

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION  
320 W. 4<sup>th</sup> Street, Suite 200  
Los Angeles, California 90013  
(213) 576-6600**

**NOTICE OF PUBLIC HEARING  
Public Notice No. 24-006**

**PROPOSED ISSUANCE OF  
WASTE DISCHARGE REQUIREMENTS (WDRs) AND  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT**

<b>Discharger</b>	<b>Discharge Location</b>	<b>Receiving Water</b>
City of Avalon	123 Pebbly Beach Road, Avalon, CA 90704	Pacific Ocean

The Avalon Wastewater Treatment Facility (Facility) is a publicly-owned treatment works located on Catalina Island in the City of Avalon, California. The Facility is owned by the City of Avalon, operated by PERC Water, and discharges up to 1.2 million gallons per day of secondary-treated effluent to the Pacific Ocean, a water of the United States, at Discharge Point 001 (Latitude: 33.338611°N, Longitude: 118.311111°W). The Facility serves an estimated population of 4,000 people and receives untreated domestic and commercial wastewater from the City of Avalon. The wastewater is a mixture of freshwater and seawater. The influent to the Facility is approximately 40% to 50% seawater that is used for toilet flushing in the City of Avalon.

The discharge is regulated under waste discharge requirements (WDRs) contained in Order Number R4-2019-0023, adopted by the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board), on February 14, 2019. Order Number R4-2019-0023 also serves as a permit under the National Pollutant Discharge Elimination System (NPDES Number CA0054372). The Discharger filed a report of waste discharge (ROWD) and applied for reissuance of its WDRs and NPDES permit on October 2, 2023, to discharge secondary-treated effluent to the Pacific Ocean. The application was deemed complete on October 10, 2023. The terms and conditions of the current NPDES permit have been automatically continued and remain in effect until new WDRs and NPDES permit are adopted pursuant to the proposed Order.

On the basis of preliminary staff review and application of lawful standards and regulations, the Los Angeles Water Board, tentatively proposes to issue WDRs and the NPDES permit under Title 40 of the Code of Federal Regulations (40 CFR) § 124.4(c)(2).

**PUBLIC HEARING DATE AND LOCATION**

The Los Angeles Water Board will hold a public hearing on the Tentative WDRs and NPDES permit during its regular Board meeting on the following date and time and at the following location:

Date: May 23, 2024  
Time: 9:00 a.m.  
Place: 320 W. 4<sup>th</sup> Street, Carmel Room  
Los Angeles, California 90013

A virtual platform is also available for those who want to join online. Please follow the directions provided in the agenda to register or to view the Board meeting.

Interested persons are invited to attend. At the public hearing, the Los Angeles Water Board will hear any testimony pertinent to the discharge, tentative WDRs, and NPDES 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 [http://www.waterboards.ca.gov/losangeles/board\\_info/agenda/](http://www.waterboards.ca.gov/losangeles/board_info/agenda/), where you can access the current agenda for changes in dates and locations.

### **AVAILABILITY OF DOCUMENTS**

The ROWD, other documents relied upon to develop tentative effluent limitations and special provisions, comments received, and other information on file are available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, by appointment at the following address:

Los Angeles Regional Water Quality Control Board  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

The tentative requirements are available on the [Los Angeles Water Board website](http://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/index.html) at [http://www.waterboards.ca.gov/losangeles/board\\_decisions/tentative\\_orders/index.html](http://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/index.html) under the “Individual NPDES” heading. The entire file (ROWD, other documents relied upon to develop tentative effluent limitations and special provisions, comments received, and other information) will become a part of the administrative record of this proceeding, irrespective of whether individual documents are specifically referenced during the hearing. The entire file will not be present in the hearing room. Should any interested persons desire staff to bring to the hearing any documents that are not included in the agenda packet, they must submit a written or electronic request to staff during business hours, not later than five business days before the hearing. The request must identify the documents with enough specificity for staff to locate them.

### **NATURE OF HEARING**

This will be a formal adjudicative hearing pursuant to section 648 et seq. of title 23 of the California Code of Regulations. Chapter 5 of the California Administrative Procedure Act (commencing with section 11500 of the Government Code) will not apply to this proceeding.

*Ex Parte Communications Prohibited:* As a quasi-adjudicative proceeding, no board member may discuss the subject of this hearing with any person, except during the public hearing itself. Any communications to the Los Angeles Water Board must be directed to staff.

### **COMMUNICATIONS WITH STAFF BEFORE THE HEARING**

The lead staff member responsible for this item is:

Dr. Don Tsai  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013  
[don.tsai@waterboards.ca.gov](mailto:don.tsai@waterboards.ca.gov)

### **PARTIES TO THE HEARING**

The following are the parties to this proceeding:

City of Avalon

Any other persons requesting party status must submit a written or electronic request to staff no later than 20 business days before the hearing. All parties will be notified if other persons are so designated.

### **PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE**

Persons wishing to comment on, or object to, the tentative WDRs and NPDES permit, or submit evidence for the Board to consider, are invited to submit them in writing to Don Tsai at [Don.Tsai@waterboards.ca.gov](mailto:Don.Tsai@waterboards.ca.gov). To be evaluated and responded to by the Los Angeles Water Board staff, included in the Board's agenda folder, and fully considered by the Board, written comments or testimony regarding the tentative must be received no later than **5:00 p.m. on April 18, 2024**. Failure to comply with these requirements is grounds for the Los Angeles Water Board to refuse to admit the proposed written comment or exhibit into evidence pursuant to section 648.4, title 23 of the California Code of Regulations.

### **HEARING PROCEDURE**

The Board meeting, of which this hearing is a part, will start at 9:00 a.m. Interested persons are invited to attend. When the agenda item is called, staff will present the matter under consideration, after which oral statements from parties or interested persons will be heard. For accuracy of the record, all important testimony should be in writing. The Board will include in the administrative record written transcriptions of oral testimony that is actually presented at the hearing. Oral testimony may be limited to five minutes or less for each interested person, depending on the number of interested persons wishing to be heard.

Parties or interested persons with similar concerns or opinions are encouraged to choose one representative to speak and are encouraged to coordinate their

presentations with each other. Parties will be advised after the receipt of public comments, but prior to the date of the hearing, of the amount of time each is allocated for presentations. That decision will be based upon the complexity and number of issues under consideration, the extent to which the parties have coordinated, the number of parties and interested persons anticipated, and the time available for the hearing. The parties are invited to contact staff not later than **May 9, 2024** (two weeks before the hearing), to discuss how much time they believe is necessary for their presentations, and staff will endeavor to accommodate reasonable requests. At the conclusion of testimony, the Board will deliberate in open or close session, and render a decision.

The Board does not generally require the prior identification of witnesses, the cross examination of witnesses, or other procedures not specified in this notice. Parties or persons with special procedural requests or requests for alternative hearing procedures should contact staff, who will endeavor to accommodate reasonable requests. Objections to any procedure to be used during this hearing must be submitted in writing no later than close of business 15 business days prior to the date of the hearing. (Any objections related to the amount of time allocated for parties' presentations must be submitted within two business days of notice thereof, if that date is less than 15 business days before the hearing.) Absent such objections, any procedure not specified in this hearing notice will be waived pursuant to section 648(d) of title 23 of the California Code of Regulations. Procedural objections will not be entertained at the hearing.

If there should not be a quorum on the scheduled date of this meeting, all cases will be automatically continued to the next scheduled meeting on **June 27, 2024**. A continuance will not extend any time set forth herein.

Date: March 19, 2024