



California Regional Water Quality Control Board

Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Alan C. Lloyd, Ph.D.
Agency Secretary

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

Meeting Minutes

Los Angeles Regional Water Quality Control Board
October 24, 2006 Regular Board Meeting
City of Simi Valley Council Chambers
2929 Tapo Canyon Road, Simi Valley, California

Item 1. Roll Call

The meeting was called to order by Chair David Nahai at 9:17 a.m.

Board Members Present: Chair H. David Nahai, Vice Chair, Fran Diamond, Susan Cloke, Bonny Herman, Maribel Marin, Leo Vander Lans, Dick Richardson, Mary Ann Lutz

Board Members Absent: Brad Mindlin

Staff Present: Jonathan Bishop, Deborah Smith, Ronji Harris, David Bacharowski, Jack Price, Robert Sams, Michael Levy, Jennifer Fordyce, David Hung, Wendy Phillips, Rodney Nelson, Enrique Casas, Toni Callaway

Individuals whose Names Appear on the Sign-In Sheet

Ms. Sandy Bell, Resident of Malibu	Mr. David Markman, Resident in Malibu
Ms. Michelle Miller, Resident in Malibu	Mr. Ron Imhoff, Resident in Malibu
Mr. Ted Scott, Resident in Malibu	Ms. Becky Chrisman, Resident in Malibu
Mr. David Lin, Tetra Tech, Inc.	Mr. Paul Ingsun, Tetra Tech, Inc.
Ms. Ann Heil, L.A. County Sanitation District	Mr. Thomas Hemingway, Resident in Malibu
Ms. Sarah Abramson, Heal the Bay	Mr. Tim Ryan, Resident in Malibu
Ms. Daniselle Nams, Resident in Malibu	Ms. Linda Pettill, Resident in Malibu
Mr. Dan Zeller, Resident in Malibu	Mr. Steve Dahlberg, Resident in Malibu
Mr. Jose Penn, Vulean Materials Company	Mr. Syed Amachold, Amtech Association
Ms. Tina Sarorious, Resident in Malibu	Mr. David Martinez, Larry Walker Associates
Ms Dolores Taylor, Resident in Malibu	Mr. Al Rosen, Resident in Sun Valley

Item 2. Order of Agenda.

Item 14, Los Angeles River TMDL is being continued.

MOTION: To approve the order of agenda.

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

First: Board Dick Richardson
Second: Board Member Susan Cloke
Vote: Approved by unanimous vote.

Item 3. Approval of September 14, 2006 draft Meeting Minutes.

MOTION: To approve draft meeting Minutes with edits proposed by Board Member Susan Cloke.

First: Board Member Dick Richardson
Second: Board Member Susan Cloke
Vote: Approved unanimous by vote

Item 4. Board Member Communications.

Board Chair David Nahai had a phone conference with L.A. County Sanitation District Representatives in regards to the recent Manhattan Beach spill.

Board Member Fran Diamond met with the Women of Water; participated and sat on a panel with Pacoima Beautiful. Ms. Diamond distributed the Simi-Annual Proposition 'O' Report and offered a copy to anyone at the meeting who wanted to receive a copy of the report.

Board Member Mary Ann Lutz was a speaker at the Southern CA Government Task Force meeting, and at this meeting the task force voted to support Brownfields.

Item 5. Executive Officers Report

Report given by Jonathan Bishop, Executive Officer, and posted on the Board's website:
www.swrcb.ca.gov/~rwqcb4/html/eo_reports/eo_reports.html .

Item 5.a. Report from State Board.

Mr. Jerry Secundy, State Board informed the Board that there was a meeting of various Chairs of the Regional Boards and Executive Officers to start planning for the October 2006 WQCC meeting in Sacramento and urged all Board members to attend if possible. Mr. Secundy also mentioned the various discussions at that meeting including a proposals in terms of restructuring the Regional Boards, i.e. reducing the Board Members to seven, and reducing the number of Board members that would constitute a quorum.

Item 6. Public Forum.

Speakers: *There were no speakers during the Public Forum.*

Item 7. Uncontested Items Calendar.

MOTION: To deem non-controversial and approve Agenda Items 8, 10.1, 10.2, 12, 15

**Item 8 Port of Los Angeles matter was removed from the consent calendar and is being continued to the November 9, 2006 meeting, Thereby approving items 10.1, 10.2, 12, and 15 on the consent calendar.*

First: Board Member Leo Vander Lans
Second: Board Member Dick Richardson
Vote: Approved by unanimous vote.

Item 9. Durbin Canyon Landfill.

Ms. Ronji Harris read the Opening statement and the Oath was rendered by Chair David Nahai.

Staff Report.

Wendy Phillips, Groundwater Cleanup and Permits Section Chief, and Enrique Casas, Engineering Geologist and Regional Board's project manager for the site.

Public Comment:

**No public comments were received during the meeting.*

Board question/discussion/concerns:

- What is the position of the discharger if we go with a more protective number?
- Is the Watermaster in sync with the the requirements the Board is proposing?
- What is the recommendation of the Watermaster?
- Board raised concerns about the margin of safety.
- Board raised questions and concerns about the economic impact.
- What is the landfill operator proposing to do with respect to disposing of the shredded tires at the landfill?

Representatives from the Durbin Landfill responded to concerns the Board had raised. Mr. Dan Zeller, representing the Durbin Landfill confirmed that there will be no tire disposals into the landfill.

Mr. Zaidi Montevulla, representing the Durbin Landfill stated that they do not believe that asphalt poses a threat to the landfill. He believes that the water is much lower than the 270 proposed in the permit.

MOTION: To approve staff recommendation with the noted changes by the Board. Prohibit tires from being disposed to the landfill; Set at 310 feet limit, with a reopener for the permit when the capacity gets to 270 feet.

First: Board member Susan Cloke
Second: Board Member Maribel Marin
Vote: Approved by unanimous vote



Item 11 Savage Canyon Landfill

Staff Report.

Mr. Enrique Casas, Regional Board staff Engineering Geologist

- Gave historic background information
- Discussed the capacity of the landfill
- Discussed the California regulatory structure
- Discussed the Savage Canyon compliance history

Public Comment.

Ms. Mercedes Murillo, City of Whittier (Opposed)

Board questions, concerns and discussion.

- Inquired about the location of the down gradient wells
- Asked for clarification as to whether the studies are different today than they were in the 1980s
- Concerns about the down gradient water quality
- What is the justification for imposing an additional requirement on the permittee?

MOTION: To approve staff recommendation.

First: Chair David Nahai

Second: Board Member Maribel Marin

Vote: Approved by unanimous vote

Item 13. Amended Tine Schedule Order for Kissel Company, Inc. (Paradise Cove Mobile Home Park)

The Opening Statement was read, and an Oath rendered.

Staff Report.

Ms. Wendy Phillips, Groundwater Cleanup and Permits Section Chief, and Ms. Toni Callaway, Regional Board staff.

- Historic background
- Summarized the regulatory background
- Discussed litigation over land use activities
- Discussed the reasons extension was requested by the discharger
- Talked about the documented spills that have occurred over the past months
- Evidence that there is wastewater disposal difficulties at this site
- Likelihood that there are other contributors to the contamination at the site than Paradise Cove
- Ms. Toni Callaway discussed the groundwater monitoring data.

Public Comment.

Mr. Steven Dahlberg, President of the Kissel Company, Inc.



- It has been arduous and expensive getting approval for a new septic system at the mobile home park
- Kissel Company accepts responsibility for some of the delays in finishing the septic system project
- At this time, Kissel Company is close to completion of the septic system project

Public Comment:

Ms. Sarah Abramson, Heal the Bay (Opposed to the TSO extension)

Ms. Teri Scott, Paradise Cove resident (opposed)

Mr. Ronald Imhoff, Paradise Cove resident (opposed)

Mr. David Markman, Paradise Cove resident (opposed)

Ms. Sandy Bell, Paradise Cove resident (opposed)

Ms. Michelle Miller, Paradise Cove resident (opposed)

Ms. Becky Christensen, Paradise Cove resident (opposed)

Mr. Ray Sheehan, Paradise Cove resident (opposed)

Board questions, concerns, and discussion.

- How close has staff monitored the problems at the site and staffs opinion of the problems and the difficulties at the site?
- Discussion on enforcement mechanisms that can be rendered when the site is not in compliance
- There was much discussion on the violations at the site, and the Board's concern for the residents who had anticipated resolve of the septic system problem situations be resolved

Staff Counsel Robert Sams and Assistant Executive Officer David Bacharowski drafted language to modify the tentative Waste Discharge Requirements, by which the Water Code section 13380 sets authority to assess monetary penalties in an amount reasonably necessary to achieve compliance.

- The recommendation is to add to sentences on page 13-6 in items A, B, and C which will read: "Pursuant to the California Water Code Section 13308 and 13350, violations of this compliance date are subject to civil penalties of \$3,000 per day."
- The other wording change is in section B, striking the word "construction in" so it reads, "By February 1, 2007, achieves full compliance with all requirements contained in Order No. R4-2002-0108."
- Strike Item D
- Compliance Reporting will be changed from quarterly and annually to monthly

MOTION: To approve staff recommendation with changes as proposed by Staff Counsel Robert Sams.

First: Vice Chair Fran Diamond

Second: Board Member Susan Cloke

Vote: Approved by unanimous vote

The meeting was adjourned at approximately 2:50 p.m. Minutes adopted at the December 14, 2006 Board meeting.

Written and submitted by: _____

