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

TIME SCHEDULE ORDER NO. R4-2020-0067 REQUIRING SANITATION DISTRICTS OF LOS ANGELES COUNTY SANITATION DISTRICT NO. 2 - SOUTH GATE TRANSFER STATION

TO COMPLY WITH REQUIREMENTS PRESCRIBED IN GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES AMENDED NOVEMBER 6, 2018 AND EFFECTIVE JULY 1, 2020 (NPDES PERMIT NO. CAS000001) WDID NO. 4 19I006188

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

1. Los Angeles County Sanitation District No. 2 (LACSD No. 2) owns and operates the South Gate Transfer Station (SGTS or Facility), located at 9530 South Garfield Avenue in South Gate, California. This Facility has a total area of 5.3 acres, which includes an industrial area of 4.5 acres.

2. SGTS is operated as an industrial facility and is required to obtain coverage under the State's General Permit for Storm Water Discharges Associated with Industrial Activities, amended by the State Water Resources Control Board (State Water Board) on November 2, 2018 and effective on July 1, 2020.(Amended General Permit). The Amended General Permit also serves as a permit under the National Pollutant Discharge Elimination System program, NPDES Permit No. CAS000001. This Facility is a transfer station that aggregates non-hazardous residential, commercial, and industrial solid waste material from smaller trucks into larger trucks. The Standard Industrial Classification (SIC) code for SGTS is 4212-Local Trucking Without Storage. This SIC code is listed as requiring permit coverage in Attachment A to the Amended General Permit.

3. The Amended General Permit establishes numeric effluent limitations (NELs) for facilities that discharge storm water associated with industrial activities into water bodies that have certain approved Total Maximum Daily Loads (TMDLs) and that have waste load allocations for industrial storm water discharges as set forth in the Amended General Permit. NELs are numerical limits, an exceedance of which is a violation of the Amended General Permit. The NELs require dischargers to limit the concentration of pollutants in storm water discharges to protect water quality.

4. Storm water runoff from the SGTS discharges to Reach 1 of the Rio Hondo River, a tributary of the Los Angeles River.

5. The Los Angeles River and its tributaries are identified in the 1998 and 2002 California Clean Water Act (CWA) section 303 (d) List of impaired Water Bodies as impaired due to elevated levels of cadmium, copper, lead, zinc, selenium, and nitrogen compounds and related effects such as algae, pH, odor, and scum respectively.

6. The NELs in the Amended General Permit in the Los Angeles River watershed were derived from the Los Angeles River Nitrogen and Related Effects Total Maximum Daily Load (TMDL), amended and adopted by the Regional Water Board on December 6, 2012, and the Los Angeles River and Tributaries Metals TMDL, adopted by the Regional Water Board on April 9, 2015.

7. The NELs that apply to industrial discharges from SGTS include total cadmium, total copper, total lead, total zinc, nitrate-nitrogen, nitrite-nitrogen, nitrate plus nitrite nitrogen, and ammonia and are more stringent than prior regulatory requirements in the previous General Permit. These NELs will become effective on July 1, 2020 and exceedances of the NELs will result in mandatory minimum penalties pursuant to Water Code Section 13385, subdivisions (h) and (i).

8. The SGTS has completed a pollutant source assessment that addresses each of these pollutants and identified total copper, total lead and total zinc as associated with industrial activities at the Facility.

9. The SGTS is expected to exceed the NELs for total copper, total lead, and total zinc based on historical monitoring data reported to the State's online Storm Water Multiple Application and Report Tracking System (SMARTS) database. The NELs and the corresponding concentrations of these pollutants in the discharge from SGTS runoff have been reported to be:

Pollutant	Reported Concentration Range in mg/L	Numeric Effluent Limit in mg/L
Total copper	0.005 – 0.17	0.06749
Total lead	0.0035 – 0.28	0.094
Total zinc	0.03 – 1.28	0.159

10. The SGTS will require additional pollutant control measures to comply with the applicable NELs listed in the Amended General Permit.

11. The Amended General Permit provides alternative on-site compliance options for facilities that exceed or expect to exceed the NELs (see Attachment I of the Amended General Permit). These compliance options include capture and diversion of the volume of storm water associated with industrial activities that results from the 85th percentile storm to the sanitary sewer or, capture and

infiltration of the volume of storm water associated with industrial activities that results from the 85th percentile storm, or elimination of exposure of industrial activities to storm water, or capture the volume of storm water from the maximum historic precipitation event.

12. The SGTS has opted to implement the on-site compliance option by modifying the existing stormwater management system to divert the volume of stormwater runoff produced from the 85th percentile, 24-hour storm each day to the sanitary sewer. The system that is currently in place has a minimum capture rate of 30 percent the 85th percentile storm and captures the runoff and diverts it to the sanitary sewer. Runoff from the industrial portions of the Facility is routed to a storm water pump station located on the east side of the Facility either by surface flow or by means of an on-site storm water conveyance system; including trench drains, catch basins and storm water piping, using the following method:

    a. The storm water pump station has both dry weather pumps and storm water pumps, which are controlled by level sensors in the pump station structure. In dry weather conditions and prior to the first 0.1 inch of rainfall, the dry weather pumps operate to discharge dry weather runoff directly to a sanitary sewer. When the on-site gage detects the first 0.1 inch of rainfall, the dry weather pumps shut off and stormwater is diverted to storage. The storage tanks are sized based on the 85th percentile storm and can collectively hold 146,000 gallons of stormwater, and subsequently divert it to the sanitary sewer approximately 24 hours after the cessation of rainfall.

    b. Although the reduction in the pollutant load discharged to the flood control channel cannot be accurately estimated or measured, it is believed that the diversion system reduces the annual pollutant load to the Rio Hondo by more than 30% since the system is designed to capture the initial runoff which is expected to have higher concentrations of pollutants than runoff occurring later in a storm.

    c. Based on a computer model of the diversion system that evaluated hourly rainfall data between 2006 and 2018, the current system can reduce the volume of stormwater discharged from the Facility by a minimum of 30% over the course of a year.

13. The upgrades already implemented at the Facility meet the on-site compliance criteria for all single day storms, the additional work and time are needed to meet the on-site compliance criteria for storms that last more than one day. The required improvements to this storm water capture/ diversion system include the design and construction of a new sewer connection with associated piping, structures, instrumentation and controls necessary to discharge from the storm water storage tanks to the sanitary sewer during storm events to allow the Facility to divert the necessary volume of stormwater runoff on a daily basis. The proposed system will make a new connection to a larger sanitary sewer and will include real-time

monitoring of the water level in the sanitary sewer to allow the sewer to accept flows during light rainfall. The modeling conducted during design indicated that a system capable of diverting 75 gallons per minute from the existing stormwater storage tanks to the sanitary sewer, whenever the sewer level is less than 90% of full pipe diameter, will divert the volume of runoff required for on-site compliance. During periods of intense rain, when the sanitary sewer cannot accept additional flows, stormwater from the SGTS will accumulate in the on-site storage tanks. As soon as the level in the sewer subsides, diversion will begin again. Discharge to the storm drain will only occur when the tanks are full, and the sewer cannot accept additional flow.

a. These modifications cannot be designed, installed, or put into operation prior to July 1, 2020 due to the necessary time needed to complete all phases of the proposed project.

14. Per Water Code section 13385 subdivision (j)(3)(C)(iii)(I), if a time schedule exceeds one year from the effective date of the TSO, the schedule must include interim requirements, that include effluent limitations for the pollutant of concern. Because this Order ends on September 30, 2022 consistent with Water Code section 13385, interim effluent limits and actions are included.

15. The SGTS has developed and updated a facility specific Storm Water Pollution Prevention Plan (SWPPP) that is currently being implemented and complies with the monitoring and reporting requirements of the Amended General Permit. The facility specific SWPPP dated April 6, 2020 has been submitted electronically to the SMARTS database.

16. Water Code section 13300 states: “Whenever a regional board finds that a discharge of waste is taking place or threatening to take place that violates or will violate requirements prescribed by the regional board, or the state board, or that the waste collection, treatment, or disposal facilities of a discharger are approaching capacity, the board may require the discharger to submit for approval of the board, with such modifications as it may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements.”

17. Water Code section 13385, subdivisions (h) and (i), require the Regional Water Board to impose mandatory minimum penalties when dischargers violate effluent limitations in NPDES permits. Water Code section 13385 subdivision (j)(3) allows the Regional Water Board to exempt certain facilities from mandatory minimum penalties “when there are exceedances of NELs if the facility is in compliance with a time schedule order issued pursuant to Section 13300 *if all of the [specified] requirements are met*.”(emphasis added).

18. Water Code section 13385, subdivision (j)(3)(B)(i), allows the Regional Water Board to issue a Time Schedule Order (TSO) if the “regional board finds that… the

discharger is not able to consistently comply with one or more of the effluent limitations established in the waste discharge requirements" if the "effluent limitation is a new, more stringent, or modified regulatory requirement that has become applicable to the waste discharge after the effective date of the waste discharge requirements and after July 1, 2000, new or modified control measures are necessary in order to comply with the effluent limitation, and the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days."

19. Prerequisites to issuing a TSO include those set forth in Water Code section 13385 subdivisions (j)(3)(C)(i) and (j)(3)(C)(iii):

    a. The TSO must establish "a time schedule for bringing the waste discharge into compliance with the effluent limitation that is as short as possible, taking into account the technological, operational, and economic factors that affect design, development and implementation of the control measures that are necessary to comply with the effluent limitation," (Wat. Code §13385, subd. (j)(3)(C)(i).) The TSO shall not exceed five years in length unless an extension is granted in accordance with Water Code section 13385, subdivision (j)(3)(C). "If the time schedule exceeds one year from the effective date of the order, the schedule shall include interim requirements and the dates for their achievement. The interim requirements shall include both ... (I) Effluent limitations for the pollutant or pollutants of concern. (II) Actions and milestones leading to compliance with the effluent limitation." (Wat. Code §13385(j)(3)(C)(iii).)

20. The Regional Water Board issues this TSO with interim effluent limitations and actions based on all the findings set forth herein.

21. The time schedule set forth herein ends on September 30, 2022. This date does not exceed 5 years.

22. Since the time schedule for completion of the actions necessary to fulfill the on-site compliance option criteria in the Amended General Permit exceeds one year from the effective date of the NELs, this TSO includes interim requirements and dates for their achievement. The interim requirements include interim effluent limitations for total copper, total lead, and total zinc and actions requiring the diversion of the volume of storm water produced by the 85th percentile 24-hour storm at any given time to the sanitary sewer as described in Paragraph 12.

23. Pursuant to Water Code section 13385, subdivision (j)(3), full compliance with the requirements of this TSO exempts SGTS from mandatory minimum penalties (MMPs) only for violations of the NELs for total copper, total lead, and total zinc that occur after the effective date of this TSO. If an interim effluent limitation contained in this TSO is exceeded, the Facility may be subject to enforcement

actions. An exceedance of a NEL, or interim limit for the purpose of this TSO, is defined by the Amended General Permit, Attachment C, as "when two (2) or more analytical results from samples taken for any single parameter within a reporting year exceed the instantaneous maximum NEL value."

24. The issuance of this TSO is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, section 15301 because the TSO pertains to an existing facility and involves negligible or no expansion of an existing use. In addition, the issuance of this TSO is categorically exempt from CEQA pursuant to California Code of Regulations, Title 14, sections 15307, 15308, and 15321, subdivision (a)(2). The issuance of this TSO is an action to assure the maintenance, restoration, enhancement and protection of the environment and a natural resource and is also an enforcement order issued by the Regional Water Board.

25. Pursuant to Water Code section 13167.5, subdivision (a)(3), the Regional Water Board has notified SGTS, interested agencies, and interested persons of its intent to issue this TSO concerning compliance with waste discharge requirements and provide a 30 day comment period. The Regional Water Board considered all comments pertinent to this prior to issuing this Order.

26. Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with the Water Code section 13320 and the California Code of Regulations, Title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the Regional Water Board action, except that if the thirtieth day following the action falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

IT IS HEREBY ORDERED that, pursuant to the California Water Code sections 13300 and 13385, subdivision (j)(3), LACSD No. 2, as owner and operator of the SGTS, shall comply with the requirements listed below to ensure compliance with the final effluent limitations for total copper, total lead, and total zinc effluent limitations contained in the Amended General Permit:

1. Comply immediately with the following interim actions, schedule, and interim effluent limitations at all discharge points:

Interim Action:	Schedule:
Implement facility specific SWPPP	Throughout the span of enrollment in the Amended General Permit
Reduce the volume of storm water discharge by a minimum of 30 percent over the course of a year.	From the date of TSO issuance until September 30, 2022
Complete design of a sanitary sewer connection and associated controls to achieve alternative compliance	September 1, 2020
Award construction contract for sanitary sewer connection and associated controls	February 1, 2021
Complete construction of the sanitary sewer connection and on-site piping modifications	July 1, 2022
Complete Facility Startup	September 30, 2022

Pollutant	Interim Effluent Limitations in mg/L
Total copper	0.17
Total lead	0.28
Total zinc	1.28

The foregoing interim actions and interim effluent limitations are in effect from (Date of Approval) through September 30, 2022. During this time, LACSD No. 2 shall comply with the interim actions and associated schedule as described in this TSO.

2. Submit, electronically through the SMARTS database, biannual progress reports of efforts taken to comply with the interim actions per the above

schedule and with the interim effluent limitations in addition to other reporting requirements pursuant to the Amended General Permit. The reports shall summarize the progress to date, activities conducted during the reporting period, and the activities planned for the upcoming reporting period. Biannual progress reports shall be due April 1st and October 1st each year throughout the duration of this TSO, with the first report due April 1, 2021.

3. Submit, electronically through the SMARTS database, a final report due on July 1, 2024 that describes a summary of all of the interim actions completed and successful completion of the connection to the sanitary sewer.

4. All technical and monitoring reports required under this TSO are required pursuant to Water Code section 13383. The Regional Water Board needs the required information in order to determine compliance with this TSO and the Amended General Permit. The burdens, including costs, of these reports bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

5. Any person signing a document submitted under this TSO shall make the following certification:

   "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. If the Facility fails to comply with any provisions of this TSO, the Regional Water Board may take any further action authorized by law. The Executive Officer, or his/her delegee, is authorized to take appropriate administrative enforcement action pursuant, but not limited to, Water Code sections 13350 and 13385. The Regional Water Board may also refer any violations to the Attorney General for judicial enforcement, including injunction and civil monetary remedies.

7. All other provisions of the Amended General Permit as amended not in conflict with this TSO are in full force and effect.

8. The Regional Water Board may reopen this TSO at its discretion or at the request of the Permittee, if warranted. Lack of progress towards compliance with this TSO may be cause for the Regional Board to modify the conditions of this TSO.

9. This Time Schedule Order is effective on (Date of Approval) and expires on September 30, 2022.

SO ORDERED.

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Renee Purdy, Executive Officer **Date**