



# COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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STEPHEN R. MAGUIN  
*Chief Engineer and General Manager*

July 17, 2007  
File No: 14-14.01-55

Ms. Deborah Smith, Interim Executive Officer  
California Regional Water Quality Control Board  
Los Angeles Region  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

Dear Ms. Smith:

**Comments on Tentative Waste Discharge Requirements (WDRs) and National  
Pollutant Discharge Elimination System (NPDES) Permit for  
Newhall Ranch Water Reclamation Plant (NPDES Permit No. CA0064556)**

The County Sanitation Districts of Los Angeles County (Districts)<sup>1</sup> appreciate the opportunity to provide comments on the Tentative Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit (Tentative Permit) for the Newhall Ranch Water Reclamation Plant (WRP), dated June 6, 2007. The Districts' primary purpose in commenting on the Tentative Permit is to ensure consistency in the NPDES permits and Monitoring and Reporting Programs (MRPs) within the watershed. The Districts request that the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) provide the Districts with complete copies of all comment letters on the Tentative Permit submitted by other parties, a copy of the Regional Board's "Response to Comments," and a copy of the Regional Board's Agenda Package provided to its Board members in advance of the public hearing to adopt the Tentative Permit.

The Districts request that the Regional Board modify the proposed Tentative Permit based on the requests contained herein, which provide solutions that are both protective of receiving waters and can be implemented in a cost-effective manner. The Districts' comments consist of the following items: (1) major comments which are presented in Attachment A; (2) minor comments and typographical errors which are presented in Attachment B; and (3) comments made by Newhall Land at a June 25, 2007 meeting with Regional Board staff which are presented in Attachment C. It is the Districts' understanding, based on discussions at the June 25, 2007 meeting, that it is the intent of the Regional Board to make revisions to the Tentative Permit based on the outcome of that meeting.

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<sup>1</sup> The Districts are County Sanitation Districts Nos. 1, 2, 3, 5, 8, 14, 15, 16, 18, 19, 20, 21, 22, 23, 28, 29, 34, Santa Clarita Valley Sanitation District, and the South Bay Cities Sanitation Districts of Los Angeles County. The ownership and operation of the Solid Waste System is proportionally shared among the signatory parties to the Districts' Solid Waste Management System Agreement effective February 21, 1996.

The Districts thank you in advance for your careful consideration of these comments. If you have any questions concerning this letter or need additional information, please contact the undersigned at (562) 908-4288, extension 2801.

Very truly yours,

Stephen R. Maguin



Raymond Tremblay  
Section Head  
Monitoring

RT:EH:lmb  
Attachments

cc: Mark Subotin, Newhall Ranch  
Veronica Cuevas-Alpuche, LA Regional Board  
Blythe Ponck Bacharowski, LA Regional Board

## ATTACHMENT A

### Comments to Tentative Permit for the Newhall Ranch WRP

*Comment 1: Effluent limits for ammonia contained in Table 7 of the Tentative Permit and described in the Fact Sheet Section IV.C.2.b.xi are improperly derived and overly conservative.*

Districts staff understand that the Regional Board staff is contemplating amending the Tentative Permit to incorporate revised ammonia limitations based on calculations consistent with changes under consideration for the Long Beach and Los Coyotes WRPs (July 9, 2007 Revised Tentative Permit). It is anticipated that the revised calculations would set ammonia effluent limitations based on effluent conditions (i.e., pH and temperature) and would use a sampling frequency value of  $n=4$  to calculate monthly average effluent limitations when the long term average used to calculate the ammonia effluent limits is based on the acute water quality objective. This would be accompanied by determining compliance with ammonia water quality objectives at the immediate downstream receiving water location. The Districts are fully supportive of modification of the Tentative Permit to incorporate these changes, but in the absence of these recommended provisions in the current version of the Tentative Permit, the following comments are being provided for inclusion in the administrative record and need only be addressed should the changes described above not be made.

The Tentative Permit contains effluent limitations (Table 7) for ammonia that are overly stringent as compared to the desired level of water quality in the receiving water as established in the Santa Clara River Nitrogen Compounds TMDL. Although the Fact Sheet is not entirely clear on the method used to calculate the ammonia effluent limitations, it appears that the effluent limits are based on the ammonia water quality objectives in the Santa Clara River Nitrogen Compounds TMDL, as translated using the implementation procedures in the April 2002 Basin Plan Amendment (Amendment) regarding ammonia water quality objectives (Resolution 2002-011). The Districts believe that the implementation procedures in the Amendment were inappropriately determined, are legally invalid, and are technically incorrect. Furthermore, the values used by the Regional Board staff in the calculations were also incorrectly selected, particularly with regard to the value used for the monthly sampling frequency,  $n$ . Additionally, the Regional Board's use of receiving water pH and temperature to set ammonia effluent limitations is not appropriate for the Newhall Ranch WRP as discussed below.

Because effluent limitations are applied at the end-of-pipe for the Newhall Ranch WRP, the effluent pH and temperature are the most appropriate factors to use for calculating effluent limits rather than receiving water pH and temperature. Use of effluent pH and temperature to set effluent limits ensures that water quality objectives are met in the effluent at all times. Coupling this with ammonia water quality objective compliance determination in the receiving water will ensure that ammonia water quality objectives are also met in the receiving water at all times. Use of effluent conditions to set effluent ammonia limits is particularly applicable to the Newhall Ranch WRP, as it is expected that the effluent discharged from this facility will not typically mix with the main flow in the Santa Clara River. Rather, it is expected that effluent flows will migrate to the subsurface before reaching the main flow in the Santa Clara River. In this case, conditions immediately downstream of the Newhall Ranch WRP discharge are expected to be dominated by the characteristics of the effluent.

The Districts are concerned that future determinations of the ammonia limitation using the method in the Tentative Permit may necessitate future installation of additional treatment to reduce ammonia effluent concentrations if actual observed receiving water pH and temperature, as well as the coefficient of variance, vary significantly from the background and default values. Such treatment is not necessary to protect water quality and would unnecessarily increase sewerage rates in the service area of the Newhall Ranch WRP. An ammonia compliance strategy that uses effluent pH and temperature for

calculating translated effluent limits, coupled with narrative receiving water limitations already included in the Tentative Permit, is fully protective of water quality. Therefore, we recommend use of this strategy in the permit.

***Requested Tentative Permit Revisions:***

- ***Use projected effluent pH and temperature values to establish ammonia effluent limitations, in conjunction with correct application of Basin Plan ammonia effluent limitation translation procedures. Provide for a permit reopener if effluent pH and temperature vary significantly from predicted values. For ammonia compliance determination in the receiving water, use receiving water conditions at the time of sampling.***

*Comment 2: The Tentative Permit (including the Fact Sheet) does not adequately describe how effluent limits for antimony, arsenic, copper, lead, mercury, nickel, selenium, zinc, cyanide, acrylonitrile, tetrachloroethylene, bis(2-ethylhexyl)phthalate, 1,4-dichlorobenzene, lindane, 4,4-DDE, and iron were calculated. The Districts question the validity of these effluent limitations, given existing State Implementation Plan (SIP) procedures for determining water quality-based effluent limitations.*

The Tentative Permit does not sufficiently describe how reasonable potential was determined for establishing effluent limits for the named constituents nor does it adequately describe how the limits were specifically calculated. The Fact Sheet only states that the reasonable potential analysis (RPA) “was performed,” but fails to show an adequate justification, such as the data or other pertinent information that was used in the RPA. There is also no information or calculation provided for the derivation of the effluent limitations, only a sample calculation for 4,4-DDE (using unspecified data). In addition, the hardness value used for translating water quality objectives for metals is not included in the Fact Sheet. Since the Newhall Ranch WRP is not yet in existence and there is no effluent data available, the Fact Sheet implies that the Regional Board used receiving water data to determine if the “discharge could contribute to an exceedance” and “the procedure in section 3.2 of the Technical Support Document, where other information and best professional judgement [sic] was used to prescribe effluent limits based on similar facilities with similar processes.” Neither the receiving water used nor the “section 3.2” information used was disclosed in the Fact Sheet.

Furthermore, the Regional Board’s approach for including effluent limitations for these constituents is inconsistent with the SIP. Amendments to the SIP that were adopted in February 2005<sup>2</sup> specifically address the issue of “unavailable or insufficient effluent data” for performing the reasonable potential analysis and determining which priority pollutants require water quality-based effluent limitations through an eight-step process. The SIP states in Section 1.3, Step 8, “If data are unavailable or insufficient...to conduct the above analysis for the pollutant...the RWQCB shall require additional monitoring for the pollutant in place of a water quality-based effluent limitation.”

To be consistent with SIP procedures, and because there is currently no effluent being discharged from the Newhall Ranch WRP, there should be no effluent limitations for the above-listed constituents at this time. Per the SIP procedures, the Discharger should be allowed (as the Tentative Permit requires) to first collect a representative set of effluent data, when such discharge exists, to then determine whether reasonable potential to exceed a water quality objective actually exists. Then, the Regional Board may establish effluent limitations according to SIP procedures and reopen the permit to include the limits, as is contemplated in the Tentative Permit. It is not appropriate for the Regional Board to supersede the SIP by

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<sup>2</sup> See State Water Resources Control Board Resolution 2005-0019, *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP)*, February 24, 2005.

using the USEPA's Technical Support Document (TSD), which is simply guidance and not State Policy. Thus, the Districts request that all limits for the above-mentioned constituents be removed.

***Requested Tentative Permit Revisions:***

- ***Remove all limits for these constituents from the Tentative Permit.***

*Comment 3: When referring to chronic toxicity in the Tentative Permit and Monitoring and Reporting Program (MRP), the term "trigger" should be used instead of "limit" or "limitation." Furthermore, a chronic toxicity monthly median trigger exceedance usually involves three or more tests.*

Currently, the State of California does not have numeric chronic toxicity limits in its regulations. However, the use of trigger values has been allowed in identifying and reducing the occurrence of chronic toxicity. Rephrasing of the word "limit" (e.g., in Section V.G.2. of the MRP) is necessary to be consistent with the intent of the chronic toxicity requirements in the Tentative Permit and to prevent potential misinterpretation of the existing wording, namely that the Discharger is not in violation of the limitations due to simply (1) a single effluent toxicity test result greater than 1 TUc, (2) an exceedance of the monthly median trigger, or (3) the monthly median and two of the six consecutive accelerated test results exceeding 1 TUc. In other words, the word "limit" could imply that compliance was not met, however an exceedance of the 1 TUc value is not an effluent violation.

In addition, the Tentative Permit should be revised to clarify that a chronic toxicity monthly median trigger exceedance could be the result of more than one toxicity test. For example, in Section IV.A.1.d.3., the Order states that "If any three out of the initial test and the six accelerated test results exceed 1.0 TUc, the discharger shall initiate a TIE and implement the Initial Investigation TRE Workplan..." Instead, because there may be more than one toxicity test used to determine monthly median toxicity results the Section should state: "If the monthly median and any two of the six accelerated test results exceed 1.0 TUc..."

***Requested Tentative Permit Revisions:***

- ***Replace the word "limit" and "limitation" when referring to toxicity with "toxicity trigger" or "trigger exceedance" (Examples are provided below)***
  - ***Revise Section VI.C.2.b. of the Order to reflect the use of a trigger rather than a limit: "If the effluent toxicity test result exceeds the limitation toxicity trigger, then the Discharger shall immediately implement accelerated toxicity testing...Effluent sampling for the first test of the six additional tests shall commence within 5 days of receipt of the test results exceeding the toxicity limitation trigger exceedance."***
  - ***In Section V.G.2. of the MRP, "toxicity limit" should be changed to "toxicity trigger."***
  - ***Section V.G.5. of the MRP should be revised as follows: "The Discharger shall notify this Regional Water Board immediately of any toxicity trigger exceedance and in writing 14 days after the receipt of the results of an effluent limit."***
- ***Sections IV.A.1.d.3. of the Order and V.B.3.a. of the MRP should be revised to state: "...If the monthly median and any three out of the initial test and two of the six accelerated tests results exceed 1.0 TUc..."***

*Comment 4: It is requested that revisions be made to the "Spill Reporting Requirements" provisions in Section VI.C.5.c to be consistent with revisions made in the July 9, 2007 Revised Tentative Permits for the Long Beach and Los Coyotes WRPs.*

The requirement in Section VI.C.5.c.(2).b. of the Order regarding monitoring of bacteriological indicators needs to be revised to be consistent with language in Section VI.C.6.B.b. and Section

VI.C.6.B.ii of the Revised Tentative Permits for the Long Beach and Los Coyotes WRPs, respectively. The July 9, 2007 Revised Tentative Permits for the Long Beach and Los Coyotes WRPs allow for the bacteriological indicators to be characterized rather than analyzed since there are sufficient data available to fully characterize concentrations of bacteriological indicators in untreated wastewater.

The 3-day submission to the Sanitary Sewer Overflow WDR Database should be able to satisfy the requirement for a preliminary report required within 5 days of spill event, per Section VI.C.5.c.(3).a. To avoid duplication, the July 9, 2007 Revised Tentative Permits for the Long Beach and Los Coyotes WRPs include language to allow the discharger to submit the log number of the submission to the Sanitary Sewer Overflow database to satisfy the requirement for a preliminary written report. It is requested that Section VI.C.5.c.(3).a of the Newhall Ranch Tentative Permit be revised to state that, “A written preliminary report five working days after disclosure of the incident (submission to the Regional Water Board of the log number of the Sanitary Sewer Overflow database entry shall satisfy this requirement).”

In addition, the Districts recommend the following additional revisions in the Tentative Permit for the Newhall Ranch WRP in order to be consistent with spill reporting provision language contained in the July 9, 2007 Revised Tentative Permits for the Long Beach and Los Coyotes WRPs:

- Sections VI.C.5.(2).a. and VI.C.5.(2).b. of the Order should include language that samples are only taken “if feasible, accessible, and safe.” Similar revisions were incorporated in Sections VI.C.6.B.a and VI.C.6.b.ii of the revised tentative permits for the Long Beach and Los Coyotes WRPs, respectively.
- The requirement to estimate the volume of each spill, overflow, or bypass in Section VI.C.5.c.(4).c. of the Tentative Permit should specifically refer to the types of spills monitored for in Section VI.C.5.c.(2). Similar revisions were incorporated in Sections VI.C.6.D.c and VI.C.6.d.iii of the Revised Tentative Permits for the Long Beach and Los Coyotes WRPs, respectively.

***Requested Tentative Permit Revisions:***

- ***Section VI.C.5.c.(3).a. of the Order should be revised as follows: “A written preliminary report five working days after disclosure of the incident (submission to the Regional Water Board of the log number of the Sanitary Sewer Overflow database entry shall satisfy this requirement).”***
- ***Sections VI.C.5.(2).a. and VI.C.5.(2).b. of the Order should be revised as follows:***
  - “a. To define the geographical extent of a spill’s impact the Discharger shall obtain grab samples, if feasible, accessible, and safe, for spills, overflows or bypasses of any volume that reach receiving waters.”***
  - “b. 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...”***
- ***Section VI.C.5.c.(2).b. of the Order should be revised as follows: “...of 1,000 gallons or more that have the potential for public exposure. The Discharger shall analyze characterize the sample for total and fecal coliforms or E. coli, and enterococcus, and analyze relevant pollutants of concern depending on the area and nature of spills or overflows if feasible, accessible and safe.”***
- ***In Section VI.C.5.c.(4).c. of the Order, add the phrase “as required by Section VI.C.5.c.(2)” after “monitoring results.”***

ATTACHMENT A – Comments to the Newhall Ranch WRP Tentative Permit (continued)

*Comment 5: The MRP for the Tentative Permit contains excessive and unnecessary sampling and analysis frequency provisions for various constituents that are inconsistent with other Permits issued by the Regional Board in the watershed and region. The proposed program is overly burdensome and the costs have not been justified.*

This comment is based on a comparison of the proposed MRP with that currently in place for the Valencia WRP. As shown in Tables 1 - 4 below, there are a number of constituents that require more frequent sampling for the Tentative Permit than the current MRP for the Valencia NPDES permit and constituents that do not require evaluation in the current Valencia WRP MRP. The Regional Board is required to consider costs and adequate justification in establishing reporting requirements. California Water Code Section 13267(b)(1) states:

“[t]he burden, including costs of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide such reports.”

**Table 1.** Comparison of MRP Sampling Frequencies for Various Constituents at the Newhall Ranch and Valencia WRPs *Influent* Locations

Constituent	Newhall Ranch WRP Sampling Frequency	Valencia WRP Sampling Frequency
pH	Daily	Weekly
Total suspended solids	Daily	Weekly
BOD <sub>5</sub> , 20°C	Daily	Weekly
Nitrite nitrogen	Weekly	None
Nitrate nitrogen	Weekly	None
Ammonia nitrogen	Weekly	None
Total nitrogen	Weekly	None
Total phosphorous	Weekly	None
Orthophosphate-P	Weekly	None
Antimony	Monthly	Quarterly
Arsenic	Monthly	Quarterly
Cadmium	Quarterly	Semiannually
Chromium III	Quarterly	Semiannually
Chromium VI	Quarterly	Semiannually
Copper	Monthly	Semiannually
Lead	Monthly	Semiannually
Mercury	Monthly	Quarterly
Silver	Quarterly	Semiannually
Thallium	Quarterly	Semiannually
4,4-DDE	Quarterly	Semiannually
Iron	Quarterly	Semiannually

ATTACHMENT A – Comments to the Newhall Ranch WRP Tentative Permit (continued)

**Table 2.** Comparison of MRP Sampling Frequencies for Various Constituents at the Newhall Ranch and Valencia WRPs *Effluent* Locations

<b>Constituent</b>	<b>Newhall Ranch WRP Sampling Frequency</b>	<b>Valencia WRP Sampling Frequency</b>
<i>E.coli</i>	Daily	Weekly
Dissolved Oxygen	Weekly	Monthly
Ammonia nitrogen	Weekly	Monthly
Nitrite nitrogen	Weekly	Monthly
Nitrate nitrogen	Weekly	Monthly
Organic nitrogen	Weekly	Monthly
Total nitrogen	Weekly	Monthly
Total Hardness (CaCO <sub>3</sub> )	Weekly	Monthly
Acute toxicity	Monthly	Quarterly
Beryllium	Monthly	Semiannually
Cadmium	Monthly	Quarterly
Chromium III	Monthly	Quarterly
Chromium VI	Monthly	Quarterly
Copper	Monthly	Quarterly
Lead	Monthly	Quarterly
Silver	Monthly	Quarterly
Thallium	Monthly	Quarterly
2,3,7,8-TCDD	Quarterly	Semiannually
Benzidine	Quarterly	Semiannually
Benzo(a)anthracene	Quarterly	Semiannually
3,3-Dichlorobenzidine	Quarterly	Semiannually
1,2-Diphenylhydrazine	Quarterly	Semiannually
Hexachlorobenzene	Quarterly	Semiannually
Aldrin	Quarterly	Semiannually
Chlordane	Quarterly	Semiannually
4,4-DDT	Quarterly	Semiannually
4,4-DDE	Quarterly	Semiannually
4,4-DDD	Quarterly	Semiannually
Dieldrin	Quarterly	Semiannually
Endrin	Quarterly	Semiannually
Heptachlor	Quarterly	Semiannually
Heptachlor epoxide	Quarterly	Semiannually
PCBs	Quarterly	Semiannually
Toxaphene	Quarterly	Semiannually
Barium	Quarterly	Semiannually
Iron	Quarterly	Semiannually
Methoxychlor	Quarterly	Semiannually
2,4-D	Quarterly	Semiannually
2,4,5-TP (Silvex)	Quarterly	Semiannually
Radioactivity	Quarterly	Semiannually

ATTACHMENT A – Comments to the Newhall Ranch WRP Tentative Permit (continued)

**Table 3.** Comparison of MRP Sampling Frequencies for Various Constituents at the Newhall Ranch and Valencia WRPs *Receiving Water* Locations

<b>Constituent</b>	<b>Newhall Ranch WRP Sampling Frequency</b>	<b>Valencia WRP Sampling Frequency</b>
Turbidity	Weekly	Monthly
Total coliform	Daily	Weekly
Fecal coliform	Daily	Weekly
<i>E.coli</i>	Daily	Weekly
Temperature	Daily	Weekly
pH	Daily	Weekly
Settleable solids	Daily	Monthly
Suspended solids	Weekly	Monthly
BOD <sub>5</sub> 20°C	Weekly	Monthly
Ammonia nitrogen	Weekly	Monthly
Nitrite nitrogen	Weekly	Monthly
Nitrate nitrogen	Weekly	Monthly
Organic nitrogen	Weekly	Monthly
Total nitrogen	Weekly	Monthly
Total phosphorous	Weekly	Monthly
Orthophosphate-P	Weekly	Monthly
Algal biomass	Weekly	Monthly
Total Hardness (CaCO <sub>3</sub> )	Weekly	Monthly
Chronic toxicity	Monthly	Quarterly
Acute toxicity	Monthly	Semiannually
Beryllium	Monthly	Semiannually
Cadmium	Monthly	Quarterly
Chromium III	Monthly	Quarterly
Chromium VI	Monthly	Quarterly
Copper	Monthly	Quarterly
Lead	Monthly	Quarterly
Silver	Monthly	Quarterly
Thallium	Monthly	Quarterly
2,3,7,8-TCDD	Quarterly	Semiannually
1,2-Dichloroethane	Quarterly	Semiannually
Methyl bromide	Quarterly	Semiannually
Methyl chloride	Quarterly	Semiannually
Methylene chloride	Quarterly	Semiannually
Benzidine	Quarterly	Semiannually
3,3-Dichlorobenzidine	Quarterly	Semiannually
1,2-Diphenylhydrazine	Quarterly	Semiannually
Hexachlorobenzene	Quarterly	Semiannually
Aldrin	Quarterly	Semiannually
Chlordane	Quarterly	Semiannually
4,4-DDT	Quarterly	Semiannually
4,4-DDE	Quarterly	Semiannually
4,4-DDD	Quarterly	Semiannually
Dieldrin	Quarterly	Semiannually
Endrin	Quarterly	Semiannually
Heptachlor	Quarterly	Semiannually
Heptachlor epoxide	Quarterly	Semiannually

**Table 3.** Comparison of MRP Sampling Frequencies for Various Constituents at the Newhall Ranch and Valencia WRPs *Receiving Water* Locations (continued)

Constituent	Newhall Ranch WRP Sampling Frequency	Valencia WRP Sampling Frequency
PCBs	Quarterly	Semiannually
Toxaphene	Quarterly	Semiannually
Barium	Quarterly	Semiannually
Iron	Monthly	Quarterly
Methoxychlor	Quarterly	Semiannually
2,4-D	Quarterly	Semiannually
2,4,5-TP (Silvex)	Quarterly	Semiannually
Radioactivity	Quarterly	None

**Table 4.** Comparison of MRP Sampling Frequencies for Various Constituents at the Newhall Ranch and Valencia WRPs *Groundwater* Locations

Constituent	Newhall Ranch WRP Sampling Frequency	Valencia WRP Sampling Frequency
Nitrite nitrogen	Quarterly	Semiannually
Nitrate nitrogen	Quarterly	Semiannually
Organic nitrogen	Quarterly	None
Total nitrogen	Quarterly	None
Total phosphorous	Quarterly	None
Orthophosphate-P	Quarterly	None
Total dissolved solids	Quarterly	Semiannually
Chloride	Quarterly	Semiannually
Sulfate	Quarterly	Semiannually
Boron	Quarterly	None

Since the Newhall Ranch WRP will only discharge on an infrequent basis, higher quality effluent, and in lower quantities than other dischargers in the watershed, the risk to receiving water quality does not justify increased monitoring requirements over those in existing permits. It is the Districts understanding, as noted in Attachment C, that the Regional Board intends to revise the list of constituents and sampling frequencies in the Newhall Ranch WRP MRP for the receiving waters to be consistent with the MRP for the Valencia WRP. However, the influent, effluent, and groundwater monitoring requirements should be included in the revision process as well. Should these changes not be made, the additional analyses would cost an additional \$99,000 per year (~\$245,000 per year if receiving water requirements are not revised) to implement the MRP, and necessary justification should be provided to support the differential scope of monitoring. Table 5 below describes the increase in cost to complete the monitoring requirements specified in the MRP of the Tentative Permit.

**Table 5.** Additional Costs to Complete Required Monitoring and Reporting for One Year for the Newhall WRP as Compared to the Valencia WRP Monitoring Requirements

Sampling Type	Newhall Ranch WRP Monitoring Cost	Valencia WRP Monitoring Cost	Increase in Cost to complete Newhall WRP Monitoring
Influent	\$ 56,576	\$ 6,366	\$ 50,210
Effluent	\$ 81,386	\$ 35,836	\$ 45,550
Receiving Water	\$ 195,384	\$ 49,834	\$ 145,550
Ground Water	\$ 4,434	\$ 753	\$ 3,681
All Locations	\$ 337,780	\$ 92,789	\$ 244,991
All locations except receiving waters	\$ 142,396	\$ 42,955	\$ 99,441

There are several constituents that do not require the same evaluation in the current Valencia WRP MRP as compared to the Tentative Newhall WRP MRP. Table 6 below shows the added costs of monitoring these constituents (those constituents marked as “None” in the “Valencia WRP Sampling Frequency” columns in Tables 1-4 above). To monitor these constituents would cost \$22,263 per year and warrants justification from the Regional Board.

**Table 6.** Costs To Complete Required Monitoring and Reporting for One Year For The Newhall WRP For Constituents Not Listed in the Valencia WRP Monitoring Requirements

Sampling Type	Additional Constituents	Monitoring and Reporting Costs
Influent	Nitrate nitrogen, nitrite nitrogen, ammonia nitrogen, total nitrogen, total phosphorous, orthophosphate-P	\$ 15,803
Effluent	None	None
Receiving Water	Radioactivity	\$ 3,824
Ground Water	Organic nitrogen, total nitrogen, total phosphorous, orthophosphate-P	\$ 2,636
Total for All Locations		\$ 22,263

The Tentative Permit’s MRP requires that influent pH, total suspended solids and BOD<sub>5</sub> parameters be monitored daily, whereas the Valencia WRP MRP requires weekly monitoring. The benefit of requesting influent monitoring data in the context of investigating water quality also lacks specific justification, and it is more practical to be concerned with the effluent quality than the influent quality. The increased monitoring for BOD<sub>5</sub> alone would cost an additional \$25,000 per year and is excessive and unnecessary given that the effluent BOD<sub>5</sub> will be monitored on a less frequent (weekly) basis. There is no stated statutory or regulatory support for requiring increased influent monitoring and the costs exceed any benefits to be obtained.

According to the MRP, the Newhall WRP effluent will be monitored on a daily basis and will have to meet Title 22 bacteriological water quality requirements. To monitor the receiving water stations at the same frequency, as the Tentative Permit requires, is excessive and unnecessary since: (1) Title 22 requirements already protect the downstream receiving water via high effluent standards and increased indicator bacteria concentrations, if present, will be due to environmental influences, not the effluent, (2) it is expected that low flow and/or infrequent discharge will occur from the Newhall WRP due to recycling efforts, (3) discharged effluent from the Newhall WRP is expected to flow below grade relatively quickly after discharge, and (4) such added monitoring will cost an additional \$55,000 per year as compared to current Valencia WRP required monitoring costs.

Given that the current Tentative Permit’s MRP requires excessive, unnecessary, and costly monitoring, the Districts request that the sampling frequencies for the Newhall WRP MRP be revised to reflect that of the Valencia WRP MRP, whose sampling requirements have been shown to be sufficient. If the Regional Board does not modify the MRP as suggested,, the Districts request that justification be provided to support the monitoring discrepancies.

***Requested Tentative Permit Revisions:***

- ***The Districts request that the Regional Board revise the list of constituents and sampling frequencies in the Newhall Ranch WRP MRP for the influent, effluent, receiving water and groundwater locations so that the program is consistent with the MRP for the Valencia WRP. Should these changes not be made, the Regional Board should provide supporting justification for the proposed monitoring program.***

Comment 6: *Revise the due dates for monitoring reports to be similar to those in the Districts' NPDES permits.*

The MRP for the Tentative Permit states that the due dates for monitoring reports are the 15<sup>th</sup> day of the second month after the month of sampling. To be consistent with the Districts' NPDES permits and to allow for sufficient time for data collection and verification and report preparation, we request that the due date be changed to the 15<sup>th</sup> day of the third month after the month of sampling. Similarly, to be consistent with the Districts NPDES permits, the Districts also request that the due date for the annual report be changed from April 1<sup>st</sup> to April 15<sup>th</sup>. These revisions are consistent with the monitoring requirements included in the recently Revised Tentative Permits for the Los Coyotes and Long Beach WRPs dated July 9, 2007.

***Requested Tentative Permit Revisions:***

- ***Revise Sections V.G.1 and X.B.3. of the MRP to reflect that the monitoring reports are due on the 15<sup>th</sup> day of the third month following analyses rather than the second month***
- ***Revise Section X.D.1 of the MRP so that the annual report due date is April 15<sup>th</sup> rather than April 1<sup>st</sup>.***

Comment 7: *Revise sampling schedules for quarterly, semi-annual and annual analyses to be similar to that of the Valencia and Saugus WRPs.*

As provided in the Tentative Permit, quarterly effluent sampling is required in February, May, August, and November, with semiannual analyses in February and August, and annual sampling in August. For the Valencia and Saugus WRP NPDES permits, the Districts currently do quarterly sampling in January, April, July, and October, and semiannual sampling in January and July (also note that the Districts conduct the annual bioassessment monitoring in the spring/summer period and not in August). In order to facilitate laboratory staff scheduling after the Districts enter into an administrative agreement with NRSB, the Districts request that the schedule for the Newhall Ranch WRP be revised to match those used for the Valencia and Saugus WRPs. This change will allow the Districts to effectively administer the monitoring programs for the Santa Clarita Valley.

***Requested Tentative Permit Revisions:***

- ***Revise the MRP to allow quarterly sampling to be conducted in January, April, July, and October, semiannual sampling in January and July, and annual sampling in July (except for the annual bioassessment monitoring which is to be conducted in the spring/summer period).***

Comment 8: *The unit process flow diagrams shown in Attachment C for the Newhall WRP need to be updated.*

The unit process diagrams in Attachment C are inconsistent with the proposed unit processes for the Newhall Ranch WRP. The diagram should show the option for reverse osmosis treatment for partial flows and the option for supplemental low-dose chlorine disinfection.

***Requested Tentative Permit Revisions:***

- ***Revise the unit process flow diagrams in Attachment C of the Order to include partial flow reverse osmosis after MBR and low-dose chlorine disinfection after UV disinfection. Newhall Land and Farming Staff have provided this information.***

Comment 9: *Clarification is needed on the management of biosolids generated by the Newhall WRP.*

Biosolids resulting from wastewater treatment at the Newhall Ranch WRP will be hauled to the Valencia WRP for further treatment and disposal, as correctly noted in the Tentative Permit. Thus, the biosolids will ultimately be regulated under the Valencia WRP NPDES permit (NPDES No. CA0054216, CI No. 4993) and related operations, monitoring, and reporting will be done according to the Valencia WRP permit (i.e., reports concerning biosolids monitoring and handling will be provided with the Valencia WRP reports under that permit's schedule). Section VI.C.5.a of the Tentative Order includes the biosolids requirements, which are equivalent to those prescribed by the Valencia NPDES permit. Thus, we recommend that clarifying language be included in the Tentative Order and Fact Sheet specifying how biosolids requirements will be satisfied given the circumstances for this particular permit. [Note: biosolids handling at the Newhall Ranch WRP is expected in the next phase of expansion.]

***Requested Tentative Permit Revisions:***

- ***Revise the Findings in Section II.B and the Fact Sheet in Attachment F to clarify that biosolids resulting from wastewater treatment at the Newhall Ranch WRP will be hauled to the Valencia WRP for treatment and disposal and regulated pursuant to the provisions of the Valencia WRP NPDES permit (NPDES No. CA0054216, CI No. 4993).***
- ***Include a statement in Section VI.c.5.a in the Order that the biosolids requirements for the Newhall Ranch WRP are not necessary at this time since biosolids will be handled at the Valencia WRP, and regulated through Valencia WRP's existing permit. The Newhall Ranch WRP permit will be re-opened at an appropriate time, when solids handling, treatment and disposal are conducted at the Newhall Ranch WRP.***

Comment 10: *Clarification is needed regarding an exemption from mandatory minimum fines, as referred to in Section VI.C.7.a. of the Tentative Permit.*

It is an understanding of the Districts that the Discharger intends to submit the Operations Plan described in California Water Code Section 13385.(j)(1)(d)(i) to qualify for the 90-day exemption from mandatory minimum fines in the event a violation occurs "from the operation of the new or reconstructed wastewater treatment unit and that the violations could not have reasonably been avoided" per Section 13385.(j)(1)(d)(i)(III).

***Requested Tentative Permit Revisions:***

- ***Add clarification to the Tentative Permit to provide for the 90-day exemption from mandatory minimum fines for violations per the California Water Code.***

Comment 11: *The Tentative Permit should provide more options for reporting permit violations.*

Section VI.A.2.v requires the Discharger to report noncompliance with prohibitions, daily maximum effluent limitations and receiving water limitations to a specific person, David Hung, by telephone. There are two changes we recommend. First, it would be preferable to list a designated position for reporting rather than a specific person, in case that person should move to another non-related position or leave the Regional Board. Second, it would be preferable to allow notification by telephone or electronic means, which is consistent with the spill reporting provisions in Section VI.C.5.c.(1).c. of the Order. These changes would be consistent with language included in the June 8, 2007 Revised Tentative Permits for the Long Beach and Los Coyotes WRPs.

***Requested Tentative Permit Revisions:***

- ***Section VI.A.v. of the Order should be revised as follows: “. . . the Discharger shall notify ~~David Hung~~ the Watershed Regulatory Chief at the Regional Board by telephone at (213) 576-6616 or electronic means within 24 hours of having knowledge of . . .”***

*Comment 12: Compliance determination language should be removed from the Tentative Permit.*

The Tentative Permit contains compliance determination language in Section VII. of the Order. It is an understanding of the Districts that this compliance determination language is based on language in the draft standardized Permit Template provided by the State Board. However, the most recent version (January 2007 Draft) of the standardized Permit Template explicitly states that Office of Chief Counsel recommends against inclusion of the compliance determination language. The Permit Template states:

**“VII. COMPLIANCE DETERMINATION**

This section specifies how a facility and the Regional Water Board will determine compliance with effluent limitations or other permit requirements, as necessary. The compliance determination language in this section is an example. However, **OCC staff representatives have recommended that compliance determination language not be included in the standardized template for general use at this time.** If the Regional Board decides not to include compliance determination language in the Order, the Regional Board may opt to relocate paragraph B language to Attachment E, recommended to follow MRP section X.B.4 reporting protocols.” [Emphasis added.]

The Districts request that the Regional Board follow the recommendation of the Office of Chief Counsel by removing the current compliance determination language from the Tentative Permit.

***Requested Tentative Permit Revision:***

- ***Remove Section VII of the Order from the Tentative Permit. Relocate Sections VII.B, VII.M, and VII.N of the Order to the MRP.***

*Comment 13: Reporting should not be required of estimated analytical results obtained during influent sampling.*

The MRP requires that estimated values be reported for all data, including influent data per Section X.B.4. The current Valencia WRP permit does not require estimated concentrations to be reported for influent samples. Estimated sample results are those sample results that are less than the applicable Reporting Level (RL), but greater than the laboratory’s Method Detection Limit (MDL). The current permit specifically states that reporting of estimated concentrations is required only “For the purpose of reporting compliance with numerical effluent limitations and receiving water limitations.”

The Districts believe that requiring the reporting of estimated values for influent samples adds an unnecessary burden to laboratory resources and provides no benefit in interpreting and evaluating compliance with water quality standards or for use in the pretreatment program or evaluating plant performance. Influent wastewater concentrations are used in the determination of industrial waste local limits and to determine the removal efficiency of a wastewater treatment plant. Estimated influent sample results lack sufficient confidence in terms of accuracy for use in calculating plant removal efficiencies used in local limits calculations or for justifying local limits that are subsequently derived. Therefore, if there is no meaningful intent or purpose for the use of the data, then there seems to be no reasonable basis to require the reporting of estimated results.

Therefore, the Districts request that reporting not be required of estimated analytical results obtained during influent sampling. Estimated values cannot be considered to be accurate, because they are below the RL. This is particularly true for influent samples (untreated wastewater), due to the complexity of the wastewater matrix. The Districts often have to dilute influent samples prior to analysis in order to overcome matrix interference issues, especially for trace organic analyses. When a sample is diluted, the RL is elevated, but the MDL cannot be changed without going through a matrix MDL study, which adds an additional burden to the Districts' laboratory services. Therefore, if the influent monitoring language is maintained in the Tentative Permit, more laboratory costs will be incurred to report numerous estimated concentrations that are neither realistic nor useful. For example, if the MDL is 0.1 ug/L and the RL is 1 ug/L, and if the sample is diluted by a factor of ten, the RL will be elevated to 10 ug/L and any concentrations that fall between 0.1 ug/L and 10 ug/L will have to be quantified as estimated values unless a matrix MDL study has been performed. To perform a matrix MDL study for the priority pollutants would be time-consuming and would cost a minimum of \$20,000.

The Regional Board is also required to consider costs and adequate justification in establishing reporting requirements. California Water Code Section 13267(b)(1) states:

“[t]he burden, including costs of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide such reports.”

Given the lack of real need for this additional new influent monitoring requirement and the substantial cost, this new requirement should be deleted. Furthermore, the benefit of requesting influent monitoring data in the context of investigating water quality also lacks specific justification. In this context, it seems more prudent to be concerned with the effluent quality than the influent quality. The SIP only requires the reporting of estimated effluent values since effluent discharges have a direct bearing on receiving water quality. There is no stated statutory or regulatory support for requiring influent monitoring and the costs exceed any benefits to be obtained from the reports.

Notwithstanding the above comments, if the Regional Board does not remove the requirement to report estimated values for influent samples, the Districts request that allowance be made in the permit to allow automatic multiplication of the MDL and RL when a dilution is performed. For the example described previously, the MDL was 0.1 ug/L and the RL was 1 ug/L. If the sample was diluted by a factor of 10, then the MDL would be reported as 1 ug/L and the RL as 10 ug/L. Results between 1 ug/L and 10 ug/L would be reported as estimated values, and results less than 1 ug/L would reported as non-detected (ND). It should be noted that the Geotracker system automatically does this multiplication. Since the Regional Board is accepting data through the Geotracker system, it should be acceptable to the Regional Board to allow this automatic multiplication for treatment plant data.

***Requested Tentative Permit Revision:***

- ***Delete the following sentence in its entirety from Section X.B.4 in the MRP: “The Discharge shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols.” Replace the deleted sentence with: “For the purpose of reporting compliance with numerical effluent limitations and receiving water limitations, analytical data shall be reported using the following reporting protocols:”***
- ***If this change is not made, add a new MRP Section X.B.4.e stating: “If a sample is diluted due to matrix interference, the laboratory’s reported MDL and the RL shall both be elevated by the dilution factor for the sample.”***

*Comment 14: Additional sampling should be allowed for monthly average compliance determinations.*

Previous NPDES permits adopted by the Regional Board for the Districts' wastewater treatment facilities, and for other wastewater treatment facilities within the region, have allowed the use of additional samples to determine compliance with monthly average effluent limitations. For example, the current Valencia WRP NPDES permit has language associated with their monthly average effluent limitations for toxic pollutants that states, "If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the monthly average limit for any constituent, the Discharger shall collect four additional samples at approximately equal intervals. All five analytical results shall be reported in the monitoring report for that month, or subsequent month." The Districts request that this provision (with a total of four total samples instead) be expressly included in the Tentative Permit.

On rare occasions, the concentration of a pollutant in a single sample may exceed a monthly average limitation. However, this sample may not be representative of the discharge over an entire month, but rather may be related to an isolated occurrence. The provision in the current Valencia WRP NPDES permit allows the Districts to take additional samples, when the sample results are received, to demonstrate compliance with the monthly average limitation. The Districts believe such samples would be representative of the month in question because there is typically low variability in concentrations of toxic pollutants, except for rare, isolated incidents.

While one potential solution would be for the Discharger to collect and preserve additional samples each week for toxic pollutants with monthly average limitations, practical considerations prevent implementation of such a solution. Collecting the additional samples would require two trained laboratory technicians to set up a composite sampler and then come back the next day to retrieve the samples. This would have to be done weekly and would result in significantly higher monitoring costs.

Furthermore, Regional Board staff has indicated that they believe such a provision is no longer appropriate because it cannot be easily accommodated by the state's electronic reporting system, CIWQS. The Districts believe that this is an artificial constraint due to the restrictions of the CIWQS system. It is not appropriate to base compliance determinations on the limitations of an electronic reporting system, nor is it appropriate to impose unnecessary and costly burdens on dischargers due to limitations of the State Board's electronic reporting system.

***Requested Tentative Permit Revision:***

- ***Add a footnote to all monthly average effluent limitations stating "Compliance may be determined from a single analysis or from the average of the initial analysis and three additional analyses taken one week apart after the results of the initial analysis are obtained."***

*Comment 15: The Monthly Average Chloride Limit should be further clarified.*

The monthly average limit for chloride should be further clarified in footnote 2 of Table 7 in Section IV.1.a. of the Order, to include discussions regarding Upper Santa Clara River Chloride TMDL studies that are in progress to determine whether a site-specific objective (SSO) for chloride will be established. As the Regional Board is aware, a potential SSO will consider both the acceptable threshold as well as compliance averaging period necessary to protect beneficial uses, and may include drought provisions.

***Requested Tentative Permit Revision:***

- ***Add additional language to Order Section IV.1.a. footnote 2 in Table 7 that states the following: “The Upper Santa Clara River Chloride TMDL technical working group is currently studying whether a site-specific objective (SSO) for chloride will be established for Reaches 5 and 6 of the Santa Clara River. These studies will be completed by May 2008, at which time the Regional Board will consider a Basin Plan Amendment to potentially revise chloride water quality objectives and/or applicable final wasteload allocations for the Newhall Ranch WRP.***

***Comment 16:*** *The Fact Sheet information on the Chloride TMDL is incomplete and misleading and should be revised.*

Section II.E.6.a.ii.(1).c of the Fact Sheet (Page F-13) contains incomplete information related to the results of a special study (known as the Literature Review Evaluation) to determine the protective chloride threshold for salt-sensitive agriculture. The Literature Review Evaluation (LRE) was completed in September 2005 and found that an irrigation *guideline* between 100 and 117 mg/L was protective of salt-sensitive agriculture.<sup>3</sup> TMDL Task 7 (Site-Specific Objective) is currently underway to translate the LRE guidelines into a water quality objective (WQO), and ultimately a final wasteload allocation (WLA) for various point and non-point sources. TMDL Task 7 will consider a number of issues related to the final WQO and WLAs for chloride, including compliance averaging periods, effect of rainfall, and drought provisions. Because of these ongoing efforts, the District believes that the Regional Board’s characterization in Section II.E.6.a.ii.(1).c of the fact sheet that the LRE study “confirms that the concentration-based WLA of 100 mg/L is protective of AGR” is misleading. In fact, the LRE study found that a concentration-based WLA of 100 mg/L is likely over-protective, with finding that the upper end of the LRE guidelines is 117 mg/L. Also given the additional SSO efforts discussed previously, the District believes that the Regional Board should reserve judgment and not make any findings related to the concentration-based WLA that is protective of salt-sensitive agriculture, until the TMDL studies are completed.

***Requested Tentative Permit Revision:***

- ***Revise portions of Item II.E.6.a.ii.(1).c of the Fact Sheet (Page F-13) to include the following revisions:***

***“c. The USCR chloride WLAs are expressed on a concentration basis derived from and equivalent to the existing WQO, thereby providing direct protection of the most sensitive beneficial use, agricultural supply (AGR). Under the USCR Chloride TMDL Implementation Plan, a special study known as the Literature Review Evaluation was conducted to determine the protective chloride irrigation threshold for salt-sensitive ~~confirm that the concentration-based WLA of 100 mg/L chloride is protective of AGR.~~ Theat LRE study has been was completed in September 2005 and found that an irrigation chloride guideline between confirms that the concentration-based WLA of 100 and 117 mg/L is protective of salt-sensitive AGR. Additional TMDL studies, as required by the Implementation Plan, are ongoing, and the results of these studies may determine that the current concentration-based WLA of 100 mg/L is over-protective of salt-sensitive AGR. Final WQOs and WLAs will be determined in May 2008, after consideration of the remaining TMDL studies to be completed by February 2008.”***

<sup>3</sup> See CH2M Hill. *Final Report: Literature Review Evaluation*, September 2005.

*Comment 17: Requirements for receiving water algal biomass monitoring should be removed.*

The use of water column algal biomass monitoring does not provide valuable information regarding environmental algal condition or possible algal or nutrient impacts in rivers and streams. In fact, a decision to eliminate water column algal biomass monitoring in the San Gabriel River was made as part of the San Gabriel River Watershed Council-recommended and Regional Board-adopted watershed-wide monitoring program for the San Gabriel River. This determination was made with extensive technical input from multiple stakeholders including biologists, environmental scientists and civil engineers representing water reclamation and storm water agencies, regulators, and non-profit environmental monitoring groups including Heal the Bay and the Southern California Coastal Water Research Program. For this reason the requirement to include water column algal biomass (as chlorophyll  $\alpha$  in mg/L) monitoring should be removed from the proposed Tentative Permit.

The Regional Board has agreed with the Districts that the chlorophyll  $\alpha$  data obtained over multiple years of monitoring did not provide any useful measures for evaluating algal density or any other water quality condition. Thus, the July 9, 2007 Revised Tentative Permits for the Long Beach and Los Coyotes WRPs have reflected this position and the algal biomass monitoring requirements have been deleted. The Districts request that the same be applied to the Newhall Ranch WRP Tentative Permit.

***Requested Tentative Permit Revision:***

- Remove requirements in Section VIII. of the MRP for algal biomass monitoring in the receiving water.

## ATTACHMENT B

### Comments to Tentative Permits for the Newhall Ranch WRP - Minor Comments and Typographical Errors

Page No.	Section	Comment
7	Order, II.H. Table 5	Remove "001" from the column labeled "Discharge Point" from all rows except the first row.
7	Order, II.H. Table 5	The Potential* MUN beneficial use does not apply to the estuary and should be deleted.
7	Order, II.H. Table 5	The listed applicable beneficial uses for all Hydro Units in Table 5 are incorrect and should be revised to reflect those listed in the Fact Sheet, page F-7, II.C.1. Table 3.
12 and F-29	Order, III.E. and FS, IV.C.2.b.xv.	The CCR reference should be revised to read, "... CCR Title 22, Division 4, Chapter 15, Article 5, Sections 64442 and 64443, CCR, or subsequent revisions." Section 64442 contains MCLs for gross alpha, radium-226/228 and uranium, whereas Section 64443 contains MCLs for gross beta, strontium-90 and tritium.
16	IV.A.1.d.3.	TRE and TIE details are specified in the MRP. In order to clarify, revise this passage as follows: "...as specified in the following section of this Order <u>MRP</u> (Sections V.D and V.E)."
25	Order, VI.C.2.b.	Revise the passage as follows: "...within 5 <u>business</u> days" (as stated in the Order, IV.A.2. and the MRP, V.A.2.d. and V.B.3.)
26, F-5, and F-6	Order, VI.C.3.b., FS, II.B. and II.E.	The word "sewage" should be replaced by "wastewater"; the two occurrences of "sewage system personnel" should be replaced with "WRP and collection system personnel".
28	Order, VI.C.5.a.(1)	This Section refers to Attachment I, which was not included as an attachment to this Order.
34	Order, VII.A.	For clarification and consistency, "Reported minimum level (ML)" should be changed to "reporting level (RL)"
36	Order, VII.K.	For clarification and consistency, "RML" should be changed to "RL"
E-4	MRP, I.G.	For clarification and consistency, the passage should be amended as follows: "The monitoring report shall specify the USEPA analytical method used, the Method Detection Limit (MDL), the minimum level (ML), and the Reported Minimum Level (RML) and the Reporting Level (RL) [the applicable minimum level (ML) or reported Minimum Level (RML)] for each pollutant."
E-7	MRP, III.A.1. Table 2.	Sample type for chromium III should be listed as a grab (or calculated) as opposed to 24-hr composite since chromium VI sample type is also a grab and the chromium III constituent is calculated from results of total chromium and chromium VI.
E-8	MRP, IV.A.1. Table 3	Footnote 6 alludes to section IV.A.2., which cannot be found
E-11	MRP, IV.A.1. Table 3	Delete the word, "combined" since radium-226 and radium-228 are analyzed separately.
E-12	MRP, V.A.2.d.	This Section refers to Section I.B.18, which cannot be found.
E-13	MRP, V.B.2.a. and V.B.2.b.	<i>Selenastrum capricornutum</i> has been renamed to <i>Pseudokirchneriella subcapitata</i>
E-16	MRP, V.E.6.b.	Because tests are conducted every two weeks, per MRP V.A.2.d. and V.B.3., Change "weekly" to "bi-weekly"

ATTACHMENT B - Comments to Tentative Permits for the Newhall Ranch WRP  
 Minor Comments and Typographical Errors (continued)

Page No.	Section	Comment
E-19	MRP, VIII.A.1. Table 7a.	In the "Required Analytical Test Method" column, foot note "13" should be "14"
E-19	MRP, VIII.A.1. Table 7a.	Footnote "14" should be "15" for the nitrogenous compounds in the table.
E-21	MRP, VIII.A.1. Table 7a.	The units and sampling frequency for benzo(a)anthracene have not been noted.
E-21	MRP, VIII.A.1. Table 7a.	The parameter for the "Remaining EPA priority pollutants" does not include an exclusion for asbestos.
E-22	MRP, VIII.B.1. Table 7b.	Footnote 1 is not defined.
F-4	FS, I.A.	"Los Angeles County Sanitation District" should be revised to read, "County Sanitation Districts of Los Angeles County".
F-4	FS, I.A.	The second to last sentence in the first paragraph should be revised to read, "However, the Los Angeles Department of Public Works is will staff for the Newhall Ranch SD until such time..."
F-11	FS, III.E.4.	The last paragraph should be revised to read, "... and VI.C.5.c.6 are intended..." and "... requirements in Sections VI.C.3.b., VI.C.4, and VI.C.5.c.6, provided for that any more specific..."
F-16	FS, IV.B.2. Table 4	A footnote to the table should be added, explaining the 2.0 mgd basis for calculating the listed mass limitations.
F-18	FS, IV.C.2.b.i.	The first sentence explains that Table 5 summarizes the "applicable water quality criteria/objective[s] for priority pollutants..." However, Table 5 in the Fact Sheet summarizes "Water Quality-Based Effluent Limitations". This sentence should be revised to correctly identify the contents of Table 5. Moreover, a table should be added that identifies the "applicable water quality criteria/objectives for priority pollutants" used in conducting the Reasonable Potential Analysis.
F-21	FS, IV.C.2.b.viii.	The second sentence in the second paragraph on page F-21 should be revised as follows: "The discharge from the Newhall Ranch WRP may have reasonable potential to contribute..."
F-32	FS, IV.C.4.b. Step 1	The source of the Freshwater Aquatic Life CCC should be changed from column "B1" to column "C1".
F-36	FS, Table 5	Footnote 1 is missing from the list of footnotes at the bottom of Table 5.

## ATTACHMENT C

### Proposed Revisions to Tentative Permits for the Newhall Ranch WRP

	<b>Newhall Land Comment</b>	<b>Regional Board Response at June 25, 2007 Meeting</b>
1.	On p 13, the plant design flowrate used for the mass load limits is 2.0 mgd. However, p F-14 correctly notes that phased plant capacity may be up to 6.8 mgd within the 5-year permit cycle. We therefore request that the permitted maximum flowrate, and the value used for computing the mass load limits, be changed to 6.8 mgd.	Board staff disagreed on changing permitted plant design flow rate, but agreed to add new reopener provision to p 24 regarding possible plant phase-up within this permit cycle.
2.	On p 13, table footnote #2 states that the chloride limit will remain until the TMDL is revised to include a WLA for the Newhall WRP. However, consistent with the finding on p F-13 of the fact sheet, TMDL staff have clarified that that the concentration-based limit for chloride is protective of the TMDL and therefore the TMDL does not need to be reopened or revised to reflect this new discharge. This language should instead be revised to state that the chloride limit will remain until an SSO is developed for the reach, which could potentially come out of the ongoing chloride TMDL special studies.	Board staff agreed with this change and proposed language (although they will say chloride limit may change “until” to “if” a chloride SSO is developed for the reach).
3.	On p 13, as was originally requested, the monthly chloride limit should be replaced with an annual (or rolling 365-day) average limit.	Board staff disagreed, noting that only interim chloride permit limits have so far been averaged annually. They did note though that they thought the Basin plan chloride objective was eventually going to be changed to an annual average.
4.	On p 14, table footnotes #3 and 4, which refer to the SCR nitrogen TMDL, should be revised to include a statement to the effect that the ammonia limits will remain until the pending ammonia SSO is adopted by US EPA and OAL, at which time the permit will be reopened and the limits revised to reflect this change.	Board staff agreed and will add a finding that the ammonia SSO was adopted, either as a footnote to the effluent table or in the fact sheet section on ammonia. They did note though that the SSO will not change our ammonia limits as the WER only affects the chronic LTA, but it is actually the acute LTA that impacts our limit calculations.
5.	On p 14, regarding the calculation of the ammonia limits, an n value of 4 should be used instead of 30 to reflect actual proposed effluent sampling frequency (which is weekly, or 4 times per month). This change should result in the revision of the average monthly ammonia-N limit from 1.48 to 1.93 mg/L.	Board staff agreed to change to n = 4 for the ammonia limit calculation.
6.	On p 14, regarding the basis for CTR metal effluent limits, clarification (e.g., calculation methods, hardness value(s) assumed, etc.) should be provided to support the values shown.	Board staff agreed to use site specific hardness values for the CTR metal effluent limit calculations (as opposed to copying limit values from Valencia's permit), and will consider including a sample calculation for CTR limits.

ATTACHMENT C - Proposed Revisions to Tentative Permits for the Newhall Ranch WRP (continued)

	<b>Newhall Land Comment</b>	<b>Regional Board Response at June 25, 2007 Meeting</b>
7.	<p>App E. Several tables are attached for comparison of Newhall's monitoring requirements with those of LACSD for the Valencia WRP. Given that the Newhall plant will discharge much less volume and much less frequently, and therefore potential receiving water impacts are much less significant, monitoring requirements should be the same as or less than Valencia's. As currently written, Newhall's influent, effluent, receiving water, and ground water monitoring requirements, in terms of sampling frequency, type (i.e. grab vs 24-hour composite), and constituents, are much more stringent than Valencia's. Similarly, monitoring reports should be due at the same time; Newhall's reports are due 30 days sooner than Valencia's, according to the draft permit.</p>	<p>Board staff agreed and will change from composite to all grab samples for the receiving water monitoring requirements. Board staff also agreed that receiving water monitoring frequency should match Valencia's for constituents that are without effluent limits in this permit (including radioactivity). Influent, effluent, and groundwater monitoring requirements will not change. Monitoring reporting time will not change, and they noted is consistent with City of LA WRP permit requirements. Board staff also noted that RPA will be done again after the interim monitoring period (18 months), and the permit will be reopened or will be revised in the next permit cycle so that effluent limits and monitoring requirements can be adjusted to reflect new reasonable potential results.</p>
8.	<p>On p E-6, the table footnote states that, "The Discharger shall endeavor to take a sample representative of actual downstream receiving water conditions." This footnote should be deleted or clarified to state that downstream samples will be collected 300 feet downstream of the discharge, in the major flow stream nearest to the northern bank of the channel. In most cases, this sample is expected to represent undiluted effluent after 300 feet of downstream travel and infiltrative/evapotranspirative losses. We do not expect it to be feasible to regularly identify a point of mixing with ambient River flows for downstream sampling.</p>	<p>Board staff agreed to clarify language, and will change footnote to state that discharger will endeavor to take a sample downstream of the comingled point.</p>
9.	<p>On p E-13, chronic toxicity screening requirements state that, "The Discharger shall conduct the first chronic toxicity test screening for three consecutive months beginning on the date of initial discharge." This statement should be clarified to state that anytime during each of the first three months, screening can be conducted, rather than implying that screening sampling must occur on the initial date of discharge.</p>	<p>Board staff agreed to clarify this language, changing "on" to "from".</p>
10.	<p>On p E-18, clarification should be added to state that receiving water monitoring is necessary when the WRP is not discharging. The intent of the permit's receiving water monitoring program is to determine discharge-caused receiving water quality impacts, a concept which isn't relevant during non-discharging periods.</p>	<p>Board staff agreed to clarifying the receiving water monitoring requirements so that monitoring is not required during periods when the WRP is not discharging, with the stipulation that a minimum of two samples per year are required for each constituent.</p>

ATTACHMENT C - Proposed Revisions to Tentative Permits for the Newhall Ranch WRP (continued)

	<b>Newhall Land Comment</b>	<b>Regional Board Response at June 25, 2007 Meeting</b>
11.	On p E-22, the final 3 sentences of item IX.A.1 on the watershed-wide monitoring program should be removed. A watershed wide-monitoring plan has already been developed, therefore this language is not relevant. Furthermore, it is not the responsibility of an individual discharger to develop this plan, but rather the responsibility of the broader watershed stakeholder group.	Board staff agreed to have Michael Lyons look at this language, and will consider clarifying to recognize that a WWMP has already been developed for the SCR.
12.	On p E-25, the permit states that all monitoring periods begin on the permit effective date. Given that the discharge is not yet occurring, these requirements should be revised to state that all monitoring programs begin on the initial date of discharge.	Board staff agreed to add clarifying language at the end of the influent, effluent, and receiving water monitoring sections stating that monitoring will commence upon plant startup. Board staff also agreed to add language to the groundwater monitoring section stating that the Discharger will submit a work plan within six months of the effective permit date, and that this work plan will include information on well locations, installation date, and monitoring start date (a minimum of six months pre-startup groundwater monitoring is required).
13.	On p F-25, there appears to be an error in the following statement: "The 90 <sup>th</sup> percentile of pH is 8.6, measured at the immediate downstream receiving water (Station R-A). Using the pH value of 8.4 in the formula above, the resulting MDEL is 3.87." The limit appears to be correct, but both pH values should be 8.4.	Board staff agreed and will make this change.
14.	On p F-31, a finding states that, "Based on the RPA, there was reasonable potential for the Discharge to contribute to an exceedance of the following pollutants." However, based on our analysis of May 2004 through October 2006 receiving water monitoring data for samples collected at the discharge location (NR1), of these 16 pollutants, only mercury was found to exceed relevant water quality standards and therefore trigger the reasonable potential criteria. Additional basis supporting the reasonable potential determination should be provided in the fact sheet.	Board staff disagreed, explaining that the table on F-42 is sufficient.

ATTACHMENT C - Proposed Revisions to Tentative Permits for the Newhall Ranch WRP (continued)

	<b>Newhall Land Comment</b>	<b>Regional Board Response at June 25, 2007 Meeting</b>
15.	<p>On p F-34, in justifying that mixing zones aren't appropriate, the permit states that, "The Newhall Ranch WRP discharge contributes the largest flow (effluent dominated) into the SCR watershed in the vicinity of the discharge point." This section also states that, "The receiving water primarily consists of nuisance flows and other effluents." Neither of these statements are accurate, and both should be removed or corrected. Natural baseflows (consisting of rising groundwater) and upstream effluent make up the majority of the SCR water budget at the County line during dry conditions, during which periods the Newhall WRP will not discharge.</p>	<p>Board staff agreed, and will consider replacing with the following clarifying language, recommended by the Discharger: "1. The Newhall Ranch WRP will discharge during wet periods when effluent supply exceeds reclaimed water demand, and this discharge quantity is expected to be greatly exceeded by instream flowrates. 2. At the discharge location, Santa Clara River flows consist primarily of shallow rising groundwater and baseflows, municipal wastewater effluent, Castaic reservoir releases (depending on water availability), agricultural runoff, and stormwater runoff (during/after precipitation events)."</p>
16.	<p>On p F-35, the permit includes interim monitoring requirements requiring collection of 18 monthly samples, and report the results on a monthly basis, once discharge begins. The permit needs to clarify which parameters are applicable here, and whether this is for effluent sampling in particular. The language should also clarify how this affects the normal monitoring program, which only requires quarterly and semiannual monitoring for several of the constituents.</p>	<p>Board staff agreed, and will remove this section on interim monitoring requirements, noting that it is redundant with the receiving water monitoring requirements described earlier in the permit.</p>
17.	<p>On p F-40, in the section titled "Satisfaction of Antidegradation Policy," the fact sheets states: "In addition, the discharge has hired consultants to conduct modeling to project downstream conditions. Modeling suggests that the discharge from Newhall may dilute some of the poor water quality with respect to chloride and nutrients." We recommend that this finding be clarified and expanded beyond just the 303d pollutants. Suggested revised language is as follows, and is consistent with the "no impact" finding of item e on p F-14 of the fact sheet: "The discharger has provided data and analysis that supports the finding that planned seasonal discharges from the facility will not significantly increase background pollutant concentrations in the Santa Clara River given the state-of-the-art treatment processes employed as well as the very minor discharge volumes relative to average wet season instream flows."</p>	<p>Board staff agreed, and will make a similar language change to the section. They will continue to reference the previous chloride mass balance calculation results provided by the discharger, but will state that because this is a conservative constituent, these results conservatively reflect the dilution anticipated for other, non-conservative pollutants, and therefore other pollutants are not expected to significantly increase downstream in the SCR as a result of WRP discharges. They may also add standard language about any minor increases being justifiable according to antidegradation policy stipulations.</p>
18.	<p>On p F-XX, the permit requires a SWPPP to be submitted 90 days from the effective permit date, however without plant designs completed yet this will not be feasible. This requirement should be changed to: "XX days from the start of discharge."</p>	<p>Board staff agreed to make this change, using "90 days" from the start of discharge.</p>