

**RESPONSE TO COMMENTS  
 TESORO LOGISTICS OPERATIONS, LLC  
 TESORO CARSON CRUDE TERMINAL  
 TENTATIVE ORDER NO. R4-2020-XXXX  
 NPDES PERMIT NO. CA0060232**

Comment Letter dated September 11, 2020, from Tesoro Logistics Operations, LLC (Discharger)			
No.	Comment	Response	Action Taken
1.	<p>Page 7. (Table 4), The average monthly limit for copper for the hydrotest/stormwater comingled discharge will be difficult to meet without treatment of the water. The limit is 3.1 ug/L and based on previous sampling results (from 2017 and 2019), we averaged 4.2 ug/L. The storm water only discharges don't have a monthly discharge limit (only maximum daily). We believe that the maximum daily limit for copper makes more sense for the following reasons:</p> <ul style="list-style-type: none"> <li>• The hydrotest water will be discharged from brand new, never-before used tanks, and Tesoro will test the hydrotest water once per year for the Land Discharge Monitoring Requirements, which include testing for copper, prior to discharging to the outer pond;</li> <li>• The hydrotest water will be co-mingled with storm water, so the discharge limits should be as stated on Table 5; and</li> <li>• Hydrotest/storm water discharges will be infrequent, intermittent, and will not be discharged all at once. Therefore, the discharges will not occur over a month-long period.</li> </ul> <p>Based on these reasons, Tesoro requests that the requirement for the average monthly limit for copper be removed from the permit.</p>	<p>Regional Board staff is aware that the discharge is from hydrostatic test water from new constructed tanks comingled with stormwater and is intermittent. The Regional Water Board adopted Resolution No. R11-008 on May 5, 2011, which amended the Basin Plan to incorporate the <i>TMDL for Toxic Pollutants in Dominguez Channel and Greater Los Angeles and Long Beach Harbors Waters</i> (Harbor Toxics TMDL). The Harbor Toxics TMDL contains requirements applicable to the discharge from the Tesoro Carson Crude Terminal (Facility). The TMDL specifically assigned concentration-based WLAs to irregular (intermittent) discharges into Dominguez Channel Estuary and Greater Harbor Waters.</p> <p>The WLA for copper is 3.73 µg/L. The Harbor Toxics TMDL included implementation language that would allow permit writers to translate the WLA into effluent limits in the permit using the procedures in the State Implementation Policy (SIP). Applying the SIP procedures in this permit, for copper, the calculated AMEL is equal to 3.1 µg/L and the MDEL is calculated to be 6.14 µg/L. However, in response to this comment, the AMEL for copper is revised to be expressed as a mass-based (lbs/day) limitation only because the discharge flow is not continuous, is of limited duration for a period of 2 years, and is controlled to not exceed the maximum allowable discharge flow rate of 0.500 MGD. The mass-based limit was calculated based on the concentration-based limits derived using the SIP procedures and the mass-based limitations procedures in section IV.D.3 of the Order. The resulting mass-based</p>	<p>The revised tentative Order and Fact Sheet have been revised to reflect the changes</p>

		limitation is consistent with the assumptions and requirements of the WLA in the TMDL.	
2.	<p>Page 11, Total Coliform and Fecal Coliform have been removed from the permit (thank you!) but <i>Enterococcus</i> remains a permit limit. The limit using a six-week geometric mean cannot exceed 30 MPN. As stated above, discharges occur infrequently and will not occur over a month-long period so the discharge would be subject to a statistical threshold value of 110 cfu/100mL not to be exceeded by more than 10 percent of the samples collected in a calendar month. Tesoro reviewed its geometric mean for 2019 and the result was 59.5 which would exceed the geometric mean of 30 MPN in the tentative permit. This was due to a sample collected 2/4/2019 (180 MPN/100ml) and a sample collected 3/7/2019 (220 MPN/100ml). In 2017 we did not collect enough samples to establish a geometric mean, and the discharges maintained compliance with the statistical value threshold limit. While Tesoro understands the desire to limit <i>Enterococcus</i> in its discharge water, the <i>Enterococcus</i> is caused by natural causes (birds feeding and bathing in the outer pond) and is not caused by Tesoro's operations. There is no practical way to prevent birds from visiting the outer pond. Based on these reasons, Tesoro respectfully requests that the <i>Enterococcus</i> limit be raised to 100 MPN geometric mean, with a statistical threshold value of 250 MPN/100 ml.</p>	<p>The effluent and receiving water monitoring requirements for <i>enterococcus</i> are established in this Order consistent with the requirements included in Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Bacteria Provisions and a Water Quality Standards Variance Policy, which became effective on February 4, 2019 (Bacteria Provisions).</p> <p>The Bacteria Provisions include bacteria water quality objectives for all waters with a Rec-1 beneficial use where the salinity is greater than 1 part per thousand (ppt) more than 5 percent of the time during the calendar year. These objectives are: a six-week rolling geometric mean of <i>Enterococci</i> not to exceed 30 colony forming units (cfu) or MPN (most probable number (MPN)) per 100 milliliters (mL), calculated weekly, with a statistical threshold value (STV) of 110 cfu/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.</p> <p>The Regional Water Board recognizes that the discharges from the Facility occur infrequently. However, compliance with the <i>enterococcus</i> limitations is required to ensure attainment of Rec-1 beneficial uses in the Dominguez Channel Estuary.</p>	None necessary.

**Miscellaneous Minor Modifications:**

1. Page 10, Table 5, of the Order, added “Note a” to “Units” column and changed “Note a” to “Note b” in “Maximum Daily” column.
2. Pages F-27 through F-46, Fact Sheet, corrected table numbers in “Notes to Table F-X” and “End of Notes to Table F-X” for Tables F-7 through F-10.