

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

Meeting Minutes

Los Angeles Water Board Meeting
November 6, 2014

Metropolitan Water District of Southern California
(Board Room)
700 North Alameda Street
Los Angeles, California 90071

The meeting was called to Order by Chair Charles Stringer at 9:02 am.

Roll Call.

Board Members Present: Maria Camacho, Fran Diamond, Madelyn Glickfeld, Maria Mehranian, Irma Muñoz, Charles Stringer, and Lawrence Yee.

Board Members Absent: None

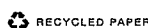
Staff Present: Samuel Unger, Deborah Smith, Paula Rasmussen, Jennifer Fordyce, Nicole Kuenzi, Ronji Moffett, Gerardo Rabelo, David Hung, Renee Purdy, Cris Morris, Michael Lyons, Elizabeth Erickson, Russ Colby, Raul Medina, Dr. Rebecca Chou, Dr. Arthur Heath, Steven Webb, Douglas Cross, Dr. Wen Yang, Jeffery Hu, Lawrence Moore, Dr. Kwangil Lee, Veronica Cuevas, Valerie Carrillo-Zara

Individuals whose Names Appear on the Sign-In Sheet and/or Speaker Cards

Ms. Kirsten James, Heal the Bay	Mr. David Smith, USEPA, Region 9
Mr. Peter Shellenbarger, Heal the Bay	Ms. Robyn Stuber, USEPA, Region 9
Ms. Grace Hyde, Los Angeles Sanitation Districts	Mr. Phil Freiss, Los Angeles County Sanitation Districts
Ms. Ann Heil, Los Angeles County Sanitation Districts	Ms. Sara Nichols, Sullivan Canyon Property Owners Association
Mr. Adam Link, California Association of Sanitation Agencies	Mr. Kevin Buchan, Western States Petroleum Association
Mr. John Pastore, SCAP	Ms. Melissa Thorne, Downey Brand LLP
Mr. Stanford Asato, City of Los Angeles	Mr. Tim Brick, Arroyo Seco Foundation
Ms. Jeanette Vosburg, Representing self	Mr. Ray Tahir, TEC Environmental
Mr. T. Larry Watte, Brentwood Community Council	

CHARLES STRINGER, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

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2. Order of Agenda.

Executive Officer requested changes to the order of items on the agenda, and request to move item 13 from the uncontested calendar to the consent calendar.

3. Approval of draft meeting Minutes for the October 9, 2014 Board meeting.

MOTION: To approve the October 9, 2014 draft Board meeting Minutes.

First: Board member Fran Diamond
Second: Board member Lawrence Yee
Vote: Approved unanimously

4. Board Member Communications.

There was no communication that constituted disclosure.

5. Appointment of Nominating Committee. *(The Chair asked Board members if any are willing to sit on a Nominating Committee for 2015 Chair and vice Chair. Board members Maria Mehranian, and Lawrence Yee agreed to be committee members.)*

The EO announced the Uncontested items calendar as follows: 6, 7, and 13.

Board member Maria Camacho had questions on groundwater monitoring. Regional Board staff responded to her concerns, and a motion was made.

MOTION to approve the Uncontested Items calendar.

First: Board member Fran Diamond
Second: Board member Maria Mehranian
Vote: Approved by unanimous vote

9. Update from State Board. *Mr. Jonathan Bishop, Chief Deputy Director of State Water Resources Control Board gave an update, and made, but was not limited to the following points during his presentation):*

- Discussed the status of Urban Water Conservation
- State Board is utilizing Performance Reports and building a system of transparency for State Board and Regional Water Boards
- The Los Angeles Water Board has been setting the example for other Regional Boards
- There is a significant amount of funding for storm water and ground water issues

10. Public Forum.

- Mr. Ray Tahir, TEC Environmental
- Mr. T. Larry Watte, Brentwood Community Council
- Ms. Sara Nichols, Sullivan Canyon Property Owners Association
- Ms. Jeanette Vosburg, Representing self
- Mr. Tim Brick, Arroyo Seco Foundation

(Items 11 and 12 presentations were heard jointly)

11. Consideration of Waste Discharge Requirements for Joint Outfall System formerly referred

to as County Sanitation District of Los Angeles County (Pomona Water Reclamation Plant), Pomona, and 12: Consideration of Waste Discharge Requirements for Joint Outfall System formerly referred to as County Sanitation Districts of Los Angeles County (Whittier Narrows Water Reclamation Plant), El Monte.

Mr. Samuel Unger, Executive Officer, L.A. Regional Water Board gave opening remarks, but was not limited to the following points:

- What is Toxicity Testing, and why is it needed?
- Toxicity testing is critical for regulating water quality
- As a Regulatory Agency, we cannot set limits
- Toxicity testing has been part of our permits for decades
- Discussed the Key issues: Compliance (Numeric limits versus Narrative trigger)
- Statistical approach to Toxicity Test data
- Existing permit requirements are not effective
- Toxicity defect are recurring
- Staff takes the permittees concerns seriously
- Maximum daily limit is set at a high level of toxicity

Staff attorney, Nicole Kuenzi discussed the legal history of wet testing.

Staff report, was presented by Ms. Cris Morris, Unit Chief in Watershed Regulatory Municipal permitting. *(During Ms. Morris' presentation, she made, but was not limited to the following points):*

- Major issues deal with chronic toxicity
- Whittier Narrows discharges tertiary treated water
- Pomona Water Reclamation Plant (WRP) serves 149, 058 people
- Whittier Narrows (WRP) serves 107,000 people
- Discussed the permit updates, deleted limits, and Reasonable Potential Analysis (RPA)
- Both facilities have reasonable potential and compliance
- Summarized the toxicity timeline (2002 through 2014)
- Compared toxicity in the old permit versus the new permit
- Data analysis using TST is more straight-forward, simpler, and streamlined
- Purpose of California State Board test data
- Discussed effluent test drive results
- Summary of State Board test drive shows TST and NOEC were very similar
- Benefits of using the TST methodology (two concentration) include positive incentives to generate high quality wet data
- Mandatory Minimum Penalties will not apply to the permits, therefore any enforcement will be discretionary to the Regional Board
- The Permittee issues are common to both facilities
- Discussed staff's responses to comments received
- There are 48 states using acute toxicity and WQBELs in permits, but California is not one of them
- Discussed specific issues for the plants individually as well as the issues pertinent to both plants

Other Speakers:

- Mr. Stanford Asato, City of Los Angeles (opposed)
- Mr. David Smith, USEPA Region 9 (in support)
- Mr. Kevin Buchan, Western States Petroleum Association (opposed)
- Mr. John Pastore, SCAP (opposed)
- Mr. Adam Link, California Association of Sanitation Agencies (opposed)
- Ms. Grace Hyde, Los Angeles County Sanitation District (opposed)
- Mr. Phil Freiss, Los Angeles County Sanitation District (opposed)
- Mr. Ann Heil, Los Angeles County Sanitation District (opposed)
- Ms. Kirsten James, Heal the Bay (in support)

Board questions and concerns:

- Asked for clarification on Reasonable Implementation measure
- Asked the County, what would allow the County Sanitation District to accept the numeric limits?
- What statewide plan is the currently proposed method?

There was much discussion on this matter, and staff and stakeholders responded to concerns that were expressed by the board members. After discussion and deliberation, there was a motion.

MOTION: to adopt the permit with change sheet, and amendments as requested by the Board.

First: Board member Fran Diamond

Second: Board member Lawrence Yee

Vote: Approved by unanimous vote

**Board member Lawrence Yee left the meeting at 4:15 p.m.*

Item 8. Executive Officer's Report. *(Presented by Executive Officer, Samuel Unger)*

Report and Addendum Report was given to the Board. The Report was posted on the Board's website:

<http://www.waterboards.ca.gov/losangeles>

Informational Item.

14. Update of the Groundwater Investigations in the San Fernando Valley Basin. *(This matter was presented for informational purposes only, and no voting or action took place for this matter. There was a joint-presentation by Dr. Arthur Heath, Mr. Jeffery Hu, Dr. Kwangil Lee, and Mr. Larry Moore.)*

- Discussed contaminants of concern
- Memorandum of Understanding (MOU) was originally issued in 2012, and renewed in 2014
- Discussed the milestones for the potential responsible party search investigation
- Received a Federal Grant from USEPA
- Funding is through the Federal grant for \$600,000
- Accomplishments include 47 investigated cases, and 21 case closures
- Discussed on-going efforts

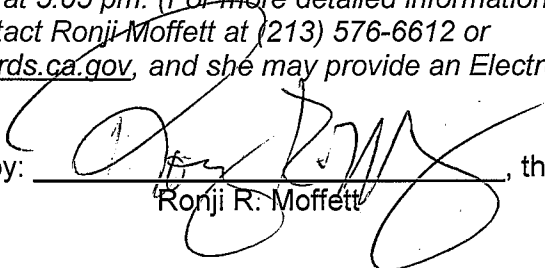
- There are 125 new cases in the Operable Unit to be evaluated

**(Chair Stringer left the meeting at 4:37 pm, after which vice Chair Muñoz Chaired the remainder of the meeting.)*

- Background history and present success story of Excello Plating Company, and Ralphs purchase of the site and the cleanup efforts
- Chemicals of concern include PCE, TCE, an Hexavalent Chromium

The meeting adjourned at 5:05 pm. (For more detailed information on any matter at our Meetings, you may contact Ronji Moffett at (213) 576-6612 or ronji.moffett@waterboards.ca.gov, and she may provide an Electronic copy of the transcript or audio, if available.)

Written and submitted by:



Ronji R. Moffett

, then finalized on

12/09/14