

**State of California
California Regional Water Quality Control Board, Los Angeles Region**

**RESOLUTION NO. 03-016
December 4, 2003**

Revision of interim effluent limits for ammonia in the Amendment to the Water Quality Control Plan for the Los Angeles Region to include a TMDL for Nitrogen Compounds and Related Effects in the Los Angeles River, Resolution 03-009

WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region, finds that:

1. The federal Clean Water Act (CWA) requires the California Regional Water Quality Control Board (Regional Board) to develop water quality standards which are sufficient to protect beneficial uses designated for each water body found within its region.
2. The Regional Board carries out its CWA responsibilities through California's Porter-Cologne Water Quality Control Act and establishes water quality objectives designed to protect beneficial uses contained in the Water Quality Control Plan for the Los Angeles Region (Basin Plan).
3. At a public hearing on July 10, 2003, the Regional Board considered amending the Basin Plan to include a TMDL for nitrogen compounds and their effects in the Los Angeles River. The Regional Board considered the entire record, including written and oral comments received from the public and the Regional Board staff's response to the written comments. At the public hearing, representatives from the City of Los Angeles, owners and operators of the Donald C. Tillman and Los Angeles-Glendale WRPs, requested that the Regional Board consider different interim effluent limits than those proposed by the Regional Board staff. The discharger proposed a different data set from that used by Regional Board staff as more representative of the anticipated performance of the WRPs during the period of time when the nitrification and denitrification facilities will be constructed. The Regional Board also noted that the costs associated with this TMDL are limited to the costs for additional monitoring and special studies and this TMDL will not cause dischargers any capital expenditures beyond those costs which are attributable to the currently existing Basin Plan ammonia objective.
4. Resolution No. 03-009 was adopted by the Regional Board on July 10, 2003 (see attachment B). The resolution assigned waste load allocations (WLAs) to major POTWs, minor point sources, and MS4s permittees discharging to specified reaches of the Los Angeles River. The Regional Board also directed staff to consider alternative interim effluent limits proposed by the discharger.

5. Regional Board staff have been working with the discharger and have held two meetings with the City on July 25 and September 25, 2003 for the purpose of evaluating the most representative data sets and appropriate calculational methods for determining the interim effluent limits for the Donald C. Tillman and Los Angeles-Glendale Water Reclamation Plants (WRPs). Regional Board staff recommendations are summarized in a Regional staff memorandum dated September 30, 2003.
6. The Regional staff memorandum of September 30, 2003, as well as a CEQA checklist and tentative Basin Plan Amendment were released for public comment on October 3, 2003. The revised interim effluent limits are proposed in attachment A to this resolution.
7. The amendment is consistent with the State Antidegradation Policy (State Board Resolution No. 89-16), in that the changes to water quality objectives (i) consider maximum benefits to the people of the state, (ii) will not unreasonably affect present and anticipated beneficial use of waters, and (iii) will not result in water quality less than that prescribed in policies. Likewise, the amendment is consistent with the federal Antidegradation Policy (40 CFR 131.12).
8. The proposed amendment results in no potential for adverse effect (de minimis finding), either individually or cumulatively, on wildlife.
9. The regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b).
10. The Basin Plan amendment incorporating a revision for interim limit for ammonia and nitrate plus nitrite for Los Angeles River must be submitted for review and approval by the State Water Resources Control Board (State Board), the State Office of Administrative Law (OAL), and the U.S. Environmental Protection Agency (U.S. EPA). The Basin Plan amendment will become effective upon approval by OAL and U.S. EPA. A Notice of Decision will be filed.

THEREFORE, be it resolved that pursuant to Section 13240 and 13242 of the Water Code, the Regional Board hereby amends the Basin Plan as follows:

1. The interim effluent limits for ammonia in attachment A of this Resolution supersede the interim effluent limits for ammonia for the Donald C. Tillman, Los Angeles-Glendale, and Burbank WRPs in Resolution 03-009.
2. Pursuant to sections 13240 and 13242 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the amendment to Chapter 7 the Water Quality Control Plan for the Los Angeles Region to incorporate the revisions of the interim effluent limits in the Los Angeles River Nitrogen Compounds and Related Effects TMDL, Table 7-8.1, Implementation Section as set forth in Attachment A hereto.

3. The Executive Officer is directed to forward copies of the Basin Plan amendment to the SWRCB in accordance with the requirements of section 13245 of the California Water Code.
4. The Regional Board requests that the SWRCB approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward it to OAI and the U.S. EPA.
5. If during its approval process the SWRCB or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.
6. The Executive Officer is authorized to sign a Certificate of Fee Exemption.
7. Amend the text in the Basin Plan, Plans and Policies (Chapter 5) to add:

“Resolution No. 03-016. Adopted by the Regional Water Quality Control Board on December 4, 2003.

‘Amendment to revise the interim effluent limits in the TMDL for Nitrogen Compounds and Related Effects in the Los Angeles River, Resolution 03-009’

The resolution proposes revisions for the interim effluent limits for ammonia in the Los Angeles River.”

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on December 4, 2003.

[Original signed by]

Dennis A. Dickerson
Executive Officer