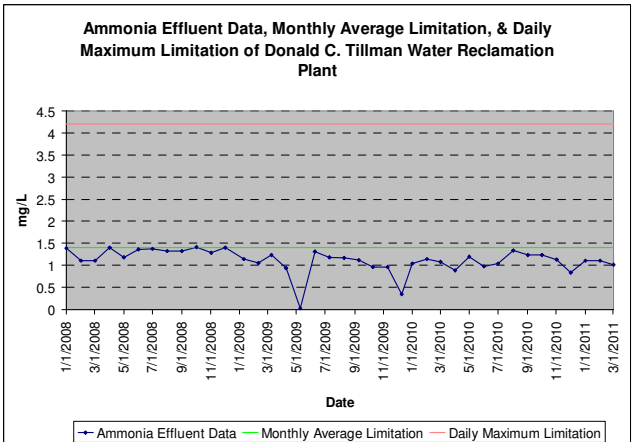


Response to Comments

City of Los Angeles
Donald C. Tillman Water Reclamation Plant
Tentative NPDES Permit CA0056227

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
City of Los Angeles Bureau of Sanitation (Bureau) September 6, 2011 Cover letter – Comments of Attachment A Regarding Tentative Order dated August 4, 2011						
Revision of Ammonia Effluent Limitations	C 1	<p>The ammonia effluent limitations for the Donald C. Tillman Water Reclamation Plant (DCT) in the Tentative Order are set equal to the Waste Load Allocations (WLAs) in the Los Angeles River Nitrogen Compounds TMDL. The Nitrogen Compounds TMDL became effective in March 2004. During TMDL development, the City of Los Angeles in cooperation with the City of Burbank and the Los Angeles County Sanitation District were in the process of developing a site-specific objective (SSO) for ammonia. The TMDL did not incorporate the SSO because at the time the TMDL was adopted; the SSO was not effective. In March 2009, the ammonia SSO became effective for the Los Angeles River.</p> <p>The Bureau has provided information demonstrating that, using the new Basin Plan objectives, the Los Angeles River is no longer impaired for ammonia and could be delisted in 2012. However, to date, the TMDL revision and/or delisting decision have not been completed. As a result, the ammonia effluent limitations in the Donald C. Tillman WRP Tentative Order are currently set equal to the TMDL WLAs without an adjustment for the effective Basin Plan ammonia objectives.</p> <p>The Bureau is concerned that the currently effective Basin Plan ammonia objectives are not the basis for the effluent limitations in the Tentative Order. The proposed effluent limitations in the Tentative Order present a compliance risk for the Bureau, and this risk is as a result of an administrative timing issue (i.e., the TMDL was not revised prior to the development of the tentative order and</p>		X	<p>The Nitrogen Compounds TMDL has been in effect since March 23, 2004. This TMDL established the waste load allocations for ammonia. On March 30, 2009, a Basin Plan amendment incorporating the site specific objectives for ammonia 30-day average objective (SSO) was approved by USEPA.</p> <p>DCT's ammonia effluent data between January 1, 2008 and March 31, 2011 showed no exceedance of the proposed ammonia effluent limitations of 1.4 mg/L for monthly average and 4.2 mg/L for daily maximum. In addition, the ammonia effluent concentrations are decreasing (see ammonia effluent chart below).</p> <div style="text-align: center;">  </div> <p>The Implementation Schedule in the TMDL states:</p>	None necessary .

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		<p>therefore the revised WLAs could not be incorporated) rather than a water quality issue. Regional Water Board staff has indicated they will be revising the Los Angeles River Nitrogen Compounds TMDL to incorporate the new Basin Plan ammonia objectives in early to mid-2012. However, even if the TMDL is revised by the Regional Water Board as planned, it will take approximately a year to become effective and at least several months to revise Donald C. Tillman WRP's permit. Until such time as the effluent limitations are revised, the Bureau will potentially be subject to enforcement liability even though the discharge is meeting limitations consistent with current Basin Plan objectives and the receiving water is meeting water quality objectives.</p> <p>To resolve this administrative issue, the Bureau requests that the Tentative Order be modified to include effluent limitations based on the SSO-adjusted WLAs to be consistent with the Basin Plan objectives. The proposed AMEL of 2.75 mg/L was calculated by utilizing the same pH and temperature used to calculate the current WLAs and the current ELS-absent Basin Plan objective. Once that number was determined, a 10% margin of safety was subtracted from the value to obtain the proposed AMEL.</p>			<p>"If a site specific objective is adopted by the Regional Board, and approved by relevant approving agencies, this TMDL will need to be revised, readopted, and reapproved to reflect the revised water quality objectives." The TMDL has not yet been revised.</p>	
Revision of Metals Effluent Limitations of Copper and Lead	C 2	In Table 6 of the Tentative Order for the Donald C. Tillman WRP, effluent limitations for cadmium, copper, lead, and zinc were calculated based on WLAs established in the Los Angeles River and Tributaries Metals TMDL (Metals TMDL) using the procedures in the SIP. The Bureau feels that the proposed effluent limitations of copper and lead are not consistent with the assumptions of the Metals TMDL WLAs or the SIP and should be revised.	X		Regional Water Board staff revisited this issue with the TMDL staff. TMDL staff stated that the intent of the Metals TMDL is to provide only the chronic criteria for dry weather. Therefore, there will be no assigned acute criteria in the calculation using SIP procedure. The revised calculated effluent limitations for copper and lead are now in agreement with the Bureau's proposed effluent limitations. Please see attached revised Reasonable Potential Analysis Table.	Changes have been made.

City of Los Angeles Bureau of Sanitation (Bureau)
September 6, 2011 Cover letter – Comments of Attachment 1 Regarding Tentative Order dated August 4, 2011

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
Tentative Order, List of Attachments, Page 4 Correction (extraneous references)	1	The Bureau requests that the Regional Water Board remove the following “Not Applicable” Attachments and remove references to the Attachments within documents. Attachment H Storm Water Pollution Prevention Plan Requirements (Not applicable) Attachment I Biosolids and Sludge Management (Not Applicable)		X	Regional Water Board staff does not agree with the request to remove Attachments H and I. The text in each of those attachments was removed, but the topic header was retained. This is necessary to retain the format consistent with Statewide NPDES template and so that it is clear that the issue has been addressed.	Changes have been made.
Tentative Order, Section II.F, Page 7; Fact Sheet, Attachment F, IV.C.2.B.i, Page F-29 BPJ technology-based limits	2	The permit states that: “The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 CFR part 133 and Best Professional Judgment (BPJ) in accordance with 40 CFR part 125.3.” Best Professional Judgment in 40 CFR 125.3 does not apply to POTWs. Please revise the language (and in the Fact Sheet) as follows: “The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 CFR part 133 and Best Professional Judgment in accordance with 40 CFR part 125.3. ”		X	Regional Water Board staff disagree. 40 CFR part 123.5 describes the Technology-based treatment requirements for POTWs. However, the Best Professional Judgment was used in connection with the discharges other than POTWs. The revised language shall read: “The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 CFR part 133 and Best Professional Judgment in accordance with 40 CFR part 125.3. ”	Change has been made.
Tentative Order, Section II.H, Table 5a, Footnote 7, Page 9 Missing word	3	Please add the word conditionally to the sentence; “however, the Regional Water Board has only <u>conditionally</u> designated the MUN beneficial use and at this time cannot <u>legally</u> establish effluent limitations designed to protect the conditional designation...”	X		Regional Water Board staff agree to revise the Order, as proposed.	Changes have been made.
Tentative Order, Section N, Page 16 Reference correction	4	The permit refers to Oil and Grease, settleable solids and turbidity as TBEL constituents. These constituents are based on basin plan and not 40 CFR part 133. The Bureau requests to revise the reference to reflect that these are WQBELs.	X		Regional Water Board staff agree to revise section N as: “ Stringency of Requirements for Individual Pollutants. ... The TBELS consist of restrictions on five-day biochemical oxygen demand at 20°C (BOD _{5@20°C}), total suspended solids (TSS), oil and grease, settleable solids, turbidity, and pH, and percent removal of BOD and TSS. <u>Restrictions on BOD, TSS, and pH are as discussed in the Fact</u>	Changes have been made.

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
					Sheet..."	
Tentative Order, Section IV.A.1.a Table 6, Page 20 Units/footnote	5	The mass emissions lbs/day for parameters in units of ug/L refers to Footnote 14, which specifies the calculation for parameters in units of mg/L. Please include a separate footnote for µg/L unit.		X	Regional Water Board staff disagree. Footnote 14 is for the mass emission lbs/day calculation in units of mg/L. The mass emission lbs/day calculation for an unit of µg/L is specified in Footnote 24 on Page 21.	None necessary .
Tentative Order, Section IV.A.3, Page 23 & Attachment F (Fact Sheet), Section IV.C.2.b.xi.i, Page F-35 Correction to Coliform requirements	6	The Bureau requests the following change: "No sample shall exceed an MPN of CFU of 240 total coliform bacteria per 100 milliliter. In more than one sample in any 30 day period. " The statement is contradictory and not consistent with Title 22 requirements.	X		Regional Water Board staff agree. After review of CDPH Title 22 requirements, staff agree with the Bureau's comment. The suggested changes will be reflected in the cited sections of the permit.	Change has been made.
Tentative Order, Section IV.B.2, Page 24 Reclamation specifications	7	Please revise the language as follow: The City is <u>currently developing a master plan for the use of recycled water with a goal of recharging</u> planning to recharge up to 30,000 acre feet per year of recycled water, treated with advanced wastewater treatment facilities, into <u>the</u> San Fernando Groundwater Basin via the Hansen Spreading Grounds. The Hansen Spreading Grounds are located in Sun Valley along the northwestern side of Tujunga Wash, and are bordered on the other three sides by San Fernando Road, Branford Street, and Glonoaks Boulevard. No exact date of discharging the recycled water to the San Fernando Valley has been finalized. The recycled water will be produced at the Tillman WRP. The master plan is not yet completed and is considering the use of other spreading facilities and not just the Hansen Spreading Grounds. In addition, the final plan may change based on California Department of Public Health requirements or the outcome of the environmental review process.	X		Regional Water Board staff agree to revise the Order, as proposed.	Changes have been made.
Tentative	8	It appears that this provision is related to Section 2.4.5 of		X	Regional Water Board staff disagree to revise	None

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Order, Section VI.C.1.b, Page 31 Re-opener provision		<p>the SIP that addresses Pollutant Minimization Program (PMP) and the need to collect additional information. In accordance with Section 2.4.5.2b of the SIP, "RWQCBs may include special provisions in the permit to require the gathering of evidence to determine whether the constituent of concern is present in the effluent at levels above a calculated effluent limitation." It is not necessary for this permit provision to say that additional requirements may be included as result of the information collected because the other re-opener provisions in the permit are broad enough to allow for any necessary permit modification to take place. Suggested language is as follows:</p> <p>"This Order may be reopened for modification, or revocation and reissuance, based on the results of the Pollutant Minimization Program, pursuant to Permit Section VI.C.3.c, to gather evidence to determine whether a constituent of concern is present in the effluent at levels above a calculated effluent limitation. As a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are Evidence may include but is not limited to <u>data such as</u>, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring the data."</p>			<p>section VI.C.1.b, which is slightly modified from section 2.4.5.1 Pollutant Minimization Program (PMP) of the SIP. The PMP of the SIP states:</p> <p>"The permit shall contain a reopener clause authorizing modifications, or revocation and reissuance of the permit, as a result of the detection of a reportable priority pollutant generated by special conditions included in the permit. These special conditions in the permit may be, but are not limited to, fish tissue sampling, whole effluent toxicity tests, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in the permit as a result of the special condition monitoring data."</p>	necessary .
Tentative Order, Section VI.C.3.a, Page 34 Reference to SWPPP	9	The Bureau requests the section titled: "Storm Water Pollution Prevention Plan (SWPPP) – Not Applicable" be removed from the permit since as stated, it is not applicable.	X		Regional Water Board staff agree. The foregoing texts of the SWPPP discussion were deleted but the topic header was retained. See also Response to Comment No. 1.	Change has been made.
Tentative Order, Section VI.C.5.a, Page 37 & Attachment F (Fact Sheet), Section	10	Please strike this section because it does not apply to the DCT treatment process. DCT returns the solids generated by the treatment process back to the sewer for transport and treatment at HTP.	X		Regional Water Board staff agree to revise the Order, as proposed.	Changes have been made.

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VII.B.5.a, Page F-65 Section not applicable to DCT						
Tentative Order, Section VII.C. Page 45, Paragraph 3 Unachievable requirement	1 1	In many instances, the following requirement is unachievable and should be modified. "If the analytical result of any single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the AMEL for any parameter, the Discharger shall collect up to four additional samples within the same calendar month." The organochlorine pesticide (EPA 608) and base/neutral, and acid extractable (EPA 625) analyses have a turn-around time of approximately one month. Additionally, the allowable holding time between sample collection and extraction is 7 days. So, from the time that the analytical result from one of these tests is known there is no time to collect an additional four samples within the same month. Please consider revising the sentence as follow: "If the analytical result of any single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the AMEL for any parameter, the Discharger may collect up to four additional samples within the same calendar month.	X		Regional Water Board staff agree to revise the Order, as proposed.	Change has been made.
Tentative Order, Section VII.D, Paragraph 2, Page 45 Reporting period clarification, AWEL consistent with HTP	1 2	The Bureau requests that the language reflect the following: "A calendar week will begin on Sunday and end on Saturday. Partial calendar weeks at the end of the calendar month will be carried forward to the next month in order to calculate and report a consecutive seven-day average value on Saturday." This would be consistent with other Bureau permits.	X		Regional Water Board staff agree to revise the Order, as proposed.	Changes have been made.
Tentative Order, Section VII.N.1, Page 48	1 3	The Bureau requests the definition of a geometric mean include: "A minimum of 5 data points is needed to conduct a geometric mean that is statistically valid."		X	Regional Water Board staff disagree. The intent of the Basin Plan in calculating the geometric mean for bacteria is to have a minimum of 5 samples per month. However, it also allows for a lower number	None necessary .

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Definition of geometric mean					if it is deemed statistically valid. Basically, weekly sampling is accepted to be statistically valid, so a geometric mean can and should be calculated with only 4 weekly samples in a 30-day period.	
Attachment E (MRP), Section I.H, Page E-4 Incorrect Reference	1 4	The following text incorrectly references 40 CFR 136 as a source of procedures for establishing Minimum Levels (MLs). Method Detection Limits (MDLs), not MLs are addressed in 40 CFR 136. Please delete the reference.	X		Regional Water Board staff agree. MDLs are discussed in 40 CFR part 136. Staff deleted the reference to 40 CFR part 136. Section I.H. has been revised as: "The Discharger shall ..., unless the Discharger can demonstrate that a particular ML is not attainable, in accordance with procedures set forth in 40 CFR part 136, and obtains approval for a higher ML from the Executive Officer, as provided for in section J, below."	Change has been made.
Attachment E (MRP), Section II, Table 1, Page E-6 Effluent Sampling Station	1 5	The Bureau requests the effluent sampling station descriptions specify that sampling taken at EFF-001B is for Bacteria, and sampling taken at EFF-001A is the main sampling station for all other constituents.	X		Regional Water Board staff agree to revise Table 1. Monitoring Location Name for EFF-001A and EFF-001B has been revised as "Effluent Transfer Station Used for Point of Compliance for all Constituents <u>but Bacteria</u> " and "Effluent Transfer Station Used for Point of Compliance <u>for Bacteria</u> ", respectively.	Changes have been made.
Attachment E (MRP), Section III.A.1, Table 2, Page E-8 Influent monitoring frequency	1 6	The Bureau requests that the influent monitoring frequency for the "remaining USEPA priority pollutants excluding asbestos" be reduced from semiannually to annually since historical influent water data has been non-detect (ND).		X	Regional Water Board staff disagree. See "Response to Comment" No. 26.	None necessary .
Attachment E (MRP), Section IV.A, Table 3A, Page E-9 Use of footnote 8	1 7	Please revise Table 3A so that footnote 8 is associated with the Total residual chlorine grab sample type rather than the Total Residual Chlorine recorder sample type.	X		Regional Water Board staff agree to revise Footnote of the Attachment E.	Changes have been made.
Attachment E (MRP),	1 8	Attachment E, E-10, IV.A. correctly describes the samples for acute toxicity testing to be grabs, but Attachment E, E-	X	X	The typographic error has been corrected for the sample type of acute toxicity in Table 3A of the	Change has been

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Section IV.A.2.a, Page E-12 Grab vs. Composite samples for acute toxicity tests		12, V.A.2.a. page 12 describes the samples as 24 hr composites. The reference on page 12 should be changed to "grab" samples.			Attachment E. The acute toxicity tests for effluent and receiving water shall be 24-hour composite and grab, respectively (see section V.A.2.a of the Attachment E).	made.
Attachment E (MRP), Section IV.A, Table 3A, Page E-10 Sample type of 1,4-Dioxane	19	The Bureau requests the sampling type of 1,4-Dioxane be changed from 'grab' to '24-Hour Composite' sample. This is consistent with previous permits.		X	Regional Water Board staff disagree. Based on the USEPA SW-846, 1,4-Dioxane is listed as a volatile compound. The sample type of 1,4-Dioxane shall be grab.	None necessary .
Attachment E (MRP), Section IV.A, Table 3A, Page E-11 Sample type of radioactivity	20	The Bureau requests the sampling type of radioactivity be changed from 'calculated' to '24-Hours composite' sample. This is consistent with previous permits.	X		Regional Water Board staff agree to revise the Attachment E, as proposed.	Change has been made.
Attachment E (MRP), Section IV.B, Footnote 25, Page E-12 Impractical requirement	21	Footnote 25 requires the use of either CFU/100 mL or MPN/100 mL but not both for analysis of Total Coliform, Fecal Coliform, and <i>E. Coli</i> bacteria. Currently, the Bureau uses the Membrane Filtration Method to determine the concentrations of Total Coliform and Fecal Coliform bacteria in CFU/100 mL and the Chromogenic Substrate Method is used to determine <i>E. Coli</i> bacteria in MPN/100 mL. The above methods produce data at the end of a 24-hour incubation period. The Bureau would have to switch back to the Multiple Tube Fermentation Method of determining Total and Fecal Coliform Bacteria in order to generate MPN/100 mL data for all three tests. Because the Multiple Tube Fermentation Method can take up to 96-hours to produce test results, it is not as protective of public health and the environment as the Membrane	X		Regional Water Board staff agree to revise the Attachment E, as appropriate.	Change has been made.

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
		Filtration Method that produces data after 24-hours. Please revise footnote 25 to indicate that either CFU/100mL or MPN/100mL is acceptable.				
Attachment E (MRP), Section IV.B, Table 3B, Page E-12 & Section VII.A,1, Table 4, Page E-20 & Section VII.A,2, Table 5, Page E-22 & Section VII.A.4, Table 7, Page E-25 Requirements to conduct tests for both Fecal coliforms and <i>E. coli</i>	2 2	On July 8, 2010 the Regional Water Board passed Resolution R10-005 to amend the Basin Plan to update the bacteria objectives for freshwater designated for water contact recreation by removing the fecal coliform objective. This amendment updates the freshwater bacteria objectives in the Basin Plan to maintain consistency with U.S. EPA's recommendation that <i>E. coli</i> replace fecal coliform as an indicator of the presence of pathogens in fresh water, and removes unnecessary permitting and monitoring requirements that arise from having water quality objectives for both indicators. The tentative permit contains requirements to test for both fecal coliforms and <i>E. coli</i> as part of the receiving water and effluent monitoring programs. To be consistent with the Basin Plan amendment and eliminate unnecessary monitoring, the Bureau recommends that the Regional Water Board remove the fecal coliform requirement for testing of the effluent and receiving waters.		X	Regional Water Board staff disagree. Resolution R10-005 has not been approved by the State Board, OAL, and USEPA. As written, the tentative permit contains effluent limitation for fecal coliform, therefore, fecal coliform must be monitored to verify facility's compliance.	None necessary.
Attachment E (MRP), Section V.E.6.b, Page E-18 Inconsistent accelerated testing requirements	2 3	This requirement is not consistent with the requirements as found in Attachment E, V.A.2.d Page E-13 and V.B.3 Page E-15. It should be revised as follows: "If the results of any of the six accelerated tests exceed the acute toxicity limitation, or the chronic toxicity trigger, then the Discharger shall continue to monitor weekly until six consecutive weekly tests are in compliance <u>conduct six additional tests, approximately every two weeks, over a 12-week period.</u> "	X		Regional Water Board staff agree to revise the Attachment E, as proposed.	Changes have been made.
Attachment E (MRP), Section VII.A., Table 4, Page E-20, & Table 5, Page E-22, & Table 7,	2 4	Please add a footnote to Units of the bacteria tests to indicate that either CFU/100mL or MPN/100mL are acceptable.	X		The missing Footnote 26 has been added.	Changes have been made.

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Page E-25 Missing footnote						
Attachment E (MRP), Section VII.A.1, Table 4, Page E-20 and E-21 Receiving water monitoring frequency	2 5	The Nitrogen Compounds TMDL only requires weekly monitoring for nitrate, nitrite, and nitrate+nitrite per the starred statement in the Wasteload Allocations section of the Basin Plan Amendment. The note requiring monitoring frequency does not apply to the ammonia allocations. As a result, the Bureau requests that the ammonia, organic nitrogen, and total nitrogen monitoring frequency be change to monthly consistent with the TMDL.		X	Regional Water Board staff disagree. The objectives of monitoring nitrogen compounds in the receiving water are to assess compliance with in-stream targets, to evaluate effectiveness of the TMDL, and to determine if additional WLAs are required for other constituents. This TMDL document also recommended monitoring for organic nitrogen in order to keep track of total nitrogen loadings.	None necessary .
Attachment E (MRP), Section VII.A.1, Table 4, Page E-21 Receiving water monitoring frequency	2 6	The Bureau requests that the effluent monitoring frequency for the 2 metals (Mercury-Hg and Selenium-Se) be reduced from monthly to quarterly since historical effluent water data has been non-detect (ND) at monitoring location RSW-LATT630.		X	Regional Water Board staff disagree. Regional Water Board staff use a matrix of criteria, based upon Best Professional Judgment, to set the effluent and receiving monitoring frequencies for regulating the myriad pollutants. The monitoring frequencies for these pollutants, which vary from monthly, quarterly, to semiannually, are generally set based on the following three criteria: Criterion 1: Monitoring frequency will be monthly, for those pollutants with reasonable potential to exceed water quality objectives (i.e. monitoring has shown exceedances of the objectives); or, Criterion 2: Monitoring frequency will be quarterly, for those pollutants in which some or all of the historic effluent monitoring data detected the pollutants, but without reasonable potential to exceed water quality objectives; or, Criterion 3: Monitoring frequency will be semiannually, for those pollutants in which all of the historic effluent monitoring data have had non-detected concentrations of the pollutants and without current reasonable potential to exceed water quality objectives.	None necessary .

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					Mercury and selenium fit Criterion 1.	
Attachment E (MRP), Section VII.A.1, Table 4, Page E-21 & Section VII.A.2, Table 5, E-23 & Section VII.C, Page E-26 Addition of bioassessment and algal biomass testing	27	The Los Angeles River Regional Monitoring Program (LARRMP), now called the Los Angeles River Watershed Monitoring Program (LARWMP), was submitted to the Regional Water Board by the City of Los Angeles and City of Burbank in December 2007 and was approved by the Regional Water Board on January 12, 2009. To fund this program, some receiving water stations were deleted from the monitoring program, and the remaining stations had their analyzed constituents and frequency changed. One of these approved changes was to remove bioassessment monitoring from receiving water stations RSW-LATT616, RSW-LATT622, RSW-LATT628 and RSW-LATT630 and to remove chlorophyll a from the list of monitored constituents. Thus, the requirement in this permit for bioassessment and algal testing at the four receiving stations should be removed. The money saved will be used for bioassessment and algal biomass testing at the 10 annual random sites tested as part of the approved LARWMP program.	X	X	Regional Water Board staff agree to modify "LARRMP" as "LARWMP". Regional Water Board staff agree. The City of Los Angeles' contribution to fund bioassessment monitoring at 10 random sites, in conjunction with bioassessment monitoring at several targeted sites conducted by the LARWMP program, will provide the information needed to assess the overall health of Los Angeles River watershed receiving waters.	Changes have been made. Changes have been made.
Attachment E (MRP), Section VII.A.1, Table 4, Page E-22 Receiving water monitoring frequency	28	The Bureau requests that the receiving water monitoring frequency for the "remaining USEPA priority pollutants excluding asbestos" be reduced from semiannually to annually since historical receiving water data has been non-detect (ND) at monitoring location RSW-LATT630.		X	Regional Water Board staff disagree See Response to Comment No. 26.	None necessary.
Attachment E (MRP), Section VII.A.2, Table 5, Page E-22 Monitoring frequency not consistent with	29	Table 5 has the frequency of testing for mercury, selenium, and cyanide as monthly for monitoring locations 612, 614, 616, 622, 628, and 630. The narrative on page F-59 lists cyanide as being monitored quarterly and does not mention a change in the frequency of testing for mercury and selenium. As per the adoption of LARWMP, these constituents should be monitored quarterly and not monthly. Also the narrative on F-59 states that the frequency of zinc testing should be increased to semiannually while Table 5 still has the frequency as		X	See Response to Comment No. 26 for determination of pollutant's monitoring frequency. Regional Water Board staff have corrected the following typographic errors: Section VI. D.1.b.i has been revised as "Decreasing quarterly monitoring frequency of boron, fluoride, zinc, and heptachlor epoxide to semiannually." Section VI. D.1.b.i has been revised as "RSW-4 and	Changes have been made.

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
LARWMP.		quarterly.			RSW-W2 (Sediment)."	
Attachment E (MRP), Section VII.A.2, Table 5, Page E-23 Receiving water monitoring frequency	30	The Bureau requests that the receiving water monitoring frequency for the 2 metals (Mercury-Hg and Selenium-Se) be reduced from monthly to quarterly since historical receiving water data has been non-detect (ND) at monitoring locations RSW-LATT622, RSW-LATT612, RSW-LATT616, RSW-LATT614, RSW-LATT628.		X	Regional Water Board staff disagree See Response to Comment No. 26.	None necessary .
Attachment E (MRP), Section VII.A.2, Table 5, Page E-23 Receiving water monitoring frequency	31	The Bureau requests that the receiving water monitoring frequency for the "remaining USEPA priority pollutants excluding asbestos" be reduced from semiannually to annually since historical receiving water data has been non-detect (ND) at monitoring locations RSW-LATT622, RSW-LATT612, RSW-LATT616, RSW-LATT614, RSW-LATT628.		X	Regional Water Board staff disagree. See Response to Comment No. 26.	None necessary .
Attachment E (MRP), Section VII.A.3, Table 6, Page E-24 Missing sample type for the pH analysis	32	The Bureau requests the sample type for pH be specified as 'Grab'. This is consistent with previous permits.	X		Regional Water Board staff agree to revise the Attachment E, as proposed.	Change has been made.
Attachment E (MRP), Section VII.B.1, Table 8, Page E-25 and throughout permit Sediment	33	The Bureau requests that the receiving monitoring frequency for the "remaining USEPA priority pollutants excluding asbestos" be reduced from semiannually to annually since historical sediment data has been non-detect (ND) at monitoring locations RSW-4 and RSW-W2.		X	Regional Water Board staff disagree. See Response to Comment No. 26.	None necessary .

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
monitoring frequency						
Attachment E (MRP), Section VII.B.1, Table 8, Page E-25 Sediment monitoring frequency	3 4	The Bureau requests that the sediment monitoring frequency for the 2 metals (Mercury-Hg and Selenium-Se) be reduced from monthly to quarterly since historical sediment data has been non-detect (ND) at monitoring locations RSW-4 and RSW-W2.	X		Regional Water Board staff agree to revise the Attachment E for sediment monitoring frequency, as proposed.	Changes have been made.
Attachment E (MRP), Section VII.B.1, Table 8, Page E-25 Discrepancy between Table 8 and narrative on page F-59 for frequency of testing	3 5	Table 8 increases the frequency of sediment testing for mercury, selenium, and cyanide to monthly, while the narrative on F-59 does not mention any increase in the frequency of sediment testing for mercury and selenium and states that testing for cyanide should be increased to quarterly from semiannually. Also the permit does not require sediment testing at RSW-LATT622 (D) which has been tested since 1997.	X		Regional Water Board staff agree to revise the Attachment E for sediment monitoring frequency, as proposed. The monitoring frequency for mercury, selenium, and cyanide stays as quarterly, consistent with the current permit. The proposed Attachment does not require sediment testing at RSW-LATT622 (D).	Changes have been made.
Attachment E (MRP), Section VII.D.4, Page E-28 Receiving water sampling	3 6	Studies and previous sampling experience have shown that the flow of rainfall runoff after a storm event affects the receiving waters for up to 72 hours after receiving the runoff. If the receiving waters are sampled before 72 hours, runoff could still be affecting the test results. The new permit should keep the old permit guidelines and not allow receiving water sampling within 72 hours of rainfall runoff into the LA River.	X		Regional Water Board staff agree with the bureau's request.	Change has been made.
Attachment E (MRP), Section VIII.A, Table 10, Page E-29 Meprobamate	3 7	The Bureau requests that meprobamate be deleted from the list of CECs because it is not listed as an analyte in any ASTM, EPA or USGS analytical method.	X		Regional Water Board staff agree. However, to be consistent with recently adopted POTW permit, iodinated contrast media (i.e., iopromide) will be added to the list of CECs.	Change has been made.
Attachment E	3	The watershed monitoring program submitted to the	X		Regional Water Board staff agree to revise the	Changes

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
(MRP), Section VIII.B, Page E-32, & throughout permit Acronym change	8	LARWQCB in Dec 2007 and approved in Jan 2009 was called the Los Angeles River Regional Monitoring Program (LARRMP). It is now called the Los Angeles River Watershed Monitoring Program (LARWMP) to avoid confusion with another City program in place with the acronym LARRMP (Los Angeles River Revitalization Master Plan). The Bureau requests to change all references to Los Angeles River Regional Monitoring Program (LARRMP) contained in the permit to Los Angeles River Watershed Monitoring Program (LARWMP).			Attachment E, as proposed.	have been made.
Attachment E (MRP), Section IX.B.3, Table 11, Page E-34 Quarterly Monitoring	3 9	The Bureau requests the quarterly monitoring periods to begin February, May, August, and November. This would be consistent with other Bureau permits.		X	Regional Water Board staff disagree. The proposed quarterly monitoring periods specified in Table 11 are identical with the recently adopted permits for the Bureau. They are Order No. R4-2010-0071 and Order No. R4-2010-0200, adopted by this Regional Water Board on May 6, 2010 and November 4, 2010, for the Terminal Island Water Reclamation Plant and Hyperion Treatment Plant, respectively. The monitoring period specified on Table 11 of the MRP shall stay the same. Monitoring period follows calendar month that starts, e.g., January 1 to March 31 as first quarter. This is standard for all NPDES permits.	None necessary .
Attachment E (MRP), Section IX.B.4, Page E-35 Reporting protocols	4 0	The permit contains the following provisions for reporting protocols: "Reporting Protocols. The Discharger shall report with each sample result the applicable reported Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in Part 136." This is not consistent with the SIP. We request that this language be replaced with the following: "Reporting Protocols. The Discharger shall report with each sample result the applicable reported Minimum Level (ML), <u>for those constituents where the SIP specifies MLs, and the applicable reported Reporting Limit (RL), for all other constituents as appropriate,</u> and the current Method Detection Limit (MDL), as determined by the procedure in Part 136."	X		Regional Water Board staff agree to revise the Attachment E, as proposed.	Change has been made.
Attachment E (MRP),	4 1	The Bureau requests the following change: "The annual report shall contain graphical and tabular summaries of the	X		Regional Water Board staff agree to revise the Attachment E, as proposed.	Changes have been

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
Section IX.D.1, Page E-36 Redundant information requested		monitoring analytical data. This information is readily available to LARWQCB staff via CIWQS.				made.
Attachment F (Fact Sheet), Section II, Page F-4 Incorrect name for the City's integrated network of facilities	4 2	The Bureau requests the following change: "The Tillman WRP is part of the City's integrated network of facilities, known as the North Outfall Sewer (NOS) <u>Hyperion Service Area (I)</u> , which includes four treatment plants."	X		Regional Water Board staff agree to revise the Attachment F, as proposed.	Changes have been made.
Attachment F (Fact Sheet), Section II, Page F-4&5 Incorrect Sewer name	4 3	The Bureau requests the following change: "All solids removed from the Tillman WRP treatment process are returned untreated to the NOS <u>Additional Valley Outfall Relief Sewer (AVORS)</u> for downstream treatment at the Hyperion Wastewater Treatment Plant."	X		Regional Water Board staff agree to revise the Attachment F, as proposed.	Changes have been made.
Attachment F (Fact Sheet), Section II.C.1, Table 2, Page F-10 Max Monthly Average vs. Max Daily values.	4 4	The Highest Monthly Average Zinc and Cyanide values are greater than the respective Highest Daily Discharge values. Please review these data and revise as appropriate.	X		Regional Water Board staff agree to revise the Attachment F, as proposed.	Change has been made.
Attachment F (Fact Sheet), Section III.E.5, Page F-22	4 5	The Bureau requests the following change: "The accompanying Order fosters the implementation of this approach by protecting beneficial uses in the watershed and requiring the Discharger to participate with the Los Angeles and San Gabriel River Watershed Council, and other stakeholders, in the development and	X		Regional Water Board staff agree to revise the Attachment F, as proposed.	Changes have been made.

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
Designation of required participants for the City to implement a Watershed Management Approach (WMA)		<p>implementation of a watershed-wide monitoring program... The Los Angeles & San Gabriel Rivers Watershed Council is a nonprofit organization which is tracking activities throughout the Los Angeles and San Gabriel River watersheds. Its goal is to help facilitate a process to preserve, restore, and enhance all aspects of both watersheds.</p> <p>The Los Angeles and San Gabriel River Watershed Council has been selected as a contractor to manage the LARWMP. The Bureau believes it is not necessary to name a contractor within the permit.</p>				
Attachment F (Fact Sheet), Section IV.C.2.b.ii Page F-29 Clarify word use	4 6	<p>The Bureau requests the clarification of the word 'basic' in the following paragraph:</p> <p>"The hydrogen ion activity of water (pH) is measured on a logarithmic scale, ranging from 0 to 14. While the pH of "pure" water at 25°C is 7.0, the pH of natural waters is usually slightly basic due to the solubility of carbon dioxide from the atmosphere."</p> <p>If the pH of natural waters is slightly acidic, this statement makes sense because the product of carbon dioxide's interaction with water is carbonic acid. However, if the statement that natural waters pH is as written, natural salts that are alkaline would be a more appropriate basis for this statement.</p>	X		Regional Water Board staff agree to revise section IV.C.2.b.ii of the Attachment F as: "The hydrogen ion activity of water (pH) is measured on a logarithmic scale, ranging from 0 to 14. While the pH of "pure" water at 25°C is 7.0, the pH of natural waters is usually slightly basic due to the solubility of carbon dioxide from the atmosphere... "	Change has been made.
Attachment F (Fact Sheet), Section IV.C.2.b.ix.iii Page F-32 Choice of word	4 7	<p>The Bureau finds the term 'restored', to be ambiguous. The following change is requested: "However, if the Los Angeles River is eventually restored and the Los Angeles River becomes de-listed for nutrients, then the permit would be re-opened to include Basin Plan-based effluent limitations."</p>	X		Regional Water Board staff agree to revise the Attachment F, as proposed.	Change has been made.
Attachment F (Fact Sheet), Section IV.C.2.c Page F-38	4 8	<p>"The procedures include those used to conduct a reasonable potential analysis (RPA) to determine the need for effluent limitations for priority and nonpriority pollutants."</p>	X		Regional Water Board staff agree to revise the Attachment F, as proposed.	Change has been made.

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
Typo (missing a)						
Attachment F (Fact Sheet), Section VII.B.2.b, Page F-65 Inconsistent Toxicity Reduction Requirements	49	<p>"The Discharger shall prepare and submit a copy of the Discharger's initial investigation Toxicity Reduction Evaluation (TRE) workplan to the Executive Officer of the Regional Water Board for approval within 60 90 days of the effective date of this permit."</p> <p>This requirement is not consistent with the provisions as found in the Tentative Order in section VI.C.2.b, Page 32. This requested change would be consistent with previous permits.</p>	X		Regional Water Board staff agree to revise the Attachment F, as proposed.	Change has been made.
Attachment P (Pretreatment) Correction to section and sub-section Numberings	50	<p>The Bureau requests the following section and sub-section numbering changes:</p> <ol style="list-style-type: none"> 1. Section Numbering for Semi-Annual Reporting Requirement should be "II" instead of "B". 2. Sub-Section Numbering for Semi-Annual Reporting Requirement should be "A" and "B" instead of "1" and "2" 3. Section Numbering for Signatory Requirements and Report Submittal should be "III" instead of "C". 4. Sub-Section Numbering for Signatory Requirements and Report Submittal should be "A" and "B" instead of "1" and "2" 	X		Regional Water Board staff agree to revise the Attachment P, as proposed.	Changes have been made.
Attachment P (Pretreatment), Section I.A, Paragraph 1, Page P-1 Annual Report Sludge monitoring	51	<p>Sludge processing is not performed at DCT. Therefore, the Bureau requests the following reference to monitoring sludge from the secondary treatment process be deleted as follow:</p> <p>"The Discharger is required to monitor pollutants in the influent and the effluent of the POTW(s)", and in the sludge from the secondary treatment process.</p>	X		Regional Water Board staff agree to revise the Attachment P, as proposed.	Change has been made.
Attachment P (Pretreatment), Section I.A, Paragraph 4, Page P-2 Extraneous	52	<p>Please delete reference to the joint water pollution control plant NPDES permit as follow. The Discharger will coordinate its monitoring requirements under this program with the requirements under in the Joint Water Pollution Control Plant NPDES Permit (CA0053813, Order NO. R4-2006-0042).</p>		X	Regional Water Board staff agree to revise section I.A. of the Attachment P as: "The Discharger will coordinate its monitoring requirements under this program with the requirements under in the <u>Joint Water Pollution Control Plant Hyperion Treatment Plant NPDES Permit (CA00538130109991, Order NO. R4-2006-00422010-0200).</u>	Changes have been made.

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
Reference						
Attachment P (Pretreatment), Section I.D.8, Page P-2 Reference Correction	5 3	The Bureau request the reference to be corrected from 40 CFR 403.12(f)(2)(vii) to 40 CFR 403.8(f)(2)(viii).	X		Regional Water Board staff agree.	Changes have been made.
Attachment P (Pretreatment), Pages 2-4 Incorrect Footnotes	5 4	The Bureau requests the following footnote changes: 1. Footnotes on pages 2, 3, and 4 should be "Attachment P – Pretreatment Reporting Requirements August 4, 2011" 2. Footnotes on pages 2, 3, and 4 should be "P-2" instead of "J-2"; "P-3" instead of "J-3", and "P-4" instead of "J-4"	X		Regional Water Board staff agree to revise the Attachment P, as proposed.	Changes have been made.
Attachment P (Pretreatment), Section B, Page P-3 Semi-Annual Reporting Submission due date.	5 5	The Bureau requests the submission due date for semi-annual reporting be changed from August 15 th to September 1 st . This is consistent with other Bureau permits.	X		Regional Water Board staff agree to revise the Attachment P, as proposed.	Changes have been made.
Heal the Bay September 6, 2011 Cover letter – Comments Regarding Tentative Order dated August 4, 2011						
	1	LAG and Tillman WRPs should maximize water recycling in accordance with the Reasonable and Beneficial Use Doctrine and the State Recycled Water Policy. The Regional Water Board should enforce/require the City to reuse all water treated at LAG and Tillman WRPs (to offset potable demand) that is not required to sustain the Los Angeles River.		X	Regional Water Board staff agree that the LAG and Tillman WRPs should maximize water recycling. The State Water Board's Recycled Water Policy directs the Regional Water Boards to encourage the use of recycled water. The proposed permit is an NPDES permit that regulates the discharges of waste. Tillman WRP's water reclamation is addressed in separate Waste Discharge Requirements Order No. R4-2007-0008 (as amended by R4-2008-0040, adopted on July 10, 2008) and Water Recycling Requirements Order No. R4-2007-0009 (as amended by R4-2011-0032,	None necessary.

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
					<p>adopted on February 3, 2011), both original Orders adopted by this Regional Water Board on January 11, 2007.</p> <p>The State Water Board addressed waste and unreasonable use in the Recycled Water Policy as follows: "The State Water Board hereby declares that, pursuant to Water Code sections 13550 <i>et seq.</i>, it is a waste and unreasonable use of water for water agencies not to use recycled water when recycled water of adequate quality is available and is not being put to beneficial use, subject to the conditions established in sections 13550 <i>et seq.</i> The State Water Board shall exercise its authority pursuant to Water Code section 275 to the fullest extent possible to enforce the mandates of this subparagraph."</p> <p>The City of Los Angeles' Response to Heal the Bay's Comments, dated September 23, 2011, supports water recycling to offset potable demand and for other beneficial uses. The LADWP and BOS are working together to expand recycled water usage that will reduce reliance on imported water. To this end, the City of Los Angeles has been developing Recycled Water Master Planning (RWMP) documents since 2009, a process in which Heal the Bay has been involved as a founding participant of the Recycled Water Advisory Group. The RWMP effort began in June 2009 and is scheduled to be concluded in 2012. Once the RWMP is finalized in 2012, the City of Los Angeles should be able to provide the recycled water work plan, which describes much more detailed quantity of recycled water used and produced at all POTWs and recycled water applications such as groundwater recharge and non-potable reuse.</p>	

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
	2	The WQBEL for metals from the Los Angeles River Metals TMDL should apply in both wet and dry weather.		X	<p>The Los Angeles River Metals TMDL has been adopted by the Regional Water Board and approved by the State Board and USEPA. There are wet- and dry-weather copper and lead Waste Load Allocations for the Donald C. Tillman Water Reclamation Plant discharging the treated-waste water via Discharge Points 002, 003, and 008 into the receiving water of Los Angeles River Reach 4.</p> <p>The WQBELs for cadmium and zinc are consistent with the Los Angeles River Metals TMDL. TMDLs cannot be modified through a permitting action, but instead must go through a separate public hearing process. If in the future the TMDL is modified, to specify that the WLAs should be applied all year round, then the NPDES permit may be modified, consistent with reopener provision in section VI.C.1. of the Order.</p>	None necessary.
	3	The Regional Water Board should not remove WQBELs and decrease monitoring frequencies for constituents in the Permits based on results of the calculated reasonable potential analyses ("RPA").		X	<p>To establish WQBELs for the Tentative Permits using RPA is the policy of the State of California. The RPA is based on the methodology set forth in State Water Board policy. The RPA has been used in all adopted permits since 2000. The removal of effluent limitations, for constituents that no longer show reasonable potential, is consistent with the State Water Board's Precedential Order WQO 2003-0009.</p> <p>Regional Water Board staff use a matrix of criteria, based upon Best Professional Judgment, to set the effluent and receiving monitoring frequencies for regulating the myriad pollutants. The monitoring frequencies for these pollutants, which vary from monthly, quarterly, to semiannually, are generally set based on the following three criteria:</p> <p>Criterion 1: Monitoring frequency will be monthly, for those pollutants with reasonable potential to exceed water quality objectives (i.e. monitoring has shown exceedances of the objectives); or,</p>	None necessary.

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
					<p>Criterion 2: Monitoring frequency will be quarterly, for those pollutants in which some or all of the historic effluent monitoring data detected the pollutants, but without reasonable potential to exceed water quality objectives; or,</p> <p>Criterion 3: Monitoring frequency will be semiannually, for those pollutants in which all of the historic effluent monitoring data have had non-detected concentrations of the pollutants and without current reasonable potential to exceed water quality objectives.</p>	
<p style="text-align: center;">United States Environmental Protection Agency September 6, 2011 Cover letter – Comments Regarding Tentative Order dated August 4, 2011</p>						
Chronic Toxicity Reporting	1	<p>Chronic Toxicity Reporting</p> <p>The USEPA requests clarifying revisions to compliance reporting requirements for the proposed narrative chronic toxicity effluent limit implementing WQO 2002-0012. WQO 2002-0012 requires the enforceable narrative effluent limit to be the following: "There shall be no chronic toxicity in the effluent discharge." While the existing and draft permits require the discharger to report chronic toxicity monitoring results (in chronic toxic units, TUc), they do not require compliance reporting for the narrative chronic toxicity effluent limit.</p> <p>To correct this omission and provide for our mutual compliance tracking of the narrative chronic toxicity effluent limit required by WQO 2002-0012, the permits should be revised to require a report of "pass" or "fail", on submitted Discharge Monitoring Reports/State Monitoring Reports, when accelerated testing is triggered by monitoring results greater than the numeric accelerated monitoring trigger specified in the permit (i.e., monthly median of 1 TUc = 100/NOEC). This reporting requirement is important to ensure the State and EPA receive evidence when chronic toxicity is present in the discharge at levels higher than the allowable narrative limit of no chronic toxicity in discharged</p>	X		<p>The suggested language and footnote (both modified) were incorporated into the Monitoring and Reporting Program (MRP). Based on discussions with USEPA, the reporting of "Pass" / "Fail" were replaced with "Absent" / "Present" to indicate that the accelerated monitoring for chronic toxicity was triggered.</p> <p>The modified footnote now reads:</p> <p>"For narrative chronic toxicity effluent limit reporting, <u>"Absent"</u> is reported when chronic toxicity effluent results do not trigger accelerated testing by exceeding the monthly median trigger of 1.0 TU_c = 100/NOEC. <u>"Absent" does not imply the complete absence of chronic toxicity effects.</u> <u>"Present"</u> is reported when chronic toxicity effluent results trigger accelerated testing by exceeding the monthly median trigger of 1.0 TU_c = 100/NOEC."</p> <p>Please see the newly revised chronic toxicity reporting, which supercedes the above response and is specified in the following response to November 4, 2011 comments provided by the City of Los Angeles, CASA, Tr-TAC, and County</p>	Changes have been made.

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
		<p>100 percent effluent.</p> <p>This reporting requirement can be easily incorporated into each permit by adding the following underlined text to Monitoring and Reporting Table 3, for effluent monitoring:</p>			Sanitation Districts of Los Angeles County.	
TMDL Implementation	2	<p>TMDL Implementation</p> <p>The USEPA has reviewed TMDL implementation requirements in the draft permits and support the application of statistical procedures in section 1.4 of the State Implementation Policy (SIP) for TMDL wasteload allocation-to-WQBEL calculations, rather than direct implementation of wasteload allocations as WQBELs. Use of the SIP's statistical procedures ensures that calculated toxics WQBELs for discharges to impaired receiving waters with TMDL wasteload allocations based on CTR criteria are as stringent as the toxics WQBELs calculated for discharges to unimpaired receiving waters.</p> <p>In 2009, EPA approved a site-specific objective (SSO) for ammonia that could result in less stringent permit limits than those based on current wasteload allocations in the Nitrogen TMDL. As a result, prior to permit implementation, the SSO must be incorporated into the Nitrogen TMDL to ensure that impaired receiving waters will achieve water quality standards for ammonia.</p>	X		Thank you for your comment in support of the permits' derivation of WLA- WQBELs.	None necessary .

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
<p align="center">City of Los Angeles, Bureau of Sanitation's (Bureau) Comments Regarding the Revised Tentative NPDES Permit dated October 6, 2011</p>						
Ammonia Effluent Limitations	1	<p>Ammonia Effluent Limits</p> <p>The Bureau repeated their comment submitted on September 2, 2011. (Please see comment C1 on page 1.)</p> <p>The Bureau's comment letter dated October 6, 2011, added the following paragraph:</p> <p>However, revisions were not made to the Tentative Orders. The Bureau understands that Regional Board staff does not believe the effluent limits could be changed in the absence of addressing the TMDL. If this is the case, the Bureau believes that at least two options are available: delisting as supported by the attached November 9, 2010 letter or revising the TMDL. As such, the Bureau requests that Regional Board staff 1) identify the most appropriate and expeditious approach to address this administrative issue, and 2) identify the earliest possible date that the revisions can be completed and brought before the Regional Board for consideration.</p>		X	<p>As indicated in the previous response on page 1, once the Nitrogen Compounds TMDL is revised to incorporate the ammonia SSO and reapproved, staff will revise this NPDES permit.</p> <p>However, Regional Water Board staff are exploring options on how to incorporate the 30-day objective SSO in the calculation of ammonia effluent limitations.</p>	None necessary.
Toxicity Reporting Requirements	2	<p>On page E-10 of the Tillman WRP and page E-9 of the LAGWRP Revised MR&Ps, a provision was added to Table 3A to require reporting of compliance with the chronic toxicity narrative effluent limit. The Bureau understands that this provision was added in response to comments from USEPA. While the Bureau acknowledges the desire to have clear information on compliance with effluent limitations, the approach that is proposed with respect to toxicity is neither appropriate nor accurate.</p> <p>First, it is unclear why this reporting requirement has been deemed to be necessary for the Bureau's water reclamation plants. WQO 2003-0012, which is cited in USEPA's letter as the basis for this request has been in place for eight years, and these types of reporting requirements have not been required for any other</p>		X	<p>After receiving the comments from interested parties that includes, City of Los Angeles, Joint Outfall System, CASA/Tri-TAC, reiterating similar concerns regarding chronic toxicity issue, the Regional Water Board staff confer with the USEPA on possible revision to the previously suggested chronic toxicity monitoring requirement. Based on discussions with the USEPA, the reporting of "Absent" / "Present" were replaced with "Passed" / "Triggered" to indicate whether accelerated monitoring for chronic toxicity was triggered or not.</p> <p>The revised footnote now reads:</p> <p>"For narrative chronic toxicity effluent limit reporting, <u>"Passed"</u> is reported when chronic toxicity effluent</p>	The chronic toxicity language was revised as indicated in the revised tentative permit.

		<p>dischargers within the Los Angeles region or the State. We are aware of no justification to require the Bureau to be the first and only agency in the State providing this type of information for compliance purposes. Without a clear understanding of the intent and purpose of the reporting and the language, the Bureau is concerned that confusion regarding the intent of the reporting could occur.</p> <p>Moreover, the State Water Resources Control Board has embarked upon a process to develop a statewide policy for toxicity that includes adoption of a statewide objective and implementation program, including monitoring and reporting requirements. The State Water Board has conducted multiple workshops and released an initial draft for public comment. Upon adoption, which is anticipated in early 2012, the policy will be binding on the Regional Water Boards. The existence of this statewide effort-which is motivated in large part by a desire to bring consistency to the approach to toxicity testing and related permit requirements-is a compelling reason not to depart from the Regional Board's established approach to toxicity on a permit specific basis. .</p> <p>The Bureau requests that the reporting requirements for, the. LAGWRP and DCTWRP be consistent with the reporting requirements for other dischargers in the region and State and that the Regional Board remove the added language.</p>		<p>results do not trigger accelerated testing by exceeding the monthly median trigger of $1.0 \text{ TU}_c = 100/\text{NOEC}$. "<u>Triggered</u>" is reported when chronic toxicity effluent results trigger accelerated testing by exceeding the monthly median trigger of $1.0 \text{ TU}_c = 100/\text{NOEC}$."</p> <p>Please also see the response to CASA below.</p>	
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**California Association of Sanitation Agencies (CASA) and Tri-TAC Comments
Regarding the Revised Tentative NPDES Permit dated October 6, 2011**

	1	<p>CASA and Tri-TAC join the City of Los Angeles Bureau of Sanitation in requesting that the reporting requirements for these WRPs be consistent with the reporting requirements for other dischargers in the region and State, and that the Regional Water Board remove the added language from Table 3A.</p>		X	<p>It appears the commenter misunderstands the intent of the proposed chronic toxicity reporting requirement. It is not the Water Board's intent to create a numeric effluent limit for chronic toxicity at this time, or to create new requirements for monitoring chronic toxicity or interpreting test results. Rather, the proposed change simply requires actual chronic toxicity test results to be compared with the permit's existing monitoring threshold, and reported in a narrative manner indicating whether test results are above or below the existing monitoring threshold. This type of reporting is needed by the Water Board because the existing monitoring and reporting approach</p>	<p>The chronic toxicity language was revised as indicated in the revised tentative permit.</p>
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					<p>does not provide clear information that can be efficiently reviewed or coded in State and EPA databases. As DMRs tend to be very lengthy, it is infeasible for State or EPA staff to review every reported data value to determine whether reporting thresholds or permit limits are met or exceeded.</p> <p>With respect to the permit's narrative chronic toxicity effluent limit and associated monitoring requirements, the Water Board believes it is necessary to incorporate a summary of monitoring results for permit requirements that can be efficiently reviewed and coded in State and EPA databases.</p> <p>With respect to the comment that the proposed chronic toxicity reporting requirement might require a permittee to draw conclusions about underlying toxicity, the commenter misunderstands the representation that a permittee would be required to make in reporting whether a chronic toxicity test result is higher than, or lower than, a specified threshold. While the State and EPA continue to believe chronic and acute toxicity testing methods do reliably indicate the presence of toxicity, the proposed reporting requirement simply requires the permittee to report test results in comparison with the existing monitoring threshold, not to evaluate whether the test results are reliable indicators of actual underlying toxicity.</p>	
Joint Outfall System (County Sanitation Districts of Los Angeles County) Comments Regarding the Revised Tentative NPDES Permit dated October 6, 2011						
	1	The Sanitation Districts object to inclusion of the proposed monitoring and reporting provision, as detailed below, and request that it be removed prior to the adoption of the Revised Tentative Orders. The remaining permit requirements for chronic toxicity are amply sufficient to allow the Regional Board and the City to assess and control chronic toxicity. These permit requirements include monthly chronic toxicity testing, reporting of the results in TUC, accelerated testing when the chronic toxicity monthly median TUC value is greater than 1.0, and investigation of the source of toxicity if warranted by the results of the		X	Please see response above.	The chronic toxicity language was revised as indicated in the revised tentative permit.

	<p>accelerated testing.</p> <ol style="list-style-type: none"> 1. A monthly median of 1.0 TUC is not an approved water quality standard or approved regulatory benchmark to establish the presence or absence of chronic toxicity. 2. The City Cannot be Compelled to Report Chronic Toxicity as “Present” or “Absent” in Discharge Based on Comparisons to An Accelerated Monitoring Trigger 3. The Proposed Requirement is Not Supported by Adequate Findings or Evidence, Nor Will it Provide New Evidence of the Presence or Absence of Chronic Toxicity 4. Compliance with the Narrative Effluent Limitation for Chronic Toxicity Should Be Unambiguous 5. The Accelerated Monitoring Trigger Will Improperly Operate Like a Final Numeric Effluent Limitation for Chronic Toxicity 6. The State Water Board Opined that Regional Boards Should Not Impose Final Numeric Effluent Limitations for Chronic Toxicity before Adoption of a Statewide Policy on Toxicity 				
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