

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

TIME SCHEDULE ORDER (TSO) NO. R4-2025-0188

**REQUIRING THE CITY OF LOS ANGELES, BUREAU OF SANITATION
(TERMINAL ISLAND WATER RECLAMATION PLANT)
TO COMPLY WITH REQUIREMENTS PRESCRIBED IN
ORDER NO. R4-2021-0095 (NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) PERMIT NO. CA0053856)**

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

1. The City of Los Angeles (City) owns and operates a Publicly-Owned Treatment Works (POTW) comprised of the Terminal Island Water Reclamation Plant (TIWRP or Facility) and its associated wastewater collection system and outfalls.
2. The Los Angeles Outer Harbor (Harbor) is the receiving water for the TIWRP discharge in the Dominguez Channel - Los Angeles/Long Beach Watershed Management Area. The Harbor is defined as an enclosed bay in the *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California* (Thermal Plan).
3. Discharge to the Harbor is subject to the State Water Resources Control Board's (State Water Board's) Enclosed Bays and Estuaries Policy established in 1974, which requires the discharges of POTWs to enclosed bays and estuaries to cease at the earliest practicable date unless the waste discharge would enhance the quality of the receiving waters.
4. On June 27, 1977, the Los Angeles Water Board issued Order No. 77-113 requiring the City to phase out the TIWRP discharge to the Harbor at the earliest practicable date or demonstrate that the discharge enhances the quality of the receiving water.
5. The City was unable to demonstrate that the TIWRP effluent enhances the water quality in the Harbor; therefore, on November 25, 1985, the Los Angeles Water Board issued Order No. 85-77, requiring the City to cease the TIWRP discharge to the Harbor at the earliest practicable date.
6. On October 31, 1994, the Los Angeles Water Board issued Resolution No. 94-009 to approve the proposal by the City to phase out the discharge of wastewater effluent from the TIWRP into the Harbor through implementation of a water reclamation plan.
7. By 1997, the City installed tertiary treatment systems at TIWRP and, in 2001, TIWRP partnered with the Los Angeles Department of Water and Power for the Harbor Water Recycling Project. The intended outcome of the Harbor Water Recycling Project was to deliver 5 mgd of recycled water to LADWP's Harbor Generating

Station and the Dominguez Gap Barrier Project by December 1999 (Phase I), to double reuse of TIWRP effluent within six years after initiating the first reclamation phase (Phase II) and to achieve full (100%) reuse of TIWRP effluent by 2020 (Phase III).

8. To support the objective of phasing out the discharge through reuse, Order No. R4-2015-0119 (NPDES Permit No. CA0053856) generally prohibited the discharge of treated municipal wastewater into the Harbor after 2020. However, the City was unable to meet this deadline. As a result, Order No. R4-2021-0095 (NPDES Permit No. CA0053856) extended the compliance deadline to December 31, 2024. In alignment with the revised timeline, the City submitted a work plan on October 12, 2021, committing the City to complete specific actions to cease the discharge of treated municipal wastewater to the Harbor by the end of 2024. The City was also unable to meet this deadline and continues to discharge tertiary-treated effluent into the Harbor.
9. The City currently reuses up to 6 million gallons per day (MGD) of TIWRP's advanced-treated effluent for indirect potable reuse through injection into the Dominguez Gap Seawater Intrusion Barrier and nonpotable uses throughout the Harbor area, regulated under Order Numbers R4-2016-0334 and R4-2003-0025, respectively. To achieve the goal of eliminating the discharge of treated municipal wastewater to the Harbor, the City needs to recycle approximately an additional 6 MGD of tertiary-treated effluent from TIWRP.
10. Section 3.9 of the NPDES permit for TIWRP (Order No. R4-2021-0095) includes a discharge prohibition that was scheduled to take effect on December 31, 2024. The prohibition applies to the discharge of treated municipal wastewater, but exempts brine generated by the advanced treatment process at the TIWRP Advanced Water Purification Facility (AWPF). The following five situations are the only exceptions to the discharge prohibition:
 - 10.1. When the tertiary-treated effluent has been treated at the AWPF but does not comply with the groundwater recharge requirements or other Title 22 recycling criteria in the California Code of Regulations, but does comply with all NPDES permit requirements;
 - 10.2. Emergency situations;
 - 10.3. Fluctuations in planned recycled water demand; Executive Officer approval is required prior to discharge, except when emergency fluctuations in water recycling demand are due to end users' immediate shutdowns;
 - 10.4. Scheduled maintenance activities of the AWPF; Executive Officer approval is required prior to discharge; or
 - 10.5. When tertiary-treated effluent flows from the TIWRP exceed the AWPF capacity; Executive Officer approval is required prior to discharge, except when the discharge is due to unanticipated heavy rain and storm events.

11. On January 17, 2024, the Los Angeles Water Board received a letter from the City requesting Executive Officer approval to discharge to the Los Angeles Outer Harbor after December 31, 2024, due to fluctuations in recycled water demand. The Los Angeles Water Board received a follow-up letter from the City on September 20, 2024, updating the expected completion dates of the remaining recycled water distribution system projects needed to fully eliminate the discharge of treated municipal wastewater to the Harbor. These two projects include a second connection to the Dominguez Gap Barrier Project (up to 3.5 MGD) and internal retrofits at Air Products (up to 2.5 MGD). Both projects are managed by the City of Los Angeles Department of Water and Power and the second Dominguez Gap Barrier Project connection is also funded by the Water Replenishment District of Southern California. These projects could not be completed by the end of 2024 because they both experienced delays due to long material lead times, long review times, and multiple design iterations for different project components.
12. The Los Angeles Water Board requested additional information from the City to identify the aspects of the projects that caused delays, to identify the projects that have been completed since the effective date of Order No. R4-2021-0095, and to identify the components of the projects that still need to be completed. The information the City provided indicated that all the projects in their approved work plan have been completed except for the second connection to the Dominguez Gap Barrier Project and the Air Products retrofits, as shown in the table below:

Table 1. Projects Completed by September 2024

Project	Date Completed
Ultramar Service Agreement	02/16/21
Machado Lake Phase II Pipeline	02/01/22
AWPF Phase 1 Chemical Piping Replacement	06/30/22
Air Products Service Agreement	10/03/22
Ultramar Connection DDW Approval	08/24/23
Microfiltration System Replacement	03/25/24
Advanced Oxidation Process Ammonia Injection System	03/25/24
Advanced Oxidation Process Effluent Circulation	09/20/24
Ultramar Retrofits Completed	07/24/24

13. On December 27, 2024, the Los Angeles Water Board granted the City a temporary exemption from the discharge prohibition, allowing the City to discharge tertiary-treated effluent to the Los Angeles Outer Harbor until August 11, 2025. In the extension approval, the Los Angeles Water Board requested additional justification for the final completion dates for the Air Products and second Dominguez Gap connections. The Los Angeles Water Board also directed the City to continue to

maximize recycled water deliveries to existing customers and to find additional customers to ensure consistent demand during fluctuations in recycled water demand.

14. The City has encountered ongoing delays in completing the recycled water distribution system infrastructure needed to reuse the remainder of the tertiary-treated effluent currently being discharged to LA Harbor. The City provided the Los Angeles Water Board with estimated completion dates for the two unfinished recycled water distribution system projects on four separate occasions, identifying delays in the proposed projects. On May 15, 2025, the City proposed project completion dates of September 31, 2025 (Air Products Internal Retrofits) and December 31, 2028 (Dominguez Gap Pipeline Connection). The rationale for these dates includes ongoing permitting challenges related to dewatering requirements, design modifications needed to address hydraulic alignment and infrastructure integration, challenging field conditions such as high groundwater tables and contamination plumes, and material procurement delays due to market volatility.
15. Since the City has been experiencing unanticipated delays in Phase III of the Harbor Water Recycling Project, the Los Angeles Water Board finds an extension to the discharge prohibition in TIWRP's NPDES permit is appropriate. However, the City has been provided with multiple extensions in the past and has been unable to follow through with its commitments. Therefore, the Los Angeles Water Board will not provide the full requested extension to December 31, 2028.
16. Section 13300 of the California Water Code (CWC) 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 permittee are approaching capacity, the board may require the permittee to submit for approval of the board, with such modifications as it may deem necessary, a detailed time schedule of specific actions the permittee shall take in order to correct or prevent a violation of requirements."
17. Based on the current recycled water project schedule submitted by the City, the City will be unable to comply with the discharge prohibition in NPDES Order No. R4-2021-0095.
18. The City does not currently have the infrastructure in place to send recycled water to the second Dominguez Gap connection, and Air Products has not completed their internal retrofits to receive recycled water, and therefore some tertiary-treated wastewater will need to be discharged to the Harbor. While Order No. R4-2021-0095 (NPDES Permit No. CA0053856) exempts, with Executive Officer approval, occasional discharges of tertiary treated wastewater due to limited duration events such as emergency situations, scheduled maintenance, and fluctuations in recycled water demand, the purpose of these exemptions is to account for seasonal variations in recycled water demand and other limited-term events. None of the

existing exemptions in Order No. R4-2021-0095 authorize discharges due to ongoing infrastructure delays. Since the planned and necessary recycled water distribution system infrastructure will not be in place for several years and the discharge of treated municipal wastewater into the Harbor is occurring or threatening to occur in violation of the requirements prescribed by the Los Angeles Water Board, none of the discharge prohibition exemptions apply.

19. Accordingly, and pursuant to CWC section 13300, this TSO is being issued to put the City on a path to compliance with the discharge prohibition.
20. Since the time schedule for completion of the actions necessary to bring the waste discharge into compliance exceeds one year from the effective date of this TSO, this TSO includes interim requirements and the dates for their achievement. The interim requirements include milestones leading to compliance with the discharge prohibition.
21. This TSO allows the City additional time to comply with the discharge prohibition in NPDES Order No. R4-2021-0095 and specifies the actions the City must undertake to correct the violation that would otherwise be subject to Water Code section 13385(a). The established time schedule is as short as possible, considering the technological, operational, and economic factors that affect the design, development, and implementation of the control measures that are necessary to comply with the discharge prohibition.
22. A TSO is appropriate in this circumstance to allow time for the City to complete the construction of a second connection to the Dominguez Gap Barrier Project and to complete internal retrofits at Air Products. This TSO is in the public interest because the required milestones will provide additional recycled water to the region for reuse.
23. Issuance of this TSO is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA") pursuant to CWC section 13389, since the adoption or modification of a NPDES permit for an existing source is statutorily exempt and this Order only serves to implement an NPDES permit. (*Pacific Water Conditioning Ass'n, Inc. v. City Council of City of Riverside* (1977) 73 Cal.App.3d 546, 555-556.). This TSO is also exempt from CEQA in accordance with sections 15301 (existing facility) and 15321(a)(2) (enforcement action) of Title 14 of the California Code of Regulations.
24. The Los Angeles Water Board has notified the City and interested agencies and persons of its intent to issue this TSO concerning compliance with waste discharge requirements.
25. Any person aggrieved by this action of the Los Angeles Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and 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 Los Angeles 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 online at http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

IT IS HEREBY ORDERED that, pursuant to CWC section 13300, the City, as owner and operator of the TIWRP, shall comply with the requirements listed below to ensure it complies with the discharge prohibition in NPDES Order No. R4-2021-0095:

1. From August 11, 2025, through September 31, 2025, the discharge of tertiary-treated effluent to the Harbor is authorized up to 6 MGD. From October 1, 2025, through June 30, 2028, the discharge of tertiary-treated effluent to the Harbor is authorized up to 3.5 MGD. Occasional discharges of tertiary-treated effluent in excess of this amount may be authorized consistent with the provisions in section 3.1 and 3.9 of NPDES Order No. R4-2021-0095.
2. The City shall complete the following milestones, as follows:

Table 3. TIWRP Milestone Schedule

Project	Task	Completion Date
Air Products Internal Retrofits	Construction Complete	8/1/25
	LADWP Service Line and Meter Install	9/4/25
	Cross Connection Test and LA County Public Health Backflow Approval	9/22/25
	Begin recycled water distribution	9/30/25
Second Dominguez Gap Pipeline Connection	Pipeline Construction 100% Complete	8/31/26
	Vault Work Bid	4/6/27
	Vault Work Construction 100% Complete	5/31/28
	Commissioning	6/30/28
	Begin recycled water distribution	6/30/28

3. The City shall achieve full compliance with the discharge prohibition in Order No. R4-2021-0095 as soon as feasible, but no later than June 30, 2028.
4. The City shall submit quarterly progress reports indicating the efforts taken by the City toward achieving compliance with the discharge prohibition in section 3.9 of NPDES Order No. R4-2021-0095. The reports shall summarize the progress to date, activities conducted during that quarter, and activities planned for the upcoming

quarters. Each quarterly report shall be submitted to the Los Angeles Water Board by the 15th day of March, June, September, and December for the duration of this TSO. The first quarterly report shall be submitted to the Los Angeles Water Board by September 15, 2025.

5. All technical and monitoring reports required under this TSO are required pursuant to CWC section 13383. The Los Angeles Water Board needs the required information to determine compliance with this TSO and Order No. R4-2021-0095. The burdens, including the costs, of these reports bear a reasonable relationship to the needs for the reports and the benefits to be obtained from the reports. Specifically, the reports are necessary to ensure the protection of beneficial uses in the receiving waters.
6. Any person signing a document submitted pursuant to 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.”
7. If the City fails to comply with any provision of this TSO, the Los Angeles Water Board may take any further action authorized by law. The Executive Officer, or a delegatee, is authorized to take appropriate enforcement action pursuant, but not limited to, CWC sections 13350 and 13385. The Los Angeles Water Board may also refer any violations to the Attorney General for judicial enforcement, including injunction and civil monetary remedies.
8. All other provisions of NPDES Order No. R4-2021-0095 not in conflict with this TSO are in full force and effect.
9. This TSO becomes effective on August, 11, 2025 and expires on June 30, 2028.

I, Susana Arredondo, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order administratively issued by the California Regional Water Quality Control Board, Los Angeles Region, on August 11, 2025.

Sincerely,

for Susana Arredondo, Executive Officer
Los Angeles Regional Water Quality Control Board

City of Los Angeles
Terminal Island Water Reclamation Plant

NPDES No. CA0053856
TSO No. R4-2025-0188

cc: Bobbi Valencia, Ching To, Los Angeles Water Board
Brandon Torres, Matthewskye Gonzalez, Sierra Neudeck, LADWP