



Los Angeles Regional Water Quality Control Board

February 25, 2022

City of Torrance

Via Email

STATUS OF COMPLIANCE DEMONSTRATION SUBMITTED BY JUNE 30, 2021 PER THE STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2020-0038; NOTICE OF LOSS OF DEEMED COMPLIANCE STATUS

Dear City of Torrance:

State Water Resources Control Board (State Water Board) Order WQ 2020-0038 (2020 SB Order), directed Permittees to submit documentation by June 30, 2021, demonstrating that all work associated with current and prior milestones had been completed to retain deemed compliance with the receiving water limitations, water quality-based effluent limitations, and other TMDL-specific limitations addressed by the Watershed Management Program (WMP) or Enhanced Watershed Management Program (EWMP).¹

On May 26, 2021, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) issued a letter via email to all Permittees participating in WMPs and EWMPs with direction on how to submit the aforementioned information.²

The Los Angeles Water Board reviewed the City of Torrance (City) Machado Lake EWMP document(s) submitted on June 30, 2021, to assess the City's demonstration of completion of all work associated with current and prior milestones according to the requirements set forth by the 2020 SB Order and to determine the City's deemed compliance status.³

The Los Angeles Water Board Approval Letter dated December 9, 2016, outlined the actions and milestones that the City needed to complete to maintain deemed

¹ (2020 SB Order, at p. 167 available at https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2020/wqo2020_0038.pdf [as of August 31, 2021].)

² (Letter from Executive Officer Renee Purdy, Los Angeles Water Board, to Los Angeles County MS4 Permittees Participating in WMPs and EWMPs (May 26, 2021), at p. 2.)

³ (Revised Draft Machado Lake Enhanced Watershed Management Program [June 2021 Revised Draft Machado Lake EWMP] and corresponding document(s), City of Torrance, June 2021.)

compliance status. The tasks listed in Table 1 below, have been identified as past due obligations and milestones occurring after EWMP approval that should have been completed prior to June 30, 2021.

Table 1: City of Torrance Required Actions⁴

Required Actions	Implementation Update
<p>Implementation of the following WALTERIA Lake tasks discussed in Section 1.3.3.1 of the Nov. 2016 Machado Lake EWMP:</p> <ul style="list-style-type: none"> • Completion of WALTERIA Lake Special Study Monitoring Program by late 2016. 	<p>This task was met. Section 1.2.1 on p. 3 of the June 2021 Revised Draft Machado Lake EWMP, provides an update regarding the findings of the study and control measures being implemented.</p>
<p>Implementation of the Existing Nonstructural Control Measures described in Section 4 of the Nov. 2016 Machado Lake EWMP. Per Table 8.2, these nonstructural solutions should have been implemented as specified below:</p> <p>Catch Basin Filter Cleanouts:</p> <ul style="list-style-type: none"> • Increased frequency of cleanouts (ongoing) • Install catch basin filter in the implementation area (ongoing) <p>Downspout Disconnection Program:</p> <ul style="list-style-type: none"> • Planning & Assessment (by 2016) • Implementation (by 2017) <p>Fat, Oils & Grease Outreach:</p> <ul style="list-style-type: none"> • Focus outreach to residents in TMDL implementation Area (by 2017) • Continuation of existing outreach (ongoing) <p>Green Waste Outreach:</p> <ul style="list-style-type: none"> • Planning & Assessment (by 2016) 	<p>No information was provided regarding the completion of these tasks, except for the Smart Gardening Program. The following update was provided for the Smart Gardening Program:</p> <ul style="list-style-type: none"> • Smart Gardening Program: This task was completed and is ongoing per Table 1 of the June 2021 Revised Draft Machado Lake EWMP.

⁴ (The City of Torrance is also subject to volume capture/pollutant reduction milestones as included in the Machado Lake EWMP. Insufficient information was submitted by the City of Torrance regarding currently implemented BMP capacity for evaluation. However, sufficient information was provided regarding the other required actions to determine the City of Torrance's deemed compliance status.)

<ul style="list-style-type: none"> • Implementation (by 2017) <p>Illicit Connection Removal:</p> <ul style="list-style-type: none"> • Implementation (by 2018) <p>Impervious Cover Reduction:</p> <ul style="list-style-type: none"> • Assess feasibility of reducing impervious cover (2017) • Implementation, if appropriate (2018) <p>Industrial/Commercial (I/C) Facilities Control Program:</p> <ul style="list-style-type: none"> • Outreach to facilities to improve onsite source control activities (2016) • Continuation of existing I/C facilities program (ongoing) <p>Pet Waste Outreach:</p> <ul style="list-style-type: none"> • Focus outreach to residents in TMDL implementation Area (2016) • Continuation of existing outreach program (ongoing) <p>Post Construction Requirements:</p> <ul style="list-style-type: none"> • Require Implementation of BMPs to remove nutrients and toxics for redevelopment projects in County Islands (ongoing) <p>Sewer System Maintenance:</p> <ul style="list-style-type: none"> • Focus maintenance in County Islands (2016) <p>Smart Gardening Program:</p> <ul style="list-style-type: none"> • Implementation (ongoing) <p>Street & Parking Lot Sweeping:</p> <ul style="list-style-type: none"> • Increase Frequency of street sweeping (ongoing) 	
<p>Implementation of the Recommended Enhanced MCMs identified in Table 4.4 of the Nov. 2016 Machado Lake EWMP. Per Table 8.2, these nonstructural solutions should have been implemented by 2018.</p> <ul style="list-style-type: none"> • Smart Gardening Program Enhancements 	<p>This task was only partially completed as follows:</p> <ul style="list-style-type: none"> • The Smart Gardening Program: This task was completed and is ongoing per Table 1 on p. 8 of the revised draft June 2021 Machado Lake EWMP.

<ul style="list-style-type: none"> • TMDL-Specific Stormwater Training • Enhancement of Commercial and Industrial Facility Inspections • Enforcement Escalation Procedures • Improved Street Sweeping Technology • Reduction of Irrigation Return Flow 	<ul style="list-style-type: none"> • TMDL-Specific Stormwater Training: This task was not completed. TMDL-Specific Stormwater Training is still in the planning phases per Table 1 on p. 8 of the revised draft June 2021 Machado Lake EWMP. • Enhancements of Commercial and Industrial Facility Inspections: This task was completed per Table 1 on p. 8 of the revised draft June 2021 Machado Lake EWMP. • Enforcement Escalation Procedures: This task was not completed. These procedures have not yet been developed per Table 1 on p. 8 of the revised draft June 2021 Machado Lake EWMP. • Improved Street Sweeping Technology: This task was completed per Table 1 on p. 9 of the revised draft June 2021 Machado Lake EWMP. • Reduction of Irrigation Return Flow: This task was not completed per Table 1 on p. 9 of the revised draft June 2021 Machado Lake EWMP. <p>Note that Table 4.4 identifies recommended Enhanced MCMs, it is unclear if the Enhanced MCMs were intended to be implemented in addition to Table 8.2 or if they were incorporated into Table 8.2.</p>
<p>Structural BMPs Committed to be implemented by 2018 per Table 8.3 of the Nov. 2016 Machado Lake EWMP).</p> <ul style="list-style-type: none"> • Torrance Airport • Walnut Sump • Baseball Field • Redevelopment (continuous) • Retrofit (as needed) 	<p>The following structural BMP information was obtained from Table 2 of the June 2021 Revised Draft Machado Lake EWMP.</p> <ul style="list-style-type: none"> • Torrance Airport Project: This project has not been completed and is expected to be completed by 2022 per Table 14 of the June 2021 Revised Draft Machado Lake EWMP. • Walnut Sump: This project has been completed.

	<ul style="list-style-type: none"> • Baseball Field project: This project has been omitted from the June 2021 Revised Draft Machado Lake EWMP. • Redevelopment: It is unclear if this task was completed. No information was provided about the implementation of this task • Retrofit: It is unclear if this task was completed. No information was provided about the implementation of this task.
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Based on the Los Angeles Water Board's review of the City's document(s) submitted, all work associated with prior and current milestones dated on or before June 30, 2021, as listed in Table 1, above, was not completed.

Accordingly, this letter serves to inform the City that it has lost deemed compliance status for the water body-pollutant combinations intended to be addressed via the Machado Lake EWMP. The City can regain deemed compliance status upon approval of a revised WMP⁵ provided that the revised WMP includes updated interim milestones and is consistent with the requirements of the 2020 SB Order and the 2021 Regional MS4 Permit.⁶ The City submitted a revised draft EWMP on June 30, 2021. Note, the revised WMP may only be used to address interim WQBELs and/or receiving water limitations⁷ unless 1) the WMP is being used to address final WQBELs for certain U.S. EPA TMDLs or 2) the Permittee has retained all non-stormwater runoff, as well as all stormwater runoff from the 85th percentile 24-hour storm event.⁸ For all other final WQBELs and/or receiving water limitations, the Group must submit a request for TSO in accordance with the procedures in Part X.E.2 of the 2021 Regional MS4 Permit.⁹

⁵ (The 2012 LA MS4 Permit (Order No. R4-2012-0175 as amended) allowed Permittees to develop a WMP or EWMP. The Regional MS4 Permit (Order No. R4-2021-0105) adopted on July 23, 2021 eliminated the distinction between a WMP and EWMP and all these programs are now all called "WMPs".)

⁶ (NPDES PERMIT NO. CAS004004; ORDER NO. R4-2021-0105.)

⁷ (For the purposes of the 2021 Regional MS4 Permit all interim WQBELs are associated with TMDLs, interim receiving water limitations are generally associated with TMDLs (i.e. an interim WLA expressed as a standard to be met in the receiving water), but may also include interim requirements incorporated into an approved Watershed Management Program to achieve compliance with final receiving water limitations in Part V of this Order for waterbody-pollutant combinations that are not addressed by a TMDL.)

⁸ (2021 Regional MS4 Permit, Part X.B.2.b.ii-iii.)

⁹ (On June 2018, the City of Torrance submitted a TSO Request for the Machado Lake Nutrient TMDL. Los Angeles Water Board staff met with the City of Torrance to discuss the TSO on May 27, 2021 and the City of Torrance explained that based on their monitoring results, they were retracting their TSO request. This is confirmed on p. 53 of the June 2021 Revised Draft Machado Lake EWMP.)

If the City disagrees with the Los Angeles Water Board's findings, the City must provide supplemental information demonstrating compliance with all missed milestones as well as any milestones for which the Los Angeles Water Board lacked sufficient information to determine compliance **within 30 days**.

Submit the documents via the LA Water Board's FTP Site:

- FTP site link: <https://ftp.waterboards.ca.gov>
Username: RB4MS4-Upload
Password: RB4-bmBb3Z

Alternatively, please contact Ms. Susana Vargas via email at Susana.Vargas@waterboards.ca.gov for alternative accommodations for submittals.

If you have any questions, please contact Ms. Susana Vargas of the Municipal Stormwater Permitting Unit by email. Alternatively, you may also contact Mr. Ivar Ridgeway, Municipal Stormwater Permitting Unit Supervisor by email at Ivar.Ridgeway@waterboards.ca.gov.

Sincerely,

Renee Purdy
Executive Officer