



# California Regional Water Quality Control Board

## Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

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Arnold Schwarzenegger  
Governor

July 12, 2006

Mr. Kenneth Farfsing, City Manager  
City of Signal Hill  
2175 Cherry Avenue  
Signal Hill, CA 90755

### **THE REISSUANCE OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MUNICIPAL STORM WATER DISCHARGE PERMIT FOR THE COUNTY OF LOS ANGELES AND PERMITTEES (NPDES No. CAS004001, ORDER No. 01-182) - REVIEW OF THE CITY OF SIGNAL HILL REPORT OF WASTE DISCHARGE**

Dear Mr. Farfsing:

We have received the Report of Waste Discharge (ROWD) submitted on June 12, 2006 for a Signal Hill Municipal Separate Storm Sewer System Permit (SHMS4 Permit). Municipal storm water discharges from the City of Signal Hill are presently regulated under Regional Board Order No. 01-182, which expires on December 12, 2006.

The City of Signal Hill (City) by submitting a separate ROWD is pursuing a separate MS4 permit and will assume among other things, the responsibility for a city specific storm water management program and monitoring program.

Our review of the ROWD indicates that while the City is proposing some positive changes other areas of the ROWD do not satisfy federal storm water regulations contained in the United States Environmental Protection Agency (USEPA) Interpretive Policy Memorandum on Reapplication Requirements for Municipal Separate Storm Sewer Systems; Final Rule August 9, 1996 (61 Fed Reg. 41697). Some of the inadequacies include:

1. The elimination of inspection programs for commercial facilities;
2. The elimination of the Development Planning Program including SUSMP and peak flow controls;
3. The elimination of Local SWPPPs for all construction sites 1 acre and greater;
4. The monitoring program description only includes a simplistic monitoring regime with a lack of details such as whether samples will be "grab" or "flow weighted composite" samples; and
5. The proposal for inclusion of TMDL requirements only in memoranda of understanding (MOUs) in lieu of TMDL Waste Load Allocations (WLAs) included in NPDES Permits as required by federal regulations.

Federal Regulations (40 C.F.R. § 122.44(d)(1)(vii)(B)) require that NPDES Permits incorporate all applicable TMDL WLAs when reissued and are made enforceable. There is no existing

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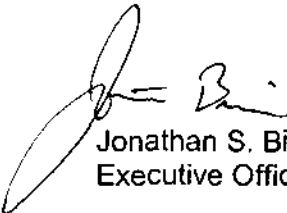
authority to use MOUs for compliance within the NPDES regulatory scheme. Further, any dry weather WLAs are unaffected by storm water policy.

The ROWD did not satisfy the requirements in the United States Environmental Protection Agency (USEPA) Interpretive Policy Memorandum on Reapplication Requirements for Municipal Separate Storm Sewer Systems; Final Rule August 9, 1996 (*61 Fed Reg. 41697*). For these and other deficiencies in the ROWD, we deem it incomplete.

We do however, look forward to working out these details with your staff during the MS4 permit reapplication process. Our review will not be deemed to prejudice the Board from raising additional subject matter not identified herein, during the permit reissuance process. We intend to conduct a series of work-group meetings to receive input over the coming months with Permittee representatives and interested persons, to assist us in developing permit requirements. Pursuant to 40 CFR 122.6, Order 01-182 shall remain in effect and enforceable until a replacement LA MS4 Permit (with Signal Hill as a Permittee) or Signal Hill MS4 Permit is adopted by the Board.

If you have any questions, please do not hesitate to contact me at (213) 576-6605 or Dr. Xavier Swamikannu at (213) 620-2094 or Carlos Urrunaga at (213) 620-2083.

Sincerely,



Jonathan S. Bishop  
Executive Officer

Enclosure

cc: Mr. Michael Levy Esq, Office of the Chief Counsel, State Water Resources Control Board  
Mr. Bruce Fujimoto, Division of Water Quality, State Water Resources Control Board  
Mr. Eugene Bromley, CWA Standards and Permits, USEPA Region IX  
Mr. Dan Lafferty, Watershed Mgmt. Division, Los Angeles County Dept. of Public Works