



# California Regional Water Quality Control Board

## Los Angeles Region



Linda S. Adams  
Cal/EPA 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

January 28, 2010

Mr. Enrique C. Zaldivar, Director  
City of Los Angeles, Bureau of Sanitation  
1149 S. Broadway 9<sup>th</sup> Floor  
Los Angeles, CA 90015

Dear Mr. Zaldivar:

**TENTATIVE WASTE DISCHARGE REQUIREMENTS AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT – CITY OF LOS ANGELES, DONALD C. TILLMAN WATER RECLAMATION PLANT (NPDES NO. CA0056227, CI NO. 5695)**

On January 25, 2010, after several years of discussions, the City of Burbank, the City of Los Angeles, and the Los Angeles Regional Board staff reached an agreement, *Settlement Agreement Regarding Permits for Donald C. Tillman, LA-Glendale, and Burbank Water Reclamation Plants (Settlement Agreement)*. The Settlement Agreement was adopted in an effort to settle a variety of pending legal challenges to Order No. R4-2006-0091 (Order), which serves as Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) permit for the Donald C. Tillman Water Reclamation Plant (and the previous permit for that facility), pending both in court and before the State Water Resources Control Board. The Settlement Agreement includes a variety of proposals to revise the Order. On April 1, 2010, the Regional Board will consider revising Order No. R4-2006-0091, pursuant to and consistent with the terms of the *Settlement Agreement*.

Pursuant to the Federal Clean Water Act, as amended, and in accordance with the California Water Code, tentative waste discharge requirements have been prepared.

Enclosed are copies of the following:

1. Tentative Requirements consisting of:
  - a. Board Order;
  - b. Fact sheet (Attachment F); and,
  - c. Monitoring and Reporting Program (Attachment T).
2. Public Notification consisting of:
  - a. Instruction Sheet for Posting Public Notice;
  - b. Public Notice;
  - c. Statement of Posting Notice.
3. Settlement Agreement

**California Environmental Protection Agency**



Recycled Paper

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

In accordance with administrative procedures, this Board at a public hearing to be held on April 1, 2010, at 9:00 a.m., at the Metropolitan Water District of Southern California Board Room, 700 North Alameda Street, Los Angeles, California, will consider the enclosed Tentative Requirements and comments submitted in writing regarding the changes contained within the proposed amended Order. The Board will hear any testimony pertinent to this discharge and the tentative requirements. It is expected that the Board will take action at the hearing; however, as testimony indicates, the Board, at its discretion, may order further action by staff.

The agenda for the meeting will be posted on the Los Angeles Regional Water Quality Control Board's website ([http://www.waterboards.ca.gov/losangeles/board\\_info/agenda/index.shtml](http://www.waterboards.ca.gov/losangeles/board_info/agenda/index.shtml)) approximately one week prior to the meeting.

Written comments on the strikeout/underline changes that are contained in the tentative amended Order must be received at the Regional Board office by 12 p.m. (Noon) on March 1, 2010, in order to be evaluated by Board staff and included in the Board's agenda folder. Comments received after that date will not be considered, absent extraordinary circumstances. Timely submittal of written comments is required to ensure that all comments are accurately and fully included in the administrative record, that Board staff is able to provide timely review, and that Regional Board members have sufficient time to give full consideration to the comments and issues raised.

With respect to the public notices, in accordance with the Federal Clean Water Act, as amended, and the California Code of Regulations, you are required to follow the enclosed instructions for publication or posting of the notice no later than March 1, 2010.

Failure to publish or post the notice by the above date may require us to reschedule this item for a later hearing and will require the publication or posting of a second notice. Please notify this Board by telephone when the notice has been published and submit the proof of publication or posting as required in the enclosed instructions. Proof of posting or publication of the notice must be received by the Executive Officer of this State Water Board no later than March 10, 2010.

If you have any questions please call me at (213) 576-6756, or Don Tsai at (213) 576-6665.

Sincerely,



Rebecca E. Christmann, Unit Lead  
Municipal Permitting Unit (NPDES)

Enclosures

cc: (See Mailing List)

#### MAILING LIST (Cont.)

*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.*

Environmental Protection Agency, Region 9, Permits Branch (WTR-5)  
NOAA, National Marine Fisheries Service  
Department of Interior, U.S. Fish and Wildlife Service  
Mr. Michael Levy, State Water Resources Control Board, Office of Chief Counsel  
Department of Fish and Game, Region 5  
California State Parks and Recreation  
Mr. Christopher Kroll, State Coastal Conservancy  
Los Angeles County, DPW, Environmental Programs  
Mr. Rod Kubumoto, Los Angeles County, DPW, Watershed Division  
Los Angeles County, Department of Health Services  
Mr. Jim Leserman, Water Replenishment District of Southern California  
Rick Sase, Main San Gabriel Basin Watermaster  
Heal the Bay  
Environment Now  
Santa Monica Baykeeper  
Natural Resources Defense Council  
Ms. Melanie Winter, Friends of the Los Angeles River  
Ms. Joan Greenwood, Friends of the Los Angeles River  
Los Angeles and San Gabriel Rivers Watershed Council  
Ms. Bea Morrow, Sierra Club  
Mr. Jeff Yann, Sierra Club  
Ms. Belinda Faustinos, San Gabriel and lower Los Angeles Rivers and Mountains  
Conservancy  
Kathleen Bullard, The Los Angeles River Center and Gardens

**INSTRUCTIONS TO APPLICANT  
FOR  
WASTE DISCHARGE REQUIREMENTS**

City of Los Angeles  
(Donald C. Tillman Wastewater Reclamation Plant)  
(NPDES Permit No. CA0056227)

One copy of a notice of public hearing and a statement of posting notice form are enclosed. By March 1, 2010, you are directed to comply with one of the following methods of informing the public of your waste discharge:

1. Publish the enclosed public notice in a daily newspaper or periodical which circulates in the general locality to be affected by the discharge, or
2. Post copies of the enclosed public notice in conspicuous places near the entrance of the premises and in the locality to be affected by the discharge.

Any expenses arising from the posting or publication of the enclosed public notice shall be borne by the discharger.

You must file with this office proof of such posting or publication. Proof of posting shall consist of a statement executed on the enclosed form; proof of publication shall consist of an affidavit of the publisher or foreman of the newspaper, with a copy of the notice as published, attached. Proof of posting or publication must be submitted to this Regional Board by March 10, 2010.

Failure to post or publish the public notice by the specified date may require us to reschedule this item for a later hearing and will require the posting or publication of a second notice.



Rebecca E. Christmann, Unit Lead  
Municipal Permitting Unit

STATEMENT OF POSTING NOTICE  
NPDES NO: CA0056227

REPORT OF WASTE DISCHARGE BY City of Los Angeles: Donald C. Tillman Wastewater Reclamation Plant

\_\_\_\_\_  
(NAME OF PERSON WHO POSTED COPIES OF NOTICE) says:

\_\_\_\_\_  
(INSERT "THAT HE IS THE DISCHARGER" OR "THAT ACTING ON BEHALF OF THE DISCHARGER")

who filed the Report of Waste Discharge with the CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, \_\_\_\_\_ Region,

\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 2010,  
("AND DID" OR "HE DID")

posted two copies of notice of said report identical to the attached copy.

That he posted one copy of said notice \_\_\_\_\_  
(DESCRIBE HOW AND WHERE

\_\_\_\_\_  
POSTED AS ACCURATELY AS POSSIBLE)

\_\_\_\_\_  
and the other copy of said notice \_\_\_\_\_  
(DESCRIBE HOW AND WHERE

\_\_\_\_\_  
POSTED AS ACCURATELY AS POSSIBLE)

That each of said copies thus posted occupied a conspicuous place in the locality to be affected by the proposed discharge.

I declare under penalty of perjury that the foregoing is true.

Signed on the \_\_\_\_\_ day of \_\_\_\_\_, 2010, at \_\_\_\_\_, California.

\_\_\_\_\_  
(SIGNATURE OF PERSON WHO  
POSTED COPIES OF NOTICE)

COMPANY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**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

Public Notice No. 10-008  
NPDES No. CA0056227

**NOTICE OF PUBLIC HEARING**

**PROPOSED REISSUANCE  
OF  
WASTE DISCHARGE REQUIREMENTS  
(National Pollutant Discharge Elimination System Permit)**

**DISCHARGER**

City of Los Angeles  
(Donald C. Tillman Water  
Reclamation Plant)

**DISCHARGE LOCATION**

6100 Woodley Avenue  
Van Nuys, California

**RECEIVING WATER**

Los Angeles River

The City of Los Angeles (hereinafter the City or Discharger) discharges tertiary-treated wastewater, from its Donald C. Tillman Water Reclamation Plant (Tillman WRP) to the Los Angeles River, a water of the United States, at a point located 878 feet downstream of the Sepulveda Dam Spillway (Discharge Serial No. 008: Latitude 34° 09' 54", Longitude 118° 28' 15"). The discharge is regulated under waste discharge requirements contained in Order No. R4-2006-0091, adopted by this Regional Board on December 14, 2006. Order No. R4-2006-0091 serves as a permit under the National Pollutant Discharge Elimination System (NPDES No. CA0056227). The NPDES Order is being amended following recommendations proposed pursuant to a settlement agreement signed on January 25, 2010 between Regional Board staff and the Cities of Burbank and Los Angeles. The settlement agreement if implemented, would resolve pending litigation stemming from their 1998 permits as well as petitions pending before the State Water Resources Control Board, pursuant to Water Code section 13320, challenging their 2006 permits.

The Tillman WRP is a publicly owned treatment work (POTW) owned and operated by the City's Department of Public Works, Bureau of Sanitation. The Tillman WRP is located at 6100 Woodley Avenue, Van Nuys, California. The Plant consists of two identical treatment trains, each with a dry weather average design capacity of 40 million gallons per day (mgd). In order to achieve compliance with the ammonia Basin Plan objectives, the City began to test the different NDN treatments, including Modified Ludzack-Ettinger (MLE) Process, Enhanced Modified Ludzack-Ettinger (eMLE) Process, Step-Feed Anoxic Process, and Nitrification combined with the use of Denitrifying Filters with methanol addition (in the third quarter of 1998). The City has achieved optimal operation of the NDN treatment system since October 1, 2007.

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board (Regional Water Board), Los Angeles Region, tentatively proposes to issue revisions to the Discharger's waste discharge requirements, including effluent limitations and special conditions.

### HEARING DATE AND LOCATION

The Regional Water 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: April 1, 2010  
Time: 9:00 a.m.  
Place: Metropolitan Water District of Southern California Board Room, 700 North Alameda Street, Los Angeles, California

Interested persons are invited to attend. At the public hearing, the Regional Water 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 <http://www.waterboards.ca.gov/losangeles/> where you can access the current agenda for changes in dates and locations.

### SCOPE OF HEARING

The validity of the NPDES permit requirements, other than those proposed for changes (in underline and strikeout format) are not at issue before the Regional Water Board in this proceeding. Evidence or argument that challenges the validity of those requirements, or any aspects of them, will not be permitted. The only matter before the Board is the adoption of a tentative Order to amend Waste Discharge Requirements and permit under the National Pollutant Discharge Elimination System (NPDES), Order No. R4-2006-0091, consistent with the settlement agreement.

### AVAILABILITY OF DOCUMENTS

The Report of Waste Discharge (ROWD), the settlement agreement, and other documents relied upon, tentative effluent limitations and special provisions, comments received, and other information are on file and are available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. 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

Arrangements for file review and/or obtaining copies of the documents may be made by calling the Regional Water Board at (213) 576-6600. Additionally, the agenda, the fact sheet, the draft order will be available online at: <http://www.waterboards.ca.gov/losangeles/> under the "Tentative Permits" heading.

The entire file will become a part of the administrative record of this proceeding, irrespective of whether individual documents are specifically referenced during the hearing or contained in the agenda packet. The entire file will not be present in the hearing room. In addition to the materials generated for this proceeding, the file includes the administrative records for the applicable Basin Plan amendments. Should any interested persons desire staff to bring to the

hearing any particular 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.

#### PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment on, or object to, the tentative waste discharge requirements, or submit evidence for the Board to consider, are invited to submit them in writing to Don Tsai at the above address, or send them electronically to [dtsai@waterboards.ca.gov](mailto:dtsai@waterboards.ca.gov). To be evaluated and responded to by Regional 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 12 p.m. (Noon) on March 1, 2010. Failure to comply with these requirements is grounds for the Regional 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.

#### NATURE OF HEARING

This proceeding will be a formal adjudicatory proceeding. For such proceedings, the Regional Water Board follows procedures established by the State Water Resources Control Board. These procedures are set forth in regulations commencing with section 647 of title 23 of the California Code of Regulations, in particular, Article 2, commencing with section 648.

#### PARTIES TO THE HEARING

The following are the parties to this proceeding:

1. The applicant/permittee
2. Regional Board Staff

Any other persons requesting party status must submit a written or electronic request to staff not later than [20] business days before the hearing. All parties will be notified if other persons are so designated.

#### 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 March 18, 2010 (two weeks prior to 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 or 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 May 6, 2010. A continuance will not extend any time set forth herein.

#### STAFF CONTACTS

If you have any question regarding this proposed action, please contact Don Tsai at (213) 576-6665 or via email at [dtsai@waterboards.ca.gov](mailto:dtsai@waterboards.ca.gov) or Rebecca Christmann, Unit Lead of the Municipal Permitting (POTW) Unit at (213) 576-6756 or via email at [rchristmann@waterboards.ca.gov](mailto:rchristmann@waterboards.ca.gov).

Date: January 28, 2010