

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

**320 W. 4th Street, Suite 200
Los Angeles, California 90013
(213) 576-6600**

**NOTICE OF PUBLIC HEARING
Public Notice No. 23-015**

**PROPOSED ISSUANCE OF
WASTE DISCHARGE REQUIREMENTS AND
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT**

| DISCHARGER | FACILITY LOCATION | RECEIVING WATER |
|---|--|------------------------|
| West Basin Municipal Water District (Edward C. Little Water Recycling Facility) | 1935 Hughes Way, El Segundo, California | Pacific Ocean |

The West Basin Municipal Water District (hereinafter West Basin or Discharger) discharges up to 5.2 MGD of brine waste from its Edward C. Little Water Recycling Facility (ECLWRF) to the Pacific Ocean, a water of the United States, at Discharge Point 001 (Latitude: 33.91197°N, Longitude: 118.52145°W). West Basin owns, and Veolia North America operates the ECLWRF, an advanced water treatment facility located at 1935 Hughes Way, El Segundo, California. The discharge is regulated under waste discharge requirements contained in Order No. R4-2018-0089, adopted by the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) and the United States Environmental Protection Agency (USEPA) on June 14, 2018. Order No. R4-2018-0089 serves as a permit under the National Pollutant Discharge Elimination System (NPDES No. CA0063401). The Discharger filed a Report of Waste Discharge (ROWD) and applied for reissuance of Waste Discharge Requirements (WDRs) and NPDES permit on February 27, 2023, to discharge brine waste to the Pacific Ocean. The application was deemed complete on June 19, 2023. The terms and conditions of the current NPDES permit have been automatically continued and remain in effect until new WDRs and NPDES permit are adopted pursuant to the proposed Order.

On the basis of preliminary staff review and application of lawful standards and regulations, the Los Angeles Water Board and USEPA tentatively propose to jointly issue consolidated waste discharge requirements and the NPDES permit under Title 40 of the Code of Federal Regulations (40 CFR) § 124.4(c)(2).

PUBLIC HEARING DATE AND LOCATION

The Los Angeles Water Board will hold a public hearing on the Tentative WDRs and NPDES permit during the regular Los Angeles Water Board meeting (Board meeting) on the following date and time and at the following location:

Date: **November 16, 2023**
Time: 9:00 a.m.
Place: 320 W 4th Street, Carmel Room
Los Angeles, California 90013

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.

Interested persons are invited to attend. At the public hearing, the Los Angeles Water Board and USEPA will hear any testimony pertinent to the discharge, tentative WDRs, and NPDES permit. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our [Web address](http://www.waterboards.ca.gov/losangeles/) is <http://www.waterboards.ca.gov/losangeles/>, where you can access the current agenda for changes in dates and locations.

AVAILABILITY OF DOCUMENTS

The Report of Waste Discharge (ROWD), other documents relied upon, tentative effluent limitations and special provisions, comments received, and other information on file are available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday by appointment at the following addresses:

Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

U.S. EPA Region 9
75 Hawthorne Street, Mail Code WTR 2-3
San Francisco, California 94705

The Tentative requirements are available on the Los Angeles Water Board's [website](https://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/) at: https://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/ under the "Individual NPDES" heading. [USEPA's website](https://www.epa.gov/aboutepa/public-notice-meetings-and-events-epas-pacific-southwest) also contains information related to this public notice and this Tentative NPDES permit and can be found at: <https://www.epa.gov/aboutepa/public-notice-meetings-and-events-epas-pacific-southwest>.

The entire file (ROWD, other documents relied upon, tentative effluent limitations and special provisions, comments received, and other information) will become a part of the administrative record of this proceeding, irrespective of whether individual documents are specifically referenced during the hearing. The entire file will not be present in the hearing room. Should any interested persons desire staff to bring to the hearing any documents that are not included in the agenda packet, they must submit a written or electronic request to staff during business hours no later than five business days before the hearing. The request must identify the documents with enough specificity for staff to locate them.

NATURE OF HEARING

This will be a formal adjudicative hearing pursuant to section 648 et seq. of title 23 of the California Code of Regulations. Chapter 5 of the California Administrative Procedure Act

(commencing with section 11500 of the Government Code) will not apply to this proceeding.

Ex Parte Communications Prohibited: As a quasi-adjudicative proceeding, no board member may discuss the subject of this hearing with any person, except during the public hearing itself. Any communications to the Los Angeles Water Board must be directed to staff.

COMMUNICATIONS WITH STAFF BEFORE THE HEARING

The lead staff members responsible for this item are:

Becky Mitschele
U.S. EPA Region 9
Water Division, NPDES Permits Section
mitschele.becky@epa.gov

Danielle Robinson
320 West 4th Street, Suite 200
Los Angeles, CA 90013
danielle.robinson@waterboards.ca.gov

PARTIES TO THE HEARING

The following are the parties to this proceeding:

West Basin Municipal Water District

Any other persons requesting party status must submit a written or electronic request to staff no later than 20 business days before the hearing. All parties will be notified if other persons are so designated.

PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment on, or object to, the tentative waste discharge requirements and NPDES permit, or submit evidence for the Board to consider, are invited to submit them in writing to [Danielle Robinson](mailto:Danielle.Robinson@waterboards.ca.gov) at Danielle.Robinson@waterboards.ca.gov and/or [Becky Mitschele](mailto:mitschele.becky@epa.gov) at mitschele.becky@epa.gov. To be fully responded to and considered by the Los Angeles Water Board and USEPA, written comments or testimony regarding the tentative documents must be received no later than **5:00 p.m. on October 13, 2023**. Failure to comply with these requirements is grounds for the Los Angeles Water Board to refuse to admit the proposed written comment or exhibit into evidence pursuant to section 648.4, title 23 of the California Code of Regulations.

HEARING PROCEDURE

The Board meeting, of which this hearing is a part, will start at 9:00 a.m. Interested persons are invited to attend. When the agenda item is called, staff will present the matter under consideration, after which oral statements from parties or interested persons will be heard. For accuracy of the record, all important testimony should be in writing. The Board and USEPA will include in the administrative record written transcriptions of oral testimony that is actually presented at the hearing. Oral testimony may be limited to five

minutes or less for each interested person, depending on the number of interested persons wishing to be heard.

Parties or interested persons with similar concerns or opinions are encouraged to choose one representative to speak and are encouraged to coordinate their presentations with each other. Parties will be advised after the receipt of public comments, but prior to the date of the hearing, of the amount of time each is allocated for presentations. That decision will be based upon the complexity and number of issues under consideration, the extent to which the parties have coordinated, the number of parties and interested persons anticipated, and the time available for the hearing. The parties are invited to contact staff not later than **November 2, 2023**, (two weeks prior to the hearing) to discuss how much time they believe is necessary for their presentations, and staff will endeavor to accommodate reasonable requests. At the conclusion of testimony, the Board will deliberate in open or close session, and render a decision.

The Board meeting does not generally require the prior identification of witnesses, the cross examination of witnesses, or other procedures not specified in this notice. Parties or persons with special procedural requests or requests for alternative hearing procedures should contact staff, who will endeavor to accommodate reasonable requests. Objections to any procedure to be used during this hearing must be submitted in writing no later than close of business 15 business days prior to the date of the hearing. (Any objections related to the amount of time allocated for parties' presentations must be submitted within two business days of notice thereof, if that date is less than 15 business days before the hearing.) Absent such objections, any procedure not specified in this hearing notice will be waived pursuant to section 648(d) of title 23 of the California Code of Regulations. Procedural objections will not be entertained at the hearing.

When a final permit is issued, it will become effective at least 30 days following the date it is mailed to the permittee, unless a request for review is filed. Persons filing a request for review must have filed comments on the draft permit or participated in the public hearing on this matter, except as provided for by 40 CFR 124.19.

If there should not be a quorum on the scheduled date of this meeting, all cases will be automatically continued to the next scheduled meeting on **December 21, 2023**. A continuance will not extend any time set forth herein.

Date: September 13, 2023