



al/EPA

**Los Angeles
Regional Water
Quality Control
Board**

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October 1, 1997

Ms. Lisa Dameron
Bank of America
1000 West Temple Street #4240
Los Angeles, CA 90012



Pete Wilson
Governor

**REVISED WASTE DISCHARGE REQUIREMENTS - BANK OF AMERICA LOS ANGELES
DATA CENTER (NPDES PERMIT NO. CA0057690)**

Our letter dated August 19, 1997, transmitted the tentative requirements for your waste discharge to Los Angeles River. Final revisions to the tentative waste discharge requirements were also sent to you on September 16, 1997.

Pursuant to Division 7 of the California Water Code, this Regional Board at a public hearing held on September 29, 1997, reviewed the tentative requirements, considered all factors in the case, and adopted Order No. 97-126 (copy attached) relative to this waste discharge. This Order serves as permit under the National Pollutant Discharge Elimination System (NPDES), and expires on August 10, 2002. Section 13376 of the California Water Code requires that an application for a new permit must be filed at least 180 days before the expiration date.

The "Monitoring and Reporting Program" requires you to implement the monitoring program on the effective date of this Order. Your first monitoring report is due by January 15, 1998. All monitoring reports should be sent to the Regional Board, ATTN: Data and Information Management Unit.

When submitting monitoring or technical reports to the Regional Board per these requirements, please include a reference to "Compliance File CI-6203 and NPDES No. CA0057690" which will assure that the reports are directed to the appropriate file and staff. We will appreciate it if you would not combine other reports but would submit each type of report as a separate document.

Since this Board adopted the Order without change, we are sending the Order No. 97-126 to the Discharger only. For those on mailing list, please add Order No. 97-126 to the Tentative Waste Discharge Requirements previously sent to you.

If you have any questions, please call Wayne Chiou at (213) 266-7545.

JOSHUA M. WORKMAN
Senior Water Resource
Control Engineer

Enclosures

cc: See attached mailing list

MAILING LIST

cc: Environmental Protection Agency, Region 9, Permits Branch (WTR-5)
U. S. Army Corps of Engineers
NOAA, National Marine Fisheries Service
Department of Interior, U. S. Fish and Wildlife Service
Mr. John Youngerman, State Water Resources Control Board, Division of Water Quality
Mr. Jorge Leon, State Water Resources Control Board, Office of Chief Counsel
Department of Fish and Game, Region 5
Department of Health Services, Public Water Supply Branch
Los Angeles County, Department of Public Works, Environmental Programs Division
Los Angeles County, Department of Health Services
South Coast Air Quality Management District
Ms. Lisette A. Bauersachs, Meredith/Boli & Associate, Inc.

THE STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

ORDER NO. 97-126

NPDES NO. CA0057690

WASTE DISCHARGE REQUIREMENTS

FOR

BANK OF AMERICA - LOS ANGELES DATA CENTER

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

1. Bank of America discharges wastewater under waste discharge requirements contained in Order No. 94-071 adopted by this Regional Board on July 18, 1994.
2. Bank of America has filed a report of waste discharge and has applied for a material change to add groundwater cleanup to its waste discharge requirements and National Pollutant Discharge Elimination System (NPDES) permit for discharge of wastes to surface waters.
3. Bank of America operates a Data Processing Center at 1000 West Temple Street, Los Angeles, California and proposes to discharge up to 10,000 gallons per day of foundation dewatering effluent (i.e. groundwater) from basement sumps and 15,000 gallons per day of treated groundwater produced from the cleanup of petroleum contamination. The dewatering effluents are discharged from a Data Center building sump and a parking structure dewatering sump, respectively. The pumped groundwater will be treated by an oil and water separator and activated carbon adsorption units.
4. Up to 25,000 gallons per day of the combined flow of foundation dewatering effluent and treated groundwater will be discharged via the following discharge outfalls into storm drains, thence to the Los Angeles River, a water of the United States:

Discharge Outfall 001 (Latitude 34° 3' 45" and Longitude 118° 15' 0") - water seepage discharged from a building's groundwater sump into a storm drain in Temple Street.

Discharge Outfall 002 (Latitude 34° 3' 45" and Longitude 118° 15' 0") - water seepage discharged from a parking structure groundwater sump into a storm drain in Beaudry Avenue.

August 19, 1997
Revised: September 16, 1997

Discharge Outfall 003 (Latitude 34° 3' 45" and Longitude 118° 15' 0") - treated groundwater discharged from a treatment unit into a storm drain in Beaudry Avenue.

5. Federal Law stipulates that all NPDES permits require the implementation of best available technology economically achievable. The oil/water separator and activated carbon adsorption units have been used extensively for cleanup contaminated groundwater, particularly for the removal of petroleum hydrocarbons and volatile organic compounds. These methods are considered to be one of the best available technology economically achievable.
6. Maximum discharge limitations specified in this permit are based upon the State Department of Health Services Action Levels, primary drinking water standards, the Los Angeles River Basin Plan, the Environmental Protection Agency Water Quality Criteria, and/or best available technology economically feasible.
7. The Board adopted a revised Water Quality Control Plan for the Los Angeles River Basin (Basin Plan) on June 13, 1994. The Basin plan contains water quality objectives for Los Angeles River and its tributaries.
8. The beneficial uses of the Los Angeles River are ground water recharge, contact and non-contact water recreation, warm freshwater habitat, and wildlife habitat and, within the estuary, preservation of rare and endangered species, marine habitat, ocean commercial and sport fishing, saline water habitat, industrial service supply, shellfish harvesting, and contact and non-contact water recreation.
9. On October 28, 1968, the State Water Resources Control Board adopted the Antidegradation Policy (Resolution No. 68-16) which mandates that whenever the existing quality of water is better than the quality of water established as objectives, such existing quality shall be maintained, and any activity which may increase the concentration of waste will be required to meet waste discharge requirements to assure that pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the state will be maintained.
10. Total dissolved solid (TDS), sulfate, and chloride objectives for the Los Angeles River below Figueroa Street are 1500 mg/l, 350 mg/l and 190 mg/l, respectively. Historical TDS, sulfate, and chloride concentrations detected in on-site dewatering effluents and groundwater monitoring wells have ranged as high as 9,570 mg/l, 4,250 mg/l, and 639 mg/l respectively. These values exceed the water quality objectives contained in the Basin Plan.

The impact study prepared by Bank of America on the Los Angeles River water quality, under a worst case scenario, shows that the proposed waste discharge may temporarily increase the TDS, sulfate, and chloride concentrations by 0.13 percent, 0.39 percent, and 0.03 percent, respectively, downstream of the project site in the Los Angeles River. These values are below the water quality objectives.

Although the discharge from the project site to the Los Angeles River will temporarily increase these constituents in the water, the Regional Board recognizes that removal of TDS, sulfate, and chloride is not cost-effective and there is the necessity to accommodate the cleanup of the groundwater contaminations beneath the site. Therefore, allowing the temporary and slight increase in TDS, sulfate, and chloride in the receiving water is consistent with the Antidegradation Policy.

11. Effluent limitations and national standards of performance established pursuant to Section 301 of the Clean Water Act and amendments thereto are applicable to the discharge.
12. The requirements contained in this Order, as they are met, will be in conformance with the goals of the Water Quality Control Plan and will protect the beneficial uses of the receiving water.
13. The issuance of waste discharge requirements for this discharge is exempt from the provisions of Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code in accordance with Water Code Section 13389.

The Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.

The Board in a public hearing heard and considered all comments pertaining to the discharge and to the tentative requirements.

This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the Federal Clean Water Act, or amendments thereto, and shall take effect at the end of ten days from the date of its adoption, provided the Regional Administrator, EPA, has no objections.

IT IS HEREBY ORDERED, that Bank of America, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

A. DISCHARGE LIMITATIONS

1. Waste discharged shall be limited to treated groundwater and dewatering effluents as proposed.
2. The pH of waste discharged shall at all times be within the range of 6.0 to 9.0.
3. The temperature of waste discharged shall not exceed 100°F.

4. The toxicity of the effluent shall be such 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 producing less than 70% survival.
5. The discharge of effluent with constituents in excess of the following limits is prohibited:

<u>Constituents</u>	<u>Units</u>	<u>Discharge Limitations</u>	
		<u>Monthly Average</u>	<u>Daily Maximum</u>
Total Suspended Solids	mg/L	50	150
Turbidity	NTU	50	150
BOD ₅ 20°C	mg/L	20	30
Settleable Solids	ml/L	0.1	0.3
Sulfides	mg/L	---	1.0
Total Petroleum Hydrocarbons	µg/L	---	100
Benzene	µg/L	---	1.0
Toluene	µg/L	---	150
Ethylbenzene	µg/L	---	700
Xylene	µg/L	---	1750
Ethylene Dibromide	µg/L	---	0.05
Lead	µg/L	---	50
Methyl Tertiary Butyl Ether (MTBE)	µg/L	---	35

B. REQUIREMENTS AND PROVISIONS

1. The discharger must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of storm water to storm drain systems or other water courses under their jurisdiction; including applicable requirements in municipal storm water management programs developed to comply with NPDES permits issued by the Regional Water Board to local agencies.
2. This order may be modified, revoked, reissued, or terminated in accordance with the provisions of 40 CFR, Parts 122.44, 122.62 to 122.64, 125.62, and 125.64. Cause for taking such action includes, but is not limited to: failure to comply with any condition of this order and permit, endangerment to human health or the environment resulting from the permitted activity, or acquisition of newly obtained information

which would have justified the application of different conditions if known at the time of order adoption and permit issuance.

The filing of a request by the discharger for an Order and permit modification, revocation and issuance, or termination; or a notification of planned changes or anticipated noncompliances does not stay any conditions of this Order and permit.

3. This Order may also be modified, in accordance with the provisions set forth in 40 CFR Parts 122 and 124, to include requirements for the implementation of the watershed protection management approach.
4. This Order includes the attached "Standard Provisions and General Monitoring and Reporting Requirements" ("Standard Provisions" Attachment A). If there is any conflict between provisions stated hereinbefore and the attached "Standard Provisions and General Monitoring and Reporting Requirements," those provisions stated hereinbefore prevail.

C. EXPIRATION DATE

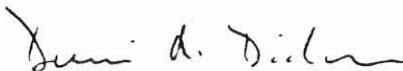
This Order expires on August 10, 2002.

The discharger must file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of the expiration date as application for issuance of new waste discharge requirements.

D. RESCISSION

Order No. 94-071 adopted by this Board on July 18, 1994, is hereby rescinded.

I, Dennis A. Dickerson, 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 September 29, 1997.



DENNIS A. DICKERSON
Executive Officer

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

**MONITORING AND REPORTING PROGRAM NO. CI-6203
FOR
BANK OF AMERICA
(CA0057690)**

I. REPORTING REQUIREMENTS

Bank of America shall implement this monitoring program on the effective date of this Order. Monitoring reports shall be submitted by the dates in the following schedule:

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

The first report under this program is due by January 15, 1998. If no discharge occurred during the reporting period, the report shall so state. The monitoring report for July to September 1997 under the previous program is due by October 15, 1997.

The discharger shall submit an annual report containing a discussion of the previous year's effluent data, as well as graphical or tabular summaries of the data. This annual report is due by March 15th of the year following data collection.

II. MONITORING REQUIREMENTS

A sampling station shall be established for the point of discharge and shall be located where representative samples of the effluent can be obtained. The location of the sampling station shall be submitted to the Executive Officer. Any changes in sampling station or location shall be approved by the Executive Officer.

All analyses shall include the chain of custody (including but not be limited to date and time of sampling, date of analyses, name of person who performed analyses), QA/QC, method of analyses and detection limits, copy of laboratory certification, and a perjury statement executed by the person responsible for the laboratory.

If any result of the analysis exceeds the daily maximum limit, the frequency of analysis shall be increased to weekly within one week of knowledge of the test result. Weekly testing shall continue for at least four consecutive weeks and until compliance with the daily maximum limit is demonstrated, after which the frequency shall revert back to the original monitoring frequency. If the requirements are not met after four consecutive weeks of weekly testing, Bank of America shall discontinue discharge until compliance is achieved.

III. EFFLUENT MONITORING

The following shall constitute the effluent monitoring program (at each outfall):

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Frequency of Analysis</u>
Total waste flow	gal/day	—	quarterly ^[1]
pH	pH unit	in-situ	quarterly ^[1]
Temperature	°F	in-situ	quarterly ^[1]
Total Suspended Solids	mg/L	grab	quarterly ^[1]
Turbidity	NTU	grab	quarterly ^[1]
BOD ₅ 20°C	mg/L	grab	quarterly ^[1]
Settleable Solids	ml/L	grab	quarterly ^[1]
Sulfides	mg/L	grab	quarterly ^[1]
Total Dissolved Solids	mg/L	grab	quarterly
Sulfate	mg/L	grab	quarterly
Chloride	mg/L	grab	quarterly
Total Petroleum Hydrocarbons	µg/L	grab	quarterly ^[1]
Benzene	µg/L	grab	quarterly ^[1]
Toluene	µg/L	grab	quarterly ^[1]
Ethylbenzene	µg/L	grab	quarterly ^[1]
Xylene	µg/L	grab	quarterly ^[1]
Methyl Tertiary Butyl Ether(MTBE)	µg/L	grab	quarterly ^[1]
Ethylene Dibromide	µg/L	grab	annually
Lead	µg/L	grab	annually
Acute Toxicity ^[2]	%survival	grab	annually

^[1] Weekly analyses for treated groundwater effluent for the first month. If any result of the weekly analysis does not exceed the daily maximum limit, then convert weekly to monthly analyses for the following three months. If any result of the monthly analysis does not exceed the daily maximum limit, then convert monthly to quarterly analyses thereafter.

- [2] By the method specified in "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms" - September 1991 (EPA/600/4-90/027). Submission of bioassay results should include the information noted on pages 70-73 of the "Methods". The fathead minnow (*Pimephales promelas*) shall be used as the test species. If the results of the toxicity test yields a survival of less than 90%, then the frequency of analyses shall increase to monthly until at least three test results have been obtained and full compliance with Effluent Limitations has been demonstrated, after which the frequency of analyses shall revert to annually. Results of toxicity tests shall be included in the first monitoring report following sampling.

Ordered by:



DENNIS A. DICKERSON
Executive Officer

Date: September 29, 1997