



**Winston H. Hickox**  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## Los Angeles Region

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**Gray Davis**  
Governor

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DRAFT

### Los Angeles Regional Water Quality Control Board

#### Minutes of the March 9, 2000 Board Meeting

#### Metropolitan Water District of S. California Building 700 N. Alameda Avenue, Los Angeles

#### INTRODUCTION

1. The meeting was called to order by Chairman Nahai at 9:10 a.m.

#### Board Members Present

Susan Cloke, Jack Coe, Fran Diamond, Marilyn Lyon, H. David Nahai

#### Board Members Absent

None

#### Staff Present

Dennis Dickerson, Jorge Leon, Debbie Smith, David Bacharowski, Wendy Phillips, Arthur Heath, Wayne Chiou, Jonathan Bishop, Jack Price, Ronji Harris, Robyn Goodman, Raymond Jay

#### Others Present

Assemblyman Thomas Calderon  
John Hunter, City of South Gate  
Richard Hollingsworth, Gateway Cities  
Partnership  
Richard Drubnick, USC  
Stephanie Carter, Century Housing Corporation  
Rose Girard, Phoenix Construction Servs.  
Mitzy Taggart, Heal the Bay  
Steve Fleischli, Santa Monica BayKeeper

Mark Gold, Heal the Bay  
David Beckman, NRDC  
  
Jack Kyser, LAEDC  
Jacqueline Lambrichts, Friends of the S Gabriel  
River  
Andi Liebenbaum, Los Angeles Conservation  
Corps.  
Joan Greenwood, Private Citizen  
Stephanie Carter, Century Housing Corp.

#### *California Environmental Protection Agency*

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*Recycled Paper*

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



Lee Harrington, LA County Economic Development Corporation  
Don May, California Earth Corps  
Robert Swayze, Community Development Commission of Los Angeles County  
Rich Macias, SCAG  
Shala Craig, Parsons  
Drexell Mujammed, Drexell Equipment  
Kevin Ramsey, ACTA  
Joe Valverde, Valverde Construction, Inc.  
Gill Hicks, ACTA  
Myra L. Frank, ACTA  
Domingo Leon, Society Hispanic Professional Engineers  
Tim Buresh, ACTA  
Sharon Rubalcava, Weston, Benshoof, et al.  
Angus McGrath, SECOR International  
Alex Helperin, NRDC  
Ken Ehrlich, Jeffer, Mangels, Butler, et al.  
Joseph Zacher, Jr., Zacher's Auto  
John A. Artukovich, John A. Artukovich & Sons  
Jim Colbaugh, Las Virgenes MWD  
Tari L. Cody, Lemieux & O'Neill  
Gordon Knopp, Las Virgenes MWD  
Ann Dorgelo, Las Virgenes MWD  
Ken Rufenee, Las Virgenes MWD  
Glenn Peterson, Las Virgenes MWD  
Norm Buehring, Las Virgenes MWD  
Lawrence Jackson, Las Virgenes MWD  
John Mundy, Las Virgenes MWD  
Randal Orton, Las Virgenes MWD  
Siu Cheung, Las Virgenes MWD  
Patrick G. Rogan, Pillsbury, Madison & Sutro

Jeff Harris, M.D., MPH, self  
Bill Parr, Surfrider Foundation  
Jeff Duclos, Surfrider Foundation  
Dan Arrighi, San Gabriel Valley Water Company  
Michael Nelson, Whico  
Michael Berlien, La Puente Valley County Water District  
Robert W. Bowcock, Main San Gabriel Basin Water Quality Authority  
Kirby Brill, Main San Gabriel Basin Water Quality Authority  
Daniel Guillory, MWDC  
Olibra Bailey, Century Housing Corp.  
Michael Maisner, Department of Water Rights  
Don Zylstra, Radian International  
Carl Salazar, Laborer's Local 507  
Lillie Darden, Compton MWD  
Leonard Carter, Compton MWD  
Jose Sigala, Rep for Assemblyman Firebaugh  
Doug Santo, Willdan Associates  
Cathy Chau, S California Water Company  
Imani Brown, Rep for Congresswoman Juanita Millender-McDonald  
James Lesserman, Water Replenishment District  
Jim Byerrum, CA Domestic Water Co.  
Steve Seffer, City of Azusa  
Paul Carver, Suburban Water Systems  
Ted Carrera, City of Glendora  
Carol Williams, MSGB Watermaster

## **Pledge of Allegiance.**

### 1. Roll Call

All members were present.

*Chairman Nahai introduced and welcomed newly appointed Board Member Susan Cloke.*

### 2. Order of Agenda.

*The Executive Officer, Dennis Dickerson, recommended the following changes to the agenda:*

- *Remove item 14 (Unocal ACL). This matter was resolved.*
- *Remove item 15 (Los Angeles Turf Club ACL) until a future board meeting.*
- *Hear items 17 and 18 immediately following the lunch session.*

## **California Environmental Protection Agency**



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3. Approval of Regular Minutes of October 28, 1999.

*A motion was made to adopt the minutes.*

MOTION: By Mr. Coe, seconded by Ms. Diamond and approved on a voice vote. Ms. Cloke abstained from voting since she was not a Board Member at that time.

4. Consideration of 2000 Board Meeting Schedule.

*After discussion of the Board, a motion was made to continue this item until the next regular board meeting. The Board asked the Executive Assistant to distribute some alternative dates to the members.*

5. Adoption of the Los Angeles Regional Board's 1998/99 Annual Report.

*The Board suggested adding sidebars and boxes to emphasize important statements, a Glossary of Terms, and the Regional Board 1998/99 priorities to the next report. A motion was made to adopt the report as is.*

MOTION: By Ms. Diamond, seconded by Ms. Lyon and approved on a voice vote.

6. Introduction of new Staff Members.

*The Executive Officer introduced the new staff members to the Regional Board.*

7. Board Member Ex Parte Communication Disclosure.

*Jorge Leon asked the members if anyone had contacted them regarding regional board business. Members Susan Cloke, and David Nahai informed him that they had received a call from governmental entities regarding the Alameda Corridor Transportation Authority upcoming issue, but no information was discussed. Jack Coe reported he had been contacted by an engineer on the authority staff who stressed the importance of the project.*

8. Uncontested Items Calendar.

*There was a motion to adopt the consent calendar as items 10.1, 10.4, 10.5, 10.7, 10.9 – 10.12, 11.2 – 11.7, 16. The Executive Officer recommended continuing item 10.8. A speaker card was submitted for items 10.2, 10.3, 10.6. Ms. Cloke asked that item 11.1 be removed from the consent calendar and heard separately. The Board agreed to hear these items immediately after item 9 (Public Forum).*

MOTION: By Ms. Lyon, seconded by Ms. Cloke, and approved on a voice vote.

9. Public Forum

*Angus McGrath, SECOR International Incorporated, addressed the Board to provide them with more information on the guidelines for the implementation of Fenton's Reagent Application. He submitted guidelines outlining the safety issues to be considered when using the application.*

*Alex Helperin, NRDC, addressed the Board reminding the Board of the TMDL lawsuit and 303D list which lists impaired waterbodies throughout the Region.*

10.2 (California Milk Products), Artesia, CA0057371

10.3 (Covina Irrigating Company), Glendora, CA0060577

10.6 (Unocal Corporation), La Mirada, CA0063975

*The Executive Assistant read the opening statement for the contested items and Chairman Nahai opened the public hearing by giving the oath to those testifying before the Board.*

*Dennis Dasker gave a staff presentation providing more information on the tentative renewal requirements. He indicated that no comments had been received until today and recommended the Board hear from the concerned party, and based on the comments received, adopt the tentative permits as recommended.*

*Jacqueline Lambrichts, Friends of the San Gabriel River, addressed the Board and asked that items 10.2, 10.3, and 10.6 be revised by requiring the discharger to submit a Storm Water Pollution Prevention Plan (SWPPP) within 90 days. She asked that item 10.2 require a receiving water station for the measurement of temperature.*

*Dennis Dasker informed the Board that item 10.2 is enrolled under the general storm water permit, which does not require a SWPPP. Item 10.3 is enrolled under the industrial general storm water permit and is also not required to submit a plan. Item 10.6 is for discharge from groundwater cleanup and it would not be appropriate to require a plan since it is a small treatment facility and they do not control the whole property. Mr. Dasker recommended the Board adopt the permits as submitted.*

*After discussion of the Board, a motion was made to adopt item 10.2 as recommended by staff based on the understanding that this item is already enrolled under the general storm water permit, and that staff will report back the Board on the receiving water station requirements.*

MOTION: By Ms. Cloke, seconded by Ms. Diamond, and approved on a voice vote.

*After discussion of the Board, a motion was made to adopt item 10.3 as recommended by staff and that staff will report back to the Board within 90 days with a recommendation as to whether this permit should continue to be enrolled under the general storm water permit.*

MOTION: By Ms. Cloke, seconded by Ms. Diamond, and approved on a voice vote.

*After discussion of the Board, a motion was made to adopt item 10.6 as recommended by staff since it is enrolled under the general storm water permit.*

MOTION: By Ms. Cloke, seconded by Ms. Diamond, and approved on a voice vote.

11.1 Port of Long Beach (Terminal Island Container Facilities Expansion Dredging Project)

*Michael Lyons gave a staff presentation providing a brief summary on the issues related to this new tentative permit. After questions of the Board, a motion was made to adopt the permit as recommended by staff.*

MOTION: By Ms. Cloke, seconded by Mr. Coe, and approved on a voice vote.

*A 10-minute recess was taken.*

13. Administrative Liability Complaints (ACL) Complaints for failure to submit annual reports against the following permittees of the General Permit on Storm water Discharges Associated with Industrial Activity.

*The Executive Assistant read the opening statement for enforcement items 13.1, and 13.2 and Chairman Nahai opened the public hearing by giving the oath to those testifying before the Board.*

13.1 Zacher's Automotive Recycler, Harbor City, WDID 4B19S01189

*Bryan Schweickert gave a staff presentation outlining the issues related to both enforcement items. He presented the facts regarding item 13.1 and informed the Board that Mr. Zacher did finally submit the annual reports, but only after the complaint was issued. He asked the board to affirm the complaint in the amount of \$5,100.*

*Joseph Zacher testified before the Board and asked that the Board consider reducing the fine to \$1,600 since he did submit the reports, enrolled in the program, and has corrected the problem to ensure future reports will be submitted on time.*

*After discussion of the Board and consideration of SB2019 requirements, a motion was made to affirm the fine as recommended by staff and provide the permittee the option of paying the fine in quarterly installments for a one year period.*

MOTION: By Ms. Diamond, seconded by Ms. Cloke and approved on a voice vote.

13.2 Jon A. Artukovich & Sons, Azusa, WDID 4B19S003401

*Bryan Schweickert gave a staff presentation outlining the issues related to this item. He presented the facts of the case and asked the board to affirm the complaint in the amount of \$5,100.*

*John Artukovich testified before the Board and indicated that the complaint should be rescinded since there has been a change in ownership within the family business. He indicated that Jammco Investment, Inc. is currently the property owners, and his former business has been inactive and cannot pay the fine.*

*After much discussion, the Board directed staff to meet with the permittee during the meeting proceedings, and come back to the Board later in the day with further clarification of who will be responsible for the fine proposed by staff.*

*A motion was made to continue this item unless they can determine who the responsible party is, and increase the fine based on additional staff costs needed to determine this information. Mr. Artukovich indicated he would agree to a lesser fine, and agreed to meet with staff during the break to resolve this issue.*

MOTION: By Mr. Nahai, seconded by Ms. Cloke and approved on a voice vote.

*The Board paused for a lunch break at 12:15 p.m. and returned at 1:15 p.m.*

*Jorge Leon addressed the Board and informed them that Mr. Artukovich has agreed to name Jammco Investment, Inc. as the responsible party, and he also agreed to pay the recommended amount of \$5,100. Staff recommended the Board consider this proposal and allow the fine to be paid in quarterly installments for a one year period.*

MOTION TO RESCIND FIRST MOTION: By Ms. Lyon, seconded by Mr. Coe, and approved by a voice vote.

*A new motion was made to affirm the complaint in the amount of \$5,100 to be paid in quarterly installments for a period of one year.*

MOTION: By Mr. Coe, seconded by Ms. Lyon, and approved on a voice vote.

17. Briefing on San Gabriel Basin Cleanup Efforts.

*Wendy Phillips gave introductory remarks. Arthur Heath gave a staff presentation providing background information on cleanup efforts in the San Gabriel Basin.*

*Elizabeth Adams, U.S. EPA, gave a presentation outlining the superfund process and direction the U.S. EPA will take to cleanup the basin.*

*Wayne Praskins, U.S. EPA, gave a presentation summarizing the status of the Baldwin Park area, and efforts being taken to clean up the groundwater in that area. Wendy Phillips provided concluding remarks informing the Board that Regional Board staff have assessed over 1,300 sites in Baldwin Park within the last five years. She indicated that more staff resources are needed to continue this effort. Currently there is only one-half to one technical staff person available to work on this complex issue.*

*Dan Arrighi, San Gabriel Valley Water Company, addressed the Board thanking them for issuing a Cleanup and Abatement Order to Aerojet General Corporation and other polluters who have caused the contamination into the groundwater in the San Gabriel Valley. He asked the Board to continue addressing this matter by cooperating with the Main San Gabriel Basin Water Master while they develop a work plan for the design and construction of treatment systems, and submit the workplan to the Board for approval.*

*Assemblyman Thomas Calderon addressed the Board expressing his concerns of the contamination throughout the San Gabriel Valley Basin, and the cost that cleaning up the basin will go to rate payers rather than the responsible parties who contaminated it. He indicated that he is working closely with all parties to ensure this matter gets resolved adequately and thanked the Board for acting swiftly and responsibly.*

*Mike Nelson, Legal Counsel for WYCO, addressed the Board to express his concerns on the future Cleanup and Abatement Orders that may be issued for other potentially responsible parties, and the funding problems they will endure to obtain insurance coverage for any CAOs issued by the board. Insurance companies are not liable to pay costs resulting from CAOs, but do pay for Court Judgements.*

*Robert Bowcock, Board of Directors, Main San Gabriel Basin Water Master, addressed the Board informing them that a petition has been filed to the Regional Board to require them to issue a Cleanup and Abatement Order (CAO) to Aerojet General Corporation, adding three additional requirements to the already issued CAO.*

18. Consideration of Revised Waste Discharge Requirements (WDR), a Revised Monitoring and Reporting Program, and a Time Schedule Order for the San Gabriel Basin Water Quality Authority (South El Monte Operable Unit Shallow Zone Extraction Barrier Pilot Program)

*The Executive Assistant read the opening statement for item 18 and Chairman Nahai opened the public hearing by giving the oath to those testifying before the Board.*

*Wendy Phillips gave a staff presentation summarizing issues related to this matter and asked the Board to adopt the tentative requirements, a revised monitoring and reporting program, and time schedule order.*

*Ejigu Solomon gave a staff presentation summarizing technical aspects of this item and asked the Board to adopt staff recommendations.*

*Wendy Phillips informed the Board that the discharger has asked for last minute minor changes and staff agrees to the changes as proposed.*

*Kirby Brill, San Gabriel Basin Water Quality Authority, provided brief comments to the Board.*

*After discussion of the Board, a motion was made to adopt staff recommendations with the following modifications: Page 18 – 20 (December 29<sup>th</sup> to January 15<sup>th</sup>); and on page 18 – 24, (the division of the word “daily” be replaced by the word “weekly”).*

MOTION: By Mr. Coe, seconded by Ms. Cloke, and approved on a voice vote.

12. Consideration of Revisions to the Waste Discharge Requirements (WDR) and NPDES permit for Las Virgenes Municipal Water District (Tapia Water Reclamation Facility)

*The Executive Assistant read the opening statement and Chairman Nahai opened the public hearing and administered the oath to those testifying. Mr. Coe abstained from participation.*

*Dennis Dasker gave a staff presentation outlining the amendments proposed by staff and providing background information on the State Board’s remand on discharge prohibition, nutrient limits, and incidental take permit.*

*Jim Colbaugh, Las Virgenes Municipal Water District addressed the Board and informed them that he and legal counsel had submitted their concerns in a letter to the Board. He asked that the permit and time schedule order become one permit.*

*The following persons addressed the Board on this matter:*

*Alex Helperin, NRDC  
Steve Fleischli, Santa Monica BAYKeeper  
Mark Gold, Heal the Bay  
Bill Parr, resident  
Jeff Duclos, National Surfrider Foundation*

*Debbie Smith answered questions of the Board. The Chairman closed the public hearing. After discussion of the Board, a motion was made to adopt staff’s recommendation including the following modifications:*

*Page 12-2 and 12.3, a fixed discharge for prohibition from April 15<sup>th</sup> through November 15<sup>th</sup>; the adoption of an 8-milligram-per-liter limit on nitrates; direct staff to come back*

*within 6 months with a phosphate limit recommendation; and additions to paragraphs B1B and B1C on page 12-10.*

**MOTION:** By Mr. Nahai, seconded by Ms. Cloke and approved on a voice vote.

19. Consideration of a Tentative Cease and Desist Order (CDO) directing Alameda Corridor Transportation Authority (ACTA) to cease and desist conditions of exceedances of effluent limitations required in the NPDES permits for the groundwater dewatering operations at Greenleaf Blvd., Compton and El Segundo Blvd., Compton.

*The Executive Assistant read the opening statement and Chairman Nahai opened the public hearing and administered the oath to those testifying before the Board.*

*Dennis Dickerson provided introductory remarks. Dennis Dasker gave a staff presentation summarizing issues related to this matter, and asked the Board to adopt the tentative CDO.*

*Sharon Rubalcava, Legal Counsel for ACTA, gave a presentation informing the Board that ACTA strongly supports staff's recommendation to issue a CDO which sets interim limits for discharge.*

*The following persons testified to the Board on this matter:*

*Tim Buresh, Director of Construction Engineering, ACTA  
Domingo Leon, Society Hispanic Professional Engineers  
Myra L. Frank, Myra L. Frank & Associates  
Gill Hicks, General Manager, ACTA  
Joe Valverde, Valverde Construction Company  
Drexell Muhammed, Drexell Equipment  
Rich Macias, SCAG  
Shala Craig, Tudor Silva Active Group  
Don May, California Earth Corps  
Lee Harrington, Los Angeles County Economic Development Corporation  
Steve Fleischi, Santa Monica BayKeeper  
Mitzy Taggart, Heal the Bay  
David Beckman, NRDC  
Mark Gold, Heal the Bay  
Jacqueline Lambrichts, Friends of the San Gabriel River  
Andi Liebenbaum, Los Angeles Conservation Corps.  
Joan Greenwood, resident*

*The Chairman closed the public hearing. After much discussion by the Board, a motion was made to defer this item until the December 20, 1999 Special Board Meeting, and allow the Board's legal counsel time to address legal issues raised during the hearing.*

**OTHER BUSINESS**

- 20. Consideration of a Resolution in Support of the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000; and the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act.

*This item was continued until a future board meeting.*

**INFORMATION ITEMS**

- 21. Briefing of SB 709.

*This item was continued until a future board meeting.*

- 22. Discussion of Future Regional Board Retreats.

*This item was continued until a future board meeting.*

- 23. Board Member Communications.

*There were no items discussed during this item.*

- 24. Executive Officer's Report

*There was no report given during this item.*

- 25. Closed Lunch Session.

*There was not a closed lunch session.*

- 26. Adjournment of Current Meeting.

*Adjournment of Current Meeting. The meeting adjourned at 7:30 p.m. until the next special board meeting on December 20, 1999.*

Minutes adopted at the \_\_\_\_\_ Regular Board Meeting as submitted/amended.

Written and submitted by: \_\_\_\_\_.