

**Response to Comments Received  
Regarding the Tentative NPDES Order  
For  
Camarillo Sanitary District**

Subject	#	Comment	Agree	Disagree	Response	Action taken
<b>Comments Received on March 21, 2011, from Camarillo Sanitary District for their Camarillo Water Reclamation Plant regarding the Tentative NPDES Order dated February 17, 2011</b>						
<b>Cover Letter</b>						
Numeric Chronic Toxicity Limitation	1a	Camarillo SD opines that there should be no enforceable numeric toxicity effluent limits in the Tentative Order.		X	<p>Regional Water Board staff included numeric daily maximum and monthly median water quality based effluent limitations (WQBELs) for chronic toxicity in order to implement the 1.0 Tuc Waste Load Allocation (WLA) in the <i>Calleguas Creek Toxicity Total Maximum Daily Load (Toxicity TMDL)</i>. Those limitations are consistent with USEPA guidance at the time of permit renewal, as required by the implementation plan of the <i>Toxicity TMDL</i>.</p> <p>The <i>Toxicity TMDL</i> contains the following language in the implementation plan: “WLAs established for the major point sources, including POTWs in the [Calleguas Creek Watershed] will be implemented through NPDES permit effluent limits..... The Toxicity WLA will be implemented in accordance with <b>USEPA</b>, State Board and Regional Water Board resolutions, <b>guidance</b> and policy <b>at the time of permit issuance or renewal</b>” (emphasis added).</p>	Modified language to specify that the 1.0 Tuc for chronic toxicity is a water quality based effluent limitation (WQBEL), not just a trigger.
	1b	Camarillo SD further requests that the toxicity limitations be removed from Table 6a, because they believe that the State Water Board precedent has clarified that the 1.0 Tuc value should		X	The State Water Board’s website regarding adopted Resolutions, Orders, and Decisions at <a href="http://www.waterboards.ca.gov/board_decisions/adopted_orders/index.shtml">http://www.waterboards.ca.gov/board_decisions/adopted_orders/index.shtml</a> , contains the following statement: “A Regional Water Board may conclude that based on	None necessary

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		serve only as a “trigger” for initiation of a toxicity reduction evaluation (TRE)/toxicity investigation evaluation (TIE) process.			<p>differences between the facts before the Regional Water Board and the facts that were the basis for the State Water Board precedent, a State Water Board precedent either does not apply or should be modified as applied in the proceeding before the Regional Water Board.”</p> <p>The Regional Water Board believes that there are differences between the facts surrounding the circumstances in the County Sanitation District of Los Angeles County (County San.) precedential order (State Water Board Water Quality Order (WQO) 2003-012) and those for Camarillo Sanitary District’s Camarillo Water Reclamation Plant. Namely, the existence of a State Water Board-approved TMDL for Toxicity, containing a numeric 1.0 TUc WLA, warrants the inclusion of numeric water quality based effluent limitations for chronic toxicity in the NPDES permit.</p>	
EPA Guidance on Toxicity narrative vs. numeric	1c	Camarillo SD believes that current USEPA guidance, including EPA Region 9 and 10 whole effluent toxicity (WET) guidance, allows for the use of narrative effluent limits for toxicity, and indicates that “the principal mechanism for bringing a discharger into compliance with a water quality-based WET requirement is a toxicity reduction evaluation.”		X	<p>Regional Water Board staff agrees that effluent limitations for chronic WET may be narrative, but they are not required to be. They may also be numeric, as described in Chapter 2 of <i>USEPA Region 9 and 10 Guidance for Implementing Whole Effluent Toxicity Testing Programs (Denton DL, Narvaez M. 1996)</i>, which reads as follows:</p> <p>“There are a number of different approaches that can be used to derive permit limits for WET. This policy outlines three widely used approaches: the statistical approach; the direct approach; and other State regulations...While each of these methods is a valid approach for deriving permit limits, EPA recommends that the permitting authority establish permit limits using a statistical</p>	None necessary.

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					<p>derivation procedure that adequately accounts for effluent variability.”</p> <p><i>EPA Region 9 and 10 Toxicity Training Tool</i> (Denton DL, Miller J., Stuber R., November 2007) provides additional guidance recommending numeric effluent limitations for chronic WET. Section 2.6.2 of that document reads:</p> <p>“When no mixing zone or dilution allowance is authorized, or an NPDES discharge is a zero flow stream, EPA Regions 9 and 10 continue to recommend that the Permitting Authorities establish a monthly median limit (MML) of 1.0 TUc for chronic WET.</p> <p>In summary, use of the MML of 1.0 TUc for chronic WET is recommended only in conjunction with the following permit conditions:</p> <ul style="list-style-type: none"> <li>• A statistically calculated maximum daily limit (MDL) for chronic WET is (Technical Support Document (TSD) section 5.4.1); and</li> <li>• Routine WET monitoring using the most sensitive test species identified through screening using species representing three different phyla (TSD section 1.3.4).</li> </ul> <p>Appendix C of this document provides an example of EPA Region 9 and 10’s recommended approach for calculating chronic WET permit limits for low-flow situations.”</p>	
Copper Final Effluent Limitations	2a	Camarillo SD stated that it is unclear how the concentration based copper effluent limits were calculated. Regional Water Board staff indicated	X		Regional Water Board staff did use the procedures in the <i>Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP)</i> . However, the District correctly notes that	Recalculated and corrected the copper final

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		that the effluent limit was based on the SIP procedure using the aquatic life criteria with the assumption that the hardness was 367 and the Water Effect Ratio (WER) was 1. Table R2 includes the parameters used to calculate effluent limits on this basis. Using these values effluent limits would be an AMEL of 13 µg/L and an MDEL of 44 µg/L.			the concentration-based copper effluent limitations (i.e., Average Monthly Effluent Limitation (AMEL) and Maximum Daily Effluent Limitation (MDEL)) were calculated incorrectly. The AMEL and MDEL multiplier values for iron, instead of the AMEL and MDEL multiplier values for copper, were taken from an adjacent column in Table D1 and were used to calculate the final effluent limitations for copper in Table R1. Regional Water Board staff corrected the error and used the appropriate AMEL and MDEL multiplier values, together with a hardness value of 367 mg/L and a WER value of 1, to yield an AMEL of 13.55, rounded to 14 µg/L and a MDEL of 44 µg/L. On March 24, 2011, Regional Water Board staff sent a letter to interested parties informing them about a change in the copper final WQBELs.	effluent limitations.
Copper data point	2b	Camarillo SD requests that the “j-flagged” value of 166 µg/L be excluded from the effluent data set, and that subsequently the copper final effluent limitations be recalculated a second time.		X	The SIP refers to j-flagged values as detected but not quantified (DNQ) values. DNQ values are valid data points which may be used in Reasonable Potential (RP) calculations. The 166 µg/L data point cannot be excluded simply because it was higher in concentration than most other data points. If evidence had been provided by the Discharger to demonstrate that there was lab error, questionable quality assurance/ quality control (QA/QC), sample contamination, or something to that effect, staff could have excluded that value from the data set. However, the Discharger did not provide such evidence.	None necessary.
Saltwater Copper WER	3	Camarillo SD requests that the adopted Water Effects Ratio (WER) for copper be applied to the mass-based effluent limit in the Tentative Order.		X	The 3.69 WER was adopted by the Regional Water Board in Resolution No. 2006-022, but it applied to the Lower Calleguas Creek – Reach 2 (downstream/south of Potrero Road to the lagoon). The Camarillo Water Reclamation	Footnote 8 was modified explaining that the WER

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					<p>Plant's (WRP) Discharge Points 001A and 001B do not discharge to that reach of Calleguas Creek Watershed. It is counterintuitive to apply a saltwater WER to a facility that discharges freshwater effluent upstream of the reach. Since the TMDL does not indicate otherwise, the saltwater WER will not be applied to Camarillo SD's Discharge Points 001A or 001B. However, the WER may be applied at Discharge Point 002 after it is constructed, because it would discharge to the reach for which the 3.69 WER was developed. None-the-less, the WER needs to be re-assessed using recent data to confirm that the conditions in the receiving water remain similar to when the WER was developed in order to confirm that the WER is still appropriate.</p>	<p>may apply to Discharge Point 002 only.</p>
Turbidity	4a	<p>Camarillo SD believes that there is no evidence in the administrative record to suggest the effluent limitations included in the Tentative Order are necessary to protect the water contact recreation (REC-1) beneficial use. In fact, no water quality objective for turbidity has been adopted by the Regional Water Board for surface water discharges to protect the water contact recreation beneficial use.</p>		X	<p>The turbidity requirements are included in the permit for human health protection based on the receiving water's existing beneficial uses of water contact recreation (REC-1) and agricultural supply (AGR). USEPA's 1986 Quality Criteria for Water references a maximum limit of 1 NTU for turbidity, where water enters a distribution system. The USEPA document also discusses the link that exists between health considerations, turbidity, and effective chlorine disinfection. Suspended matter provides areas where micro-organisms do not come in contact with chlorine disinfectant.</p> <p>The turbidity limits for tertiary facilities were upheld by the State Water Board in the precedential issuance of WQO 2004-0010 for the City of Woodland. In that case, the</p>	<p>None necessary</p>

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					Central Valley Regional Water Board determined that Woodland's effluent must be treated to tertiary quality based on the receiving water's REC-1 and AGR beneficial uses, in the same way as the Los Angeles Regional Water Board staff have done for Camarillo. The State Water Board concluded in WQO No. 2004-0010 that the Central Valley Regional Water Board properly exercised its discretion in requiring Woodland to meet tertiary treatment requirements.	
Turbidity	4b	Camarillo SD requests that the limit for turbidity be removed, or be modified to comport with the secondary drinking water standard for turbidity.		X	<p>The turbidity limit is consistent with other permits for facilities that have filtration as a treatment process. Camarillo SD is required to properly operate and maintain its facilities pursuant to, 40 CFR section 122.41(e), and the Standard Provisions in its permit (Attachment N in the previous permit). Camarillo SD will be required to continue doing so in section I.D. of Attachment D of the tentative Order.</p> <p>The Fact Sheet contains the following discussion on turbidity: "Turbidity is an expression of the optical property that causes light to be scattered in water due to particulate matter such as clay, silt, organic matter, and microscopic organisms. Turbidity can result in a variety of water quality impairments. The effluent limitation for turbidity which reads, "For the protection of the water contact recreation beneficial use, the wastes discharged to water courses shall have received adequate treatment, so that the turbidity of the wastewater does not exceed: (a) a daily average of 5 Nephelometric turbidity units</p>	None necessary

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					<p>(NTUs) more than 5 percent of the time (72 minutes) during any 24 hour period; (b) a monthly average of 2 NTUs (from the effective date of the NPDES Order until the expiration date of such Order [i.e., until March 10, 2016]); and, (c) 10 NTUs at any time,” is based on the Basin Plan’s incorporation by reference of Title 22 and the definition of filtered wastewater. In comparison to other POTWs in this region, the turbidity limit for the Camarillo WRP is consistent with those of POTWs which have filtration as part of their treatment process. The limitation, therefore reflects what the technology (of choice by the Discharger) is designed to achieve.”</p> <p>See also response to comment 4a above.</p>	
Limit Removal	5a	<p>Camarillo SD requests that effluent limitations for the following pollutants be removed because they do not think that they have RP:</p> <p>Antimony, Arsenic, Bis(2-ethylhexyl)phthalate, Cadmium, Methylene blue active substances (MBAS), and</p>		X	<p>When it is determined that a pollutant does not have RP and the anti-backsliding exception applies, then a limit can be removed. However, if the anti-backsliding exception does not apply, then it is carried over to the next permit.</p> <p><u>Antimony</u>: The receiving water concentration was 54 µg/L and it was detected in the effluent. Therefore it has Tier 2 RP to contribute to an exceedance of the 6 µg/L Basin Plan water quality objective.</p> <p><u>Arsenic</u>: The maximum amount detected in the effluent was 13.1 µg/L, which is greater than the Basin Plan water quality objective of 10 µg/L. Therefore, it has Tier 1 RP to cause an exceedance of a water quality objective.</p>	None necessary.

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		Boron.			<p><u>Bis(2-ethylhexyl)phthalate</u>: The maximum amount detected in the effluent was 86 µg/L, which is greater than the Basin Plan water quality objective of 4 µg/L. Therefore, it has Tier 1 RP to cause an exceedance of a water quality objective.</p> <p><u>Cadmium</u>: The receiving water concentration was 7 µg/L and it was detected in the effluent. Therefore it has Tier 2 RP to contribute to an exceedance of the 5 µg/L Basin Plan water quality objective.</p> <p><u>MBAS</u>: USEPA approves the use of all relevant information and all available factors in determining whether or not a discharge has RP to cause or contribute to an exceedance. This is usually referred to Tier 3 RP, or "little bpj". Section 1.3, Step 7 of the SIP lists the type of information which under the permit writer's "best professional judgment" can be used to determine RP. The SIP, at page7, "Information that may be used to aid in determining if a water quality-based effluent limitation is required includes: the facility type, the discharge type, solids loading analysis, lack of dilution, history of compliance problems, potential toxic impact of discharge, fish tissue residue data, water quality and beneficial uses of the receiving water, CWA 303(d) listing for the pollutant, the presence of endangered or threatened species or critical habitat, and other information." Camarillo SD has Tier 3 RP because it receives MBAS and other soaps in its influent from multiple sources.</p>	

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					<p><u>Boron</u>: The watershed is impaired by boron and other constituents. Camarillo SD continuously discharges boron from its discharge point into the receiving water, so it contributes to an exceedance of the water quality objective.</p>	
TSD vs. SIP RPA	5b	Camarillo SD believes that the Technical Support Document (TSD) should not be used to determine RP for constituents in listed in the CTR, because Camarillo believes that the SIP supersedes the TSD for CTR constituents.		X	There is no mention of the SIP superseding USEPA's TSD in State Board Resolution No. 2005-0019, Adopt Amendments to the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP)." Both methods are acceptable in determining RP.	None necessary.
SIP RPA	5c	Camarillo SD believes that, by using the SIP approach, antimony, arsenic, and cadmium will not have RP.		X	<p>Regional Water Board staff disagree. Even if Camarillo SD applies the SIP reasonable potential analysis (RPA) procedures to the Basin Plan water quality objectives (what's referred to as C for criteria) for antimony, arsenic, and cadmium, they will still have RP to cause or contribute to an exceedance. Antimony and cadmium have RP due to high concentrations in the receiving water (referred to as B for background concentration).</p> <p>In Step 6 of the SIP: If B is greater than C and the pollutant is detected in any of the effluent samples, an effluent limitation is required.</p> <p>Also refer to the response to comment 5a.</p>	None necessary.

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Interim Limit Extensions	6	Camarillo SD requests interim limits for the following pollutants for which they believe they may not be able to comply with: nitrate + nitrite as nitrogen, nitrate as nitrogen, bis(2-ethylhexyl) phthalate, aldrin, and heptachlor epoxide.		X	<p>Camarillo SD is not eligible to receive interim limits for any of these constituents because it had already been granted interim limits in the past and had adequate time to comply with final limits. Also, even if the Regional Board were to provide interim limits in a Time Schedule Order (TSO) or a Cease and Desist Order (CDO) for these constituents, exceedances of the final limits but compliance with the interim limits in the TSO/CDO would not shield Camarillo SD from mandatory minimum penalties (MMPs) for violations under Water Code section 13385, as Camarillo SD does not meet the requirements under section 13385(j)(3).</p> <p>Camarillo SD had interim limits for <u>nitrate + nitrite as nitrogen</u> under the <i>Nitrogen Compounds and Related Effects TMDL</i>, while the plant was undergoing upgrades for nitrification/ denitrification (NDN). However those interim limits expired on July 16, 2007, four years after USEPA's approval of the TMDL. Since the NDN upgrade has been completed, the plant should be running as it was designed and comply with the various nitrogen limitations.</p> <p>Camarillo SD had interim limits for <u>bis(2-ethylhexyl) phthalate</u> in Time Schedule Order (TSO) No. R4-2003-0080, which was adopted concurrently with NPDES Order No. R4-2003-0079. However, those interim limits expired on May 10, 2008.</p>	None necessary.

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					Camarillo SD is not eligible for interim limits for <u>aldrin or heptachlor epoxide</u> , because the sunset provision in the SIP which allowed compliance schedules for CTR-based limits lapsed on May 18, 2010.	
Performance-based Interim Limits	7	Camarillo SD requests that interim limits be based on performance, referring section 2.21 of the SIP; requests recalculated interim limits for constituents in the Salts TMDL, and requests interim limits for <b>dichlorodiphenyltrichloroethane</b> (4,4-DDT, toxaphene ,and polychlorinated biphenyls (PCBs) that it considers more feasible.		X	The interim limits for these pollutants are based upon the interim WLAs contained in several TMDLs. Pursuant to 40 CFR section 122.44(d)(1)(vii)(B), effluent limits must be consistent with the assumptions and requirements of any available wasteload allocation. Thus, the interim effluent limitations can only be changed if the interim WLAs are first changed in the TMDLs.	None necessary.
Daily Limits for Human Health	8a	Camarillo SD believes that the SIP's limit calculation procedures only authorize the use of daily maximum limits for aquatic life criteria. They request that daily maximum limits for human health based criteria be removed from the tentative Order.		X	<p>Section 1.3 of the SIP contains procedures for calculating daily maximum effluent limits for both aquatic life and human health criteria. There is nothing in the SIP exempting POTWs from daily maximum limits. USEPA approved the SIP procedures for calculating daily maximum and monthly average effluent permit limitations, based on their CTR criteria.</p> <p>This issue was raised in the past by County Sanitation District when they petitioned the State Water Board to remove the daily maximum effluent limitations that were based on human health CTR criteria. However, the State Water Board, in its WQO 2003-012 (p. 16), concluded: "The Regional Water Board appropriately established effluent limitations implementing human health criteria to</p>	None necessary.

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					<p>protect the beneficial use of body contact recreation.”</p> <p>The CTR-based Daily Maximum limitations will be retained.</p>	
Daily Maximum Limits for BOD and TSS	8b	Camarillo SD requests that daily maximum limits for conventional pollutants such as biochemical oxygen demand (BOD) and total suspended solids (TSS) be removed, because they don't believe that technology or water quality justify the use of daily limits.		X	<p>The use of daily limits for BOD and TSS for POTWs that have tertiary treatment is common and is consistent with other permits for similar POTWs. Furthermore, the State Water Board upheld the daily maximum limits for BOD and TSS in their precedential Order for the City of Woodland, WQO 2004-0010, when they concluded that “the Regional Water Board properly exercised its discretion in requiring Woodland to meet tertiary requirements.”</p> <p>Regional Water Board staff included an impracticability statement in the tentative NPDES Permit and included a discussion in the Fact Sheet, linking the effects on beneficial uses and the need for daily maximum limits.</p>	None necessary.
Mass-based Limits	9	Camarillo SD requests that the mass limits for BOD, TSS, and other constituents be removed from the tentative permit, because they believe that they are more stringent than what's required by federal law.		X	<p>The use of mass limits is technically justified in the findings of the permit and the Fact Sheet. The use of mass limits is legally justified by 40 CFR section 122.45(f)(1), which requires that, except under certain conditions, all permit limits, standards, or prohibitions be expressed in terms of mass units. Pursuant to 40 CFR section 122.45(f)(2), pollutants may also be limited in terms of other units of measurement (e.g., concentration units). Where limits are expressed in more than one unit, the permittee must comply with both. Furthermore, USEPA supports the use of mass-based effluent limits in</p>	None necessary.

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					this permit.	
Special Study Constituents of Emerging Concern	10	Camarillo SD does not believe that the Regional Water Board can require them to conduct special studies without first conducting a benefit analysis under section 13267(b) and 13225(c).		X	<p>Regional Water Board staff believe that the burden, including costs, of the reports bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.</p> <p>The Regional Water Board has also required other dischargers, such as the City of Los Angeles and the Joint Outfall System, to conduct special studies to monitor constituents of emerging concern. Section VI.C.2.a of the tentative Order requires Camarillo SD to submit a work plan within six months of the permit effective date for approval by the Executive Officer, with monitoring to begin in 2012 and continue every other year.</p>	None necessary.
<b>Camarillo Sanitary District Comments (Continued)</b>						
<b>Attachment</b>						
State Board's Toxicity Policy Under Development	A-1a	Although the State Board is currently developing a new toxicity policy, the current draft policy is not yet effective and cannot be considered in incorporating the toxicity WLAs into the permit.	X		The tentative Order does incorporate the State Board's draft Toxicity Policy. Instead, the tentative Order contains a reopener which would allow for an opportunity in the future to incorporate any new requirements after the effective date of the Toxicity Policy.	None necessary.
Toxicity limits	A-1b	Camarillo SD recommended that, if needed, the Regional Water Board		X	Doing so would be contrary to the Implementation Plan of the <i>Toxicity TMDL</i> (at p.7) which reads as follows:	None necessary.

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		could add the TMDL requirements as Receiving Water Limitations as was done in the Ventura MS4 permit to clarify that these requirements are also required to be maintained in the receiving waters.			“WLAs established for the major point sources, including POTWs in the CCW will be implemented through NPDES permit effluent limits... Stormwater WLAs will be incorporated into the NPDES permit as receiving water limits measured in-stream at the base of each subwatershed and will be achieved through the implementation of BMPs as outlined below.”	
Toxicity Language	A-1c	<p>Camarillo SD requested that the following language be added to section IV.A.1.i since they requested the deletion of the numeric chronic toxicity limits from Table 6a and the deletion of the corresponding footnote 11:</p> <p>“The toxicity wasteload allocations are incorporated into the permit, consistent with the assumptions and requirements of the wasteload allocations documented in the Implementation Plan, including compliance schedules, associated with the State adoption and approval of the TMDL at the compliance monitoring location established in the TMDL (40 CFR 122.44(d)(1)(vii)(B). The assumptions used in developing the wasteload allocations include:</p> <p>(1) The WLAs will be incorporated into NPDES permits as a narrative effluent limitation that applies at the discharge</p>		X	<p>The requested language will not be inserted, because the numeric chronic toxicity limitations and Footnote 11 were not deleted from Table 6a.</p> <p>See also response to comment 1b above.</p>	None necessary.

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		<p>location. "The toxicity WLAs will be implemented in accordance with USEPA, State Water Board, and Los Angeles Water Board resolutions, guidance and policy in effect at the time of permit issuance or renewal. Currently, these WLAs would be implemented as a trigger for initiation of the Toxicity Reduction Evaluation/Toxicity Identification Evaluation (TRE/TIE) process as outlined in USEPA's "Understanding and Accounting for Method Variability in Whole Effluent Toxicity Applications Under the NPDES Program (2000)" and current NPDES permits held by dischargers to the CCW." (SWRCB Resolution, page 3)</p> <p>2) The 1.0 TUC WLA will be implemented as a trigger for the initiation of the TIE/TRE process. "As such, a toxicity allocation equal to the numeric targets will be set at the base of each of the subwatersheds. The toxicity targets will be implemented as a trigger mechanism for initiation of the TRE/TIE process as outlined in USEPA's <i>Understanding and Accounting for Method Variability in</i></p>				

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		<i>Whole Effluent Toxicity Applications Under the National Pollutant Discharge Elimination System Program (2000b)</i> ” (TMDL Technical Report, page 114)				
Copper effluent limit	A-2a	Camarillo SD reiterates a comment made in their cover letter regarding correcting the final effluent limitations for copper.	X		See response to cover letter comment 2b above.	Copper final effluent limits were corrected.
Copper data point	A-2b	Camarillo SD reiterates a comment made in their cover letter regarding deleting the 166 µg/L j-flagged value from the data set.		X	See response to cover letter comment 2b above.	None necessary.
Saltwater Copper WER	A-3	Camarillo SD reiterates a comment made in their cover letter requesting the incorporation of a saltwater WER into the copper final effluent limitations.		X	See response to cover letter comment 3 above.	None necessary.
	A-4a	Camarillo SD reiterates a comment made in their cover letter requesting that the turbidity limit be removed.		X	See responses to cover letter comment 4a and 4b above.	None necessary.
	A-4b	Camarillo SD believes that pursuant to CWC section 13360, the Regional Water Board is prohibited from imposing the effluent limitations for turbidity as a method for requiring a particular technology or requiring the maintenance of a particular technology ( <i>i.e.</i> , a “performance” based limitation that correlates to the performance of a		X	Water Code section 13360 prohibits the Regional Board from specifying the design, location, type of construction, or particular manner in which a discharger complies with waste discharge requirements. Regional Board staff is not recommending effluent limitations for turbidity in order to require particular technology, or maintenance of particular technology. The Regional Water Board did not require Camarillo SD to install filters at their plant. Camarillo SD chose to install the filters. As such, Camarillo SD must	None necessary.

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		particular technology that has been installed).			<p>properly operate and maintain their plant, including the filters, pursuant to 40 CFR section 122.41(e):</p> <p><i>“Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.”</i></p> <p>Also see response to cover letter comments 4a and 4b above.</p>	
No RPA process for TMDL	A-5a	<p>Camarillo SD refers to the Fact Sheet statement that reads: “RPA is not appropriate if a TMDL has been developed.” <i>Id.</i></p> <p>Camarillo SD believes that it is inconsistent with the language of the SIP, which allows a Tier 3 factor of a CWA 303(d) <u>LISTING</u> to be considered (<i>see</i> SIP at 7, section 1.3, since a TMDL has not already been done). Camarillo SD believes that where a</p>		X	<p>Regional Water Board staff followed the appropriate SIP procedures in determining RP and in establishing TMDL-based final effluent limitations.</p> <p>Section 1.3, <i>Determination of Priority Pollutants Requiring Water Quality-Based Effluent Limitations</i> of the SIP reads as follows (at p.5): “The RWQCB shall conduct the analysis in this section for each priority pollutant with an applicable criterion or objective, <b>excluding priority pollutants for which a Total Maximum Daily Load (TMDL) has been developed</b> (emphasis added), to</p>	None necessary.

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<b>Subject</b>	<b>#</b>	<b>Comment</b>	<b>Agree</b>	<b>Disagree</b>	<b>Response</b>	<b>Action taken</b>
		TMDL exists, if there is no RP, then there is no requirement for an effluent limitation.			determine if a water quality-based effluent limitation is required in the discharger's permit. In other words, the RPA process is not required when a TMDL exists, because it is understood that final effluent limits will be developed consistent with the WLAs established in the TMDL."	
Deleting Limits	A-5b	Camarillo SD reiterates a comment made in their cover letter requesting the deletion of limits for which the Technical Support Document RPA procedure was used to determine that a limit was needed.		X	See response to cover letter comment 5b.	None necessary.
MBAS Limit	A-6	Camarillo SD reiterates a comment made in their cover letter requesting that the limit for MBAS be removed.		X	See response to cover letter comment 5a.	None necessary.
Boron Limit	A-7	Camarillo SD reiterates a comment made in their cover letter requesting that the limit for Boron be removed.		X	See response to cover letter comment 5a.	None necessary.
Arsenic Limit	A-8	Camarillo SD reiterates a comment made in their cover letter requesting that the limit for Arsenic be removed.		X	See response to cover letter comment 5a.	None necessary.
Antimony & Cadmium Limits	A-9	Camarillo SD reiterates a comment made in their cover letter requesting that the limits for arsenic and cadmium be removed.		X	See response to cover letter comment 5a.	None necessary.
Interim Limit Request	A-10	Camarillo SD reiterates a comment made in their cover letter requesting interim limits for nitrate + nitrite as nitrogen, nitrate as nitrogen, bis(2-ethylhexyl)phthalate, aldrin, and		X	See response to cover letter comment 6.	None necessary.

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		heptachlor epoxide.				
Performance-based Interim Limits for Salts	A-11	Camarillo SD reiterates a comment made in their cover letter requesting interim limits for TDS, sulfate, and chloride.		X	See response to cover letter comment 7.	None necessary.
Interim Limits for DDT, PCB, and Toxaphene	A-12	Camarillo SD reiterates a comment made in their cover letter requesting interim limits for DDT, PCBs, and toxaphene.		X	See response to cover letter comment 7.	None necessary.
Daily Max. Limits for BOD & TSS	A-13	Camarillo SD reiterates a comment made in their cover letter requesting the removal of the daily maximum limitations for BOD and TSS. However, they mention that "other Regional Water Boards have removed previously included daily values for conventional pollutants. In the San Diego Region, the following justification was given: "Order No. R9-2006-002 does not retain the maximum at anytime concentration [...] for carbonaceous biochemical oxygen demand (CBOD <sub>5</sub> ) and total suspended solids contained in Order No. 2000-012 and previous permits for the Discharger which were established using best professional judgment."		X	See response to cover letter comment 8b for the first part of the comment.  Order No. R9-2006-002 is Waste Discharge Requirements for the Fallbrook Public Utility District, Wastewater Treatment Plant No. 1, Discharge to the <u>Pacific Ocean</u> via the Oceanside Ocean Outfall, San Diego County (NPDES Permit No. CA0108031). Discharges to the Pacific Ocean are subject to the California Ocean Plan, not the SIP. As such, Order No. R9-2006-002 is expected to have different effluent limitations than the Camarillo WRP because the Camarillo WRP discharges to inland waters not the Pacific Ocean.	None necessary.
Daily Max. Limits for	A-14a	Camarillo SD reiterates a comment made in their cover letter requesting the		X	See response to cover letter comment 8a.	

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CTR human health criteria		removal of the daily maximum limitations based on the CTR human health criteria.				
Daily Max. Limits for human health CTR criteria	A-14b	Camarillo SD believes that the CTR human health criteria is for chronic, long-term periods of exposure (even if potentially bioaccumulative or endocrine disrupting) and that a daily value is not necessary and has not been adequately justified under 40 C.F.R. §122.45(d)(2). Camarillo SD directs us to see <i>In the Matter of the Own Motion Review of the City of Woodland</i> , SWRCB Order No. WQ 2004-0010. According to Camarillo SD, the State Water Board removed short term limits holding that implementing the limits as short term averages was incorrect because the criteria was intended to protect against chronic, long-term effects.		X	The “short term” limitations that the State Water Board removed in <i>City of Woodland</i> was the instantaneous maximum limitation for Iron. The daily maximum limits for other pollutants remained. Therefore, the daily maximum limitations in the revised tentative Order will remain.	None necessary.
Mass Limits for BOD & TSS	A-15	Camarillo SD reiterates a comment made in their cover letter requesting the removal of the mass-based limits for BOD, TSS, and other pollutants.		X	See response to cover letter comment 9.	None necessary.
Special Studies & TMDL Tasks	A-16	Camarillo SD reiterates a comment made in their cover letter requesting the removal of the special studies and TMDL-related tasks because they believe them to be burdensome.		X	See response to cover letter comment 10.	None necessary.
Language	A-17a	Camarillo SD requests that they not be		X	Referring to Camarillo SD in short-hand as a Discharger is	None

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change		described as a “Discharger,” but as a “Permittee” instead.			standard parlance and is consistent with other permits. In addition, Camarillo SD is, by definition, a discharger, which is why it is subject to waste discharge requirements. Standard language will not be changed.	necessary.
Language change	A-17b	Camarillo SD requests that their discharge not be described as “waste.”		X	The definition of “waste” in Water Code section 13050(d) is broad and “includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.” Camarillo SD discharges wastewater. Although the wastewater is tertiary-treated wastewater, the wastewater none-the-less constitutes waste as defined. Standard language will not be changed.	None necessary.
Retroactive Interim limits	A-18	Camarillo SD requested that their interim limits be applied retroactively.		X	There is no technical or legal basis to apply interim or final effluent limitations retroactively.	None necessary.
State Water Board Resolution No. 88-63	A-19	Camarillo SD requested the removal of State Water Board Resolution No. 88-63 from the fact sheet and from finding H in section II of the tentative Order.		X	A finding in the tentative Order and Fact Sheet mentions Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. However, limits in the tentative Order were set based on the protection of designated beneficial uses that are listed in the Regional Water Board’s Basin Plan. No limits are based on the conditionally designated potential municipal and domestic water supply (p*MUN) beneficial use.  Further, State Water Board Resolution No. 88-63 is valid state policy. The Regional Water Board modified its Basin	None necessary.

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					<p>Plan in 1989 to implement Resolution No. 88-63. Shortly thereafter, OAL issued a determination that the Sources of Drinking Water Policy (Res. 88-63) contained regulatory language and, therefore, must be adopted pursuant to the rulemaking provisions of the APA. This determination was advisory only. The State Board decided to pursue a legislative remedy. The matter was ultimately resolved by legislation enacted in 1992 amending the APA. The amendments establish an abbreviated OAL review process for plans, policies, and guidelines that are adopted or that a court determines are subject to the APA <i>after</i> June 1, 1992. The legislation explicitly exempts plan, policies and guidelines adopted or revised prior to June 1, 1992 from the APA's rulemaking provisions.</p> <p>The State Water Board adopted Resolution No. 88-63 in 1988 and the Los Angeles Regional Water Board amended its Basin Plan to implement the policy in 1989, which were both before June 1, 1992. Hence, both Resolution No. 88-63 and the implementing Basin Plan amendments are exempt from the APA's rulemaking provisions and are thus valid. (See State Water Board WQO 2002-0015).</p>	
P*MUN Beneficial Use Tables 5a and F3a	A-20	Camarillo SD requested that the asterisk be placed next to each of the "MUN" listings in the Beneficial Use table in order for the footnote at the bottom of the page to make sense.	X		The p* will be added to "MUN" in the table where needed.	Asterisk was added

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303(d) List	A-21	Camarillo SD believes that the discussion about the 303(d) List is incomplete and confusing, so they request that the 2010 303(d) List, instead of the 2006 303(d) List, be used to revise this section and summarize the effective TMDLs.		X	The 2010 303(d) List has not gone through the full approval process, so it cannot be used at his time. The 2006 303(d) List is the most current list.	None necessary.
Wastewater Discharge Prohibition	A-22	Camarillo SD requests that Prohibition III.A. be revised to insert the word " <u>treated</u> " prior to wastewater.		X	The requested language will not be added because the discharge of any wastes to any point other than specifically described in this Order is prohibited and constitutes a violation thereof.	None necessary.
Treatment Capacity	A-23	Camarillo SD believes that there is no reason to include Provision III.C, so they request that it be deleted.		X	The following language will remain because Camarillo SD is supposed to properly operate and maintain its plant: "The monthly average effluent dry weather discharge flow rate from the facility shall not exceed the design capacity."	None necessary.
Discharge Prohibitions	A-24	Camarillo SD believes that the effluent prohibitions in section III of the Order should be deleted because they consider them duplicative with other sections of the Order.		X	Standard language will not be modified.	None necessary.
Settleable Solids Limits	A-25	Camarillo SD requests that the limits for Settleable Solids be deleted because they believe that they were imposed with no valid justification or statistical RP analysis.		X	<p>RP analysis does not necessarily have to result from a calculated value. Other information can be used to aid in determining a water quality-based effluent limitation, if required. The facility type, the discharge type, lack of dilution, water quality and beneficial uses of the receiving water were used to determine RP.</p> <p>The fact sheet contains the following discussion and justification: "Excessive deposition of sediments can</p>	None necessary.

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					<p>destroy spawning habitat, blanket benthic (bottom dwelling) organisms, and abrade the gills of larval fish. The limits for settleable solids are based on the Basin Plan (page 3-16) narrative, 'Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses.' The numeric limits are empirically based on results obtained from the settleable solids 1-hour test, using an Imhoff cone."</p> <p>It is impracticable to use a 7-day average limitation, because short-term spikes of settleable solid levels that would be permissible under a 7-day average scheme would not be adequately protective of all beneficial uses."</p>	
Oil and Grease Limits	A-26	Camarillo SD requests that the limits for oil and grease be deleted because they believe that they were imposed with no valid justification or statistical RP analysis.		X	<p>RP analysis does not necessarily have to result from a calculated value. Other information can be used to aid in determining a water quality-based effluent limitation, if required. The facility type, the discharge type, lack of dilution, water quality and beneficial uses of the receiving water were used to determine RP. POTWs receive influent from numerous restaurants and businesses containing oil and grease. If the grease traps or clarifiers are not properly maintained at those establishments, then that could present a fats oils and grease, or "FOG" problem as it is commonly referred to in pretreatment/ source control terminology.</p> <p>The fact sheet contains the following discussion and justification: "Oil and grease are not readily soluble in</p>	None necessary.

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					<p>water and form a film on the water surface. Oily films can coat birds and aquatic organisms, impacting respiration and thermal regulation and causing death. Oil and grease can also cause nuisance conditions (odors and taste), are aesthetically unpleasant, and can restrict a wide variety of beneficial uses. The limits for oil and grease are based on the Basin Plan (page 3-11) narrative, 'Waters shall not contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses.'</p> <p>The numeric limits are empirically based on concentrations at which an oily sheen becomes visible in water. It is impracticable to use a 7-day average limitation because spikes that occur under a 7-day average scheme could cause visible oil sheen. A 7-day average scheme would not be sufficiently protective of beneficial uses."</p>	
Mass based Limits	A-27	Camarillo SD reiterates a comment made in their cover letter requesting the removal of the mass-based limits for other constituents.		X	See response to cover letter comment 9.	None necessary.
Footnote 2 in Table 6a	A-28	Camarillo SD requests that Footnote 2 be modified to include the effective date of the <i>Salts TMDL</i> .	X		The December 2, 2008, <i>Salts TMDL</i> effective date and the December 2, 2023, final WLA operative date were added in the WDR and in the corresponding Table F-6 of the Fact Sheet.	Added dates.
Salts Limits N/A to Discharge	A-29	Camarillo SD requests that language be added to specify that the TDS, sulfate, and chloride limitations do not apply to	X		A new Footnote was added, which reads as follows: "These limitations do not apply to Discharge Point 002, because it is located below Potrero Road. The Basin	Added Footnote.

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002		Discharge 002.			Plan does not contain water quality objectives for these pollutants in Calleguas Creek below Potrero Road."	
Former Footnote 6	A-30	Camarillo SD requests that Footnote 6 include the date on which the interim limits expire, consistent with the footnotes for other TMDL-based effluent limitations.	X		The revised footnote will read as follows: "This limitation is derived from the final WLA, as set forth in the <i>Calleguas Creek Watershed Metals TMDL</i> , established by the Regional Water Board on June 8, 2006. The TMDL became effective on March 26, 2007. This final effluent limitation will apply on March 26, 2017 (10 years after the effective date of the amendment) after the interim limits, consistent with the interim WLAs, expire."	Added date to Footnote in WDR & Fact Sheet.
Former Footnote 8	A-31	Camarillo SD requests that Footnote "8" clarify that the Final WLA-based effluent limitations for OC pesticides will apply 20 years after the effective date of the TMDL, i.e. on March 24, 2026, not on March 24, 2017.	X		Former Footnote 8 corresponds to the <i>Metals TMDL</i> . Therefore, the requested change will be made to former Footnote 9 (renumbered to Footnote 10).	Modified Footnote for OC Pesticides in WDR & Fact Sheet
Former Footnotes 7, 8, and 10	A-32	Camarillo SD requests that the dates be corrected for Footnote 7, 8 and 10.	X		March 25 was changed to March 26 in former Footnote 7 (renumbered as #8). The dates were changed in former Footnote 8 (renumbered as #9).	Dates were changed in Footnotes
Temperature limit	A-33	Camarillo SD requests that the temperature limit be deleted and that the limit in the current permit remain.		X	The 100°F temperature limit in the current permit was not protective of beneficial uses, so during the permit renewal process, the temperature limitation was modified to be consistent with USEPA guidance. The fact sheet in the tentative order reads as follows: "USEPA document, <i>Quality Criteria for Water 1986</i> [EPA 440/5-86-001, May 1, 1986], also referred to as the <i>Gold Book</i> , discusses temperature and its effects on beneficial uses, such as recreation and aquatic life.	None necessary

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					<ul style="list-style-type: none"> <li>The Federal Water Pollution Control Administration in 1967 called temperature “a catalyst, a depressant, an activator, a restrictor, a stimulator, a controller, a killer, and one of the most important water quality characteristics to life in water.” The suitability of water for total body immersion is greatly affected by temperature. Depending on the amount of activity by the swimmer, comfortable temperatures range from 20°C to 30°C (68 °F to 86 °F).”</li> </ul>	
Radioactivity Limit	A-34	Camarillo SD requests that the radioactivity limit be deleted because they believe that the permit purports MUN-based maximum contaminant levels (MCLs) for radioactivity without justification or performance of a RP analysis.		X	The radioactivity limit is protective of the groundwater recharge (GWR) beneficial use of the surface water and of the underlying groundwater basin’s existing MUN beneficial use. The justification for the permit is contained in the fact sheet as follows: “Radioactive substances are generally present in natural waters in extremely low concentrations. Mining or industrial activities increase the amount of radioactive substances in waters to levels that are harmful to aquatic life, wildlife, or humans. Section 301(f) of the CWA contains the following statement with respect to effluent limitations for radioactive substances: “Notwithstanding any other provisions of this Act it shall be unlawful to discharge any radiological, chemical, or biological warfare agent, any high-level radioactive waste, or any medical waste, into the navigable waters.” Water Code section 13375 also states: “The discharge of any radiological, chemical, or biological warfare agent into the waters of the state is hereby prohibited.” Regional Water Board staff recommend setting the following effluent limit for radioactivity: “Radioactivity of the wastes discharged shall not exceed the limits specified in title 22, chapter 15,	None necessary.

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					article 5, section 64443, of the California Code of Regulations, or subsequent revisions.” The limit is based on the Basin Plan incorporation of title 22, <i>Drinking Water Standards</i> , by reference, to protect beneficial uses. Therefore, the accompanying Order will retain the limit for radioactivity.	
Acute Toxicity limit	A-35	Camarillo SD requests that the acute toxicity limit be deleted because there is no justification for it.		X	Camarillo SD has Tier 3 RP because of its facility type. The SIP(p.7) reads: “Information that may be used to aid in determining if a water quality-based effluent limitation is required includes: <b>the facility type</b> , the discharge type, solids loading analysis, lack of dilution, history of compliance problems, potential toxic impact of discharge, fish tissue residue data, water quality and beneficial uses of the receiving water, CWA 303(d) listing for the pollutant, the presence of endangered or threatened species or critical habitat, and other information.”	None necessary.
Interim Effluent Limitations	A-36	Camarillo SD requests that the reference to Discharge Point 002 be deleted from the paragraph, because the TDS, sulfate, and chloride limits do not apply to Discharge Point 002.	X		Rather than delete the reference to Discharge Point 002, former Footnote 12 (renumbered as Footnote 13) will be modified to specify that the TDS, sulfate, and chloride limits do not apply to Discharge Point 002.	Language was added.
Former Footnote 12	A-37	Camarillo SD requests that the effective date of the TMDL and of the interim limits be specified.		X	Former Footnote 12 (renumbered as Footnote 13) was modified as follows: “This interim effluent limitation is derived from the interim WLA as set forth in the <i>Calleguas Creek Watershed Salts TMDL</i> , established by the Regional Water Board on October 4, 2007, <u>and approved by USEPA on December 2, 2008</u> . This interim effluent limitation shall apply in lieu of the corresponding final effluent limitations specified for the same parameter, in Table 6a of section A.1. of this Order, <u>beginning on June</u>	Language was added.

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					3, 2011 and ending on December 1, 2023 (one day prior to 15 years after the effective date of the TMDL). These interim effluent limitations do not apply to Discharge Point 002, because it is located below Potrero Road.”	
Former Footnote 13	A-38	Camarillo SD requests that the effective date of the <i>Metals TMDL</i> be corrected.	X		March 27 was changed to March 26.	Correction made.
Nickel Interim Limit	A-39	Camarillo SD requests that the interim limit for nickel be deleted.	X		The nickel interim limit was deleted. Camarillo SD will be required to comply with the nickel final effluent limitation on the effective date of the permit.	Interim Limit Deleted.
Copper Interim Limits	A-40	Camarillo SD requests that the copper interim limits be deleted if the copper final effluent limits are revised as they requested..		X	The copper interim limits are still higher than the copper final effluent limitations based upon the WLA, so the interim limits will remain.	None necessary.
Water Recycling Requirement	A-41	Camarillo SD requests that language be added to clarify that the water recycling requirements are not being incorporated into the tentative Order.	X		Although the exact language requested was not added, section IV.C.1 of the tentative Order was modified to read as follows: “The discharger currently recycles treated effluent and plans on increasing the amount of water it recycles. The production, distribution, and reuse of recycled water for direct, non-potable applications are presently regulated under Water Reclamation Requirements (WRR) Order No. 87-132, adopted by this Regional Water Board on September 28, 1987, <u>and will continue being regulated under a separate Order.</u> ”	Added language.
Receiving Water Turbidity	A-42	Camarillo SD requests that the receiving water turbidity narrative requirement and the monitoring requirements be deleted.		X	This is standard language which states that waters shall be free from changes in turbidity, within a certain range, as a result of wastes discharged.	None necessary.

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Receiving Water Requirements	A-43	Camarillo SD requests that the receiving water limitations in section V.A. of the tentative be rephrased.		X	This is standard language and is consistent with other permits.	None necessary.
Receiving Water Temperature	A-44	Camarillo SD requested that the underlined text be deleted in the receiving water temperature requirement. They thought that the requirement read as follows: "For waters designated with a warm freshwater habitat (WARM) beneficial use, the temperature of the receiving water at any time or place and within any given 24-hour period shall not be altered by more than 5 °F above the natural <u>temperature (or above 70 °F if the ambient receiving water temperature is less than 60 °F)</u> due to the discharge of effluent at the receiving water station located downstream of the discharge...."		X	Camarillo SD is mistaken. The underlined text was not present in the tentative dated February 17, 2011.	None necessary.
Receiving Water Acute & Chronic Toxicity	A-45	Camarillo SD requests that the accelerated testing language be modified.		X	This is standard language and is consistent with other permits.	None necessary.
Groundwater Limitations	A-46	Camarillo SD requests that the groundwater limitations in section V.B.1 through 4 be removed because they believe it is inappropriate to include limitations for groundwater in an		X	The tentative Order serves as both a federal NPDES permit and a state WDR permit. Therefore it is appropriate to include requirements to protect both surface water and ground water.	None necessary.

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		NPDES permit.				
Standard Provision	A-47	Camarillo SD requests that Standard Provision VI.A.2.i be removed because they believe that the provision is inappropriate.		X	This is standard language and is consistent with other permits.	None necessary.
CECs	A-48	<p>Camarillo SD reiterates a comment made in their cover letter regarding their request for removal of the constituents of emerging concern (CEC) special study.</p> <p>If the study is included, Camarillo SD requests that the list revise list of constituents be revised to only monitor 17-beta estradiol, gemfibrozil, triclosan, N,N-Diethyl-3-methylbenzamide (DEET), caffeine, lopromide, N-nitrosodimethylamine (NDMA) and bisphenol A.</p>		X	<p>See response to cover letter comment 10.</p> <p>The Regional Water Board has also required CEC special study requirements and the CEC parameter list in other NPDES permits for major POTWs. It is expected these requirements will be retained in future permits for major POTWs as well.</p> <p>Staff have received several requests from other permittees to revise the CEC special study requirements in other NPDES permits. As a result, staff are planning to revise the CEC special study requirements including the CEC parameter list possibly next year after staff receive adequate CEC monitoring data from major POTWs and gather enough information related to this issue including any comments submitted by the Dischargers. At that time, universal changes will be made on the CEC special study requirements and the NPDES permits will be amended in the future accordingly.</p>	None necessary.
Footnote to CEC Study	A-49	Camarillo SD requests that a reference to footnote 17 be corrected to reference Footnote 15 instead.	X		Former Footnote 17 will be renumbered as Footnote 16 in Table 8.	Footnote renumbered.
Timing of accelerated	A-50	Modify this language to state "six additional tests, <u>one test done</u>	X		Although the requested language was not used, section VI.C.2.b was modified as follows "six additional tests,	Clarified language.

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testing		approximately every two weeks, over a 12-week period”			each test done approximately every two weeks, over a 12-week period”.	
Sludge Disposal Requirements	A-51	Camarillo SD requests the removal of the biosolids requirements in section VI.C.5.a. or merely reference the separate biosolids disposal requirements without incorporating by reference into this permit.		X	This is standard provision language for POTWs.	None necessary.
Sanitary Sewer Overflows	A-52	Camarillo SD requests the removal of Spill Reporting requirements in section VI.6 of the tentative Order because they believe that they are duplicative of the State Water Board’s <i>Statewide General Waste Discharge Requirements for Sanitary Sewer Systems</i> (SSO WDR) Order No. 2006-0003-DWQ, and in some cases more stringent than the general SSO WDR.		X	<p>Although it is the State Water Board’s intent that the SSO WDR Order be the primary regulatory mechanism for sanitary sewer systems statewide, there will be some instances when Regional Water Boards will need to impose more stringent or prescriptive requirements. In those cases, more specific or more stringent WDRs or an NPDES permit issued by a Regional Water Board will supersede that SSO WDR Order.</p> <p>Finding number 11, in the SSO WDRs states: “11. Some Regional Water Boards have issued WDRs or WDRs that serve as National Pollution Discharge Elimination System (NPDES) permits to sanitary sewer system owners/operators within their jurisdictions. This Order establishes minimum requirements to prevent SSOs. Although it is the State Water Board’s intent that this Order be the primary regulatory mechanism for sanitary sewer systems statewide, Regional Water Boards may issue more stringent or more prescriptive WDRs for sanitary sewer systems.”</p> <p>“Upon issuance or reissuance of a Regional Water</p>	None necessary.

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					Board's WDRs for a system subject to this Order, the Regional Water Board shall coordinate its requirements with stated requirements within this Order, to identify requirements that are more stringent, to remove requirements that are less stringent than this Order, and to provide consistency in reporting."	
Time Schedule Order Discussion	A-53	Camarillo SD requests the removal of references to Time Schedule Orders from this section because they believe them to be irrelevant.		X	The language was modified to discuss TSOs that Camarillo SD was subject to prior to the NPDES permit renewal.	Clarified language.
Violation Terminology	A-54a	Camarillo SD requests the removal of references to "violation(s)" or conclusions that the permittee "shall be deemed out of compliance." Alternatively, Camarillo SD has requested that the wording be changed to reflect that exceedances are "alleged violations" and that exceedances "may" be deemed violations, since they may also NOT be deemed violations if some defense or excuse exists.		X	This is standard language and is consistent with other permits. It is appropriate to include language concerning compliance determination in the permit itself to provide notice to a permittee. If violations of the permit occur, and enforcement staff seek assessment of administrative civil liability for those violations, Camarillo SD would have the opportunity to contest the violations at a hearing.	None necessary.
Appendix A Standard Language	A-54b	Camarillo SD requests the removal of definitions in Appendix A because they believe that it contains many definitions that are not utilized in this permit and therefore should be removed as surplusage.		X	These are standard definitions and are consistent with other permits.	None necessary.
Certification Statement	A-55	Camarillo SD requests the modification of the Certification Statement so that it would read as follows: " <i>I certify under</i>		X	This is standard language and is consistent with other permits.	None necessary.

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		<p><i>penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons responsible for gathering the information, all information <b>except for whole effluent toxicity test (WET) results</b> is, to the best of my knowledge and belief, true, accurate, and complete. <b>With respect to WET test data, for which accuracy cannot be ascertained (see Federal Register, Vol. 60, No. 199; Oct. 16, 1995 @ p. 53535), I certify that all results reported are complete and uncensored and contain no known errors or omissions. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.</b>" (additions emphasized)</i></p>				
Watershed Monitoring	A-56	Camarillo SD requests the removal of the requirement to develop a watershed monitoring program from the MRP on page E-5 and E-26. In the alternative,		X	Camarillo SD will need to work with our watershed monitoring coordinator to discuss whether the existing monitoring being conducted by the Creek Watershed stakeholder group meets the needs of the monitoring	None necessary.

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		Camarillo SD requests that the TMDL based monitoring program be referenced and described, and indicate this monitoring will be continued.			requirements specified in the tentative Order.	
Receiving Water Station Locations	A-57	Camarillo SD opines that there are inconsistent upstream monitoring locations for Conejo and Calleguas Creeks. Conejo Creek has a sampling location 50 feet upstream, while Calleguas Creek has a sampling location 100 feet upstream, with no explanation for the disparity. Camarillo SD requests that the locations be made consistent or that the disparity be explained.	X		<p>The receiving water stations along Conejo Creek upstream and downstream of Discharge Points 001A and 001B were chosen for accessibility and safety concerns given the steepness of the streambank.</p> <p>The receiving water stations along Calleguas Creek upstream and downstream of Discharge Point 002 are still subject to change since the outfall has not been constructed yet. Once Discharge Point 002 is constructed, the location of the receiving water stations will be re-evaluated to see if they are appropriate.</p>	None necessary.
Analytical Method Footnote	A-58	Camarillo SD requests the removal of the footnote references for analytical methods in the Monitoring and Reporting Program (MRP) for flow and other constituents.		X	<p>The following language in Footnote 5 of the MRP does not need to be removed: "Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. 136; where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or State Water Board. For any pollutant whose effluent limitation is lower than all the minimum levels (MLs) specified in Attachment 4 of the SIP, the analytical method with the lowest ML must be selected."</p> <p>The method approved by this Regional Water Board or State Water Board for "analyzing" flow is through the use of a recorder, as specified in the "sample type" column heading of the MRP tables.</p>	None necessary

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Total coliform and E. coli Criteria	A-59a	Camarillo SD alleges that Regional Water Board Resolution No. 01-018 specifies that total coliform receiving water monitoring is not appropriate for REC-1 beneficial use and does not provide any useful information. Camarillo SD also opines that a REC-1 beneficial use further does not specify or suggest that effluent monitoring for fecal coliform or <i>E. coli</i> is helpful.		X	Resolution No. 01-018, <i>Amendment to the Water Quality Control Plan for the Los Angeles Region to Update the Bacteria Objectives for Water Bodies Designated for Water Contact Recreation</i> , was adopted by the Regional Water Board on October 25, 2001. Finding 4 of that Resolution reads: "The amendment proposed for adoption into the Basin Plan will update the current bacteria objectives for waters designated for water contact recreation to include objectives for enterococcus, the ratio of fecal-to-total coliforms, and e. coli in addition to objectives for total and fecal coliform."	None necessary.
Total coliform and E. coli Monitoring	A-59b	Camarillo SD requests that the requirements to monitor for fecal coliform and E. coli in the effluent and for total coliform in the receiving water, be removed because Camarillo SD considers the monitoring to be redundant.		X	The requirement to monitor for fecal coliform or E. coli is necessary in order to assess compliance with the bacteria effluent limitations in section I.V.A1.e of the permit. Receiving water monitoring testing is also required to determine whether or not the receiving water is safe for REC-1 purposes.	None necessary.
Monitoring for TMDL Pollutants	A-60	Camarillo SD requests that the monitoring frequency for metals, organochlorine (OC) pesticides, polychlorinated biphenyls (PCBs), chlorpyrifos and diazinon be changed to quarterly in Table E-3.		X	No change is necessary for OC pesticides, PCBs, chlorpyrifos and Diazinon, because the Tentative Order dated February 17, 2011, already specified a quarterly frequency of monitoring. However, the monitoring frequency for TMDL metals will remain as monthly because Camarillo SD will need to comply with the final WLA concentration-based limits upon the effective date of the permit since they requested that the interim limits be removed for copper and nickel.	None necessary.
Toxicity Reduction	A-61	Modify MRP section V.D and permit section VI.C.2.b to state that the	X		The language was changed to read as follows: "The Discharger shall update its existing initial	Made change to language

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Evaluation Workplan		Discharger is required to review and update its existing TRE workplan.			investigation TRE workplan and submit a copy of the revised initial investigation TRE workplan to the Executive Officer of the Regional Water Board for approval within 30 days of the date of adoption of this permit. If the Executive Officer does not disapprove the workplan within 60 days, the workplan shall become effective.”	in permit section VI.C. 2.b (p.34) and MRP section V.D. (p. E-15)
Use of the word “violation”	A-62	Camarillo SD requests the removal of the word “violation” from permit.		X	This is standard language in the self monitoring requirement section of the Permit and is consistent with other permits. The Discharger is required to identify violations of the WDRs, discuss corrective actions taken or planned, and include a proposed time schedule for corrective actions.	None necessary.
RPA Annual Requirement	A-63	Camarillo SD requests the removal of the requirement to perform a reasonable potential analysis (RPA) on a yearly basis in the Annual Report because they believe it is unreasonable and contrary to law.		X	The requirement has been placed in other permits for major dischargers. Its purpose is to address concerns expressed over the removal of limits for priority toxic pollutants which no longer exhibited RP. An annual review confirms that indeed the pollutant did not have RP and continues to not have any RP to cause or contribute to an exceedance. This information could also serve useful to alert the pretreatment staff of potential source control issues.	None necessary.
Salts TMDL Tasks and stakeholder actions	A-64	Camarillo SD requests removal of the following language: “The following is a list of actions taken by the Discharger and other stakeholders, as well as proposed actions in the near future” and replacement of Table F-2b with the following information.  The Discharger, in conjunction with	X		Regional Water Board staff partially agrees. The requested language will be added. However, the existing language will not be deleted because it provides details and a timeframe regarding tasks.	Requested language was added (p.F-7).

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		<p>other stakeholders, is implementing actions to achieve a watershed salt balance as required by the <i>Salts TMDL</i>. The Discharger is taking actions consistent with the first phase of the <i>Salts TMDL</i> Implementation Plan and will begin implementing phase 2 during this permit term. Actions that are being implemented by the discharger and other stakeholders in phase 1 include:</p> <ol style="list-style-type: none"> <li>1. Water conservation</li> <li>2. Expansion of water recycling distribution systems and connection to the Camrosa Water District recycling system.</li> <li>3. Evaluation, planning and design of a regional desalter in the Camarillo area.</li> </ol>				
Receiving Water Data Set & RP Calculation	A-65	Camarillo SD requests the recalculation of RP, after the deletion of receiving water data from Feb 2003 to Jan 2007, so that only receiving water data from Feb 2007 to Dec 2010 is utilized. Camarillo SD alleges that the City of Woodland v. SWRCB, Alameda County Superior Court Case No. RG04-188200 (May 16, 2005) at page 13 supports their request (if no detections in 3 years		X	Camarillo SD did not cite section E.2.b. of City of <i>Woodland v. SWRCB</i> , Alameda County Superior Court Case No. RG04-188200 (May 16, 2005) in its entirety. That section, at page 13, reads as follows: “Bis(2-ethylhexyl) phthalate (“bis-2”) – This substance has not been detected in the City’s effluent since 1999. (AR8113). Therefore, the City argues there is no RP for bis-2 to be contained in the City’s effluent, and no limitations are necessary. Respondents argue that if bis-2 was detected in 1999, it “might be detected again in the future”, so	None necessary

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		prior to date of Regional Water Board Order, then no RP and the Order should not contain limits for that substance).			<p>limitations are appropriate. Again, in the absence of any showing by respondents that there has been any bis-2 in the City's effluent, and the Regional Water Board's Order should not contain any limitations on this substance."</p> <p>In Table D1 of the Fact Sheet, Regional Water Board staff has made a showing that pollutants with effluent limitations have been detected in the effluent within the past three years. Furthermore, the case cited by Camarillo SD revolved around non-detect effluent data. There was no mention of a time-frame for receiving water data. Upstream receiving water data is independent of effluent data and independent of plant performance. Under Tier 2 of the SIP's RPA procedures, a limit is needed if the receiving water data exceeds the water quality objective and if the constituent was detected in the effluent, because the discharge could contribute to an exceedance of the water quality objective.</p>	
Chloride TMDL-based Limits	A-66a	Camarillo SD requests that the TMDL-based limits for chloride be deleted because they believe that RP has not been demonstrated.		X	Pursuant to 40 CFR section 122.44.(d)(1)(vii)(B), the NPDES permit must contain WQBELs consistent with the assumptions and requirements of the <i>Salts TMDL</i> . The <i>Salts TMDL</i> is in effect and it specifically assigns WLAs to Camarillo SD.	None necessary.
TMDL Revision	A-66b	Camarillo SD requests that the Regional Water Board should revise the TMDL.		X	A TMDL revision is outside the scope of the NPDES permit renewal process.	None necessary.
Hardness Value	A-67	Camarillo SD requests that the hardness value of 367 mg/L be referenced in the Fact Sheet section	X		The correct hardness value was referenced, as requested.	Hardness value corrected in

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		IV.C.3.				Fact Sheet
WQBEL Calculation Discussion in Fact Sheet	A-68	Camarillo SD indicates that the general procedure for calculating WQBELs is shown in section IV.C.4 of the Fact Sheet, but they would like more detailed information about how the copper limit changed dramatically from 1000 µg/L to what is being proposed in the tentative Order.		X	The previous NPDES permit contained a limit for copper based upon the secondary MCL of 1000 µg/L. However, following the promulgation of the CTR, a more stringent new water quality objective became available for copper. Consistent with SIP procedures, permit limits must be based upon the most stringent applicable water quality objective.  Table R1 of the Fact Sheet provides greater detail in demonstrating how the effluent limitations were calculated for the limits that are being proposed in the tentative Order.	None necessary.
Standard language	A-69	Camarillo SD requested removal of the last line of section IV.D.3. of Fact Sheet.		X	This is standard language and is consistent with other permits.	None necessary.
Update Limits	A-70	Camarillo SD requested that Table F-5 of the Fact Sheet be updated.	X		The table was updated.	Updated Fact Sheet Table F-5.
PCB Footnote	A-71	Camarillo requested that the PCB limit reference Footnote 11 instead of Footnote 13.	X		The appropriate footnote was referenced and renumbered.	Corrected the Footnote.
Incomplete sentence	A-72	Camarillo SD requested that an incomplete sentence be addressed in section V.A of the Fact Sheet.	X		The incomplete sentence was deleted.	Deleted Incomplete Sentence.
Groundwater Monitoring	A-73	Camarillo SD requested that section V.D.2 of the Fact Sheet be deleted, since the statement that groundwater monitoring is required contradicts the	X		The section will not be deleted as requested. However, Regional Water Board staff modified the language to state that groundwater monitoring will be required at this time.	Modified Groundwater Monitoring Language.

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		statement on F-44 in section V.B.2.				
Typo-graphical errors	A-74	Camarillo SD requested that typographical errors be corrected in the Fact Sheet.	X		The errors have been corrected.	Corrected Errors.
<b>USEPA Comment Letter Dated March 17, 2011, Regarding the Tentative Order Dated February 17, 2011</b>						
Support Chronic Toxicity WQBELs	B-1	USEPA stated that they strongly support the proposed numerical effluent limits for chronic toxicity, which implement the <i>Toxicity TMDL</i> WLAs.	X		Comment noted.	None necessary.
Clarify Trigger for Accelerated Testing and TRE/TIE.	B-2	USEPA requested that the language in the permit and the Fact Sheet be revised to clarify that it is the chronic toxicity WQBEL in Table 6a – not a separate enforceable “trigger”- that signals the permittee to initiate accelerated chronic toxicity testing and, if necessary, a TRE/TIE.	X		The clarifying language was added.	Modified “trigger” language in Tentative Order and Fact Sheet
<b>Comment Received on March 22, 2011, from Calleguas Creek Watershed Management Plan Steering Committee (CCWMPSC) Regarding Tentative Order Dated February 17, 2011</b>						
	1	CCWMPSC supports the comments submitted by Camarillo SD.			Comment noted. Please refer to Regional Water Board’s responses to Camarillo SD’s comments above.	None necessary

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<b>Additional Comment Received on March 29, 2011, from Camarillo Sanitary District for their Camarillo Water Reclamation Plant regarding the March 24, 2011 Transmittal Letter Regarding the Revised Final Copper WQBEL</b>						
Copper WQBEL	C-1	Camarillo SD requested that the final copper WQBEL be recalculated, because there was a data entry error on their part when they prepared the monthly self monitoring report for the month of August of 2007. Camarillo SD submitted a copy of the original lab sheet from their contract lab.	X	X	<p>In response to cover letter comment 2b above, Regional Water Board staff indicated that if evidence had been provided by the Discharger to demonstrate that there was lab error, questionable quality assurance/ quality control (QA/QC), sample contamination, or something to that effect, staff could have excluded that value from the data set.</p> <p>Now that Camarillo SD has provided the necessary evidence, Regional Water Board staff will replace the erroneous 166 µg/L copper data point with the 7 µg/L value and recalculate the final copper WQBELs.</p>	Recalculated Copper WQBELs Using New Data Point