

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

**TIME SCHEDULE ORDER NO. R4-2020-0069
REQUIRING SANITATION DISTRICTS OF LOS ANGELES COUNTY
SCHOLL CANYON LANDFILL**

**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 19I006193**

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

1. The Scholl Canyon Landfill Facility (SCL or Facility) is owned by the City of Glendale (City) and the County of Los Angeles (County) and operated by the Los Angeles County Sanitation Districts (LACSD) under a Joint Powers Agreement between the City, the County and LACSD. The Facility is located at 3001 Scholl Canyon Road in Glendale, California. This Facility has a total area of 440 acres, and an industrial area of 94.2 acres.
2. The SCL 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 6, 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. The Facility is operated as a Class 3 Municipal solid waste landfill. The Standard Industrial Classification (SIC) code for the SCL is 4953-Refuse Systems. 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 Attachment E to the General Permit. NELs are numerical limits, an exceedance of which is a violation of the Amended General Permit and require dischargers to limit the concentration of pollutants in their storm water discharges to protect water quality.

4. Storm water runoff from SCL discharges to Verdugo Wash, which flows to Reach 3 of the Los Angeles River.
5. The Los Angeles River, including Reach 3, is identified in the 1998 and 2002 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 that apply to facilities located in the Los Angeles River watershed and that discharge storm water associated with industrial activities 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 to Reach 3 of the Los Angeles River include total cadmium, total copper, total lead, total zinc, nitrate-nitrogen, nitrite-nitrogen, nitrate + nitrite nitrogen, and ammonia and are more stringent than prior regulatory requirements in the previous General Permit. These NELs are effective on July 1, 2020 and exceedances may result in mandatory minimum penalties pursuant to California Water Code section 13385, subdivisions (h) and (i).
8. The SCL has completed a pollutant source assessment that addresses each of these pollutants and identified total cadmium, total copper, total lead, total zinc, nitrate-nitrogen, nitrite-nitrogen, nitrate + nitrite nitrogen, and ammonia as associated with industrial activities at the Facility.
9. The SCL is expected to exceed the NELs for total cadmium, total copper, total lead, and total zinc based on the 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 SCL have been reported to be:

Pollutant	Reported Concentration Range in mg/L	Numeric Effluent Limit in mg/L
Total cadmium	0.00008 – 0.01	0.0031
Total copper	0.005 – 0.29	0.06749
Total lead	0.00008 – 0.26	0.094
Total zinc	0.002 – 1.2	0.159

10. The SCL 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 SCL has opted to implement the on-site compliance option by modifying its existing stormwater management system to divert the volume of storm water runoff produced from the 85th percentile, 24-hour storm each day to a large basin, then releasing it into a sanitary sewer. The Facility currently captures storm water runoff from industrial areas in on-site storage basins with a total volume of approximately 456,000 gallons and eight (8) storage tanks with a volume of 21,000 gallons each, then it is later discharged off site into the storm drain. Facility uses both sandbags and dewatering filter bags to slow the flow of stormwater and reduce the amount of total suspended solids (TSS) discharged at this site. Additional facilities are required to meet on-site compliance criteria for single day storms and storms that last more than one day.
13. The SCL developed a computer model to determine the necessary storm water storage capacity and diversion rates to the sanitary sewer needed to satisfy the on-site compliance option. Based on the results of this model, SCL will implement a system that increases storage capacity of on-site storm water capture by constructing a new 5.3 million-gallon (MG) basin and install a connection to the sanitary sewer. 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. The proposed new system consists of the following components:
 - a. The Facility will design and construct the new 5.3 MG storm water storage basin and storm water conveyance facilities that will connect to existing storm water detention basin(s) and storage tanks.
 - b. The model results submitted by the SCL show a system capable of capturing and transferring a combined total of 2,500 gallons per minute of captured storm water from existing on-site basins and tanks into the new 5.3 MG storage basin. The 5.3 MG basin will then divert the stored storm water to the sanitary sewer, therefore meeting the on-site compliance criteria.

- c. Additional piping, structures, and instrumentation and controls will be installed and implemented to capture the 85th percentile, 24-hour storm event and divert the storm water collected in the new 5.3 MG basin into the sanitary sewer, with the capability of regulating the flow based on the available sewer capacity.
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 July 1, 2024, consistent with Water Code section 13385, interim effluent limits and actions are included.
15. The SCL 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 24, 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):

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 October 1, 2023. 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 cadmium, total copper, total lead and total zinc and actions requiring implementation to slow down and control the flow of storm water. This includes the use of sandbags and dewatering filter bags as well as putting some storage tanks in series to control the flow of stormwater and reducing the pollutants discharged as described in 12.

23. Pursuant to Water Code section 13385, subdivision (j)(3), full compliance with the requirements of this TSO exempts SCL from mandatory minimum penalties (MMPs) only for violations of the NELs for total cadmium, total copper, total lead and total zinc that occur after the effective date of the Amended General Permit and until the expiration 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 the SCL, 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), the City of Glendale, County of Los Angeles, and LA County Sanitation Districts, as owners and operators of the Scholl Canyon Landfill, shall comply with the requirements listed below to ensure compliance with the final effluent limitations for total cadmium, 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, including BMPs such as Storage Tanks, Sand Bags, Dewatering Filter Bags and Sediment Basins	From the date of TSO issuance until July 1, 2024
Begin evaluation of environmental impacts in accordance with California Environmental Quality Act (CEQA)	October 1, 2020
Complete design of pump station(s), pipelines, a 5.3 MG basin, a sewer connection, and controls to achieve alternative compliance.	October 1, 2021
Award construction contract for pump station(s), pipelines, a 5.3 MG basin, a sewer connection, and controls	May 1, 2022
Complete construction of pump station(s), on-site piping, a 5.3 MG basin, and sewer connection.	October 1, 2023
Complete Facility Startup	July 1, 2024

Pollutant	Interim Effluent Limitation in mg/L
Total cadmium	0.01
Total copper	0.29
Total lead	0.26
Total zinc	1.2

The foregoing interim actions and interim effluent limitations are in effect from (Date of Approval) through July 1, 2024. During this time, Scholl Canyon Landfill

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 that are not in conflict with this TSO remain in full force and effect.

8. The Regional Water Board may reopen this TSO at its discretion or at the request of the Facility, 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 July 1, 2024.

SO ORDERED.

Renee Purdy, Executive Officer

Date