
Los Angeles Regional Water Quality Control Board

April 4, 2023

TO ALL INTERESTED PARTIES

REQUEST FOR COMMENTS ON TENTATIVE WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF RESIDUAL FIREWORK POLLUTANTS FROM PUBLIC FIREWORKS DISPLAYS TO SURFACE WATERS IN LOS ANGELES AND VENTURA COUNTIES (NPDES NO. CAG994007)

Enclosed are copies of the tentative Waste Discharge Requirements and General National Pollutant Discharge Elimination System Permit for Discharges of Residual Firework Pollutants From Public Fireworks Displays to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties. The tentative waste discharge requirements are scheduled for consideration at the May 25, 2023, Board meeting.

Enclosed are copies of the following:

1. Tentative waste discharge requirements, consisting of:
 - a. Board Order;
 - b. Attachment A–Definitions
 - c. Attachment B–Notice of Intent
 - d. Attachment C–Fireworks Display Report Form
 - e. Attachment D–Standard Provisions
 - f. Attachment E–Monitoring and Reporting Program
 - g. Attachment F–Fact Sheet
2. Public Notice

In accordance with administrative procedures, the Los Angeles Water Board at a public hearing to be held on **May 25, 2023, at 9:00 A.M.**, at the Junipero Serra Building (Carmel Room) 320 West 4th Street, Los Angeles, CA 90013, will consider the enclosed tentative waste discharge requirements, and comments submitted in writing regarding any and all portions thereof. A virtual platform is also available for those who want to join online. Please follow the directions provided in the agenda to register or to view the Board meeting. The Los Angeles Water Board will hear any testimony pertinent to these waste discharge requirements. It is expected that the Board will take action at the hearing; however, as testimony indicates, the Board, at its discretion, may postpone taking action. The agenda for the meeting will be posted on the Los Angeles Regional Water Quality Control Board's website

(http://www.waterboards.ca.gov/losangeles/board_info/agenda/index.shtml)

approximately one week prior to the meeting.

Written comments regarding these tentative waste discharge requirements must be received at the Los Angeles Water Board office by **5:00 p.m. on May 4, 2023**, in order to be evaluated by Board staff and included in the Board's agenda folder. Comments received after that date will not be considered, absent extraordinary circumstances. Timely submittal of written comments is encouraged to ensure that all comments are accurately and fully included in the administrative record, that Board staff is able to provide timely review, and that Board members have sufficient time to give full consideration to the comments and issues raised. The Los Angeles Water Board chair may exclude from the record written materials received after this date. (See Cal. Code Regs., tit.23 § 648.4)

With respect to the public notices, in accordance with the Federal Clean Water Act, as amended, and the California Code of Regulations, the public notice will be posted on the Los Angeles Water Board's website (https://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/#1).

To accommodate firework shows that will be held for the 4th of July in 2023, we are asking applicants wishing to stage firework shows to complete and submit a Report of Waste Discharge (ROWD) prior to the Board's consideration of the tentative waste discharge requirements. Applicants are encouraged to use the NOI attached to the tentative waste discharge requirements as the ROWD to ensure prompt processing. Dischargers should submit the ROWD as soon as possible and take into consideration the requirements in the tentative waste discharge requirements in anticipation of their adoption.

The new permit prohibits plastic trash discharge. Dischargers should use the available time between now and July to find a source of biodegradable fireworks or consider alternative displays (e.g., drones) to avoid plastic trash. The tentative waste discharge requirements do allow the possibility of using fireworks with plastic components, but it may be difficult to formulate effective best management practices (BMPs) that would comply with the prohibition on plastic trash discharge. As such, if dischargers choose to continue to pursue authorization for fireworks displays involving fireworks with plastic components, dischargers are advised to engage with Los Angeles Water Board staff early and often to discuss potential BMPs to ensure the BMPs are adequate and there is sufficient time for staff to review any proposed BMP plans.

We recognize that the tentative waste discharge requirements may not be adopted as proposed, but we are informing interested parties through this letter with these suggestions as a way to streamline the enrollment process and ensure 4th of July celebrations may proceed as smoothly as possible.

If you have any further questions, please contact Peter Ho at Peter.Ho@waterboards.ca.gov.

Sincerely,

Augustine Anijelo, P.E., Chief
General Permitting Unit, Supervisor

Enclosures: Tentative NPDES Permit for Residual Firework Pollutants from Public
Fireworks Displays to Surface Waters

cc: See Mailing List

**Mailing List
(via email only)**

Elizabeth Sablad, Environmental Protection Agency, Region 9, Permit Branch
Becky Mitschele, Environmental Protection Agency, Region 9, Permit Branch
Julie Song, Environmental Protection Agency, Region 9, Permit Branch
Stephen Estes, U.S. Army Corps of Engineers
Crystal Marquez, U.S. Army Corps of Engineers
Kenneth Wong, U.S. Army Corps of Engineers
Joan Matthews, Natural Resources Defense Council
Corrine Bell, Natural Resources Defense Council
David Beckman, Natural Resources Defense Council
Steve Fleischli, Natural Resources Defense Council
Bryant Chesney, NOAA, National Marine Fisheries Service
Chris Diel, U.S. Fish and Wildlife Service
Jonathan Snyder, U.S. Fish and Wildlife Service
Steve Hudson, California Coastal Commission, South Coast Region
Nat Cox, California Parks and Recreation
Annelisa Moe, Heal the Bay
Sylvie Makara, Heal the Bay
Bruce Reznik, Los Angeles Waterkeeper
Melissa Kelly, Los Angeles Waterkeeper
Stephan Tucker, Water Replenishment District of Southern California
Robert Wu, Department of Transportation (Caltrans)
Ray Tahir, TECS Environmental
Sara Torres, PG Environmental
Tim Smith, Los Angeles County, Department of Public Works
Angelo Bellomo, Los Angeles County, Department of Public Works