

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

**TIME SCHEDULE ORDER NO. R4-2021-0012  
REQUIRING TABC, INC.**

**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 19I003517**

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

1. TABC, Inc., (TABC) operates an industrial facility located at 6375 North Paramount Boulevard in Long Beach (the Facility); it encompasses a total area of 28 acres, and an industrial area of 5 acres.
2. TABC is an industrial facility that is required to obtain coverage under the State's General Permit for Storm Water Discharges Associated with Industrial Activities, amended 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 manufactures motor vehicle parts and accessories. TABC has a Standard Industrial Classification (SIC) code of 3714-Motor vehicle parts and accessories. 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 stormwater associated with industrial activities into water bodies that have certain approved Total Maximum Daily Loads (TMDLs) and that have waste load allocations for industrial stormwater discharges as set forth in Attachment E to the Amended General Permit. The 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 stormwater discharges to protect water quality.
4. Stormwater runoff from TABC discharges to Los Cerritos Channel.
5. The NELs that apply to discharges from TABC to Los Cerritos Channel include total zinc, total lead and total copper. These NELs are new and more stringent than the prior regulatory requirement in the previous General Permit. These NELs

became effective on July 1, 2020 and exceedances of the NELs may result in mandatory minimum penalties pursuant to California Water Code (Water Code) section 13385, subdivisions (h) and (i).

6. TABC has completed a pollutant source assessment that addresses each of these pollutants and identified total zinc and total copper as associated with industrial activities at the Facility.
7. TABC is expected to exceed the NELs for total zinc and total copper based on the historical monitoring data reported to the State's online Stormwater Multiple Application and Report Tracking System (SMARTS) database. The NELs and the corresponding concentrations of these pollutants in the discharge from the Facility have been reported to be:

<b>Pollutant</b>	<b>Reported Concentration Range in mg/L</b>	<b>Numeric Effluent Limit in mg/L</b>
Total zinc	0.111 - 1.12	0.0956
Total copper	0.00195 - 0.0607	0.0098

8. TABC will require pollutant control measures to comply with the applicable NELs listed in the Amended General Permit.
9. 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 stormwater associated with industrial activities that results from the 85<sup>th</sup> percentile, 24-hour storm to the sanitary sewer or, capture and infiltration of the volume of stormwater associated with industrial activities that results from the 85<sup>th</sup> percentile, 24-hour storm, or elimination of exposure of industrial activities to stormwater, or capture the volume of stormwater from the maximum historic precipitation event.
10. TABC will implement an on-site compliance option consisting of infiltration of the 85<sup>th</sup> percentile, 24-hour storm event. Preliminary modeling of groundwater around the site has already taken place. More detailed evaluation is needed to confirm acceptability of the planned infiltration area. The following tasks remain: complete testing of soil hydraulic properties and soil quality; research current groundwater conditions as necessary to confirm the feasibility of the proposed infiltration alternative; refine models with updated site-specific parameters to confirm hydraulic influence and design basis; submit a grading permit application to the City of Long Beach (The grading permit is the applicable permit for an infiltration project and serves as a building permit for the City of Long Beach); contract and construct stormwater infiltration Best Management Practice (BMPs), and notify the

Regional Water Board of implementation and provide details in an updated Storm Water Pollution Prevention Plan (SWPPP) to meet the requirements of Attachment I of the Amended General Permit. It will take until September 30, 2021 to conduct additional testing, finalize the design, permit, and construct the infiltration BMP. Once implemented, the infiltration BMP is expected to recharge groundwater and reduce the volume of discharge to the sanitary sewer system, in accordance with the standard for on-site compliance, which requires eliminating runoff produced up to and during a 85th percentile, 24-hour precipitation event.

11. Currently, precipitation at the Facility that falls in the area of the wastewater treatment system (WWTS) drains to the WWTS sump and is pumped into the WWTS for treatment and discharge into the City of Long Beach sanitary system. The area is located within secondary containment, which includes sump pumps and tank leak alarms. The operation and maintenance plan for infiltration galleries will meet on-site compliance requirements for infiltration systems, as set forth in Attachment I Section II.E.6.a of the Amended General Permit, to ensure that all influent entering the infiltration BMP(s) meets applicable Maximum Contaminant Level (MCL) criteria for industrial pollutants at the Facility and will be confirmed and certified by a licensed civil engineer and submitted to the Regional Water Board pursuant to Section II.H of Attachment I of the Amended General Permit. Infiltration gallery maintenance will include monitoring to confirm that pollutant concentrations influent to the galleries are lower than the MCLs and regular maintenance to minimize sediment load to the galleries. An operation and maintenance plan, to be submitted with the updated SWPPP pursuant to Section II.H.3 of Attachment I of the Amended General Permit will incorporate BMPs recommended by the design engineer; recommendations by the City of Long Beach Low Impact Development (LID) Design Manual (Section 4.4.6); and recommendations from the manufacturer of the selected equipment. Design features will include an infiltration area factor of safety and properly sized catch basins with filter inserts and sedimentation and filtration elements upstream of the galleries. Routine maintenance will include enhanced sweeping, inspection and maintenance of catch basins, and inspection and maintenance filtration and sedimentation elements.
12. 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 January 10, 2023, consistent with Water Code section 13385, interim effluent limits are included for total copper and total zinc.
13. TABC has developed and updated a facility specific SWPPP that is currently being implemented and complies with the monitoring and reporting requirements of the

Amended General Permit. The facility specific SWPPP dated September 22, 2020 has been submitted electronically to the SMARTS database.

14. 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.”
15. 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.”
16. 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.”
17. Prerequisites to issuing a TSO include those set forth in Water Code section 13385 subdivisions (j)(3)(C)(i), (j)(3)(C)(iii), and (j)(3)(D):

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, subd. (j)(3)(C)(iii).) The discharger must “[have] prepared and [be] implementing in a timely and proper manner, or [be] required by the regional board to prepare and implement, a pollution prevention plan pursuant to section 13263.3.” (Wat. Code § 13385, subd. (j)(3)(D).)

18. The Regional Water Board issues this TSO to TABC based on all the findings set forth herein.
19. The time schedule set forth herein ends on January 10, 2023. This date does not exceed 5 years.
20. Pursuant to Water Code section 13385, subdivision (j)(3), full compliance with the requirements of this TSO exempts TABC from mandatory minimum penalties (MMPs) only for violations of the NELs for total zinc, and total copper, that occur after the effective date of this TSO until the expiration date of this TSO. If an interim effluent limitation contained in this TSO is exceeded, TABC may be subject to enforcement action. An exceedance of the interim effluent limitations for the purpose of this TSO is defined as when two (2) or more analytical results from samples taken for any single parameter within a reporting year exceed the interim effluent limitations. In addition, if TABC does not implement its SWPPP or comply with the time schedule in this Order, TABC may be subject to enforcement action.
21. 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.
22. Pursuant to Water Code section 13167.5, subdivision (a)(3), the Regional Water Board has notified TABC, interested agencies, and interested persons of its intent to issue this TSO concerning compliance with waste discharge requirements and provided a 30-day comment period. The Regional Water Board considered all comments pertinent to this prior to issuing this TSO.
23. 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 online at [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

**IT IS HEREBY ORDERED** that, pursuant to the Water Code sections 13300 and 13385, subdivision (j)(3), TABC, Inc. (TABC), shall comply with the requirements listed below to ensure compliance with the NELs for total zinc and total copper contained in the Amended General Permit by January 10, 2023:

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

<b>Interim Action:</b>	<b>Schedule:</b>
Implement a facility specific SWPPP	Throughout the span of enrollment in the Amended General Permit
Prepare the system for operation by installing filter media, testing pump operation, completing operator training and preparing an Operation and Maintenance Plan.	June 27, 2022
Submit information required by Amended General Permit Attachment I Section II.G, including an Operation and Maintenance Plan through SMARTS at least 7 days prior to initial operation.	December 13, 2022
Submit a final report via SMARTS documenting operation of infiltration system and compliance with requirements for on-site compliance.	January 10, 2023

<b>Pollutant</b>	<b>Interim Effluent Limitation in mg/L</b>
Total zinc	1.12
Total copper	0.0607

The foregoing interim effluent limitations and interim actions are in effect from **Date of Approval** through January 10, 2023. During this time, TABC, 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 and activities conducted during the reporting period. Biannual progress reports shall be due April 1<sup>st</sup> and October 1<sup>st</sup> (or the following working day if the due date is a non-working day) each year throughout the duration of this TSO, with the first report due on April 1, 2021.
3. Submit, electronically through the SMARTS database, a final report due on January 10, 2023 that describes a summary of all the interim actions completed and their successful completion.

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 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 TABC 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 Water Board to modify the conditions of this TSO.
9. This Time Schedule Order is effective on **Date of Approval** and expires on January 10, 2023.

**SO ORDERED.**

---

**Renee Purdy, Executive Officer**

---

**Date**