

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

**320 W. 4th Street, Suite 200
Los Angeles, California 90013
(213) 576-6600**

**Public Notice No. 23-009
NPDES No. CA0064637**

**NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND
NOTICE OF PUBLIC HEARING**

**PROPOSED ISSUANCE OF
WASTE DISCHARGE REQUIREMENTS AND
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**

<u>DISCHARGER</u>	<u>DISCHARGE LOCATION</u>	<u>RECEIVING WATER</u>
Equilon Enterprises LLC dba Shell Oil Products US	Berths 167, 168, 169 Wilmington, CA 90744 Los Angeles County	Los Angeles Inner Harbor

Equilon Enterprises LLC dba Shell Oil Products US (hereinafter Discharger, or Permittee), is the owner and operator of the Shell Oil Products US Mormon Island Terminal (hereinafter Facility), an industrial bulk petroleum storage, loading, and distribution facility located in Wilmington, California. The Facility discharges up to 0.216 million gallons per day (MGD) of treated stormwater from Discharge Point 001 (Latitude 33° 45' 20.9" North, Longitude -118° 16' 3.72" West) to the Los Angeles Inner Harbor, a water of the United States. The discharge is regulated under waste discharge requirements contained in Order R4-2017-0039, adopted by the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) on February 2, 2017. Order R4-2017-0039 also serves as a permit under the National Pollutant Discharge Elimination System (NPDES No. CA0064637) Program.

The Discharger filed a Report of Waste Discharge (ROWD) and applied to the Los Angeles Water Board for renewal of waste discharge requirements (WDRs) and an NPDES permit on September 29, 2021. The application was deemed complete on October 25, 2021. The terms and conditions of the current NPDES permit have been administratively extended and remain in effect until the 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 waste discharge requirements, including effluent limitations and special conditions.

HEARING DATE AND LOCATION

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

Public Notice No. 23-009
Equilon Enterprises LLC dba Shell Oil Products US
Shell Oil Products US Mormon Island Terminal

Date: June 22, 2023
Time: 9:00 a.m.
Place: Junipero Serra Building (Carmel Room)
320 West 4th Street
Los Angeles, CA 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 Los Angeles Water Board meeting.

Interested persons are invited to attend. At the public hearing, the Los Angeles Water Board will hear testimony, if any, that is pertinent to the discharge, 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> where you can access the current agenda for changes in dates and locations.

AVAILABILITY OF DOCUMENTS

The Report of Waste Discharge, related documents, tentative requirements, comments submitted, and other information received regarding the discharge 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 4th Street, Suite 200
Los Angeles, CA 90013

Arrangements for file review and/or obtaining copies of the documents may be made by calling the Los Angeles Water Board at (213) 576-6600. 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. The entire file will not be present in the hearing room. 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 5 business days before the hearing. The request must identify the documents with enough specificity for staff to locate them.

The tentative WDRs, comments received, and the response to comments when prepared will also be available on the Los Angeles Water Board's website at:

http://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/index.shtml

NATURE OF HEARING

This will be a formal quasi-adjudicative proceeding 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) does 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 Regional Water Board must be directed to staff.

COMMUNICATIONS WITH STAFF BEFORE THE HEARING

The lead staff member responsible for this item is:

Randy Ly
320 West 4th Street, Suite 200
Los Angeles, CA 90013
(213) 576-6652
randy.ly@waterboards.ca.gov

PARTIES TO THE HEARING

The following are the parties to this proceeding:

-Equilon Enterprises LLC dba Shell Oil Products US

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.

PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment upon or object to the tentative waste discharge requirements, or submit evidence for the Board to consider, are invited to submit them in writing. To be evaluated and responded to by staff, included in the Board's agenda folder, and fully considered by the Board, written comments and evidence must be submitted to the Board by mail to the address above or by email to losangeles@waterboards.ca.gov with a copy to randy.ly@waterboards.ca.gov, and received at the Board's office by 5:00 p.m. on **May 19, 2023**. Please reference the comments as "Comments on tentative NPDES Permit, Equilon Enterprises LLC dba Shell Oil Products US, Shell Oil Products US Mormon Island Terminal, NPDES No. CA0064637".

Pursuant to section 648.4, title 23 of the California Code of Regulations, written comments or evidence submitted after the comment deadline will not be allowed or accepted into the Administrative Record without a showing of good cause for the delay,

Public Notice No. 23-009
Equilon Enterprises LLC dba Shell Oil Products US
Shell Oil Products US Mormon Island Terminal

and in no event if any party or the Board would be unduly prejudiced by the late submittal including if staff or the Board would not have an adequate opportunity to review, consider, and respond to the comments or evidence.

Additionally, if the Board receives only supportive comments, the permit may be placed on the Board's consent calendar and approved without oral testimony.

HEARING PROCEDURE

The meeting, in which the hearing will occur, will start at 9:00 a.m. Interested persons are invited to attend. 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 Los Angeles Water 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 3 minutes maximum or less for each speaker, depending on the number of persons wishing to be heard. Parties or persons with similar concerns or opinions are encouraged to choose one representative to speak. At the conclusion of testimony, the Los Angeles Water Board will render a decision.

Parties or persons with special procedural requests should contact staff. 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. Objections to any procedure to be used during this hearing must be submitted in writing not later than close of business 15 business days prior to the date of the hearing. Procedural objections will not be entertained at the hearing.

If there should not be a quorum on the scheduled date of this meeting, this matter will be automatically continued to the next scheduled meeting on July 27, 2023. A continuance will not extend any deadline set forth herein.

Date: April 18, 2023