California Regional Water Quality Control Board

Los Angeles Region

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Terry Tamminen
Secretary for Environmental Protection

Arnold Schwarzenegger
Governor

AC

March 16, 2004

Mr. Ed Otsuka
Utilities Service Manager
City of Beverly Hills
Beverly Hills, CA 90212

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 7001 1140 0000 1126 8958

CONTINUATION OF COVERAGE UNDER GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT AND WASTE DISCHARGE REQUIREMENTS – CITY OF BEVERLY HILLS, PARKING SITE "A" SOUTH, 245 N. CRESCENT DRIVE, BEVERLY HILLS, CALIFORNIA (NPDES NO. CAG994004, CI-6684)

Dear Mr. Otsuka:

We have completed our review of your Notice of Intent (NOI) and analytical results of representative groundwater samples submitted in order to continue enrollment under the General NPDES Permit. Discharge of groundwater generated from the above-referenced facility is currently regulated under NPDES General Permit No. CAG994001(Order No. 97-045), adopted by this Board on May 12, 1997.

Based on the attached Fact Sheet and other information provided, we have determined that the groundwater discharge meets the conditions to be regulated under Order No. R4-2003-0111, *General National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements for Discharges of Groundwater From Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties,* adopted by this Board on August 7, 2003. Your existing enrollment under NPDES Permit No. CAG994001, Order No. 97-045, which was issued to you on June 30, 1997, is superseded by this new permit that terminated your coverage under Order No. 97-045.

Enclosed are your Waste Discharge Requirements, which also serve as your General NPDES permit, consisting of Order No. R4-2003-0111 and Monitoring and Reporting Program No. CI-6684. The discharge limitations in Part E.1.a. and b. of Order No. R4-2003-0111 for the specific constituents listed on the table with the enclosed Fact Sheet are applicable to your discharge. The groundwater discharge flows into Ballona Creek; therefore, the discharge limitations listed in Attachment B are not applicable to your discharge.

The Monitoring and Reporting Program requires you to implement the monitoring program on the effective date of coverage under this permit. All monitoring reports should be sent to the Regional Board, ATTN: Information Technology Unit. When submitting monitoring or technical reports to the Regional Board per these requirements, please include a reference to "Compliance File No. CI-6684 and NPDES No. CAG994004", which will assure that the reports are directed to the appropriate file and staff. Also, please do not combine other reports with your monitoring reports. Submit each type of report as a separate document.

In order to avoid future annual fees, please submit written notification when the project has been completed and the permit is no longer needed.

We are sending Board Order No. R4-2003-0111 only to the applicant. For those on the mailing list, please refer to the Board Order sent to you previously or download a copy of the Order from our website at: http:/www.swrcb.ca.gov/~rwqcb4/html/permits/general_permits.html.

If you have any questions, please contact Dr. James Tang at (213) 576-6696.

Sincerely,

Dennis A. Dickerson
Executive Officer

Enclosures

Fact Sheet
Monitoring and Reporting Program No. CI-6684
Order No. R4-2003-0111, General NPDES Permit No. 994004

cc: Environmental Protection Agency, Region 9, Clean Water Act Standards and Permits Office (WTR-5)
U.S. Army Corps of Engineers
NOAA, National Marine Fisheries Service
Department of Interior, U.S. Fish and Wildlife Service
Michael Lauffer, Office of the Chief Counsel, State Water Resources Control Board
Department of Fish and Game, Region 5
Los Angeles County Department of Public Works, Flood Control and Drainage
Los Angeles County Department of Public Works, Environmental program Division
City of Beverly Hills, Department of Public Works, Stormwater Management Division

/jt

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
320 West 4th Street, Suite 200, Los Angeles

FACT SHEET
WASTE DISCHARGE REQUIREMENTS
FOR
CITY OF BEVERLY HILLS
(Parking Site "A" South)
NPDES NO. CAG994004
CI-6684

PROJECT LOCATION
245 N. Crescent Drive
Beverly Hills, CA 90210

FACILITY MAILING ADDRESS
345 Foothill Road
Beverly Hills, CA 90210

PROJECT DESCRIPTION

The City of Beverly Hills (The City) operates a groundwater dewatering system at 245 N. Crescent Drive, Beverly Hills. The dewatering activity is necessary at the site to lower rising water table and protect the integrity of the parking structure. Discharge from the site is regulated under general NPDES Permit CAG994001 (Order No. 97-045) which was issued on June 30, 1977. The City submitted a Notice of Intent (NOI) form, and analytical results of groundwater samples to continue enrollment under the General NPDES Permit. Based on the groundwater quality data, the groundwater beneath the subject site is contaminated with low concentrations of selenium. Treatment may be needed to reduce the concentrations of selenium if they exceeds the discharge limit specified in the Fact Sheet. Staff have determined that the discharge from the subject site is more appropriately regulated under General Permit CAG994004, Order No. R4-2003-0111, which was adopted by the Board on August 7, 2003.

VOLUME AND DESCRIPTION OF DISCHARGE

Up to 6,000 gallons per day of groundwater is discharged to a storm drain (located at Latitude 34°04' 10", Longitude 118°23' 48"), thence to the Ballona Creek, a water of the United States. The site location and the site plan of waste flow diagram are shown as Figures 1 and 2, respectively.

APPLICABLE EFFLUENT LIMITATIONS

Based on the information provided in the NPDES Application Supplemental Requirements, the following constituents listed in the Table below have been determined to show reasonable potential to exist in the discharge. The groundwater flows into the Ballona Creek which is designated as MUN (Potential) beneficial use. Therefore, the discharge limitations under the "Other Water" column apply to the discharge. In addition, discharge limitation for selenium is selected from Section E.1.b. of the Order.

This Table lists the specific constituents and effluent limitations applicable to the discharge.

Constituents	Units	Discharge Limitations	
		Daily Maximum	Monthly Average
Total Suspended Solids	mg/L	150	50
Turbidity	NTU	150	50
BOD_5 20°C	mg/L	30	20
Oil and Grease	mg/L	15	10
Settleable Solids	ml/L	0.3	0.1
Sulfides	mg/L	1.0	---
Phenols	mg/L	1.0	---
Residual Chlorine	mg/L	0.1	---
Methylene Blue Active Substances (MBAS)	mg/L	0.5	---
Metals			
Selenium	µg/L	8	4

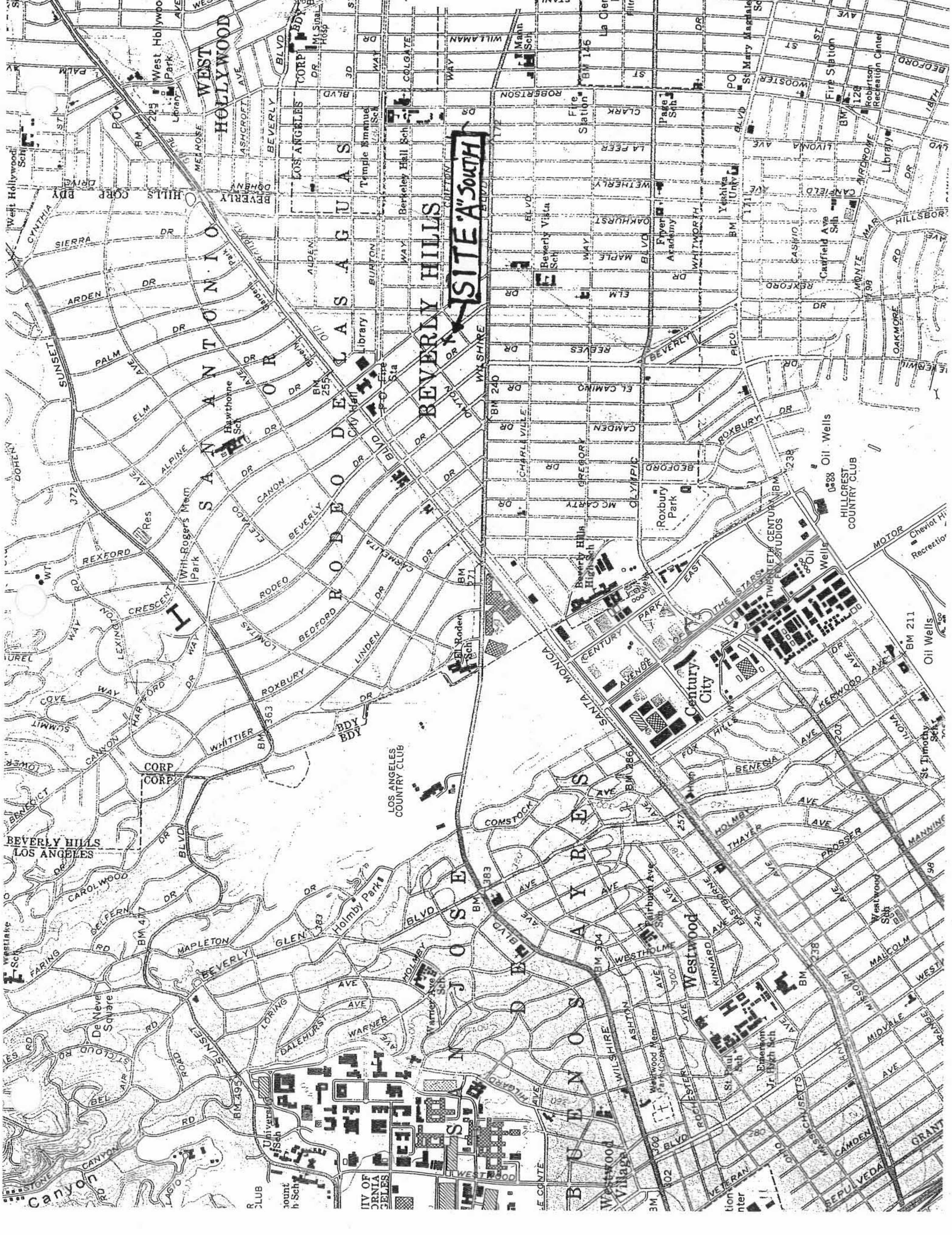
FREQUENCY OF DISCHARGE

The continuous discharge will last throughout the life of the building.

REUSE OF WATER

The reuse of the groundwater at the site was evaluated. The disposal of water to a sewerage facility is not feasible because it is not cost effective. In addition, it is not economically feasible to haul the groundwater for off-site disposal. The facility lacks landscaped area at the site that require irrigation. There are no feasible reuse options for the discharge; therefore, the groundwater will be discharged to storm drain.

FIGURE 1


SITE "A" SOUTH
BEVERLY HILLS
WEST HOLLYWOOD
Century City
Westwood
Westwood Village
LOS ANGELES COUNTRY CLUB
HILLCREST COUNTRY CLUB
TWENTIETH CENTURY FOX STUDIOS
BEVERLY HILLS
LOS ANGELES
WILSHIRE
SUNSET
SANTA MONICA
Oil Wells

Proposed Schematic for the reduction of Selenium from groundwater dewatering at Site "A" South

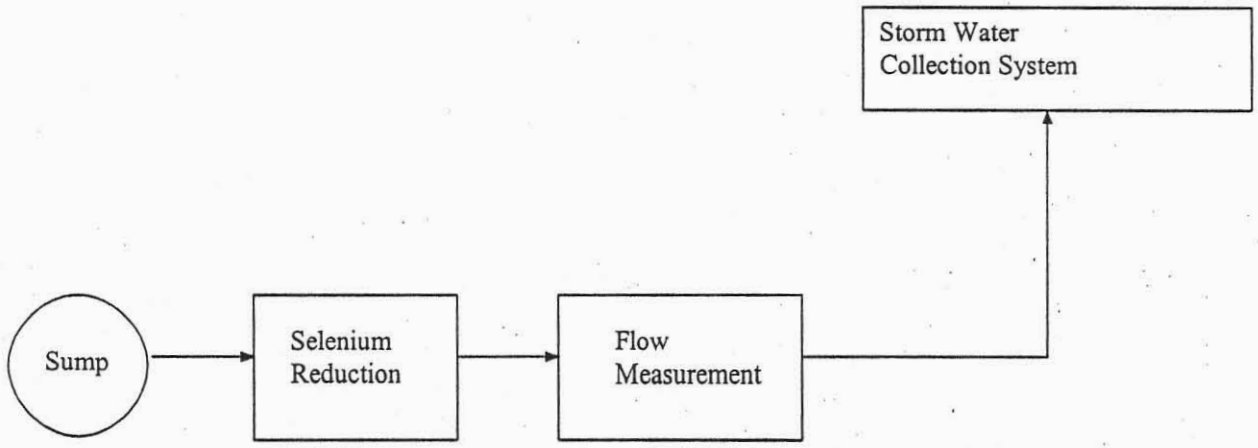


FIGURE 2

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

MONITORING AND REPORTING PROGRAM NO. CI-6684
for
CITY OF BEVERLY HILLS
(Parking Site "A" South)
(NPDES NO. CAG994004)

I. REPORTING REQUIREMENTS

A. The Discharger shall implement this monitoring program on the effective date of coverage under this permit. The Discharger shall submit monitoring reports to this Regional Board by the dates in the following schedule:

Reporting Period	Report Due
January – March	May 15
April – June	August 15
July – September	November 15
October – December	February 15
Annual Summary Report	March 15

B. The first monitoring report under this Program is due by August 15, 2004. If there is no discharge during any reporting period, the report shall so state. The annual summary report shall contain a discussion of the previous year's effluent monitoring data, as well as graphical and tabular summaries of the data, and must be received by March 15, of each year.

C. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.

D. All monitoring reports shall include discharge limitations in the Order, tabulated analytical data, the chain of custody form, the analytical laboratory report (including, but not limited to: date and time of sampling, date of analyses, method of analysis, and detection limits), and discharge certification statement.

E. Before commencing a new discharge, a representative sample of the effluent shall be obtained and analyzed for toxicity, and for all the constituents listed in the Fact Sheet and the test results must meet all applicable discharge limitations of Order R4-2003-0111. (Note: This requirement does not apply to existing discharges.)

II. SAMPLE COLLECTION REQUIREMENTS

A. Daily samples shall be collected each day.
B. Weekly samples shall be collected on a representative day of each week.
C. Monthly samples shall be collected on a representative day of each month.
D. Quarterly samples shall be collected in February, May, August, and November.
E. Semi-annual samples shall be collected in May and November.
F. Annual samples shall be collected in November.

III. EFFLUENT MONITORING REQUIREMENTS

A. Sampling station(s) shall be established for each point of discharge and shall be located where representative samples of that effluent can be obtained. The discharger shall notify this Regional Board in writing of the location(s) of the sampling stations once established. Provisions shall be made to enable visual inspection before discharge. If oil sheen, debris, and/or other objectionable materials or odors are present, discharge shall not be commenced before compliance with the requirements is demonstrated. All visual observations shall be included in the monitoring report.

B. If monitoring result indicates an exceedance of a limit contained in R4-2003-0111, the discharge shall be terminated and shall only be resumed after remedial measures have been implemented and full compliance with the requirements has been ascertained.

C. In addition, as applicable, following the effluent limit exceedance, the discharger shall implement the following accelerated monitoring program:

1. Monthly monitoring shall be increased to weekly monitoring;
2. Quarterly monitoring shall be increased to monthly monitoring; and
3. Semi-annually monitoring shall be increased to quarterly.
4. Annually monitoring shall be increased to semi-annually.

If three consecutive accelerated monitoring events demonstrate full compliance with effluent limits, then the discharger may return to the regular monitoring frequency, with the approval of the Executive Officer of the Regional Board.

D. The following shall constitute the discharge monitoring program for the outfall location:

Constituent	Unit	Type of Sample	Minimum Frequency of Analysis
Total Waste Flow	gal/day	record	continuously[1]
Temperature	°F	grab	monthly
Selenium	µg/L	grab	monthly
pH	pH unit	grab	quarterly
Total Suspended Solids	mg/L	grab	quarterly
Settleable Solids	ml/L	grab	quarterly
Oil and Grease	mg/L	grab	annually
$BOD_5$20°C	mg/L	grab	annually
Turbidity	NTU	grab	annually
Sulfides	mg/L	grab	annually
Phenol	mg/L	grab	annually
Residual Chlorine	mg/L	grab	annually
Methylene Blue Active Substances (MBAS)	mg/L	grab	annually
Acute Toxicity	% survival	grab	annually

III. EFFLUENT TOXICITY TESTING

A. The discharger shall conduct acute toxicity testing tests on 100% effluent grab samples by methods specified in 40 CFR Part 136 which cites USEPA's Methods for Measuring the Acute Toxicity of Effluents and Receiving Water to Freshwater and Marine Organisms, October 2002, (EPA/821-R-02-012) or a more recent edition. Submission of bioassay results should include the information noted on pages 109-113 of the EPA/821-R-02-012 document.

B. The fathead minnow, Pimephales promelas, shall be used as the test species for fresh water discharges and the topsmelt, Atherinops affinis, shall be used as the test species for brackish discharges. The method for topsmelt is found in USEPA's Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third Edition, October 2002, (EPA/821-R-02-014).

C. If the results of the toxicity test yields a survival of less than 90%, then the frequency of analyses shall increase to monthly until at least three test results have been obtained and full compliance with effluent limitations has been demonstrated, after which the frequency of analyses shall revert to annually. Results of toxicity tests shall be included in the first monitoring report following sampling.

1. Record the monthly total flow and report the calculated daily average flow and monthly flow in the quarterly and annual reports, as appropriate.

III. GENERAL PROVISIONS FOR REPORTING

A. The Discharger shall inform this Regional Board 24 hours before the start of the discharge.

B. All chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer. A copy of the laboratory certification shall be provided with the first monitoring report and each time a new and/or renewal is obtained from ELAP.

C. Samples must be analyzed within allowable holding time as specified in 40 CFR Part 136.3. Proper chain of custody procedures must be followed and a copy shall be submitted with the report.

D. As required in part H.5. of Order No. R4-2003-0111, the monitoring report shall specify the USEPA analytical method used, the Method Detection Limit (MDL) and the Minimum Level (ML) for each pollutant.

VI. COMPLIANCE DETERMINATION (AS APPLICABLE)

A. Compliance with single constituent effluent limitation – If the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (see Monitoring and Reporting Requirement Section H.5. of Order R4-2003-0111), then the Discharger is out of compliance.

B. Compliance with monthly average limitations - In determining compliance with monthly average limitations, the following provisions shall apply to all constituents:

a. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, does not exceed the monthly average limit for that constituent, the Discharger has demonstrated compliance with the monthly average limit for that month.

b. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the monthly average limit for any constituent, the Discharger shall collect four additional samples at approximately equal intervals during the month. All five analytical results shall be reported in the monitoring report for that month, or 45 days after esults for the additional samples were received, , whichever is later.

When all sample results are greater than or equal to the reported Minimum Level (see Monitoring and Reporting Requirement Section H.5. of Order R4-2003-0111), the numerical average of the analytical results of these five samples will be used for compliance determination.

When one or more sample results are reported as "Not-Detected (ND)" or "Detected, but Not Quantified (DNQ)" (see Monitoring and Reporting Requirement Section H.5. of Order No. R4-2003-0111), the median value of these four samples shall be used for compliance determination. If one or both of the middle values is ND or DNQ, the median shall be the lower of the two middle values.

c. In the event of noncompliance with a monthly average effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the monthly average effluent limitation has been demonstrated.

d. If only one sample was obtained for the month or more than a monthly period and the result exceed the monthly average, then the Discharger is in violation of the monthly average limit.

C. Compliance with effluent limitations expressed as a sum of several constituents – If the sum of the individual pollutant concentrations is greater than the effluent limitation, then the Discharger is out of compliance. In calculating the sum of the concentrations of a group of pollutants, consider constituents reported as ND or DNQ to have concentrations equal to zero, provided that the applicable ML is used.

D. Compliance with effluent limitations expressed as a median – in determining compliance with a median limitation, the analytical results in a set of data will be arranged in order of magnitude (either increasing or decreasing order); and

a. If the number of measurements (n) is odd, then the median will be calculated as = $X_{(n+1)/2}$, or

b. If the number of measurements (n) is even, then the median will be calculated as = $[X_{n/2} + X_{(n/2)+1}]$, i.e. the midpoint between the n/2 and n/2+1 data points.

E. In calculating mass emission rates from the monthly average concentrations, use one half of the method detection limit for "Not Detected" (ND) and the estimated concentration for "Detected, but Not Quantified" (DNQ) for the calculation of the monthly average concentration. To be consistent with section II.E.3., if all pollutants belonging to the same group are reported as ND or DNQ, the sum of

the individual pollutant concentrations should be considered as zero for the calculation of the monthly average concentration.

IV. NOTIFICATION

A. The Discharger shall notify the Executive Officer in writing prior to discharge of any chemical that may be toxic to aquatic life. Such notification shall include:

1. Name and general composition of the chemical,
2. Frequency of use,
3. Quantities to be used,
4. Proposed discharge concentrations, and
5. EPA registration number, if applicable.

No discharge of such chemical shall be made prior to obtaining the Executive Officer's approval.

B. The Discharger shall notify the Regional Board via telephone and/or fax within 24 hours of noticing an exceedance above the effluent limits in Order No. R4-2003-0111. The Discharger shall provide to the Regional Board within 14 days of observing the exceedance a detailed statement of the actions undertaken or proposed that will bring the discharge into full compliance with the requirements and submit a timetable for correction.

V. MONITORING FREQUENCIES

Monitoring frequencies may be adjusted by the Executive Officer to a less frequent basis if the Discharger requests same and the request is backed by statistical trends of monitoring data submitted.

Ordered by: _____ Date: March 16, 2004
Dennis A. Dickerson
Executive Officer

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