



# California Regional Water Quality Control Board

## Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Linda S. Adams  
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Arnold Schwarzenegger  
Governor

July 11, 2007

Mr. Stephen R. Maguin  
Chief Engineer and General Manager  
Joint Outfall System  
P. O. Box 4998  
Whittier, CA 90607-4998

Dear Mr. Maguin:

### **RESPONSE TO COMMENTS ON THE REVISED TENTATIVE WASTE DISCHARGE REQUIREMENTS (WDRs) AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS FOR JOINT OUTFALL SYSTEM:**

#### **LOS COYOTES WATER RECLAMATION PLANT (NPDES NO. CA0054011, CI NO. 5059) AND LONG BEACH WATER RECLAMATION PLANT (NPDES NO. CA0054119, CI NO. 5662)**

Thank you for submitting comments on the above-referenced revised tentative Waste Discharge Requirements. Your June 22, 2007, comment letter has raised three main issues: (1) comments related to ammonia, (2) comments related to metals limitations, and (3) new language regarding impracticability of long term limits for 4,4'-DDE. We have provided a summary of your comments (italicized) and our responses to the comments:

#### **1. Comments Related to Ammonia**

*Joint Outfall System (JOS) has commented extensively on the Ammonia Limit Calculation Procedure which is based on the 2002 Basin Plan amendment. JOS has also commented that the effluent limit translation procedure in the 2002 Basin Plan amendment has shortcomings and there are technical flaws in the effluent calculation procedure. JOS also included some recommendations to alternative ammonia compliance approach.*

#### **Regional Board Response**

Regional Board staff calculated the ammonia effluent limitations according to the 2002 Basin Plan amendment (Resolution No. 2002-011) which includes implementation procedures for translating ammonia effluent limitations. USEPA has fully supported this approach, as manifested in their May 31, 2007, comment letter, recommending that the implementation procedures of the Chapter 4 of the Basin Plan, including amendments, be followed. Regional Board staff has appropriately implemented provisions of an approved Basin Plan amendment. JOS has criticized that the Basin Plan amendment has technical flaws. Regional Board staff believe that these concerns can be properly addressed in future Basin Planning hearings but are not appropriate to consider during this permit renewal process.

***California Environmental Protection Agency***



*Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.*

The revised tentative WDR (dated July 9, 2007) still includes ammonia effluent limitations based on Basin Plan amendment's implementation provision for ammonia translation procedures. After continuing discussions with the Discharger and concurrence with the USEPA, the ammonia limitations, both at the end of pipe (effluent) and in the receiving water, have been calculated. The rationale and calculation procedures can be found in the Fact Sheet starting on Page F-24, for both LBWRP and LCWRP.

Although there were numerous specific comments that JOS raised regarding ammonia, these comments have already been resolved as a result of the on-going discussions with USEPA and JOS.

## **2. Comments Related to Metals Limitation**

*JOS has concurred with Regional Board's interpretation and selection of wet and dry weather metals limitation. JOS further stated that characterizing wet and dry weather and provided separate allocations for the two conditions is an appropriate analysis for Southern California. However, JOS has repeated their comments regarding metals that do not show reasonable potential but have limitation because they have Wasteload Allocation in a TMDL.*

### **Regional Board Response**

Please see our Response to Comments Table dated June 8, 2007.

## **3. Comments Related to Impracticability Analysis and 4,4'-DDE**

*JOS has commented that the Regional Board has failed to prove the impracticability of monthly or weekly average limits or justify daily maximum limits for 4,4'-DDE.*

### **Regional Board Response**

Regional Board staff prescribed an average monthly limitation for 4,4'-DDE, because it showed reasonable potential to exceed its respective CTR standard (0.00059 µg/L) and was present in the plant's effluent at a concentration of 0.003 µg/L. This limitation should not be challenged as it is justified based upon self-monitoring data. The issue at hand is whether or not is impracticable to prescribe only a long-term monthly average limitation for 4,4'-DDE's acute effects (CTR human health for the ingestion of fish). Therefore, daily maximum limitations have been established in this NPDES permit for 4,4'-DDE because it is considered to be a carcinogen, endocrine disruptor, and is bioaccumulative.

As Regional Board staff described in the Fact Sheet, 4,4'-DDE (p,p'-Dichlorodiphenyldichloroethylene) is a known human carcinogen [USEPA IRIS (CASRN 72-55-9)]. There is no safe level for a human carcinogen. Health levels are determined on a risk basis of one in a million excess cancer risk.

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4,4'-DDE is also considered to be an endocrine disruptor (antiandrogen) and is bioaccumulative [Toppari J, Larsen JC, Christiansen P, et al. *Male Reproductive Health and Environmental Xenoestrogens. Environ Health Perspect* 1996;104(suppl 4):741-803.]

A 7-day average alone would not protect one, two, three, or four days of discharging pollutants in excess of the acute and chronic criteria. Fish exposed to this endocrine disrupting chemical, which is also bioaccumulative and carcinogenic, will be passed on to the human consumer.

While the acute effects of 4,4'-DDE as an endocrine disruptor or bioaccumulative chemical are just now being studied, Regional Board staff are being conservative in their approach in applying a daily maximum limit because many of the actual acute effects of 4,4'-DDE as a bioaccumulative constituent and endocrine disruptor, are largely unknown. Applying a daily maximum limitation will ensure that there will not be any acute impacts from this compound.

Please note that additional comments were received from Heal the Bay. The responses to these comments are enclosed as Attachment 1.

If you have any questions, please contact Raul Medina at (213) 620-2160 for the Long Beach WRP, or call Jau Ren Chen for the Los Coyotes WRP at (213) 576-6656.

Sincerely,



Blythe Ponek-Bacharowski  
Unit Chief, Municipal Permitting Unit (NPDES)

Enclosures

cc: See attached Mailing List

**Mailing List**

Environmental Protection Agency, Region 9, Permits Branch (WTR-5)  
NOAA, National Marine Fisheries Service  
Department of Interior, U.S. Fish and Wildlife Service  
Mr. Philip Isorena, State Water Resources Control Board, Division of Water Quality  
Mr. Michael Levy, State Water Resources Control Board, Office of Chief Counsel  
Department of Fish and Game, Region 5  
California State Parks and Recreation  
Mr. Christopher Kroll, State Coastal Conservancy  
Los Angeles County, DPW, Environmental Programs  
Mr. Rod Kubumoto, Los Angeles County, DPW, Watershed Division  
Los Angeles County, Department of Health Services  
Mr. Jim Leserman, Water Replenishment District of Southern California  
Main San Gabriel Basin Watermaster  
Heal the Bay  
Environment Now  
Santa Monica Baykeeper  
Natural Resources Defense Council  
Ms. Melanie Winter, Friends of the Los Angeles River  
Ms. Joan Greenwood, Friends of the Los Angeles River  
Los Angeles and San Gabriel Rivers Watershed Council  
Ms. Bea Morrow, Sierra Club  
Mr. Jeff Yann, Sierra Club  
Ms. Belinda Faustinos, San Gabriel and lower Los Angeles Rivers and Mountains  
Conservancy  
Kathleen Bullard, The Los Angeles River Center and Gardens  
City of Long Beach  
Southern California Coastal Water Research Project

## Attachment 1

### Response to Comments to Heal the Bay Comments

Thank you for your comments on the revised tentative permits for Long Beach Water Reclamation Plant and Los Coyotes Water Reclamation Plant NPDES permits. The following are the Los Angeles Regional Water Quality Control Board (Regional Board) responses to your comments provided on June 22, 2007.

- 1. Comment:** *The Spill Reporting Requirements have been modified in the Revised Tentative permits. Monitoring for a spill is required "...if feasible, accessible, and safe." How does the Regional Board define "feasible" and "accessible"? This determination should not be entirely left up to the discharger's discretion.*

**Response:** One of the major criteria in selection of a sampling site is that the access should be safe. During high channel flow, when conditions are dangerous for sampling, the Regional Board does not expect a sample to be taken. In addition, the Regional Board does not expect the discharger to exercise this option very often. If the discharger fails to collect any spill samples because of unsafe conditions (unfeasible, inaccessible, or unsafe), the discharger is responsible for providing facts for this discretion. Regional Board staff always has the authority to verify the claimed conditions. If Heal the Bay has criteria used for safety (e.g., Stream Team guidance), we would be happy to review that.

**Modification:** No permit provisions have been changed in response to this comment.

- 2. Comment:** *The statement "The Discharger shall obtain a grab sample (if feasible, accessible, and safe) for spills, overflows or bypasses of any volume that flowed to receiving waters or entered a shallow ground water aquifer, and all spills, overflows and bypasses of 1,000 gallons or more that have the potential public exposure," is contradictory. Heal the Bay recommends that a grab sample be collected for any volume of sewage spilled. In addition, if the Regional Board uses the later portion of that sentence, with the language states "that have the potential for public exposure," then how is this potential defined? As we have witnessed with other sewage spills in the Los Angeles region, the public's health has often been placed in harms way because the discretion was with the contractor/operator who caused the spill.*

**Response:** Regional Board staff agrees and has modified the sentence as follows:

"The Discharger shall obtain a grab sample (if feasible, accessible, and safe) for spills, overflows or bypasses of any volume that flowed to receiving water, ~~or entered a shallow ground water aquifer, and~~ or have the potential for public exposure; and for all spills, overflows and ~~and or~~ bypasses of 1,000 gallons or more that have the potential public exposure."

Potential public exposure could mean a small sewage spill entering a crosswalk or any public place where the public have chance to make contact with pollutants.

**Modification:** The statement in Section VI.C.6.b.ii. of the Order has been revised as indicated above.

- 3 **Comment:** *The monitoring frequency for coliform bacteria sampling has been changed from weekly to monthly in the Revised Tentative Permits. This is inappropriate. Monthly sampling is practically meaningless, as bacteria levels in the receiving water are extremely variable. Instead, the Regional Board should require, at a minimum, weekly sampling for coliform bacteria. If the Regional Board is already requiring daily monitoring of the effluent, then it is reasonable to expect similar monitoring to occur in the public waterbody receiving this effluent, especially one like the San Gabriel River that has a recreational one (REC-1) beneficial use designation.*

**Response:** The San Gabriel River Regional Monitoring Program was designed by consensus with several stakeholders, including the Los Angeles Regional Board, USEPA, LACSD, the Los Angeles and San Gabriel River Watershed Council and many others. The regional monitoring program includes a component to answer the question: Is it safe to swim? Specifically, the assessment questions to be addressed are: 1) Are bacterial indicator levels at body contact recreation areas above health standards or adopted water quality objectives?; 2) What is the relative risk of body contact recreation at locations in the watershed with high concentrations of recreational use?; and 3) What is the average level of bacterial indicators at sentinel sites in the watershed?

Bacteriological monitoring is focused on six high use swimming locations (Puddingstone Lake, Santa Fe Dam, East Fork of San Gabriel River, canyon area of mainstream San Gabriel River below confluence of West and East Forks, West Fork of San Gabriel River below Cogswell Dam, North Fork of San Gabriel River just upstream of confluence with West Fork) and five sentinel sites (bottom of Coyote Creek above POTW outfall, bottom of San Gabriel River, San Jose Creek above POTW outfall, Walnut Creek below Big Dalton Wash, Orange County site on Fullerton, Carbon or Brea Creek). Monitoring is conducted weekly from May through September for E. coli and fecal coliform. In addition, monitoring is conducted twice weekly at a single site within the estuary at the 7th Street bridge, to attempt to link conditions in the estuary to beach conditions, where separate monitoring is conducted.

Although some aspects of the regional monitoring program were initiated in 2005, bacteriological monitoring did not start until 2006. The Los Angeles and San Gabriel River Watershed Monitoring Council oversees the regional program. The 2006 annual report has not been released yet, but should be available soon. The 2005 report is available at <http://www.lasgrwc.org>.

Monthly bacteriological monitoring continues to be conducted at the LACSD compliance receiving water stations to supplement the regional program.

**Modification:** No permit provisions have been changed in response to this comment.