



California Regional Water Quality Control Board

Los Angeles Region



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

Linda S. Adams
Agency Secretary

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

April 24, 2008

Mr. Terry J. Moore
Hamilton Development LLC.
458 S. Western Avenue
Los Angeles, CA 90020

Certified Mail
Return Receipt Requested
Claim No. 7001 2510-0003 6055 6265

Dear Mr. Moore:

COVERAGE UNDER GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND WASTE DISCHARGE REQUIREMENTS—155 N. HAMILTON DRIVE, BEVERLY HILLS, CALIFORNIA (NPDES NO. CAG994004, CI—9409)

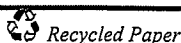
We have completed our review of your application for a permit to discharge waste under the National Pollutant Discharge Elimination System (NPDES). You propose to discharge up to 1,000 gallons per day (gpd) of groundwater from the above-referenced facility.

Based on the attached Fact Sheet and other information provided, we have determined that the proposed discharge at the above-referenced site meets the conditions to be regulated under Order No. R4-2003-0111, *General National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements for Groundwater Discharges from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties*, adopted by this Board on August 7, 2003.

Enclosed are your Waste Discharge Requirements, which also serve as your NPDES permit, consisting of Order No. R4-2003-0111 and Monitoring and Reporting Program No. CI-9409. The discharge limitations in Part E.1.a. and b. of Order No. R4-2003-0111 for the specific constituents listed on the table with the enclosed Fact Sheet are applicable to your discharge. The groundwater discharge flows into nearby local storm drain, thence to the Ballona Creek, a water of the United States. Therefore, the discharge limits in Attachment B of Order No. R4-2003-0111 are not applicable to your discharge. Prior to starting discharge, a representative sample of the effluent must be obtained and analyzed to determine compliance with the discharge limitations.

The Monitoring and Reporting Program requires you to implement the monitoring program on the effective date of coverage under this permit. All monitoring reports should be sent to the Regional Board, ATTN: Information Technology Unit. When submitting monitoring or technical reports to the Regional Board per these requirements, please include a reference to "Compliance File No. CI-9409 and NPDES No. CAG994004", which will assure that the reports are directed to the appropriate file and staff. Also, please do not combine other reports with your monitoring reports. Submit each type of report as a separate document.

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Mr. Terry J. Moore
Hamilton Development Inc.

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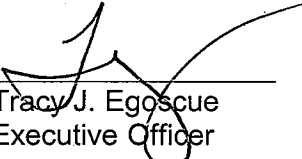
April 24, 2008
CI-9409

To avoid paying future annual fees, please submit written request for termination of your enrollment under the general permit in a separate letter, when your project has been completed and the permit is no longer needed. Be aware that the annual fee covers the fiscal year billing period beginning July 1 and ending June 30, the following year. You will pay full annual fee if your request for termination is made after the beginning of new fiscal year beginning July 1.

We are sending a copy of Order No. R4-2003-0111 only to the applicant. For those on the mailing list, please refer to the Board Order sent to you previously or download a copy of the Order from our website at http://www.waterboards.ca.gov/rwqcb4/html/permits/general_permits.html.

If you have any questions, please contact Namiraj Jain at (213) 620-6003.

Sincerely,



Tracy J. Egoscue
Executive Officer

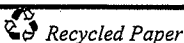
Enclosures:

General NPDES No. CAG994004, Order No. R4-2003-0111
Fact Sheet
Monitoring and Reporting Program No. CI-9409

cc: Environmental Protection Agency, Region 9, Permit Section (WTR-5)
U.S. Army Corps of Engineers
NOAA, National Marine Fisheries Service
Department of Interior, U.S. Fish and Wildlife Service
Philip Isorena, State Water Resource Control Board, NPDES Unit
California Department of Fish and Game, Marine Resources, Region 5
Los Angeles County Department of Public Works, Flood Control and Drainage
Los Angeles County Department of Environmental Program
Jae Kim, Tetrattech
Michael E. Slaby, Pure Effect Inc.

/nj

California Environmental Protection Agency



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State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
320 West 4th Street, Suite 200, Los Angeles

**FACT SHEET
WASTE DISCHARGE REQUIREMENTS**

**HAMILTON DEVELOPMENT LL C.
NPDES NO. CAG994004 SERIES NO. 292
CI-9409**

PROJECT LOCATION

155 N. Hamilton Blvd.
Beverly Hills, California 90211

FACILITY MAILING ADDRESS

458 S. Western Avenue
Los Angeles, CA 90020

PROJECT DESCRIPTION

Hamilton Development LLC. (Discharger) is building an apartment complex at the above-referenced project site. Groundwater beneath the site is impacted with petroleum-fuel compounds. Discharger is proposing to dewater groundwater beneath the site during construction project. Prior to discharge, the groundwater is treated via passage through carbon filters to remove petroleum fuel compounds and pure-Z ion exchange resins installed in series to remove heavy metals (Figure 2). On-going dewatering may be necessary after construction. The Discharger proposes to pump, treat and discharge the groundwater to a nearby storm drain.

VOLUME AND DESCRIPTION OF DISCHARGE

Up to 1,000 gallons per day of groundwater will be discharged from the facility to a nearby storm drain that flows into the Ballona Creek (Latitude: 34° 04' 06", Longitude: 118° 22' 31"), a water of the United States. The site location map and treatment schematic are shown in Figure 1 and Figure 2, respectively.

APPLICABLE EFFLUENT LIMITATIONS

Based on the information provided in the NPDES Application Supplemental Requirements, the following constituents listed in the Table below have been determined to show reasonable potential to exist in the discharge. The discharge of groundwater flows into the Ballona Creek. Therefore, the limitations specified in Attachment B of the Order are not applicable to this discharge.

This Table lists the specific constituents and effluent limitations applicable to the discharge.

| Constituents | Units | Discharge Limitations | |
|-----------------------------------------|-------|-----------------------|-----------------|
| | | Daily Maximum | Monthly Average |
| Total Suspended Solids | mg/L | 150 | 50 |
| Turbidity | NTU | 150 | 50 |
| BOD ₅ 20°C | mg/L | 30 | 20 |
| Oil and Grease | mg/L | 15 | 10 |
| Settleable Solids | ml/L | 0.3 | 0.1 |
| Sulfides | mg/L | 1.0 | --- |
| Phenols | mg/L | 1.0 | --- |
| Residual Chlorine | mg/L | 0.1 | --- |
| Methylene Blue Active Substances (MBAS) | mg/L | 0.5 | --- |
| Copper | µg/L | 44.4 | 22.1 |
| Benzene | µg/L | 1.0 | --- |
| Toluene | µg/L | 150 | --- |
| Ethylbenzene | µg/L | 700 | --- |
| Xylenes | µg/L | 1750 | --- |
| Total Petroleum Hydrocarbons | µg/L | 100 | --- |

FREQUENCY OF DISCHARGE

The dewatering discharge is intermittent and will last up to 5 months. If necessary, the discharge will continue after construction.

REUSE OF WATER

It is not economically feasible to haul the groundwater to off-site disposal facility. Since there are no other feasible reuse options, the groundwater generated from the facility will be discharged to the Ballona Creek in accordance with the attached Order.

TerraServer Image Courtesy of the USGS

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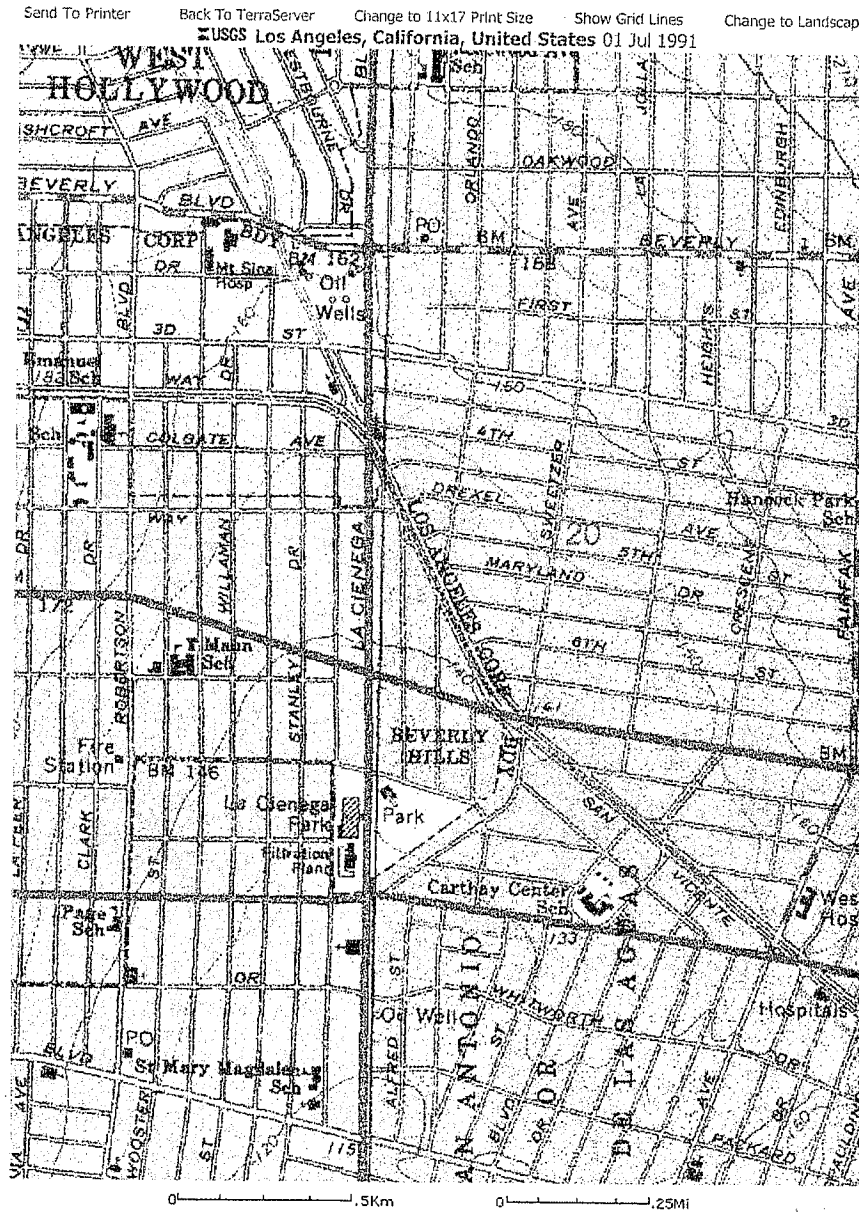


Image courtesy of the U.S. Geological Survey
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<http://terraserver-usa.com/PrintImage.aspx?T=2&S=12&Z=11&X=466&Y=4712&W=1&...> 10/7/2007

**Site Location
Figure 1**

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

**MONITORING AND REPORTING PROGRAM NO. CI-9409
FOR
HAMILTON DEVELOPMENT LLC.
(NPDES NO. CAG994004, SERIES NO. 292)**

I. REPORTING REQUIREMENTS

- A. The discharger shall implement this monitoring program on the effective date of this permit. The discharger shall submit monitoring reports to the Regional Board by the dates in the following schedule:

| <u>Reporting Period</u> | <u>Report Due</u> |
|-------------------------|-------------------|
| January – March | May 15 |
| April – June | August 15 |
| July – September | November 15 |
| October – December | February 15 |

- B. The first monitoring report under this Program is due by August 15, 2008. If there is no discharge during any reporting period, the report shall so state.
- C. All monitoring reports shall include the discharge limitations in the Order, tabulated analytical data, the chain of custody form, and the laboratory report (including but not limited to date and time of sampling, date of analyses, method of analysis and detection limits).
- D. Each monitoring report shall contain a separate section titled "Summary of Non-compliance" which discusses the compliance record and corrective action taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.
- E. Before commencing a new discharge at each outfall location, a representative sample of the effluent shall be collected and analyzed for toxicity and for all the constituents listed in the Fact Sheet and the test results must meet all applicable limitations of Order No. R4-2003-0111.

April 23, 2008

II. SAMPLE COLLECTION REQUIREMENTS (AS APPROPRIATE)

- A. Daily samples shall be collected each day.
- B. Weekly samples shall be collected on a representative day of each week.
- C. Monthly samples shall be collected on a representative day of each month.
- D. Quarterly samples shall be collected in February, May, August, and November.
- E. Semi-annual samples shall be collected in May and November.
- F. Annual samples shall be collected in November.

III. EFFLUENT MONITORING REQUIREMENTS

- A. Sampling station(s) shall be established at the discharge point and shall be located where representative samples of the effluent can be obtained. Provisions shall be made to enable visual inspections before discharge. In the event of presence of oil sheen, debris, and/or other objectionable materials or odors, discharge shall not commence until compliance with the requirements is demonstrated. All visual observations shall be included in the monitoring report.
- B. If monitoring results indicate an exceedance of a limit contained in Order R4-2003-0111, the discharge shall be terminated and shall only be resumed after remedial measures have been implemented and full compliance with the requirements has been ascertained.
- C. In addition, as applicable, following an effluent limit exceedance, the discharger shall implement the following accelerated monitoring program:
 - 1. Monthly monitoring shall be increased to weekly monitoring,
 - 2. Quarterly monitoring shall be increased to monthly monitoring,
 - 3. Semi-annually monitoring shall be increased to quarterly, and
 - 4. Annual monitoring shall be increased to semi-annually.

If three consecutive accelerated monitoring events demonstrate full compliance with effluent limits, the discharger may return to the regular monitoring frequency, with the approval of the Executive Officer of the Regional Board.

- D. The following shall constitute the discharge monitoring program:

| Constituent | Units | Type of Sample | Minimum Frequency of Analysis |
|------------------------|----------|----------------|-------------------------------|
| Flow | gal/day | totalizer | continuously ¹ |
| pH | pH units | grab | monthly |
| Temperature | °F | grab | monthly |
| Total Suspended Solids | mg/L | grab | monthly |

¹ Record the monthly total flow and report the calculated daily average flow and monthly flow in the quarterly and annual reports, as appropriate.

| Constituent | Units | Type of Sample | Minimum Frequency of Analysis |
|-----------------------------------------|------------|----------------|-------------------------------|
| Turbidity | NTU | grab | monthly |
| BOD ₅ 20°C | mg/L | grab | monthly |
| Oil and Grease | mg/L | grab | monthly |
| Settleable Solids | ml/L | grab | monthly |
| Sulfides | mg/L | grab | quarterly |
| Phenols | mg/L | grab | quarterly |
| Residual Chlorine | mg/L | grab | quarterly |
| Methylene Blue Active Substances (MBAS) | mg/L | grab | quarterly |
| Copper | µg/L | grab | monthly ² |
| Benzene | µg/L | grab | monthly |
| Toluene | µg/L | grab | monthly |
| Ethylbenzene | µg/L | grab | monthly |
| Xylenes | µg/L | grab | monthly |
| Total Petroleum Hydrocarbons | µg/L | grab | monthly ² |
| Acute Toxicity | % survival | grab | annually |

IV. EFFLUENT TOXICITY TESTING

- A. The discharger shall conduct acute toxicity testing tests on 100% of the effluent grab samples by methods specified in 40 CFR Part 136 which cites *USEPA's Methods for Measuring the Acute Toxicity of Effluents and Receiving Water to Freshwater and Marine Organisms, October 2002, (EPA/821-R-02-012)* or a more recent edition. Submission of bioassay results should include the information noted on pages 109-113 of the EPA/821-R-02-012 document.
- B. The fathead minnow, *Pimephales promelas*, shall be used as the test species for fresh water discharges and the topmelt, *Atherinops affinis*, shall be used as the test species for brackish discharges. The method for topmelt is found in *USEPA's Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms, First Edition, August 1995, (EPA/600-R-95/136)*.
- C. 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.

V. GENERAL PROVISIONS FOR REPORTING

² Weekly for the first month, monthly thereafter, if no exceedance is observed.

- A. The discharger shall inform this Regional Board 24 hours before the start of the discharge.
- B. All chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer. A copy of the laboratory certification shall be provided with the first monitoring report and each time a new certification and/or renewal certification is obtained from ELAP.
- C. Samples must be analyzed within allowable holding time limits as specified in 40 CFR Part 136.3. Proper chain of custody procedures must be followed and a copy shall be submitted with the report.
- D. As required in part H.5. of Order No. R4-2003-0111, the monitoring report shall specify the USEPA analytical method used, the Method Detection Limit and the Minimum Level for each pollutant.

VI. COMPLIANCE DETERMINATION (AS APPLICABLE)

- A. Compliance with single constituent effluent limitation – If the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (see Monitoring and Reporting Requirements Section H.5. of Order R4-2003-0111), then the Discharger is out of compliance.
- B. Compliance with monthly average limitations - In determining compliance with monthly average limitations, the following provisions shall apply to all constituents:
 - a. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, does not exceed the monthly average limit for that constituent, the Discharger has demonstrated compliance with the monthly average limit for that month.
 - b. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the monthly average limit for any constituent, the Discharger shall collect four additional samples at approximately equal intervals during the month. All five analytical results shall be reported in the monitoring report for that month, or 45 days after results for the additional samples were received, whichever is later.

When all sample results are greater than or equal to the reported Minimum Level (see Monitoring and Reporting Requirements Section H.5. of Order R4-2003-0111), the numerical average of the analytical results of these five samples will be used for compliance determination.

When one or more sample results are reported as "Not-Detected (ND)" or "Detected, but Not Quantified (DNQ)" (see Monitoring and Reporting Requirements Section H.5. of Order R4-2003-0111), the median value of these four samples shall be used for compliance determination. If one or both of the middle values is ND or DNQ, the median shall be the lower of the two middle values.

- c. In the event of noncompliance with a monthly average effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the monthly average effluent limitation has been demonstrated.
 - d. If only one sample was obtained for the month or more than a monthly period and the result exceed the monthly average, then the Discharger is in violation of the monthly average limit.
- C. Compliance with effluent limitations expressed as a sum of several constituents – If the sum of the individual pollutant concentrations is greater than the effluent limitation, then the Discharger is out of compliance. In calculating the sum of the concentrations of a group of pollutants, consider constituents reported as ND or DNQ to have concentrations equal to zero, provided that the applicable ML is used.
- D. Compliance with effluent limitations expressed as a median – in determining compliance with a median limitation, the analytical results in a set of data will be arranged in order of magnitude (either increasing or decreasing order); and
- a. If the number of measurements (n) is odd, then the median will be calculated as $= X_{(n+1)/2}$, or
 - b. If the number of measurements (n) is even, then the median will be calculated as $= [X_{n/2} + X_{(n/2)+1}]/2$, i.e. the midpoint between the n/2 and n/2+1 data points.
- E. In calculating mass emission rates from the monthly average concentrations, use one half of the method detection limit for "Not Detected" (ND) and the estimated concentration for "Detected, but Not Quantified" (DNQ) for the calculation of the monthly average concentration. To be consistent with section VI.C., if all pollutants belonging to the same group are reported as ND or DNQ, the sum of the individual pollutant concentrations should be considered as zero for the calculation of the monthly average concentration.

VII. NOTIFICATION

A. The discharger shall notify the Executive Officer in writing prior to discharge of any chemical which may be toxic to aquatic life. Such notification shall include:

1. Name and general composition of the chemical,
2. Frequency of use,
3. Quantities to be used,
4. Proposed discharge concentrations and,
5. EPA registration number, if applicable.

No discharge of such chemical shall be made prior to obtaining the Executive Officer's approval.

B. The discharger shall notify the Regional Board via telephone and/or fax within 24 hours of noticing an exceedance above the effluent limits in Order No. R4-2003-0111. The discharger shall provide to the Regional Board within 14 days of observing the exceedance a detailed statement of the actions undertaken or proposed that will bring the discharge into full compliance with the requirements and submit a timetable for correction.

VIII. MONITORING FREQUENCIES

Monitoring frequencies may be adjusted by the Executive Officer to a less frequent basis if the discharger makes a request and the request is justified by statistical trends of monitoring data submitted. However, monitoring frequency may also increase based on site-specific conditions.

Ordered by:


Tracy J. Egoscue
Executive Officer

Date: April 24, 2007

/nj