



April 16, 2018

Ms. Deborah J. Smith
Executive Officer
California Regional Water Quality Board – Los Angeles Region
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**Tentative WDR Edward C. Little Water Recycling Facility Reverse Osmosis
Brine Permit NPDES #CA0063401
West Basin Municipal Water District Comments**

BOARD OF DIRECTORS

Donald L. Dear
President

Scott Houston
Vice President

Gloria D. Gray
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Member

Dear Ms. Smith:

West Basin Municipal Water District (West Basin) appreciates the opportunity to submit comments regarding concerns with the tentative Waste Discharge Requirement (WDR) for the West Basin Edward C. Little Water Recycling (ECLWRF) Facility in El Segundo, CA, (NPDES #CA0063401). West Basin is a wholesaler of imported potable water and has invested heavily in water recycling since the 1990's through partnership with the City of Los Angeles. West Basin accepts secondary-treated effluent water from the City of Los Angeles' Hyperion Treatment Plant (HTP) and produces five unique qualities of advanced treated water for beneficial reuse within our service area. West Basin was an early adopter of water recycling because it offers water reliability and sustainability to the region through diversification of our water supply portfolio.

The following comments are for your consideration regarding the tentative brine permit:

COMMITTED TO

Water Reliability

Water Quality

Sound Financial and
Resource Management

Customer Service

Environmental
Stewardship

1. POTW Permit Format

We are in agreement with the conclusion that West Basin is not a Publicly Owned Treatment Works (POTW), and appreciate the distinction made in this permit. There are however, a few locations within the permit which still make reference to POTW requirements, or apply standards to West Basin that are typically assigned to POTWs. In some instances, there are conflicting requirements within the document that require clarification. This tentative West Basin permit currently includes language that is very similar to the HTP permit (R4-2017-0045) and includes some duplicative requirements that West Basin believes should not apply given that West Basin is not a POTW. This is particularly the case in relation to the multiple studies newly required within this tentative permit. To be consistent throughout the document and to avoid confusion, we respectfully request the following changes for consideration:

- A. Hyperion Ammonia and Acute Toxicity Special Study – This is a new requirement within the West Basin permit. This study is to be performed in conjunction with the HTP work plan that has been submitted to the Board. West Basin may need to request a time extension depending on the scope of HTP’s work plan once accepted by RWQCB. West Basin has not had an opportunity to review our partner agency’s work plan in order to prepare for West Basin’s portion of the study, however will work closely with them to complete required elements.
- B. ECLWRF Combined Effluent Chronic Toxicity Special Study – West Basin conducted 14-Month Chronic Toxicity studies in 2008 and 2015 as required in the previous permits, including most-sensitive species testing. In both cases it was deemed that the West Basin brine had “no effect” on toxicity.
- i. West Basin would like to request a three-month extension for the chronic toxicity work plan due date from October to December 15, 2018. This extra time is necessary to allow West Basin sufficient time to follow its public agency procurement policies for professional and laboratory services. This study will require a contract from expert labs and outside consultants. Per West Basin’s administrative code, a competitive proposal process and Board approval are required for the procurement of such services. Consequently, West Basin requests the 14-month toxicity study due date also be extended to December 14, 2020 to allow for contract procurement.
 - ii. Please change the language throughout the permit regarding Toxicity Reduction Evaluation’s (TRE) to align with Attachment F, VI.B.2.d. Attachment F states that TRE’s are required only *after* the effluent “fails the TST [Test of Significant Toxicity] statistical test for toxicity as specified in the Order, the Permittee shall conduct a TRE as directed by the Regional Water Board Executive Officer and USEPA.” However, numerous locations in the permit state a TRE is to be performed before any results are known. West Basin contributes 1-3% of the total discharge from Hyperion and therefore, a TRE should only be required upon test failure under Regional Board staff direction.
 - iii. Attachment E, V.B.5.a – Similar to comment ii above, please change the wording as in previous permits to: “*When* directed by the Regional Water Board Executive Officer and USEPA Water Division Director, prepare and submit a work plan for review”, instead of the currently listed October 2018 deadline (before any toxicity study is even in place).

Current wording:

By October 15, 2018, the Permittee, in coordination with the City of Los Angeles, Hyperion Treatment Plant, shall prepare and submit for the Regional Water Board Executive Officer and USEPA Water Division Director review a copy of its Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan. If this workplan is not disapproved by the permitting authorities within 60 days of submission, it shall become effective. This plan shall include steps the Permittee, in coordination with the City of Los Angeles, Hyperion Treatment Plant, intends to follow if chronic toxicity is measure below the combined discharge IWC or 1.04% effluent (NOEC or EC25), or the TST null hypothesis for chronic toxicity at the combined discharge IWC of 1.04% effluent is not statistically rejected. At minimum, this plan shall address the provisions in Attachment G – Toxicity Reduction Evaluation (TRE) Work Plan Outline and include: a description of the investigation and evaluation techniques that would

be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency.

Proposed wording:

When directed by the Regional Water Board Executive Officer and USEPA Water Division Director, the Permittee, in coordination with the City of Los Angeles, Hyperion Treatment Plant, shall prepare and submit a copy of its Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan. If this workplan is not disapproved by the permitting authorities within 60 days of submission, it shall become effective. This plan shall include steps the Permittee, in coordination with the City of Los Angeles, Hyperion Treatment Plant, intends to follow if chronic toxicity is measured below the combined discharge IWC or 1.04% effluent (NOEC or EC25), or the TST null hypothesis for chronic toxicity at the combined discharge IWC of 1.04% effluent is not statistically rejected. At minimum, this plan shall include: a description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency. In addition, it shall address only those provisions in Attachment G which are relevant to operations at ECLWRF.

Also as part of the above requested rewrite, if directed to create a TRE, West Basin would expect to only address those items in Attachment G that are pertinent to its operations. Most of the requirements listed in Attachment G are for a POTW, and would be completed by Hyperion.

- iv. Attachment E, V.B.6 - Please change the first word in this section from "As" to "When" for consistency. TIE studies are typically only performed after a TRE study has been directed by the Regional Water Board Executive Officer and USEPA Water Division Director.

Current wording:

As directed by the Regional Water Board Executive Officer and USEP Water Division Director, the Permittee shall, in coordination with the City of Los Angeles, Hyperion Treatment Plant, conduct a TRE/TIE using the sample species and test method(s) and, as guidance based on the type of treatment facility, EPA manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA 833-99-002, August 1999) or USEPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPA/600/2-88/070, April 1989).

Proposed wording:

When directed by the Regional Water Board Executive Officer and USEP Water Division Director, the Permittee shall, in coordination with the City of Los Angeles, Hyperion Treatment Plant, conduct a TRE/TIE using the sample species and test method(s) and, as guidance based on the type of treatment facility, EPA manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA 833-99-002, August 1999) or USEPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPA/600/2-88/070, April 1989).

- C. Fire Retardant Study – This is a new requirement within the West Basin permit, also being conducted by HTP which is a POTW. West Basin requests to be allowed to perform this study independently. West Basin would sample the influent water and the brine stream on the same day, to perform the required analysis. West Basin believes this process would provide the Regional Board and the USEPA with the results they are seeking.

In addition, West Basin requests guidance on which specific polybrominated diphenyl ethers (PBDE) should be included in this study. West Basin acknowledges that not all PBDEs have standard test methods, and would appreciate the Regional Board's guidance on which test methods are considered acceptable for the purposes of complying with the permit. In the absence of approved standard test methods, West Basin will select the best proposed test methods available from commercial ELAP certified laboratories.

- D. Treatment Plant Capacity Study – This requirement is typically required for POTWs. The West Basin tentative permit notes this criterion as “Not Applicable” in Section VI.C.2.c. of the order, however, it is still noted in Attachment F. Please delete all references to this study throughout the permit in order to ensure clarity and avoid confusion.
- E. Spill Clean-up Contingency Plan (SCCP) – The SCCP, as described Section V.3.b of the order, notes that this plan is used for untreated wastewater in POTW's; West Basin receives permitted secondary-treated water from HTP. West Basin requests this be removed from the Permit. Spills that might occur on the premises of ECLWRF are addressed in various other Best Management Practices (BMP) documents that are outlined in the Storm Water Pollution Prevention Plan (SWPPP) for ECLWRF required by this permit. Furthermore, West Basin has a Spill Contingency and Containment Plan (SPCC) per state local fire authorities. West Basin has also installed over 30,000 gallons of underground spill containment reservoirs at the ECLWRF. Additional locations in the permit which reference this plan for removal are on pages F-30 and F-31.
- F. Technical Report on Preventative & Contingency Plans – This report is listed only in Attachment E and appears to be a POTW plan. West Basin is not a POTW, therefore is not given automatic bypass contingencies and in an emergency scenario can shut down its water recycling operations. Reference to this plan in this attachment is respectfully requested to be removed.

2. **Bacteriological Study**

West Basin agrees with the statement in Section V.A of the Order that states “The receiving water monitoring is conducted by the City of Los Angeles to ensure the combined HTP effluent and ECLWRF brine discharge is in compliance with receiving water limitations and to characterize the water quality of the receiving water.” In order to be consistent with the above statement and clarify that West Basin does not have any Bacteriological limits for the receiving water, West Basin respectfully requests the following be deleted to avoid confusion:

- A. Page 4, IV.A.1.d
- B. Page 8 – Footnote #7
- C. Page 15 - VI.C.p – Delete paragraph
- D. P 26 VII.P – Delete Section P
- E. Page E-3 - Delete Section I.E

3. Table 3 and Table 4 - Effective Date

West Basin respectfully requests a one month extension of the effective date from September 1, 2018 to October 1, 2018. This extension is necessary in order to properly prepare for the following activities under the new permit:

- A. Newly added special studies which require hiring outside specialists through public procurement procedures;
- B. Preparation of newly added stormwater management requirements;
- C. Changes to the water quality parameters and sampling schedule coordination with subcontracted labs;
- D. Adjustment to Budget due to significant increase in cost for studies and increased sampling;
- E. Alignment of the schedule of these activities with the quarterly reporting period.

4. Attachment E - Monitoring Clarification

Table E3 footnote 5 states effluent sampling is to be on a different day of the week every month. West Basin's laboratory is only staffed Monday – Friday. Due to some very short holding times (pH, SS, nitrate, chlorine residual, temperature) samples could not be collected Saturday or Sunday and still be analyzed within holding times. West Basin requests this footnote instead say to rotate samples Monday – Friday only.

5. Attachment E - Chemical Lists

Section X.D.4 notes that West Basin must include in the first monitoring report a list of all chemicals and propriety additives including quantities. It further states "any subsequent changes in types and/or quantities shall be reported promptly." The facility utilizes a fairly consistent list of chemicals. However, quantities may change depending on plant production and influent water quality. West Basin requests the following change to the language: "4. The Permittee shall submit to the Regional Water Board and USEPA, together with each annual monitoring report required by this permit, a list of all chemicals and proprietary additives which could affect this waste discharge. Any significant changes in types and/or quantities thereafter, shall be reported promptly."

6. Composite Sampling California Integrated Water Quality System

Please provide what data type should be used for reporting composite samples under CIWQS. As of now the CIWQS cannot accept composite data. After checking with State CIWQS staff, they re-directed West Basin to ask the local Regional Board for guidance.

7. Table 2 Stormwater Sampling Point

The tentative permit currently lists one sampling point for stormwater which points to one pipe leading off the ECLWRF facility into the City of El Segundo's retention basin. However, there is currently no way to access the connection in the middle of the street without an infrastructure project with the City of El Segundo to tap into their City owned storm drain system. Staff recommends two different sampling points leading to the main discharge pipe located on the ECWRF which would provide representative samples during a rain event. They are provided on the attached drawing as SW-002 and SW-003, and we request that the attached figure replace Attachment B-3 within the tentative permit.

8. Administrative Notes

Below are some minor changes West Basin would like to draw the RWQCB attention:

- In the **header** of the document the name of the facility should be corrected. The legal name of the location is Edward C. Little Water Recycling **Facility**;
- The **address** of the facility is 1935 **South** Hughes Way;
- Table F-11 Footnote #8 should have the word “**flow**” weighted removed to be consistent with rest of the tentative permit;
- Attachment I, “I” we believe should read “... following the **effective date** of this Order” instead of adoption date to allow proper time for West Basin to comply;
- **Temperature** – as an Effluent Limitation, West Basin would like to report temperature in degrees Celsius instead of degrees Fahrenheit (IV. A. 1. B);
- **Instantaneous Peak Daily Flow** – could the Regional Board please provide a definition of this term (E-4, footnote 3).
- On page F-5 in Section II.A.1 – Replace existing paragraph with the following:

The Facility currently has a total wastewater treatment design capacity of 62.5 MGD and produces recycled water using three treatment processes.; a Title 22 disinfected tertiary system, an advanced treatment train producing an industrial boiler feed with ozone, microfiltration, and reverse osmosis, and an advanced treatment train including ozone, microfiltration, reverse osmosis, and advanced oxidation for injection into the West Coast Groundwater Basin as a seawater intrusion barrier. The schematics for the advanced treatment train are provided in Attachments C-3, C-4, and C-5. The brine waste stream is a byproduct of the reverse osmosis treatment, as shown in Attachment C-4.”

- On page F-6 in Section II.A.2 - Replace existing paragraph with the following:

The advanced treatment facilities currently produce up to 17.5 MGD of indirect potable reuse water from secondary effluent for the West Basin Barrier Project, and another 4.6 MGD of reverse osmosis permeate for refinery boiler feed makeup. As shown in Attachment C-5, the advanced oxidation process is only needed for groundwater injection and includes ultraviolet light with hydrogen peroxide, decarbonation, and chemical stabilization.

- Please clarify the **units** used in the table on in Attachment H - II.A. Should the units be Dry Metric Tons or Net Metric Tons?

9. Response to NOV

RWQCB staff acknowledged that we received a notice of non-compliance for failure to obtain coverage under the general permit for stormwater discharges in error and has agreed to remove this violation from the SMARTS web site (violation # S865018). While West Basin may not agree, it accepts the stormwater monitoring requirements included in the draft tentative permit. West Basin respectfully requests the state or regional board issue a written letter (separate from this tentative permit application) responding to the letter sent from West Basin MWD to Mr. Hugh Marley on December 12, 2017 regarding this matter.

West Basin is dedicated to protecting its communities and the environment and therefore, is grateful for the continued professional working relationship with RWQCB staff. West Basin is committed to the Governor's proclamation and legislative requirements to address changing climates and prolonged drought conditions by producing alternative sources of water. The State Board, like West Basin, is committed to securing water supplies for our communities by advancing the use of recycled water. West Basin recognizes this can only be done with cooperation by all stakeholders and regulators working together. We truly appreciate the opportunity to comment on ways to refine the language in the tentative permit, as we continue to make recycled water a viable source. Thank you for your consideration.

Sincerely,



Patrick Sheilds
General Manager

Attachment: Stormwater Map Revised

