wastewater flows approximately 3.5 miles via a lined storm drain and discharges into Ballona Creek flood control channel, a water of the United States, approximately five miles before reaching the Estuary. The points of discharge are in close proximity to each other, thus their latitude and longitude are the same (Latitude 33° 03' 36" North, and Longitude 118° 18' 01" West).

The previous NPDES permit regulates the discharge of up to 5,000 gallons per day (gpd) of cooling tower bleed-off and overflow and reflecting pool drainage water.

On April 2, 2005, the Discharger informed Board staff that after a review of the "blue print" of the piping connections of the building, it was discovered that the cooling tower bleed-off, boiler blowdown, softener regeneration water, and fire pump test water are discharged to the sanitary sewer. The wastewater discharged to the storm drain consists of groundwater seepage, reflecting pond drainage, and storm water runoff from the parking area and outdoor stairwell, collected in a sump.

There is no potential reuse within the facility or the vicinity. The discharge is intermittent, so that there is no reliable and steady source of water for reuse.

The Discharger has submitted data for reflecting pond drainage water and cooling tower bleed-off to the Regional Board as Discharge Monitoring Reports (DMRs) in compliance with MRP No. 5839. Quarterly DMRs submitted to the Regional Board, for the period from September 1999 through July 2003, were reviewed and are summarized below:

Pollutant	Units	Monthly Average Effluent Limitations	Daily Maximum Effluent Limitations	Reflection Pool Drainage Water, Range of Reported Values	Cooling Tower Bleed-off, Range of Reported Values
Flow	Gpd	[1]		50 – 1,000	350 – 2,400
Temperature	°F	--	100	50 – 77	38 – 80
pH	S.U.	--	6.0 – 9.0	7.1 – 9.4	7.0 – 8.8
Total Suspended Solids (total suspended solids)	mg/L	50	150	<4 – 8	<2 – 160
	Lbs/day	2	6	NR	
Turbidity	TU	50	150	0.2 – 13	0.2 – 55
Biochemical Oxygen Demand (BOD) [2]	mg/L	20	30	2 – 6.6 [3]	<1 – 8
	Lbs/day	0.8	1.2	NR	NR
Oil and Grease	mg/L	10	15	<4 – 170	<4 – 14
	Lbs/day	0.4	0.6	NR	NR
Settleable Solids	ml/L	0.1	0.3	<0.1	<0.1 – 1.2
Residual Chlorine	mg/L	--	0.5	<0.1 – 4.7	<0.1 – 1
Cadmium	µg/L	--	10	<3	<3 – 7
Chromium	µg/L	--	50	<3 – 17	<3 – 8
Copper	µg/L	--	1,000	22 – 200	15 – 300
Lead	µg/L	--	50	<5 – 19	<5 – 23
Zinc	mg/L	--	5	40 – 200	40 – 3,100
Fecal Coliform	MPN/100 ml	[4]		NR	NR

NR = Not reported
"- -" = No effluent limitation in Order No. 97-092.
[1] The existing Order did not contain discharge flow limitations; however, mass-based effluent limitations in Order No. 97-092 are based on a maximum flow of 5,000 gpd.
[2] 5-day biochemical oxygen demand at 20 °C
[3] A value of <5 mg/L was also reported.

[4] The fecal coliform concentration in the discharge shall not exceed a log mean of 200 per 100 ml (based on a minimum of not less than four samples for any 30-day period), nor shall more than 10% of total samples during any 30-day period exceed 400 per 100 ml.

Effluent characteristics as stated by the Discharger for Discharge Serial No. 001 (for groundwater seepage) in the permit renewal application are summarized below:

Pollutant	Units	Maximum Daily Value [1]
BOD [2]	mg/L	<5
Total suspended solids	mg/L	<2
Oil and grease	mg/L	<4.1
Ammonia (as N)	mg/L	0.052
PH	S.U.	7.1 – 7.2
Temperature (Winter)	°C	20
Total Dissolved Solids (TDS)	mg/L	1,200
Turbidity	NTU	0.8
Chlorides	mg/L	190
Sulfates	mg/L	260
Nitrite + Nitrates (as N)	mg/L	4.0
Boron	mg/L	0.35
Copper	µg/L	5.3
Lead	µg/L	1.0
Nickel	µg/L	2.1
Selenium	µg/L	4.7
Zinc	µg/L	22
Tetrachloroethylene	µg/L	1.4

[1] The Discharger reported only one data point for BOD, total suspended solids, oil and grease, and ammonia; therefore an average daily value is not applicable for this data set.

[2] 5-day biochemical oxygen demand at 20 °C

Other pollutants were reported as “non-detect”.

Effluent characteristics as reported by the Discharger for Discharge Serial No. 003 (storm water runoff from the parking area and outside stairwell, collected in a sump) in the permit renewal application are summarized below:

Pollutant	Units	Maximum Daily Value [1]
BOD [2]	Mg/L	12
Total suspended solids	Mg/L	4
Oil and grease	Mg/L	<5
Ammonia (as N)	Mg/L	0.1

Pollutant	Units	Maximum Daily Value [1]
PH	S.U.	7.7
Temperature (Winter)	°C	72
Turbidity	NTU	5.8
Chlorides	Mg/L	17
Sulfates	Mg/L	14
Nitrite + Nitrates (as N)	Mg/L	1
Boron	Mg/L	0.18
Copper	µg/L	24
Lead	µg/L	5.5
Nickel	µg/L	3
Silver	µg/L	1.8
Zinc	µg/L	340
Bis(2-ethylhexyl)phthalate	µg/L	11
Di-n-octyl phthalate	µg/L	5.2
N-nitrosodimethyl amine	µg/L	0.066

[1] The Discharger reported only one data point for BOD, total suspended solids, oil and grease, and ammonia; therefore an average daily value is not applicable for this data set.

[2] 5-day biochemical oxygen demand at 20 °C

Other pollutants were reported as “non-detect”.

IV. COMPLIANCE HISTORY

The fourth Quarter 1998 to fourth Quarter 2003 monitoring reports indicated that the effluent limitations for pH, oil and grease, and residual chlorine from reflecting pool discharges were exceeded and for total suspended solids, turbidity, oil and grease, settleable solids, and residual chlorine from cooling tower bleed-off discharge limitations.

Date	Discharge Type	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limitation	Units
Nov. 1999	Reflection Pool	4th Quarter 1998	Daily Maximum & Monthly Average	Oil and Grease	170	15	mg/L
Oct. 30, 2002	Reflection Pool	4th Quarter 2002	Daily Maximum	Oil and Grease	14	10	mg/L
Apr. 8, 2002	Reflection Pool	1st Quarter 2002	Inst. Maximum	PH	9.4	6 – 9	s.u.
Oct. 24, 2003	Reflection Pool	4th Quarter 2003	Daily Maximum	Residual Chlorine	1.6	0.5	mg/L
Feb. 2000	Reflection Pool	1st Quarter 2000	Daily Maximum	Residual Chlorine	0.7	0.5	mg/L
Nov. 1998	Reflection Pool	4th Quarter 1998	Daily Maximum	Residual Chlorine	4.7	0.5	mg/L
Sept. 1998	Reflection Pool	3rd Quarter 1998	Daily Maximum	Residual Chlorine	1.2	0.5	mg/L
Aug. 1999	Cooling Tower	3rd Quarter 1999	Monthly Average	total suspended solids	120	50	mg/L
Feb. 1999	Cooling Tower	1st Quarter 1999	Daily Maximum &	total suspended	160	150	mg/L

Date	Discharge Type	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limitation	Units
			Monthly Average	solids			
Feb. 1999	Cooling Tower	1st Quarter 1999	Daily Maximum	Turbidity	55	50	TU
Oct. 30, 2002	Cooling Tower	4th Quarter 2002	Daily Maximum	Oil and Grease	14	10	mg/L
Aug. 1999	Cooling Tower	3rd Quarter 1999	Monthly Average	Settleable Solids	0.3	0.1	ml/L
Feb. 1999	Cooling Tower	1st Quarter 1999	Daily Maximum & Monthly Average	Settleable Solids	1.2	0.1	ml/L
Oct. 30, 2002	Cooling Tower	4th Quarter 2002	Daily Maximum	Residual Chlorine	1	0.5	mg/L
July 25, 2001	Cooling Tower	3rd Quarter 2001	Daily Maximum	Residual Chlorine	0.6	0.5	mg/L
Feb. 2000	Cooling Tower	1st Quarter 2000	Daily Maximum	Residual Chlorine	0.8	0.5	mg/L
Nov. 1999	Cooling Tower	4th Quarter 1999	Daily Maximum	Residual Chlorine	0.8	0.5	mg/L

On April 30, 1999, the Regional Board issued a notice of noncompliance regarding a violation of the effluent limitations for suspended solids and turbidity during the 1st Quarter 1999. The Discharger investigated the cause of the violation and found that the age of the cooling towers caused violations of the suspended solids and turbidity effluent limitations. The Discharger took corrective action to bring the discharge in compliance with the effluent limitations. The Discharger also implemented an accelerated monitoring schedule for these pollutants. Further, on February 17, 2000, the Regional Board issued a letter to Mark Wilshire Associates regarding delinquent monitoring reports. The Discharger has submitted monitoring data as requested.

V. Applicable Plans, Policies, and Regulations

The requirements contained in the proposed Order are based on the requirements and authorities contained in the following:

1. The federal Clean Water Act (CWA). The federal Clean Water Act requires that any point source discharges of pollutants to a water of the United States must be done in conformance with an NPDES permit. NPDES permits establish effluent limitations that incorporate various requirements of the CWA designed to protect water quality.

2. Code of Regulations, Title 40 (40 CFR) – Protection of Environment, Chapter I, Environmental Protection Agency, Subchapter D, Water Programs, Parts 122-125 and Subchapter N, Effluent Guidelines. These CWA regulations provide effluent limitations for certain dischargers and establish procedures for NPDES permitting, including how to establish effluent limitations for certain pollutants discharged to Ballona Creek.

3. On June 13, 1994, the Regional Board adopted a revised *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan). The Basin Plan contains water quality objectives and beneficial uses for inland surface waters and for the Pacific Ocean. The Basin Plan contains beneficial uses and water quality objectives for Ballona Creek, above the Estuary (Hydro Unit No. 405.15).

   Existing Uses: Non-contact water recreation and wildlife habitat.

Potential Uses: Municipal and domestic water supply, water contact recreation, and warm freshwater habitat.

4. **Ammonia Basin Plan Amendment.** The 1994 Basin Plan provided water quality objectives for ammonia to protect aquatic life, in Tables 3-1 through Tables 3-4. However, those ammonia objectives were revised on April 25, 2002, by the Regional Board with the adoption of Resolution No. 2002-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Update the Ammonia Objectives for Inland Surface Waters (Including Enclosed Bays, Estuaries and Wetlands) with Beneficial Use Designations for Protection of Aquatic Lif*e. The Ammonia Basin Plan amendment was approved by the State Board, the Office of Administrative Law, and U.S. Environmental Protection Agency (U.S. EPA) on April 30, 2003, June 5, 2003, and June 19, 2003, respectively. Although the revised ammonia water quality objectives may be less stringent than those contained in the 1994 Basin Plan, they are still protective of aquatic life and are consistent with U.S. EPA's 1999 ammonia criteria update.

5. The State Water Resources Control Board (State Board) adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for Ballona Creek.

6. On May 18, 2000, the U.S. EPA promulgated numeric criteria for priority pollutants for the State of California [known as the *California Toxics Rule* (CTR) and codified as 40 CFR § 131.38]. In the CTR, U.S. EPA promulgated criteria that protect the general population at an incremental cancer risk level of one in a million (10^{-6}), for all priority toxic pollutants regulated as carcinogens. The CTR also provides a schedule of compliance not to exceed five years from the date of permit renewal for an existing discharger if the Discharger demonstrates that it is infeasible to promptly comply with effluent limitations derived from the CTR criteria. CTR' s Compliance Schedule provisions sunset on May 18, 2005. After this date, the provisions of the SIP allow for Compliance Schedules not to exceed five years from issuance or past May 1, 2011, which ever is sooner.

7. On March 2, 2000, State Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP*).* The SIP was effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through National Toxics Rule (NTR) and to the priority pollutant objectives established by the Regional Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that have been approved by the U.S. EPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP was effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA through the CTR. The SIP requires the dischargers' submittal of data sufficient to conduct the determination of priority pollutants requiring water quality-based effluent limitations (WQBELs) and to calculate the effluent limitations. The CTR criteria for freshwater or human health for consumption of organisms, whichever is more stringent, are used to develop the effluent limitations in this

Order to protect the beneficial uses of the Ballona Creek in the vicinity of the discharge.

8. 40 CFR section 122.44(d)(1)(vi)(A) requires the establishment of numeric effluent limitations to attain and maintain applicable narrative water quality criteria to protect the designated beneficial uses. Where numeric water quality objectives have not been established in the Basin Plan, 40 CFR section 122.44(d) specifies that WQBELs may be set based on U.S. EPA criteria and supplemented, where necessary, by other relevant information to attain and maintain narrative water quality criteria to fully protect designated beneficial uses.

9. State and Federal antibacksliding and antidegradation policies require that Regional Board actions to protect the water quality of a water body and to ensure that the waterbody will not be further degraded. The antibacksliding provisions are specified in sections 402(o) and 303(d)(4) of the CWA and in the Title 40 of the Code of Federal Regulations (40 CFR), section 122.44(l). Those provisions require a reissued permit to be as stringent as the previous permit with some exceptions where effluent limitations may be relaxed.

10. Effluent limitations are established in accordance with sections 301, 304, 306, and 307 of the federal CWA, and amendments thereto. These requirements, as they are met, will maintain and protect the beneficial uses of Ballona Creek.

11. Existing waste discharge requirements contained in Board Order No. 97-092, adopted by the Regional Board on July 21, 1997. In some cases, permit conditions (effluent limitations and other special conditions) established in the existing waste discharge requirements have been carried over to this permit.

VI. Regulatory Basis for Effluent Limitations

The CWA requires point source discharges to control the amount of conventional, nonconventional, and toxic pollutants that are discharged into the waters of the United States. The control of the discharge of pollutants is established through NPDES permits that contain effluent limitations and standards. The CWA establishes two principal bases for effluent limitations. First, dischargers are required to meet technology-based effluent limitations that reflect the best controls available considering costs and economic impact. Second, they are required to meet WQBELs that are developed to protect applicable designated uses of the receiving water.

The CWA requires that technology-based effluent limitations be established based on several levels of control:

1. Best practicable treatment control technology (BPT) is based on the average of the best performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional, and nonconventional pollutants.

2. Best available technology economically achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable within an industrial

point source category. BAT standards apply to toxic and nonconventional pollutants.

3. Best conventional pollutant control technology (BCT) is a standard for the control from existing industrial point sources of conventional pollutants including BOD, total suspended solids, fecal coliform, pH, and oil and grease. The BCT standard is established after considering the "cost reasonableness" of the relationship between the cost of attaining a reduction in effluent discharge and the benefits that would result, and also the cost effectiveness of additional industrial treatment beyond BPT.

4. New source performance standards (NSPS) that represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.

The CWA requires EPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BCT, BAT, and NSPS. Section 402(a)(1) of the CWA and 40 CFR 125.3 of the NPDES regulations authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis where ELGs are not available for certain industrial categories and/or pollutants of concern.

If a reasonable potential exists for pollutants in a discharge to exceed water quality standards, WQBELs are also required under 40 CFR 122.44(d)(1)(i). WQBELs are established after determining that technology-based limitations are not stringent enough to ensure that state water quality standards are met for the receiving water. WQBELs are based on the designated use of the receiving water, water quality criteria necessary to support the designated uses, and the state's antidegradation policy. For discharges composed entirely of storm water, such as the potential discharges through Discharge Serial No. 003 to inland surface waters, enclosed bays, and estuaries, the U.S. EPA's *Technical Support Document for Water Quality-Based Toxics Control (TSD) of 1991* (U.S. EPA/505/2-90-001) establishes procedures for determining reasonable potential and establishing WQBELs for priority pollutant criteria promulgated by U.S. EPA through the CTR and NTR, as well as the Basin Plan. With respect to a reasonable potential analysis, the TSD identifies an appropriate step-wise approach that can be used to determine whether a discharge has a reasonable potential. Further, for non-storm water discharges through Discharge Serial Nos. 001 and 002, the SIP establishes specific implementation procedures for determining reasonable potential and establishing WQBELs for priority pollutant criteria promulgated by U.S. EPA through the CTR and NTR, as well as the Basin Plan.

There are several other specific factors affecting the development of limitations and requirements in the proposed Order. These are discussed as follows:

1. **Pollutants of Concern**

   The CWA requires that any pollutant that may be discharged by a point source in quantities of concern must be regulated through an NPDES permit. Further, the NPDES regulations require regulation of any pollutant that (1) causes; (2) has the reasonable potential to cause; or (3) contributes to the exceedance of a receiving water quality criteria or objective.

Ambassador Towers operates an apartment building, providing living accommodations to residents. The facility discharges various effluent streams associated with residential buildings, including groundwater seepage, reflecting pond drainage water, and storm water runoff. The previous permit established limitations based only on the discharge of cooling tower bleed-off and reflecting pond drainage water. The previous permit stated the discharge of groundwater seepage, boiler blowdown, fire pump test water, water softener regeneration water, and storm water runoff was discharged to a sanitary sewer. However, the CEI conducted in January 2004 indicated that these waste streams may be discharged through Discharge Serial No. 002 to the storm drain. On May 20, 2004, the facility submitted an NPDES permit renewal application to the Regional Board and these waste streams were added. However, on April 2, 2005, the Discharger informed Board staff that after a review of the "blue print" of the piping connections of the building, it was discovered that the cooling tower bleed-off, boiler blowdown, softener regeneration water, and fire pump test water are discharged to the sanitary sewer. The wastewater discharged to the storm drain consists of groundwater seepage, reflecting pond drainage, and storm water runoff from the parking area and outdoor stairwell, collected in a sump. The proposed permit includes effluent limitations applicable to discharges of ground water seepage, reflecting pond, and storm water runoff.

Effluent discharged from Discharge Serial No. 001 is comprised of groundwater seepage. Typical pollutants expected to be present in this type of discharge include total suspended solids, turbidity, BOD, oil and grease, settleable solids, sulfides, and phenols. Further, these parameters are commonly used to characterize wastewater; thus these parameters are considered pollutants of concern. In addition, the data submitted with the NPDES permit renewal application for Discharge Serial No. 001 indicate that mercury may be present in the effluent at levels exceeding human health criteria for the consumption of organisms. In addition, metals can be present in groundwater.

Reflecting pool drainage water may also contribute solids, BOD, oil and grease, sulfide, residual chlorine, and metals to the discharge; therefore, they are considered pollutants of concern in the discharge. DMR data submitted to the Regional Board from September 1999 through July 2003 for reflecting pond drainage water indicate that chromium, copper, lead, zinc, and residual chlorine may be present in the effluent at levels exceeding applicable water quality criteria. Thus, residual chlorine, chromium, copper, lead, and zinc have been established as pollutants of concern for this discharge.

A NPDES inspection report for the inspection conducted on October 25, 2002, indicated that suds were observed in the reflection pool water and the suds were the result of detergents used by building tenants to clean their patio areas, which drain to the reflection pools. The facility representative has requested the building tenants discontinue cleaning their patio areas with detergents. Further, the CEI report from the inspection conducted on January 8, 2004, indicated that similar suds were observed in one of the three reflecting pools. The facility representative indicated that a letter had been sent to all tenants requesting that they stop using detergents on their patio areas. This concern from the previous NPDES inspection appears to be unresolved." Thus, detergents, as methylene blue active

substances (MBAS) have been established as a pollutant of concern for Discharge Serial No. 002.

Effluent discharged from Discharge Serial No. 003 is comprised of storm water runoff. Typical pollutants expected to be present in the storm water discharge include total suspended solids, turbidity, BOD, oil and grease, and settleable solids. Storm water may also contribute sulfides, phenols, and metals to the discharge. Further, these parameters are commonly used to characterize stormwater; thus these parameters are considered pollutants of concern. In addition, the data submitted with the NPDES permit renewal application for Discharge Serial No. 003 indicate that copper, lead, and zinc may be present in the effluent at concentrations exceeding water quality criteria. Thus, total suspended solids, turbidity, BOD, oil and grease, settleable solids, sulfide, phenols, and metals are considered pollutants of concern for this discharge.

Order No. 97-092 established effluent limitations for fecal coliform but was not clear in the basis for inclusion, and there are no effluent data available to determine compliance with the limitation. However, the discharge from the reflecting pond may contribute to total coliform, fecal coliform, and enterococcus since access is not restricted and animals may come into contact with the reflecting pond.

Because effluent streams may alter the ambient receiving water quality for temperature, pH, effluent limitations for these parameters are considered pollutants of concern for all the three discharge locations.

2. **Technology-Based Effluent Limitations**

Due to the lack of national ELGs for discharges from apartment buildings and similar facilities and the absence of data available to apply BPJ to develop numeric effluent limtations, and pursuant to 40 CFR 122.44(k), the Regional Board will require the Discharger to develop and implement a *Best Management Practices Plan* (BMPP). The combination of the BMPP and existing permit limitations based on past performance and reflecting BPJ will serve as the equivalent of technology-based effluent limitations, in the absence of established ELGs, in order to carry out the purposes and intent of the CWA.

3. **Water Quality-Based Effluent Limitations**

As specified in 40 CFR § 122.44(d)(1)(i), permits are required to include WQBELs for toxic pollutants (including toxicity) that are or may be discharged at levels which cause, have reasonable potential to cause, or contribute to an excursion above any state water quality standard. The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses for the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria (that are contained in other state plans and policies, or U.S. EPA water quality criteria contained in the CTR and NTR). The specific procedures for determining reasonable potential and, if necessary, for calculating WQBELs are contained in the TSD for storm water discharges and

in the SIP for non-storm water discharges. Furthermore, in the best professional judgment of the Regional Board staff, the TSD identifies an appropriate, rational, step-wise approach that can be used to determine whether storm water discharges demonstrate reasonable potential.

The CTR contains both saltwater and freshwater criteria. According to 40 CFR section 131.38(c)(3), freshwater criteria apply at salinities of 1 part per thousand (ppt) and below at locations where this occurs 95 percent or more of the time; saltwater criteria apply at salinities of 10 ppt and above at locations where this occurs 95 percent or more of the time; and at salinities between 1 and 10 ppt the more stringent of the two apply. Salinity data available for Ballona Creek range from 0.67 to 0.73 ppm. The CTR criteria for protection of freshwater aquatic life or human health for consumption of organisms, whichever are more stringent, are used to develop the effluent limitations in this Order to protect the beneficial uses of Ballona Creek, above the Estuary.

(a) Reasonable Potential Analysis (RPA)

The Regional Board will conduct a reasonable potential analysis for each priority pollutant with an applicable criterion or objective to determine if a WQBEL is required in the permit. The Regional Board would analyze effluent data to determine if a pollutant in a discharge has a reasonable potential to cause or contribute to an excursion above a state water quality standard. For all parameters that have a reasonable potential, numeric WQBELs are required. The RPA considers water quality objectives outlined in the CTR, NTR, as well as the Basin Plan. To conduct the RPA, the Regional Board must identify the maximum observed effluent concentration (MEC) for each constituent, based on data provided by the Discharger.

Section 1.3 of the SIP and section 5.4 of the TSD provides the procedures for determining reasonable potential to exceed applicable water quality criteria and objectives. The SIP specifies three triggers to complete a RPA:

1) Trigger 1 – If the MEC is greater than or equal to the CTR water quality criteria or applicable objective (C), a limitation is needed.

2) Trigger 2 – If MEC<C and background water quality (B) > C, a limitation is needed.

3) Trigger 3 – If other related information such as CWA 303(d) listing for a pollutant, discharge type, compliance history, etc. indicates that a WQBEL is required.

Sufficient effluent and ambient data are needed to conduct a complete RPA. If data are not sufficient, the Discharger will be required to gather the appropriate data for the Regional Board to conduct the RPA. Upon review of the data, and if the Regional Board determines that WQBELs are needed to protect the beneficial uses, the permit will be reopened for appropriate modification.

There is insufficient data to perform a RPA. According to the State Implementation Policy, the existing limits for priority pollutants shall be carried over when there is insufficient data to conduct a RPA, in lieu of no effluent limitation. However, this permit' s existing limits for copper and zinc are excessively high in comparison to the CTR criteria. Therefore, for this special case (even with insufficient data), the CTR criteria will be imposed for copper and zinc, along with performance-based interim limits and a compliance schedule. Thus, effluent limitations for these pollutants have been established. The interim limits for copper (200 µg/L) and zinc (200 µg/L) were based on the maximum effluent concentration (MEC) reported by the Discharger. Existing permit limitations for cadmium, chromium, lead, and conventional pollutants and nonconventional pollutants were also carried over in this permit.

Based on the monitoring data, selenium, thallium, and tetrachloroethylene may be present in the effluent through Discharge Serial No. 002 at concentrations that exceed applicable water quality criteria. However, there is insufficient data to perform an RPA for these parameters, thus, monitoring requirements for these parameters have been established to gather data to conduct a RPA. This Order includes comprehensive monitoring requirements to gather the data needed to conduct a RPA for all of the priority pollutants.

(b) Calculating WQBELs

If a reasonable potential exists to exceed applicable water quality criteria or objectives, then a WQBEL must be established in accordance with one of three procedures contained in Section 5.4 of the TSD and 1.4 of the SIP. These procedures include:

1) If applicable and available, use of the wasteload allocation (WLA) established as part of a total maximum daily load (TMDL).

2) Use of a steady-state model to derive maximum daily effluent limitations (MDELs) and average monthly effluent limitations (AMELs).

3) Where sufficient effluent and receiving water data exist, use of a dynamic model which has been approved by the Regional Board.

(c) Impaired Water Bodies in 303 (d) List

Section 303(d) of the CWA requires states to identify specific water bodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources. For all 303(d)-listed water bodies and pollutants, the Regional Board plans to develop and adopt TMDLs that will specify WLAs for point sources and load allocations (LAs) for non-point sources, as appropriate.

The U.S. EPA has approved the State's 303(d) list of impaired water bodies. Certain receiving waters in the Los Angeles and Ventura County watersheds do not fully support beneficial uses and therefore have been classified as impaired on the 2002 303(d) list and

have been scheduled for TMDL development.

Ballona Creek receives discharges from highly industrial areas. The 2002 State Board's California 303(d) List does classifies Ballona Creek as impaired for cadmium (sediment), chemA (tissue), chlordane (tissue), dissolved copper, DDT (tissue), dieldrin (tissue), enteric viruses, high coliform count, dissolved lead, PCBs, pH, sediment toxicity, total selenium, silver (sediment), toxicity, and dissolved zinc.

The Trash TMDL for the Ballona Creek, was adopted by the Regional Board on September 19, 2001. It designates Waste Load Allocations for Permittees and Co-Permittees of the Los Angeles County Municipal Storm Water Permit that are located within (entirely or partially) the Los Angeles River Watershed. Waste Load allocations are based on a phased reduction from the estimated current discharge over a 10-year period until the final Waste Load Allocation (currently set at zero) is met. Based on the contributing waste streams from the facility (i.e., groundwater seepage, reflecting pond drainage water, and storm water from the covered parking area and outside stairwell, collected in a sump), the discharge from Ambassador Towers may not likely to contribute trash to the Los Angeles River Watershed. However, because the facility discharges to the Los Angeles County municipal separate storm sewer system, Los Angeles County may invoke requirements on the facility in order to meet the waste load allocation.

(d) Whole Effluent Toxicity

Whole effluent toxicity (WET) protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. WET tests measure the degree of response of exposed aquatic test organisms to an effluent. The WET approach allows for protection of the narrative "no toxics in toxic amounts" criterion while implementing numeric criteria for toxicity. There are two types of WET tests: acute and chronic. An acute toxicity test is conducted over short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and measures mortality, reproduction, and growth.

The Basin Plan specifies a narrative objective for toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are lethal to or produce other detrimental response on aquatic organisms. Detrimental response includes but is not limited to decreased growth rate, decreased reproductive success of resident or indicator species, and/or significant alterations in population, community ecology, or receiving water biota. The existing permit does not contain acute toxicity limitations and monitoring requirements. Discharges of groundwater seepage, reflecting pond drainage water and storm water runoff from parking area and stairwell collected in a sump may contribute to acute toxicity.

In accordance with the Basin Plan, acute toxicity limitations dictate that the average survival in undiluted effluent for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, with no single test having less than 70% survival. Consistent with Basin Plan requirements, this Order establishes acute toxicity limitations.

4. **Specific Rationale for Each Numerical Effluent Limitation**

Section 402(o) of the Clean Water Act and 40 CFR 122.44(l) require that effluent limitations standards or conditions in reissued permits be at least as stringent as those in the existing permit. The effluent limitations of certain pollutants have been carried over from Order No. 97-092, and new effluent limitations are established for additional waste streams authorized by the proposed Order.

Because the conventional pollutant $BOD_5$20C is an indicator of the potential for a receiving water body to become depleted in oxygen, limits are included in NPDES permits. Water with high BOD and no means for rapidly replenishing the oxygen becomes depleted in oxygen and may become anaerobic and will not support aquatic life. Generally, a $BOD_5$20C of 5 mg/L in a slow-moving stream may be enough to produce anaerobic conditions, while a rapid mountain stream might be able to assimilate a $BOD_5$20C of 50 mg/L without appreciable oxygen depletion. Therefore a middle range of 20 mg/L as a monthly average limit, and 30 as a daily maximum limit, are considered to be protective of receiving waters based upon Best Professional Judgement (BPJ).

Discharge Serial No. 001 (Groundwater seepage)

Effluent limitations for BOD, oil and grease, phenols, and settleable solids have been established at Discharge Serial No. 001 based on effluent limitations contained in permits recently adopted by the Regional Board for similar facilities (specifically, the General Permit No. CAG994004, Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters). Further, effluent limitations for total suspended solids and turbidity have been revised based on effluent limitations contained in similar discharge permits recently issued by the Regional Board (i.e., residential and office building discharging groundwater seepage in the Los Angeles Region). Further, monitoring requirements for priority pollutants have been established at Discharge Serial No. 001 to determine if reasonable potential exists to exceed water quality criteria.

Effluent limitations established in the proposed Order are applicable to discharges of groundwater seepage through NPDES Discharge Serial No. 001 (Latitude 34° 03' 36" North; Longitude 118° 18' 01" West) into Ballona Creek:

Pollutant	Units	Average Monthly Effluent Limitations	Maximum Daily Effluent Limitations	Rationale
Temperature	°F	86		TP, BPJ
PH	S.U.	6.5 –8.5		BP
Total Suspended Solids	Mg/L	50	75	BPJ
Turbidity	TU	50	75	BPJ
BOD	Mg/L	20	30	BPJ
Oil and Grease	Mg/L	10	15	BPJ
Phenols	Mg/L	---	1.0	BPJ
Settleable Solids	Ml/L	0.1	0.3	BPJ
Acute Toxicity	% Survival	[1]		BP

BPJ = Best Professional Judgement is the method used by permit writers to develop technology-based NPDES permit conditions on a case-by-case basis using all reasonably available and relevant data. BPJ

limits are established in cases where effluent limitation guidelines are not available for a particular pollutant of concern. Authorization for BPJ limits is found under section 401(a)(1) of the Clean Water Act and under 40 CFR 125.3.

For Temperature:

TP = Thermal Plan

The new temperature effluent limit is reflective of new information available which indicates that the 100^0F temperature is not protective of aquatic organisms. A survey was completed for several kinds of fish and the 86^0F temperature was found to be protective. The Basin Plan lists temperature requirements for the receiving waters.

BP = Basin Plan Objectives are instantaneous maximum concentrations of pollutants that when not exceeded are protective of the beneficial uses of the particular water body. They are generally set at the level required to protect the most sensitive beneficial use or at an even lower level based on antidegradation principles.

1 Average survival for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, with no single test producing less than 70% survival.

Discharge Serial No. 002 (Reflecting pond drainage water)

Effluent limitations for total suspended solids, turbidity, BOD, oil and grease, settleable solids, phenols, and residual chlorine have been established at Discharge Serial No. 002 based on effluent limitations contained in the previous permit and permits recently adopted by the Regional Board for similar facilities (specifically the General Permit No. CAG994003,). As mentioned above, there is insufficient data to perform a RPA for the priority pollutants. According to the SIP, the existing limits for priority pollutants shall be carried over when there is insufficient data to conduct a RPA, in lieu of no effluent limitation. However, this permit' s existing limits for copper and zinc are excessively high in comparison to the CTR criteria. Therefore, for this special case (even with insufficient data), the CTR criteria will be imposed for copper and zinc, along with performance-based interim limits and a compliance schedule. Thus, effluent limitations for these pollutants have been established. The interim limits for copper (200 µg/L) and zinc (200 µg/L) were based on the MEC reported by the Discharger. Existing permit limitations for cadmium, chromium, lead, and conventional pollutants and nonconventional pollutants were also carried over in this permit.

Based on the monitoring data, selenium, thallium, and tetrachloroethylene may be present in the effluent through Discharge Serial No. 002 at concentrations that exceed applicable water quality criteria. However, there is insufficient data to perform an RPA for these parameters, thus, monitoring requirements for these parameters have been established to gather data to conduct a RPA. This Order includes comprehensive monitoring requirements to gather the data needed to conduct a RPA for all of the priority pollutants.

An effluent limitation for detergents (as MBAS) has been established at Discharge Serial No. 002 based on permits recently adopted by the Regional Board for similar facilities (specifically the General Permit). In addition, the existing effluent limitation for fecal coliform has been carried over to this permit, and will apply to discharges through Discharge Serial No. 002.

Effluent limitations established in the proposed Order are applicable to discharges of reflecting pond drainage water through NPDES Discharge Serial No. 002 (Latitude 34° 03' 36" North; Longitude 118° 18' 01" West) into Ballona Creek:

Pollutant	Units	Average Monthly Effluent Limitations	Maximum Daily Effluent Limitations	Rationale
Temperature	°F	86		TP, BPJ
PH	S.U.	6.5 –8.5		BP
Total Suspended Solids	Mg/L	50	75	E, BPJ
Turbidity	TU	50	75	E, BPJ
BOD	Mg/L	20	30	BPJ
Oil and Grease	Mg/L	10	15	BPJ
Phenols	Mg/L	---	1.0	BPJ
Settleable Solids	Ml/L	0.1	0.3	BPJ
Residual Chlorine	mg/L	--	0.1	E
Methylene Blue Activated Substances (MBAS)	mg/L	---	0.5	BP
Cadmium	µg/L	--	10	E
Chromium	µg/L	--	50	E
Copper[1]	µg/L	21.7	43.6	CTR, SIP
Lead[1]	µg/L	--	50	E
Zinc	µg/L	168.4	337.9	CTR, SIP
Acute Toxicity	% Survival	2		BP

BPJ = Best Professional Judgement is the method used by permit writers to develop technology-based NPDES permit conditions on a case-by-case basis using all reasonably available and relevant data. BPJ limits are established in cases where effluent limitation guidelines are not available for a particular pollutant of concern. Authorization for BPJ limits is found under section 401(a)(1) of the Clean Water Act and under 40 CFR 125.3.

For Temperature:

TP = Thermal Plan

The new temperature effluent limit is reflective of new information available which indicates that the 100°F temperature is not protective of aquatic organisms. A survey was completed for several kinds of fish and the 86°F temperature was found to be protective. The Basin Plan lists temperature requirements for the receiving waters.

BP = Basin Plan Objectives are instantaneous maximum concentrations of pollutants that when not exceeded are protective of the beneficial uses of the particular water body. They are generally set at the level required to protect the most sensitive beneficial use or at an even lower level based on antidegradation principles.

E = Existing
CTR = California Toxic Rule
SIP = State Implementation Policy

1 Refer to Attachment D.

2 Average survival for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, with no single test producing less than 70% survival.

Bacteria limitations for Discharge Serial No. 002: (Based on the Basin Plan)

a. The fecal coliform density for any 30-day period, shall not exceed a geometric mean of 200 per 100 ml nor shall more than 10 percent of the total samples during any 60-day period exceed 400 per 100 ml.

b. The density of total coliform organisms shall be less than 1000 per 100 ml (10 per ml): provided that not more than 20 percent of the samples, in any 30-day period, may exceed 1,000 per 100 ml (10 per ml), and provided further that no single sample when verified by a repeat sample taken within 48 hours shall exceed 10,000 per 100 ml (100 per ml).

c. The geometric mean enterococcus density of the discharge shall not exceed 24 organisms per 100 ml for a 30-day period or 12 organisms per 100 ml for a six month period.

Interim Effluent Limitations and Compliance Schedule for Discharge Serial Nos. 002

Based on effluent monitoring data submitted by the Discharger, a comparison between the MEC and calculated WQBELs indicates that the Discharger will be unable to consistently comply with effluent limitations established in the proposed Order for copper and zinc.

40 CFR section 131.38(e) provides conditions under which interim effluent limitations and compliance schedules may be issued. The CTR allows for a schedule of compliance not to exceed five years from the date of permit issuance for a point source discharge if the Discharger demonstrates that it is infeasible to promptly comply with effluent limitations derived from the CTR criteria. However, CTR' s Compliance Schedule provisions sunset on May 18, 2005. After this date, the provisions of the SIP allow for Compliance Schedules not to exceed five years from issuance or past May 1, 2011, whichever is sooner. Interim effluent limitations have been included in the proposed Order for copper and zinc for Discharge Serial No. 002. The interim limits are based on the Facility's current treatment performance. During the compliance period, the Discharger shall comply with the interim effluent limits for copper and zinc at Discharge Serial No. 002. The interim limits are applicable from the date of adoption of the Order through June 2, 2007, after which, the Discharger shall demonstrate compliance with the final effluent limitations.

The Order requires the Discharger to develop a pollutant minimization plan and/or source control measures, and participate in the activities necessary to achieve the final effluent limitations.

The Discharger is required to submit annual progress reports to describe the progress of studies and or actions undertaken to reduce copper and zinc in the effluent, and to achieve compliance with the limitations in this Order by the deadline specified in provision I.B.5.2. The first annual progress report shall be received by the Regional Board at the same time the annual summary report is due, as required in section I.B of *MRP*.

From the effective date of this Order until June 2, 2007, the discharge from Discharge Serial No. 002 in excess of the following interim effluent limitations is prohibited:

Constituent	Average Monthly Discharge Limitations (µg/L)	Maximum Daily Effluent Limitation	Rationale[1]
Copper [2]	---	200	MEC
Zinc [2]	200	---	MEC

1 MEC – Based on the maximum effluent concentration reported by the Discharger.
2 Discharge limitations for these metals are expressed as total recoverable.

Discharge Serial No. 003 (Storm water runoff)

Effluent limitations for total suspended solids, turbidity, BOD, oil and grease, and settleable solids have been established at Discharge Serial No. 003 based on effluent limitations contained in permits recently issued by the Regional Board for similar facilities. Consistent with 40 CFR section 122.45(e), permit limitations may be allowed as maximum daily effluent limitations (MDELs) for non-continuous discharges (such as storm water); therefore, effluent limitations in the proposed Order for pollutants are expressed as MDELs.

Monitoring requirements for copper, lead, zinc, remaining priority pollutants have been established at Discharge Serial No. 003 to determine if reasonable potential exists to exceed water quality criteria.

Effluent limitations established in this Order are applicable to storm water discharges through NPDES Discharge Serial No. 003 (Latitude 34° 03' 36" North; Longitude 118° 18' 01" West) into Ballona Creek:

Pollutant	Units	Maximum Daily Effluent Limitations	Rationale
Temperature	°F	86	TP, BPJ
pH	S.U.	6.5 –8.5	BP
Total Suspended Solids	Mg/L	75	E, BPJ
Turbidity	TU	75	E, BPJ
BOD	Mg/L	30	BPJ
Oil and Grease	Mg/L	15	BPJ
Phenols	Mg/L	1.0	BPJ
Settleable Solids	Ml/L	0.3	BPJ
Acute Toxicity	% Survival	[1]	BP

BPJ = Best Professional Judgement is the method used by permit writers to develop technology-based NPDES permit conditions on a case-by-case basis using all reasonably available and relevant data. BPJ

limits are established in cases where effluent limitation guidelines are not available for a particular pollutant of concern. Authorization for BPJ limits is found under section 401(a)(1) of the Clean Water Act and under 40 CFR 125.3.

For Temperature:

TP = Thermal Plan

The new temperature effluent limit is reflective of new information available which indicates that the 100^0F temperature is not protective of aquatic organisms. A survey was completed for several kinds of fish and the 86^0F temperature was found to be protective. The Basin Plan lists temperature requirements for the receiving waters.

BP = Basin Plan Objectives are instantaneous maximum concentrations of pollutants that when not exceeded are protective of the beneficial uses of the particular water body. They are generally set at the level required to protect the most sensitive beneficial use or at an even lower level based on antidegradation principles.

1 Average survival for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, with no single test producing less than 70% survival

.

5. Monitoring Requirements

The previous MRP No. CI-5839 for Ambassador Towers, required monthly monitoring for total flow; quarterly monitoring for total suspended solids, turbidity, BOD, oil and grease, settleable solids, residual chlorine; and annual monitoring for cadmium, chromium, copper, lead, and zinc.

Monitoring requirements are discussed in greater detail in Section III of the MRP No. 5839. As described in the MRP, monitoring reports must be submitted quarterly.

(a) Effluent Monitoring

To demonstrate compliance with effluent limitations established in the permit, and to assess the impact of the discharge to the beneficial uses of the receiving waters, this Order establishes monitoring requirements for all parameters regulated under this Order. Monthly monitoring for total waste flow, temperature, and pH and quarterly monitoring for total suspended solids, turbidity, BOD, oil and grease, phenols, and settleable solids at Discharge Serial Nos. 001, 002, and 003 is required to determine compliance with effluent limitations. Quarterly monitoring is also required for MBAS, residual chlorine, cadmium, chromium, copper, lead, and zinc, at Discharge Serial No. 002 to determine compliance with effluent limitations. Further, quarterly monitoring is required for selenium, thallium, and tetrachloroethylene at Discharge Serial No. 002 because these pollutants were detected at concentrations above applicable water quality criteria.

Further, the proposed Order establishes quarterly monitoring requirements for sulfides, copper, lead, nickel, selenium, zinc, and tetrachloroethylene at Discharge Serial Nos. 001 and 003 to determine their presence in the discharge. Quarterly monitoring is also

required for total coliform, fecal coliform, and enterococcus at Discharge Serial No. 002 to determine their presence in the discharge. In addition, quarterly monitoring is required for bis(2-ethylhexyl)phthalate, d-n-octylphthalate, N-nitrosodimethylamine at Discharge Serial Nos. 003 to determine their presence in the discharge. The remaining priority pollutants are monitored annually.

In addition, annual monitoring for acute toxicity has been established at Discharge Serial Nos. 001, 002, and 003.

Further, the proposed Order establishes semi-annual monitoring requirements for ammonia (as N), methyl tertiary butyl ether, nitrite plus nitrate (as N), and dissolved oxygen at Discharge Serial Nos. 001, 002, and 003 to determine their presence in the discharge. Further, semi-annual monitoring for conductivity is required at Discharge Serial Nos. 003.

As discussed previously, there are insufficient data to evaluate reasonable potential for priority pollutants to exceed water quality criteria. The SIP states that the Regional Board will require periodic monitoring for pollutants for which criteria or objectives apply and for which no effluent limitations have been established. Further, the TSD recommends that sufficient data be provided. This Order will combine the periodic reporting requirements of the SIP with the existing permit monitoring requirements. The Regional Board is requiring, as part of the MRP, that the Discharger conduct annual effluent monitoring at Discharge Serial Nos. 001, 002, and 003 for the priority pollutants (except for 2,3,7,8-TCDD) for which there are no effluent limitations established in the permit.