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February 3, 2017

Mr. Sam Unger, Executive Officer
California Regional Water Quality Control Board
Los Angeles Region
320 West Fourth Street, Suite 200
Los Angeles, California 90013

Attention: Cris Morris, Unit Lead
Municipal Permitting Unit (NPDES)

Dear Mr. Unger:

COMMENTS ON TENTATIVE WASTE DISCHARGE REQUIREMENTS (WDR) AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) - CITY OF LOS ANGELES, LOS ANGELES-GLENDALE WATER RECLAMATION PLANT, NPDES PERMIT NO. CA0053953, CI-5675

On January 5, 2017, the California Regional Water Quality Control Board – Los Angeles Region (Regional Water Board) released the Los Angeles-Glendale Water Reclamation Plant (LAGWRP) Tentative Order (NPDES No. CA0053953), Fact Sheet, Monitoring and Reporting Program. The City of Los Angeles, Bureau of Sanitation (LASAN) appreciates the opportunity to provide the following comments and recommendations to the Regional Water Board. LASAN staff will be present to provide oral comments at the Regional Water Board public hearing on March 2, 2017.

While LASAN appreciates the Regional Water Board's staff for their efforts in developing the Tentative Order, there are several areas with which LASAN has concerns and hopes that these technical comments will result in constructive changes to the permit. LASAN's comments, concerns, and proposed revisions are detailed in Attachment A.

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Mr. Sam Unger
February 3, 2017
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LASAN is looking forward to working with Regional Water Board staff to renew the LAGWRP NPDES Permit. If you have any questions regarding the LASAN's comments, please contact Mr. Hassan Rad, Division Manager at (213) 847-5186 of the Regulatory Affairs Division.

Sincerely,



ENRIQUE C. ZALDIVAR, Director
LA Sanitation

SN/HR:es

Attachment: Attachment A – Detailed Discussion of Comments

c: David Hung, Regional Water Quality Control Board – Los Angeles Region
Raul Medina, Regional Water Quality Control Board – Los Angeles Region
Traci Minamide, LASAN/EXEC
Robert Irvin, LASAN/EXEC
Roshanak Aflaki, LASAN/DCTWRP
Mas Dojiri, LASAN/EMD
Ali Poosti, LASAN/WESD
Barry Berggren, LASAN/WCSD
Shahram Kharaghani, LASAN/WPD
Michael Simpson, LASAN/IWMD
Hassan Rad, LASAN/RAD
Michael Ruiz, LASAN/DCTWRP

LASAN Comments on the 2017 LAGWRP Tentative NPDES Permit

Detailed Comment #	Document Reference : (Doc. #, Section #, Page #)	Issue	Comments
1.	Order, Table 2 and Attachment F, Section II.B.1, Paragraph 2, Page F-5	Coordinates for Discharge Point 001	LASAN requests to correct the coordinates for Discharge Point 001 in the Order and Fact Sheet to: Latitude (North) 34.13707, Longitude (West) -118.27524
2.	Order, Section IV.A.1.a, Table 4, Page 4	Retain Temperature narrative language	The tentative permit removed the narrative language on temperature when it was placed in Table 4. LASAN requests to place a footnote on Temperature and retain the narrative language as the footnote: <i>"The temperature of wastes discharged shall not exceed 86 F except as a result of external ambient temperature."</i>
3.	Order, Section IV.A.1.a, Table 4, Page 5	Radioactivity annual average	According to the tentative permit, radioactivity limits are <i>"specified in Title 22, chapter 15, article 5, sections 64442 and 64443, of the California Code of Regulations (CCR), or subsequent revisions."</i> Accordingly, compliance with radioactivity should be based on running annual average or annual average. LASAN requests that radioactivity limits be changed from monthly average to annual average.
4.	Order, Section IV.A.1.a, Table 4, Page 6	Effluent limits for metals reduced	Cadmium effluent limits have decreased significantly in this tentative permit compared to the 2011 permit. LASAN requests to review the basis for the calculations of this limit.
5.	Order, Section V.A.19, Page 9	Chronic toxicity in receiving waters	LASAN noticed that some of the language contained in the previous permit has been moved around, including the language on "Chronic Toxicity Narrative Receiving Water Quality Objective". LASAN requests that the letters "c" and "d" from the previous 2011 permit be added back into the 2017 tentative permit: <i>c. If the chronic toxicity median monthly threshold in the receiving water at the monitoring station(s) immediately downstream of the discharge is not met and the toxicity cannot be attributed to upstream toxicity, as assessed by the Permittee, then the Permittee shall initiate accelerated monitoring.</i> <i>d. If the chronic toxicity median monthly threshold of the receiving water at upstream and downstream stations is not met, but the effluent chronic toxicity median monthly effluent limitation was met, then accelerated monitoring need not be implemented.</i>

LASAN Comments on the 2017 LAGWRP Tentative NPDES Permit

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6.	Order, Section VI.A.2.z, Page 12	Requirement to submit feasibility study on water recycling	<p>The tentative permit requires permittee to <i>“investigate the feasibility of additional recycling, efforts to reduce the amount of treated effluent discharged via this NPDES Order... the permittee shall submit this feasibility study as part of the submittal of the Report of Waste Discharge (ROWD) for the next permit renewal.”</i></p> <p>LASAN supports water recycling projects in all of its treatment plants. However, LASAN requests that the feasibility study on water recycling should not be mandatory as a requirement, but should just be recommendatory.</p>
7.	Order, Section VI.C.1.n, Page 14	Reopener clause	<p>The tentative permit characterizes the ammonia and copper limits as water quality based effluent limits (WQBELs) even though these limits are not based on water quality objectives and are solely based on performance. Thus, these are more appropriately characterized as performance based effluent limits (PBELs).</p> <p>Although the City may be able to meet the proposed PBELs currently, the concern is that this will not be true in the future. While the City appreciates the addition of a reopener, this reopener will not protect the City from MMPs should a PBEL be exceeded for reasons beyond its control. Further, the City wants to make sure that there are no future backsliding issues related to these performance-based limits should performance differ in the future.</p> <p>To address these concerns, the LASAN requests the following minor changes be made to the reopener provisions of the permit and fact sheet.</p> <p><i>“This NPDES permit may be reopened for modification to recalculate the final water quality-based effluent limitations for Ammonia as Nitrogen and/or Copper, to incorporate a revised margin of safety factor reflective of plant performance consistent with and up to the maximum limits allowed by the applicable TMDLs and SSOs, if the discharger provides new information to the Regional Board showing the flow conditions or other extenuating circumstances cause a significant change in the water reclamation plant’s treatment performance.”</i></p>

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8.	Order, Section VI.C.6.b, Page 19	Coliform analysis during spills	<p>For spills that reach marine waters, it states <i>"that the Permittee shall analyze for total coliform, fecal coliform and enterococcus."</i></p> <p>The US EPA's 2012 recommendations are to use enterococci as a sole indicator of REC 1 contact standards, due to numerous studies which have shown that enterococcus are the most accurate and protective of human health in marine waters. The State Water Resources Control Board also recommends that enterococci should be used as the sole indicator in marine waters. The use of total coliform and fecal coliform to assess the risk to human health in marine waters is not supported by US EPA studies and is therefore un-necessary and not as protective of human health as enterococci testing.</p> <p>Therefore, LASAN requests to remove total coliform and fecal coliform and retaining only analysis of enterococcus.</p>
9.	Attachment E, Section I.H, Page E-3	ML, RL	<p>The tentative permit states that <i>"When there is deviation from the method analytical procedures, such as dilution or concentration of samples, other factors may be applied to the ML depending on the sample preparation. The resulting value is the reported ML".</i></p> <p>The MDL and RL are the values required to be reported - as stated in the first sentence. Then it goes on to tell how to compute the RL. The resulting value is the RL.</p> <p>LASAN requests that the last sentence be changed to: <i>"The resulting value is the reported ML RL."</i></p>
10.	Attachment E, Section II, Paragraph 2, Page E-5	Typo error	<p>LASAN requests the following typo correction:</p> <p><i>"The receiving water monitoring station RSW-LAGT654 is temporarily unavailable for sampling. The US Army Corps of Engineers has built a "massive 3-mile wall of sand, canvas, and wire mess-mesh" along the LA River. The Discharger shall resume monitoring at location RSW-LAGT654 when access at RSW-LAGT564 654 is restored."</i></p>
11.	Attachment E, Section III.A, Table E-2, Page E-7	Ammonia-N influent monitoring frequency	<p>LAGWRP has not been required to monitor Ammonia-N in the influent before. This tentative permit is requiring monthly monitoring. Other constituents that have effluent limits are required to be monitored quarterly.</p> <p>LASAN requests that Ammonia monitoring frequency be changed from monthly to quarterly to be consistent with the other constituents.</p>

LASAN Comments on the 2017 LAGWRP Tentative NPDES Permit

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12.	Attachment E, Section IV.A, Page E-9	Footnote 8	<p>The tentative permit states that, "<i>The Permittee shall extract the maximum daily peak, minimum daily peak, and average daily from the recorded media and shall be reported on the monthly monitoring reports....</i>".</p> <p>The requirement of reporting the "Minimum Daily Peak" for Total Residual Chlorine (TRC) should be removed. The TRC normally runs at zero on a continuous basis all day long. If there is a single excursion, there is only a single Maximum Daily Peak and no Minimum Daily Peak. If there are multiple excursions, the Maximum Daily Peak should be reported, but it can be difficult to determine the Minimum Daily Peak. There is no common understanding of what the term means, and the value of information it provides.</p> <p>LASAN requests that the requirement of reporting Minimum Daily Peak be removed.</p>
13.	Attachment E, Section V.A.7, Paragraph 2, Page E-15	Ceriodaphnia test	<p>The number of days to implement the Ceriodaphnia test needs to be 7 as this is how long it takes to prepare the broodboard.</p> <p>LASAN requests to change 48 hours to seven calendar days.</p> <p>Once the Permittee becomes aware of this result, the Permittee shall implement an accelerated monitoring schedule within seven days for the Ceriodaphnia dubia test, and within 5 calendar days for both the Pimephales promelas and Selenastrum capricornutum tests.</p>
14.	Attachment E, Section VIII.A.1, Table E-5, Page E-20	Boron unit	<p>LASAN requests that boron in the receiving waters be reported in mg/L. Boron is specified to be reported in mg/L for the effluent in this tentative permit, and was specified in mg/L for both effluent and receiving waters in the previous 2011 permit.</p>
15.	Attachment E, Section VIII.A.1, Page E-20	Correct footnote 28, mercury testing	<p>Table E-5 is for monitoring frequency for receiving water samples and not effluent.</p> <p>LASAN requests to correct the footnote 28 to: "<i>The mercury effluent samples shall be analyzed...</i>"</p>
16.	Attachment F, Section IV.D.1.b, Paragraph 5, Page F-59	Reopener clause	<p>The permit characterizes the ammonia and copper limits as water quality based effluent limits (WQBELs) even though these limits are not based on water quality objectives and are solely based on performance. Thus, these are more appropriately characterized as</p>

LASAN Comments on the 2017 LAGWRP Tentative NPDES Permit

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			<p>performance based effluent limits (PBELs).</p> <p>Although the City may be able to meet the proposed PBELs currently, the concern is that this will not be true in the future. While the City appreciates the addition of a reopener, this reopener will not protect the City from MMPs should a PBEL be exceeded for reasons beyond its control. Further, the City wants to make sure that there are no future backsliding issues related to these performance-based limits should performance differ in the future.</p> <p>To address these concerns, the City requests the following minor changes be made to the reopener provisions of the permit and fact sheet.</p> <p><i>“In addition, this Order includes a reopener that allows for modification of the NPDES Order to recalculate the WQBEL limits for ammonia as nitrogen and/or copper, to incorporate a revised margin of safety factor reflective of plant performance consistent with and up to the maximum limits allowed by the applicable TMDLs, if the discharger provides new information to the Regional Board that shows the flow conditions or other extenuating circumstances cause a significant change in the water reclamation plant’s treatment performance.”</i></p>
17	Attachment F, B, Table F-14, Pages F67-68	Coliform monitoring frequency	<p>In Table F-14, Fecal coliform is listed as “daily” under the 2011 Permit column and “no change” under the 2017 Permit column for the monitoring frequency. Fecal coliform has been removed from the 2017 tentative permit.</p> <p>LASAN requests to change the monitoring frequency for fecal coliforms in Table F-14 under “2017 Permit” column as “not required”.</p>