

Response to Comments

City of Thousand Oaks (TOaks) Hill Canyon Wastewater Treatment Plant Revised Tentative Amended NPDES Permit

This Table describes all comments received from interested persons with regard to the above-mentioned tentative permit. Each comment has a corresponding response and action taken.

Comment Number	Topic	Comment	Response	Action Taken
Comments received from the City of Thousand Oaks on October 11, 2017				
TOaks 1	Average Monthly Effluent Limitation (AMEL) for copper	<p>The City requests that the final AMEL for copper be revised from 5.2 mg/L to 6 mg/L because they believe that:</p> <ol style="list-style-type: none"> The TMDL WLA is already expressed as an average monthly concentration, therefore the <i>State Water Board's Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP)</i> procedure to derive a monthly average limit from water quality criteria is unnecessary The TMDL WLA is based on the 95th percentile concentration-based on available discharge data, and therefore is already based on long term effluent conditions, and, The TMDL Basin Plan Amendment Footnote that discusses the <i>SIP</i> only applies to the maximum daily concentration waste load allocation of total copper, not the AMEL. 	<p>Regional Board staff agree with two of the three reasons the City introduced as rationale for modifying the copper AMEL:</p> <ol style="list-style-type: none"> 1. Use of the the 95th percentile is a recognized methodologies/"engineering practice" for establishing monthly average effluent limitations in the USEPA Technical Support Document, and 2. The TMDL footnote was only included with the MDEL WLA. <p>However, the TMDL contains language stating that "Permit writers may translate applicable waste load allocations into daily maximum and monthly average effluent limits for the major, minor and general NPDES permits by applying the effluent limitation procedures in Section 1.4 of the State Water Resources Control Board's Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (2005) or other applicable engineering practices authorized under federal regulations."</p> <p>Therefore, the Regional Board staff, in exercising the discretion provided in the TMDL,</p>	Modify the Copper AMEL to 6.0 µg/L in the WDR and in the Fact Sheet.

Comment Number	Topic	Comment	Response	Action Taken
			<p>agree to change the AMEL from 5.2 µg/L to 6.0 µg/L.</p> <p>Note that the City mistakenly expressed the units for the copper limitation as mg/L instead of µg/L.</p>	
TOaks 2	Use of Test of Significant Toxicity (TST)	The City commented that for the reasons set forth in the comments on their last NPDES permit renewal Order, they continue to object to the use of the TST to monitor chronic toxicity in the Hill Canyon Wastewater Treatment Plant's final effluent.	<p>The matter that was public noticed for consideration by this Regional Water Board only pertained to a modification of the TMDL-based final effluent limitations for copper, in accordance with a narrow permit reopener. The notice for this hearing, that was published by both the Regional Water Board and by City of Thousand Oaks staff, clearly stated the intent of the hearing and that all other portions of the NPDES Order would remain unchanged.</p> <p>However, the merits of the chronic toxicity requirements were fully vetted during the NPDES permit adoption process in 2014. The rationale for the inclusion of the chronic toxicity requirements is discussed in the Fact Sheet of the NPDES Renewal Order and is justified by information contained in the administrative record for those past proceedings.</p> <p>Even though the City petitioned the chronic toxicity requirements, the City requested that the State Water Board hold the petition in abeyance. As such, the chronic toxicity requirements remain in effect.</p>	None necessary.