STATE OF CALIFORNIA

[redacted]

CEASE AND DESIST ORDER NO. R4-2007-0056

[redacted]

REQUIRING THE BOEING COMPANY, SANTA SUSANA FIELD LABORATORY TO CEASE AND DESIST DISCHARGES OF CONTAMINANT CONCENTRATIONS IN EXCESS OF APPLICABLE WATER QUALITY STANDARDS TO WATERS OF THE UNITED STATES

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds:

[redacted]

9. On June 27, 2001, the Regional Board issued a Notice of Violation (NOV) to the Permittee for violations of the effluent limits and monitoring and reporting requirements set forth in Board Order No. 98-051. The Permittee's effluent discharges exceeded the limits for mercury (Hg), copper (Cu), BOD, total coliform, total suspended solids (TSS), cadmium (Cd), thallium (Tl), oil and grease, antimony (Sb), and $NO_3 + NO_3$ as Nitrogen (N) from January 2000 through March 2001 from

10. On October 19, 2001, the Regional Board issued a Revised NOV to the Permittee, which resulted in rescinding seven (7) effluent limit violations and two (2) monitoring and reporting violations noted in the June 27, 2001, NOV.

11. On April 29, 2002, the Regional Board issued Complaint No. R4-2002-0084 for Mandatory Minimum Penalty to the Permittee in the amount of $39,000 which was paid by the Permittee for

18. In a letter dated April 14, 2005, the Permittee, in response to the March 14, 2005 NOV, submitted a report detailing corrective actions taken. The Permittee asserted that most of the exceedances are the result of natural causes and/or new constituents, effluent limits or methodologies in the renewed permit. The Permittee also asserted that they planned to request that the permit be modified to remove permitted discharges that were generated by operations that have been terminated (sewage

19. By a letter to the Regional Board dated July 15, 2005, the Permittee requested that the Regional Board reopen and revise the NPDES permit issued in July 2004 to provide a compliance schedule

25. On January 24, 2006, tentative Order R4-2006-00XX, which incorporated updates associated with the metals and nutrients TMDLs for Los Angeles River was issued for public comment. During the March 9, 2006, Board Meeting the item was considered and the proposed amendment adopted as Order No. R4-2006-0036.

a) "Standard Provision A1: Neither the disposal nor any handling of wastes shall cause pollution or nuisance.."

b) "Standard Provision A2: The discharge shall not cause a violation of any applicable water

quality standards for receiving waters adopted by the Regional Board or the State Water Resources Control Board as required by the Federal Clean Water Act and regulations adopted there under...."

c) "Standard Provision B3: The discharger must comply with all of the terms, requirements, and conditions of this order. Any violation of this order constitutes a violation of the Clean Water Act, its regulations and the California Water Code, and is grounds for enforcement action, Order termination, Order revocation and reissuance, denial of an application for

- Where required the area was re-graded to improve surface flow path.
- Rip rap was installed across the access road at Outfall 006.
- Implemented upgraded structural BMPs at all outfall locations in the developed portion of the site by May 2006. The upgraded BMPs in several instances included course and fine gravel beds to slow the flow of the runoff and filter bags filled with activated carbon and vermiculite, as well as silt fencing, fiber rolls, and in some cases course rip-rap.

Many of the upgraded BMPs were implemented prior to May 2006, which was reported in the *Best Management Practices Effectiveness Sampling Workplan for Santa Susana Field Laboratory* submitted to the Regional Board on October 2, 2006. However, the Permittee has continued to evaluate and upgrade the BMPs.

37. Section 13301 of the California Water Code states, in part, that:

"When a regional board finds that a discharge of waste is taking place or threatening to take

prior to the January 19, 2006 Board Meeting. BMPs implemented prior to the fire were typical of those routinely used at construction sites to retard the transport of sediment (silt fences, plastic sheeting, etc). In most cases, the BMPs implemented after the fire were designed to slow flows (i.e. [redacted]

with carbon or vermiculite.

On May 24, 2007, Boeing submitted to the Regional Board the *Phase 2 Post-Fire Vegetation Recovery Assessment Report* prepared for Geosyntech Consultants by Western Botanical Services, Inc. The report assessed the status of and time to recovery of chaparral and scrub at the project site subsequent to the Topanga Fire. The executive summary of the report asserts that chaparral and scrub represent the dominant vegetation types at SSFL and that these plant communities represent an important natural vegetation-based means of erosion control at the site. It further states that the "perennial plant cover differed by significantly more than 30 percent between burned and unburned transects, total vegetative cover differed by significantly greater than 20 percent cover and ground

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select and implement natural BMPs for Outfalls 008 and 009. The workplan shall contain the following components:

a. A time schedule that begins on November 1, 2007, and ends on June 10, 2009.

b Assembly of a panel to review site conditions, modeled flow, contaminants of concern, and evaluate the BMPs capable of providing the required treatment to meet the final effluent limits.

c. A description of the BMPs to be utilized. Design the BMPs and develop a plan for BMP implementation. Purchase required materials.

d. A schedule for the installation of the BMPs at Outfalls 008 and 009.

e. A schedule to evaluate the BMPs' performance.

4. Discharges from Outfalls 008 and 009 on June 10, 2009, and thereafter, shall comply with the final effluent limits that appear in I.B.4. of Order R4-2007-0055.

RESCISSION

Cleanup and Abatement Order No. R4-2005-0077, adopted by this Regional Board November 30, 2005, is [redacted]

hereby rescinded except for enforcement purposes.

I, Tracy J. Egoscue, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on November 1, 2007.

Tracy J. Egoscue
Executive Officer