

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

ORDER NO. R4-2003-0026

**REVISED WASTE DISCHARGE REQUIREMENTS
FOR
PORT OF LOS ANGELES
(BERTH 100 WHARF CONSTRUCTION)
(FILE NO. 01-066)**

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

1. The Port of Los Angeles (the Port) filed an application for extension of Waste Discharge Requirements contained in Regional Board Order No. 01-130, adopted on September 19, 2001, for a wharf construction project within Los Angeles Harbor (Figure 1). Order No. 01-130 expired on December 31, 2002, so the Port has requested a time extension to allow completion of the project as originally proposed.
2. The Port originally proposed to construct a concrete wharf at Berth 100 to accommodate a new container terminal. The wharf construction project included dredging of approximately 46,000 cubic yards to deepen the berth to -59 feet Mean Lower Low Water, construction of a new wharf dike with approximately 124,000 cubic yards of rock, backfilling with approximately 22,000 cubic yards of clean fill material behind the dike, installation of approximately 644 24-inch octagonal concrete wharf piles, installation of approximately 1,920 pin-piles to improve slope stability, and construction of approximately 134,000 square feet of concrete wharf deck.
3. The Port has completed approximately ninety percent of the wharf construction project, including dredging and disposal of approximately 35,000 cubic yards of sediment. The Port estimates that dredging of approximately an additional 5,000 cubic yards of material will be required to complete the project, although a maximum of 11,000 cubic yards may need to be dredged.
4. The Port divided the project site into two areas for a sediment characterization study (Figure 2). Sediment core samples were collected at six locations. Core samples were composited into two samples for analysis representing Area A (created from cores A1 and A2) and Area B (created from cores B1, B2, B3 and B4).

The two composite samples were analyzed for trace metal and trace organic concentrations, as well as grain size characteristics. The sediments were fairly coarse-grained, containing 44 and 46% sand and gravel, but still contain too much fine-grained material (silts and clays) to be used for beach replenishment. The concentrations of trace metals and trace organics present in the sediments are listed in Table 1. The concentrations of mercury in Area A and total DDT in areas A and B exceed the levels at which adverse biological effects (toxicity) are likely to be observed.

January 30, 2003

5. The Port proposes to dispose of all dredged material at the Anchorage Road Soil Storage Site within the harbor. Approximately 35,000 cubic yards of material already have been dredged and disposed of at this site during the Berth 100 Wharf Construction project. The remaining material to be dredged to complete the project, which is estimated to be approximately 5,000 cubic yards of material, but will not exceed 11,000 cubic yards, will be disposed of at this site. With proper management and containment of the dredged material at the disposal site, the mercury and DDT contamination present in the sediments (as well as other trace metal and trace organic constituents) would be removed and isolated from the aquatic environment.

6. The Regional Board adopted a revised Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties on June 13, 1994. The Water Quality Control Plan contains water quality objectives for the Los Angeles-Long Beach Harbor. The requirements contained in this Order as they are met will be in conformance with the goals of the Water Quality Control Plan.

Table 1. Sediment Characteristics – Berth 100

Parameter	Area A	Area B
Silver	0.154 ppm	< 0.143 ppm
Arsenic	3.74 ppm	3.86 ppm
Cadmium	0.628 ppm	0.296 ppm
Chromium	23.2 ppm	22.7 ppm
Copper	29.1 ppm	25.7 ppm
Mercury	0.168 ppm	0.132 ppm
Nickel	14.4 ppm	15.7 ppm
Lead	18.3 ppm	15.7 ppm
Selenium	<0.694 ppm	<0.714 ppm
Zinc	56.5 ppm	52.6 ppm
Total DDT	6.1 ppb	3.4 ppb
Total PCB	< 14 ppb	<14 ppb
Total PAH	0.35 ppb	0.453 ppb

Ppm = parts per million; ppb = parts per billion; DDT – dichloro-diphenyl-trichloroethane; PCB = polychlorinated biphenyls; PAH – polynuclear aromatic hydrocarbons

7. The beneficial uses of the inner harbor waters are: industrial service supply, navigation, water contact recreation (potential use), non-contact water recreation, commercial and sport fishing, marine habitat, preservation of rare and endangered species, and shellfish harvesting (potential use). The beneficial uses of the outer harbor waters are: navigation, water contact recreation, non-contact water recreation, commercial and sport fishing, marine habitat, preservation of rare and endangered species, and shellfish harvesting (potential use).
8. The Los Angeles City Council adopted the West Basin Transportation Improvements Environmental Impact Report on September 10, 1997, and the Port of Los Angeles Channel Deepening Project Environmental Impact Statement/Environmental Impact Report on January 14, 1998, both of which included an evaluation of the Berth 100 Wharf Extension project. The City of Los Angeles filed a Notice of Exemption (citing Article III, section 2(i) of the City CEQA Guidelines) for the Berth 100 Wharf Construction project on January 5, 2001, pursuant to Public Resources Code section 21000 et seq.
9. With proper management of the dredging and disposal operations, the project is not expected to release significant levels of contaminants to the Harbor waters or other State waters nor adversely impact beneficial uses.
10. Dredging and disposal operations will be accomplished through the use of temporary equipment. The waste discharge requirements will not result in any significant increase in energy consumption.

The Regional Board has notified the Port and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.

IT IS HEREBY ORDERED that the Port of Los Angeles, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act as amended, and regulations and guidelines adopted thereunder, shall comply with the following:

A. Discharge Requirements

1. The removal and placement of dredged/excavated material shall be managed such that the concentrations of toxic pollutants in the water column, sediments or biota shall not adversely affect beneficial uses, in particular those identified in finding number 7 above.
2. Enclosed bay and estuarine communities and populations, including vertebrate, invertebrate and plant species, shall not be degraded as a result of the discharge of waste.

3. The natural taste and odor of fish, shellfish or other enclosed bay and estuarine resources used for human consumption shall not be impaired as a result of the discharge of waste.
4. Toxic pollutants shall not be discharged at levels that will bioaccumulate in aquatic resources to levels which are harmful to human health.
5. There shall be no acute toxicity or chronic toxicity in ambient waters as a result of the discharge of waste.
6. Dredging, excavation or disposal of dredge spoils shall not cause any of the following conditions in the receiving waters:
 - a. The formation of sludge banks or deposits of waste origin that would adversely affect the composition of the bottom fauna and flora, interfere with the fish propagation or deleteriously affect their habitat, or adversely change the physical or chemical nature of the bottom.
 - b. Turbidity that would cause substantial visible contrast with the natural appearance of the water outside the immediate area of operation.
 - c. Discoloration outside the immediate area of operation.
 - d. Visible material, including oil and grease, either floating on or suspended in the water or deposited on beaches, shores, or channel structures outside the immediate area of operation.
 - e. Objectionable odors emanating from the water surface.
 - f. Depression of dissolved oxygen concentrations below 5.0 mg/l at any time outside the immediate area of operation.
 - g. Any condition of pollution or nuisance.

B. Provisions

1. The Discharge Requirements specified above are valid only for dredging and disposal of a maximum of 11,000 cubic yards of sediment as proposed by the Port.
2. The Port shall notify the Regional Board immediately by telephone of any adverse conditions in receiving waters or adjacent areas resulting from the removal of dredge materials and shall submit written confirmation of the incident within one week.

3. A copy of this Order shall be made available at all times to project construction personnel.
4. The Port shall provide the following information to the Regional Board:
 - a. A copy of the final Department of the Army permit issued for the dredge and disposal operations.
 - b. The scheduled date of commencement of each dredging operation and an engineering plan and profile of the excavation and the disposal site at least two weeks prior to commencement.
 - c. Notice of termination of the operation, within one week following the termination date.
5. The Port shall submit, under penalty of perjury, technical reports to the Regional Board in accordance with specifications prepared by the Executive Officer.
6. In accordance with section 13260(c) of the Water Code, the Port shall file a report of any material change or proposed change in the character, location, or volume of the waste.
7. These requirements do not exempt the Port from compliance with any other laws, regulations, or ordinances which may be applicable: they do not legalize this waste discharge, and they leave unaffected any further restraint on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.
8. In accordance with Water Code section 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification. All discharges of waste into waters of the State are privileges, not rights.
9. This Order includes Attachment N: "Standard Provisions, General Monitoring and Reporting Requirements" ("Standard Provisions") and the attached Monitoring and Reporting Requirements, both of which are incorporated herein by reference. If there is any conflict between provisions stated hereinbefore and said "Standard Provisions", those provisions stated hereinbefore prevail. If there is any conflict between requirements stated in the attached Monitoring and Reporting Program and said "Standard Provisions", the former shall prevail.
10. This Order fulfills the requirements for a Clean Water Act Section 401 Water Quality Certification for the proposed project. Pursuant to section 3860 of title 23 of the California Code of Regulations (23 CCR), the following three standard

conditions shall apply to this project:

- a. this certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and Article 6 (commencing with 23 CCR section 3867);
 - b. this certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought;
 - c. certification is conditioned upon total payment of any fee required pursuant to 23 CCR division 3, chapter 28 and owed by the applicant.
11. This Order shall expire on December 31, 2003.
 12. This Order rescinds Regional Board Order No. 01-130, except for enforcement purposes.

I, Dennis A. Dickerson, 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 January 30, 2003.

DENNIS A. DICKERSON
Executive Officer

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