



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

October 17, 2017

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
No. 7009 0820 0001 6812 2381

Robert Kress
Senior Vice President
Lubricating Specialties Company
8015 Paramount Boulevard
Pico Rivera, CA 90660

Dear Mr. Kress:

TRANSMITTAL OF THE WASTE DISCHARGE REQUIREMENTS/NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT AND TIME SCHEDULE ORDER (TSO) FOR LUBRICATING SPECIALTIES COMPANY, PICO RIVERA FACILITY, PICO RIVERA, CALIFORNIA (NPDES NO. CA0059013, CI NO. 6521)

Our letter dated August 14, 2017, transmitted the tentative waste discharge requirements (WDRs) for the reissuance of a NPDES permit for your Facility to discharge treated storm water to surface waters under the National Pollutant Discharge Elimination System (NPDES) Program and the tentative time schedule order (TSO). A revised tentative NPDES permit was transmitted to you on September 18, 2017.

Pursuant to Division 7 of the California Water Code, this Regional Water Board at a public hearing held on October 5, 2017, reviewed the proposed requirements, considered all factors in the case, and adopted Order No. R4-2017-0190 (permit) and Order No. R4-2017-0191 (TSO). Order No. R4-2017-0190 serves as an NPDES permit, and expires on November 30, 2022. Section 13376 of the California Water Code requires that an application/Report of Waste Discharge (ROWD) for a new permit must be filed at least 180 days before the expiration date. The TSO No. R4-2017-0191 expires on June 30, 2020.

You are required to implement the Monitoring and Reporting Program (MRP) on the effective date (December 1, 2017) of Order No. R4-2017-0190. Your first monitoring report for the period of December 1, 2017, through December 31, 2017, is due by February 1, 2018. The first technical and/or progress report required under TSO No. R4-2017-0191 is due December 14, 2018. Lubricating Specialties Company, Pico Rivera Facility shall also submit a Pollution Prevention Plan (PPP) no later than June 1, 2018, as required on page 10 of the TSO. Self-Monitoring Reports (SMRs) and Discharge Monitoring Reports (DMRs) shall be electronically submitted using the State Water Board's California Integrated Water Quality System (CIWQS):
(<http://www.waterboards.ca.gov/ciwqs/index.html>).

When submitting monitoring or technical reports to the Regional Water Board per these requirements, please include a reference to Compliance File CI-6521 and NPDES No. CA0059013, which will assure that the reports are directed to the appropriate file and staff.

IRMA MUÑOZ, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles

♻️ RECYCLED PAPER

We are sending the paper copy of the Permit and the TSO to the Discharger only. An electronic copy of the Permit and TSO is included for stakeholders on the mailing list. For other interested parties who would like access to a copy of the Permit and TSO, please go to the Regional Water Board's website at:

http://www.waterboards.ca.gov/losangeles/board_decisions/adopted_orders/search.shtml

If you have any questions, please contact Ching Yin To at Ching-Yin.To@waterboards.ca.gov or at (213) 576-6696.

Sincerely,



Cassandra D. Owens, Chief
Industrial Permitting Unit (NPDES)

Enclosures: Order No. R4-2017-0190 - Waste Discharge Requirements
Attachment E - Monitoring and Reporting Program (MRP No. 6521)
Attachment F - Fact Sheet
Order No. R4-2017-0191 - Time Schedule Order

cc: **(Via Email Only)**

Mr. David Smith, Environmental Protection Agency, Region 9, Permits Branch (WTR-5)
Ms. Robyn Stuber, Environmental Protection Agency, Region 9, Permits Branch (WTR-5)
Ms. Becky Mitschele, Environmental Protection Agency, Region 9, Permits Branch (WTR-5)
Mr. Kenneth Wong, U.S. Army Corps of Engineers
Mr. Bryant Chesney, NOAA, National Marine Fisheries Service
Mr. Jeff Phillips, Department of Interior, U.S. Fish and Wildlife Service
Mr. Kurt Souza, State Water Resources Control Board, Drinking Water Division
Mr. William Paznokas, California Department of Fish and Wildlife, Region 5
Ms. Teresa Henry, California Coastal Commission, South Coast Region
Mr. Tim Smith, Los Angeles County, Department of Public Works
Mr. Angelo Bellomo, Los Angeles County, Department of Public Health
Mr. James Enriquez, City of Pico Rivera, Department of Public Works
Mr. David Snyder, Los Angeles County Sanitation Districts
Mr. Theodore Johnson, Water Replenishment Districts of Southern California
Ms. Sarah Sikich, Heal the Bay
Ms. Bruce Reznik, Los Angeles Waterkeeper
Ms. Laura West, Natural Resources Defense Council
Ms. Becky Hayat, Natural Resources Defense Council
Mr. Jason Weiner, Ventura Coastkeeper
Mr. Daniel Cooper, Lawyers for Clean Water

MAILING LIST (CONTINUED)

Mr. James Ashby, PG Environmental
Ms. Sarah Torres, PG Environmental
Mr. Carlos Pena, Lubricating Specialties Company
Mr. Ingo Giani, Lubricating Specialties Company
Mr. Jim Wade, Lubricating Specialties Company
Mr. Mark Negast, Lubricating Specialties Company
Ms. Diana Herrick, Lubricating Specialties Company
Mr. Weyman Kam, CET Engineering, Inc.

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

TIME SCHEDULE ORDER NO. R4-2017-0191

**REQUIRING LUBRICATING SPECIALTIES COMPANY,
(PICO RIVERA FACILITY)
TO COMPLY WITH REQUIREMENTS PRESCRIBED IN
ORDER NO. R4-2017-0190
(NPDES PERMIT NO. CA0059013)**

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

1. Lubricating Specialties Company (hereinafter referred interchangeably as the Permittee or the Discharger) owns and operates the Pico Rivera Facility (hereinafter Facility), a lubricating oils and grease (SIC 2992) industrial facility located at 8015 Paramount Boulevard, Pico Rivera, California.
2. The Facility blends and packages lubricating oils for passenger cars and heavy-duty engines; transmission fluids; and an assortment of aftermarket specialty oils. The Facility receives refined oils by rail and tanker truck. Oil additives are received in drums loaded on trailers and delivered by trucks. The Facility stores base oils, additives, and the majority of finished products in a tank farm located near the northwest corner of the manufacturing area, consisting of 50 tanks with a total capacity of 962,000 gallons. Blending and packaging operations are performed indoor within the blending building. The blended products are either packaged into containers in a drum filling area, or transferred into above ground storage tanks within the tank farm. Filled containers are transferred to a warehouse for indoor storage. Additives are stored in drums throughout the site. The entire site is covered with impervious asphalt.
3. The Facility discharges up to 0.258 million gallons per day (MGD) of treated storm water from Discharge Point 001 to the Rio Hondo, a water of the United States, within the Los Angeles River Watershed. The discharge was previously regulated under the waste discharge requirements contained in Order No. R4-2011-0176. Order No. R4-2011-0176 was adopted by this Regional Water Board on November 10, 2011, became effective on December 10, 2011, and served as a permit under the National Pollutant Discharge Elimination System Program (NPDES No. CA0059013). Order No. R4-2011-0176 was scheduled to expire on October 10, 2016, but was administratively extended pursuant to 40 Code of Federal Regulations (C.F.R.) section 122.6.
4. On October 5, 2017, the Regional Water Board adopted Order No. R4-2017-0190, which renewed the waste discharge requirements and NPDES Permit No. CA0059013 for the Facility. Order No. R4-2017-0190 became effective on December 1, 2017. The Regional Water Board adopted this Time Schedule Order (TSO) No. R4-2017-0191 concurrently with Order No. R4-2017-0190. The TSO became effective on December 1, 2017, and includes interim effluent limitations for zinc and total petroleum hydrocarbons (TPH), as well as a time schedule of milestones and other requirements to which the Discharger shall fulfill to achieve

(Adopted: 10/5/2017; Tentative: 8/3/2017)

compliance with the final effluent limitations for these pollutants as included in Order No. R4-2017-0190.

Basis for the Time Schedule Extension in TSO No. R4-2017-0191

5. On June 2, 2005, the Regional Water Board amended the Basin Plan to incorporate the *Los Angeles River and Tributaries Metals Total Maximum Daily Load* (Los Angeles River Metals TMDL) through Resolution No. R05-006, which became effective on January 11, 2006. The Los Angeles River Metals TMDL established numeric water quality targets for metals in the Los Angeles River and its tributaries, including zinc in wet and dry weather that are applicable to the Facility as the Facility discharges to the Rio Hondo, a tributary of the Los Angeles River. The TMDL was subsequently amended by Resolutions Nos. R2007-014 (effective October 31, 2008), R10-003 (effective November 3, 2011), and R15-004 (effective December 12, 2016).
6. Order No. R4-2006-0065 regulated the Facility prior to Order No. R4-2011-0176 under NPDES No. CA0059013. It was adopted on August 3, 2006, and became effective on September 2, 2006. Order No. R4-2006-0065 expired on July 10, 2011, and was renewed by Order No. R4-2011-0176. Order No. R4-2006-0065 established concentration-based maximum daily effluent limitations (MDELs) for zinc based on the waste load allocations (WLAs) for zinc established in the Los Angeles River Metals TMDL through Resolution No. R05-006. The Facility’s NPDES permits prior to Order No. R4-2006-0065 did not contain effluent limitations for zinc.
7. Order No. R4-2011-0176 modified the concentration-based MDELs for zinc, consistent with the Los Angeles River Metals TMDL, and included corresponding mass-based MDELs for zinc. Order No. R4-2011-0176 also established technology-based MDELs for total petroleum hydrocarbons (TPH) based on best professional judgement (BPJ) and effluent monitoring data available at the time Order No. R4-2011-0176 was adopted, as authorized under Clean Water Act (CWA) section 402(a)(1) and 40 C.F.R. section 125.3. The Facility’s NPDES permits prior to Order No. R4-2011-0176 did not contain effluent limitations for TPH.
8. Effluent limitations for TPH and zinc included in Orders Nos. R4-2006-0065 and R4-2011-0176, as well as the respective dates on which the limits first became effective, are as follows:

Table 1. Effluent Limitations from Prior Orders and Initial Effective Dates

Parameters	Units	Effluent Limitations			
		Order No. R4-2006-0065		Order No. R4-2011-0176	
		Maximum Daily	Initial Effective Date	Maximum Daily	Initial Effective Date
Total Petroleum Hydrocarbons (TPH) ¹	µg/L	--	--	100	December 10, 2011 ³
	lbs/day ²	--	--	0.22	
Zinc, Total Recoverable (Dry Weather) ⁴	µg/L	117	January 11, 2011 ⁵	130	December 10, 2011 ³
	lbs/day ²	--	--	0.28	
Zinc, Total Recoverable (Wet Weather) ⁶	µg/L	117	January 11, 2011 ⁵	160	December 10, 2011 ³
	lbs/day ²	--	--	0.34	

- ¹ TPH equals the sum of TPH gasoline (C₄-C₁₂), TPH diesel (C₁₃-C₂₂), and TPH waste oil (C₂₃₊).
 - ² Mass loading limitations are based on the maximum flow at Discharge Point 001 (0.258 million gallons per day (MGD)) and are calculated as follows:
Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day
 - ³ Effective date of Order No. R4-2011-0176.
 - ⁴ In accordance with the Los Angeles River Metals Total Maximum Daily Loads (TMDL), the dry weather effluent limitations are applicable when flow in the Los Angeles River at the Wardlow stream gauge station (F319-R) is less than 500 cfs.
 - ⁵ Order No. R4-2006-0065 specified that these limitations would become effective and enforceable on January 11, 2011, and the Discharger should monitor these pollutants and implement necessary best management practices (BMPs) to achieve compliance with these limitations beginning from the effective date of Order No. R4-2006-0065.
 - ⁶ In accordance with the Los Angeles River Metals Total Maximum Daily Loads (TMDL), the wet weather effluent limitations apply when the maximum daily flow in the Los Angeles River at Wardlow gauge station (F319-R) is greater than or equal to 500 cubic feet per second (cfs).
9. Since the adoption of Orders Nos. R4-2006-0065 and R4-2011-0176, the Discharger made efforts to improve facility performance to achieve compliance with the effluent limits included in the Orders. The Discharger purchased a storm water treatment system in 2011, which was installed in the first quarter of 2012. The treatment system included two bag filters in series, an activated carbon filter followed by a sand filter, a 5-micron filter, and finally a 1-micron filter. After filtration, the treated storm water is stored in a 1,000-gallon tank to allow for additional settling. If it is determined that additional treatment is necessary for the treated storm water to meet the NPDES permit limits, the treated storm water may be diverted back to the influent of the treatment system, where the treatment process is repeated.
10. The Discharger also evaluated the feasibility, economic requirements, and building requirements to reuse storm water within the Facility, which can reduce or may eliminate the Facility's storm water discharge to surface water. The Discharger renewed the Industrial Wastewater Discharge Permit No. 008927, issued by County Sanitation Districts of Los Angeles County (LACSD). Under the Industrial Wastewater Discharge Permit, the Discharger is allowed to reuse the treated storm water for some of the Facility's industrial processes and to discharge the reused storm water into the sanitary sewer at or below the permitted daily average flow limit of 3000 gallons per day (GPD) and the maximum 5-minute peak flow limit of 6 gallons per minute (gpm). The Discharger completed the design of and filed an application with the City of Pico Rivera Building and Safety Department for the installation of two 10,000-gallon tanks, which will provide additional onsite storage capacities for the treated storm water and allow for expansion of its reuse. The application is pending approval from the City of Pico Rivera.
11. The Facility has not been able to consistently comply with the effluent limitations for zinc and TPH included in Orders Nos. R4-2006-0065 and R4-2011-0176. Additional treatment facilities and/or additional source control measures must be implemented. Based on data submitted to the Regional Water Board from January 2012 through March 2017, the Discharger was cited for approximately one hundred fifty-one (151) violations, including: forty-three (43) zinc effluent limit violations and forty-eight (48) TPH effluent limit violations. As a result of the violations cited under Orders Nos. R4-2006-0065 and R4-2011-0176, the following administrative civil liabilities (ACLs) were imposed:

Table 2. Summary of Settlement Offers and Administrative Civil Liabilities

Settlement Offer No.	Issuance Date	Penalty Amount
Settlement Offer No. R4-2014-0131	June 30, 2014	\$246,000
Settlement Offer No. R4-2015-0120	June 26, 2015	\$90,000
Settlement Offer No. R4-2017-0032	March 24, 2017	\$48,000

The Discharger has submitted the penalties for the ACLs listed above.

12. Order No. R4-2011-0176 was renewed by Order No. R4-2017-0190 on October 5, 2017. Order No. R4-2017-0190 became effective on December 1, 2017, and included final MDELS for zinc (both wet and dry weather) pursuant to the most recent amendment of the Los Angeles River Metals TMDL through Resolution No. R15-004, which became effective on December 12, 2016. These limitations were consistent with the effluent limitations for zinc included in Order No. R4-2011-0176. Order No. R4-2017-0190 also retained the MDEL for TPH using BPJ in accordance with 40 C.F.R. section 125.3, with consideration of representative effluent monitoring data and pursuant to federal antibacksliding requirements. Order No. R4-2017-0190 required the Discharger to comply with the following final effluent limitations for zinc (dry and wet weather) and TPH as of its effective date (December 1, 2017):

Table 3. Final Effluent Limitations for Zinc and TPH in Order No. R4-2017-0190

Parameter	Units	Maximum Daily Effluent Limitation
Total Petroleum Hydrocarbons ¹	µg/L	100
	lbs/day ²	0.22
Zinc, Total Recoverable, Dry Weather ³	µg/L	131
	lbs/day ²	0.28
Zinc, Total Recoverable, Wet Weather ⁴	µg/L	159
	lbs/day ²	0.34

¹ TPH equals the sum of TPH gasoline (C₄-C₁₂), TPH diesel (C₁₃-C₂₂), and TPH waste oil (C₂₃₊).

² Mass loading limitations are based on the maximum flow at Discharge Point 001 (0.258 million gallons per day (MGD)) and are calculated as follows:

$$\text{Flow (MGD)} \times \text{Concentration (mg/L)} \times 8.34 \text{ (conversion factor)} = \text{lbs/day}$$

³ In accordance with the Los Angeles River Metals Total Maximum Daily Loads (TMDL), the dry weather effluent limitations are applicable when flow in the Los Angeles River at the Wardlow stream gauge station (F319-R) is less than 500 cfs.

⁴ In accordance with the Los Angeles River Metals Total Maximum Daily Loads (TMDL), the wet weather effluent limitations apply when the maximum daily flow in the Los Angeles River at Wardlow gauge station (F319-R) is greater than or equal to 500 cubic feet per second (cfs).

13. California Water Code (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.”

14. Based on effluent monitoring data submitted during the term of Order No. R4-2011-0176, the Permittee may not be able to consistently comply with the final MDELs for zinc (dry and wet weather) and TPH contained in Order No. R4-2017-0190. When compared with the MDELs included in Order No. R4-2017-0190, effluent monitoring data submitted by the Discharger from January 2012 through March 2017 indicated that the Facility's discharge would likely exceed the effluent limitations for: zinc (dry weather) in 24 out of 26 samples; zinc (wet weather) in 24 out of 26 samples; and TPH in 23 out of 25 samples. Accordingly, pursuant to the Water Code section 13300, a discharge of waste is taking place and/or threatens to take place that violates requirements prescribed by the Regional Water Board.
15. On July 1, 2016, the Discharger submitted a written request to the Regional Water Board for a time schedule order to achieve compliance with the effluent limitations for zinc and TPH. The Discharger submitted supplemental information on August 3, 2017, and a modified request on August 4, 2017, after discussion with Regional Water Board staff. The request for time schedule order included the following:
 - a. The Permittee stated that immediate compliance with the numeric limits for zinc and TPH may not be attainable under current operation.
 - b. The Permittee indicated that historical concentrations of zinc and TPH have exceeded the MDELs included in prior Orders.
 - c. The Permittee stated that site specific assessment and feasibility studies may need to be conducted during the time schedule order to determine if additional storm water management measures, physical controls, or the expansion of storm water reuse onsite can be implemented to comply with the final limits.
 - d. The Permittee provided a proposed time schedule order timeline with milestones and completion dates for studies and facility assessment, which will take longer than thirty calendar days to evaluate and complete. These studies and proposed actions will enable the Permittee to achieve compliance with the final effluent limitations for zinc and TPH by June 30, 2020.
 - e. The Permittee proposed interim effluent limitations for zinc and TPH.
16. The Regional Water Board evaluated the request for time schedule and interim limitations for zinc (dry and wet weather) and TPH, and determined that the discharge from the Facility cannot consistently meet the effluent limitations contained in Order No. R4-2017-0190 for zinc and TPH. The Facility has a work plan specifying the actions it will take to comply with the final effluent limits for zinc (dry and wet weather) and TPH.
17. The Regional Water Board finds that interim limitations for these pollutants are appropriate, and issues this Time Schedule Order (TSO) in recognition that the Discharger needs time to complete necessary studies and facility modifications that will take longer than thirty calendar days to complete.

18. As the time schedule of necessary actions exceeds one year from the effective date of this TSO, this TSO includes interim requirements and dates for their achievements. The interim requirements include interim MDELs for zinc (dry and wet weather) and TPH, and actions and milestones leading to compliance with the final effluent limitations for these pollutants. Through this TSO, the Discharger will be required to submit updates associated with the existing work plan specifying the actions the Discharger will take in order to prevent violations of applicable effluent limitations for zinc (dry and wet weather) and TPH. Upon submittal, the Regional Water Board will evaluate the updated information associated with the previously submitted work plan.
19. The interim MDELs for zinc (dry and wet weather) and TPH are chosen based on the interim effluent limitations proposed by the Discharger in the requests submitted on July 1, 2017, and August 4, 2017, considering the design specifications of the Facility's current storm water treatment system and effluent monitoring data submitted by the Discharger from January 2012 through March 2017, which are used as an indication of the performance currently achievable by the storm water treatment system and the Facility's best management practices (BMPs):
 - a) The interim concentration-based MDELs for zinc (both dry and wet weather) are established at 600 µg/L. There are 26 effluent monitoring data points for zinc from January 2012 through March 2017, with results ranging from 119 µg/L to 173,000 µg/L; the 65th percentile was at 591 µg/L. The interim MDELs for zinc (dry and wet weather) are chosen based on the design removal efficiency of the current treatment system for zinc and is approximately equal to the 65th percentile of the effluent monitoring data set.
 - b) The interim concentration-based MDEL for TPH is established at 1000 µg/L. There are 25 effluent monitoring data for TPH from January 2012 through March 2017, with results ranging from non-detected (ND) to 23,400 µg/L; the 15th percentile was at 998 µg/L. The interim MDEL for TPH is chosen based on the design removal efficiency of the current treatment system for TPH and it is approximately equal to the 15th percentile of the effluent monitoring data set.
20. Water Code section 13385(j)(3)(D) requires the Permittee to prepare and implement a Pollution Prevention Plan (PPP) pursuant to the Water Code section 13263.3. Therefore, a PPP will be necessary for zinc (dry and wet weather) and TPH.
21. Water Code section 13385, subdivisions (h) and (i), requires the Regional Water Board to impose mandatory minimum penalties upon dischargers that violate certain effluent limitations. Section 13385(j)(3) exempts violations of an effluent limitation from mandatory minimum penalties "*where the waste discharge is in compliance with either a cease and desist order issued pursuant to Section 13301 or a time schedule order issued pursuant to Section 13300, if all of the [specified] requirements are met.*"
22. In accordance with California Water Code section 13385, subdivision j(3)(C)(ii)(II), the Regional Water Board finds that:
 - a) This Order specifies actions the Discharger is required to take in order to correct violations that would otherwise be subject to Water Code section 13385, subdivisions (h) and (i);

- b) The final MDELs for zinc (dry and wet weather) are included in Order No. R4-2017-0190 (effective December 1, 2017), consistent with the prior Order No. R4-2011-0176. An effluent limitation for zinc was first established through Order No. R4-2006-0065 and became effective on January 11, 2011; it was modified in Order No. R4-2011-0176 (see Findings 6 and 7);
 - c) The final MDEL for TPH are included in Order No. R4-2017-0190 based on the effluent limitations for TPH that were first established through Order No. R4-2011-0176, which became effective on December 10, 2011;
 - d) Since the initial effective dates on which effluent limits for TPH and zinc were first implemented and became effective, the Discharger has demonstrated efforts towards bringing the waste discharge into compliance with these limitations. However, additional time is necessary for the Facility to implement new or modified control measures to comply with the effluent limitations for zinc (dry and wet weather) and TPH in Order No. R4-2017-0190, based on existing effluent monitoring data. The new or modified control measures cannot be designed, installed, and put into operation within thirty (30) calendar days;
 - e) The established time schedule allowed in this TSO is as short as possible. It accounts for the technological, operational, and economic factors that affect the design, development, and implementation of control measures necessary to comply with the final effluent limits and results in a time schedule which does not exceed three years. The expiration date of this TSO also does not exceed a total of ten years in length from the initial dates on which effluent limits for these pollutants were first implemented and became effective under NPDES Permit No. CA0059013;
 - f) The time schedule includes interim requirements and specified dates for their achievements;
 - g) This Order requires the Discharger to prepare and implement a pollution prevention plan pursuant to section 13263.3 of the Water Code.
23. Pursuant to the Water Code section 13385(j)(3), full compliance with the requirements of this TSO exempts the Permittee from mandatory minimum penalties (MMPs) only for violations of the final effluent limitations for zinc (dry and wet weather) and TPH in Order No. R4-2017-0190 that occur after the effective date of this TSO, and until the expiration date of this TSO. If an interim effluent limitation contained in this TSO is exceeded, the Discharger is subject to MMP for that particular exceedance as the waste discharge is not in compliance with a TSO pursuant to Water Code section 13385, subdivision (j)(3). It is the intent of the Regional Water Board that a violation of an interim MDEL subjects the Discharger to one MMP for the day in which the sample was collected for that constituent.
24. The temporary exceedances of zinc (dry and wet weather) and TPH allowed by this TSO are in the public interest given the significant environmental benefits associated with promptly achieving compliance with the final effluent limitations for these pollutants and the associated net decrease in the mass of the pollutant discharged from the Facility. A TSO is appropriate in these circumstances to allow time for the Permittee to complete necessary studies and facility modifications that will bring the Facility into compliance with the final effluent limitations for zinc (dry and wet weather) and TPH included in Order No. R4-2017-0190.

25. 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 Los Angeles Regional Water Quality Control Board.
26. The Regional Water Board has notified the Permittee and interested agencies and persons of its intent to issue this TSO concerning compliance with waste discharge requirements. The Regional Water Board, in a public hearing held on October 5, 2017, heard and considered all testimony pertinent to this matter.
27. 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 California Water Code section 13300, Lubricating Specialties Company, as operator and owner of the Pico Rivera Facility, shall comply with the requirements listed below to ensure its discharges comply with the final effluent limitations for zinc (dry and wet weather) and TPH in Order No. R4-2017-0190:

- From December 1, 2017, through June 30, 2020, the Permittee shall comply with the following interim effluent limitations for zinc (dry and wet weather) and TPH:

Table 4. Interim Effluent Limitations for TPH and Zinc

Parameter	Units	Interim Effluent Limitations
		Maximum Daily
Total Petroleum Hydrocarbons ¹	µg/L	1000
	lbs/day ²	2.2
Zinc, Total Recoverable, Dry Weather ³	µg/L	600
	lbs/day ²	1.29
Zinc, Total Recoverable, Wet Weather ⁴	µg/L	600
	lbs/day ²	1.29

- 1 TPH equals the sum of TPH gasoline (C₄-C₁₂), TPH diesel (C₁₃-C₂₂), and TPH waste oil (C₂₃₊).
 - 2 Mass loading limitations are based on the maximum flow at Discharge Point 001 (0.258 million gallons per day (MGD)) and are calculated as follows:
Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day
 - 3 In accordance with the Los Angeles River Metals Total Maximum Daily Loads (TMDL), the dry weather effluent limitations are applicable when flow in the Los Angeles River at the Wardlow stream gauge station (F319-R) is less than 500 cfs.
 - 4 In accordance with the Los Angeles River Metals Total Maximum Daily Loads (TMDL), the wet weather effluent limitations apply when the maximum daily flow in the Los Angeles River at Wardlow gauge station (F319-R) is greater than or equal to 500 cubic feet per second (cfs).
2. The Permittee shall achieve full compliance with the final effluent limitations for zinc (dry and wet weather) and TPH in Order No. R4-2017-0190 as soon as possible, but no later than **June 30, 2020**.
 3. The Permittee shall implement and complete the following studies, actions, and milestones according to the schedule proposed by the Discharger in its request dated July 1, 2016, with appropriate modifications by the Regional Water Board, as follows:

Table 5. Lubricating Specialties Company Time Schedule with Milestone

Task No.	Description	Deadline	Report Date
1	<p>Evaluate Existing Storm Water Management Practices and Alternative Treatment Technologies</p> <ul style="list-style-type: none"> • Review current sampling and analytical procedures • Identify potential sources of TPH and zinc • Review current best management practices (BMPs) and process operations related to storm water discharges • Complete installation of two 10,000-gallon storage tank for treated storm water reuse. • Review existing treatment system and conduct feasibility study of potential improvements to the existing treatment system • Conduct bench scale testing and conduct cost effectiveness analyses of possible alternative treatment technologies 	October 31, 2018	December 14, 2018
2	<p>Evaluation of New and Modified BMPs and Process Operations</p> <ul style="list-style-type: none"> • Review bench scale testing results • Initiate pilot scale treatment system onsite using best technology and/or alternative process unit • Evaluate effluent concentration reduction/control effectiveness and site applicability of pilot scale treatment system • Investigate potential and implement treated storm water reuse within the Facility 	October 31, 2019	December 14, 2019
3	Assess Feasibility and Final Implementation of Engineering Controls/Treatment	June 30, 2020	August 14, 2020

Task No.	Description	Deadline	Report Date
	<ul style="list-style-type: none"> • Evaluate technical and economic feasibility • Perform testing of promising alternatives (if necessary) • Select, procure, construct, and start-up full scale treatment system • Evaluate and improve on effectiveness of full scale treatment system • Implement and maximize treated storm water reuse within the Facility • Achieve compliance with final effluent limitations for zinc (dry and wet weather), and TPH 		

4. The Permittee shall submit progress reports of efforts taken towards achieving compliance with the final effluent limitations for zinc (dry and wet weather) and TPH in accordance to the report dates as listed above. The reports shall: (1) summarize the progress to date, activities conducted during that year and the activities planned for the upcoming years; (2) state whether or not the Facility was in compliance with the interim effluent limitations during the reporting period; (3) report the daily maximum concentration and mass of zinc and TPH discharged during each discharge event within the reporting year; and (4) show how the daily maximum masses discharged were calculated, by specifying the concentration of zinc and TPH for the given date and flow used for the given date of sample collection. The Discharger shall notify the Regional Water Board, in writing, of its compliance or noncompliance with the time schedule requirements as listed in the above table no later than the corresponding report dates. The Regional Water Board shall receive the first progress report on **December 14, 2018**.

5. The Permittee shall also submit a Pollution Prevention Plan (PPP) work plan, with the time schedule for implementation, for approval of the Executive Officer no later than **June 1, 2018**, pursuant to the Water Code section 13263.3.

6. All technical and monitoring reports required under this TSO are required pursuant to the Water Code sections 13267 and 13383. The Regional Water Board needs the required information in order to determine compliance with this TSO and Order No. R4-2017-0190. The Regional Water Board believes that the burdens, including costs, of these reports bear a reasonable relationship to the needs for the reports and the benefits to be obtained from the reports.

7. 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.”

8. If the Permittee fails to comply with any provision 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 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.
9. All other provisions of Order No. R4-2017-0190 not in conflict with this TSO become effective on December 1, 2017.
10. The Regional Water Board may reopen this TSO at its discretion or at the request of the Permittee, 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.
11. This TSO becomes effective on December 1, 2017, and expires on June 30, 2020.

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on October 5, 2017.



Samuel Unger, P.E.
Executive Officer