RESPONSE TO COMMENTS ON PRIOR ORDERS [a]

Newhall Ranch Sanitation District
Newhall Ranch Water Reclamation Plant (Newhall Ranch WRP)
Tentative Waste Discharge Requirements and NPDES Permits (**dated 2013 and 2007**)

This table describes all significant comments received in the past from interested persons regarding the tentative permits described above for the prior Board actions. Each comment has a corresponding response and action taken. They are being included in response to a comment from Friends of the Santa Clara River (FOSCR).

#	Historic Comment	Current Response	Action Taken
The Following Comments and Responses Correspond to the Historic Comments for Prior NPDES Permit Included by Reference, as Requested by FOSCR Previously Submitted Comments from SCOPE on Tentative dated September 30, 2013 – October 2013 Comment Letter			
4.1	SCOPE appreciated the specific inclusion of the 100 mg/L chloride limit on effluent from the first 6000 units of the Newhall Ranch project that will now be transferred to the Valencia Treatment Plant.	Comment noted.	None necessary.
4.2	SCOPE requested that Newhall Land and Farming be required to submit proof that it has completed or that it will complete the 2013 and 2014 tasks listed in section I.C. of the 2013 Fact Sheet, so that the public may review the documents before the December 2013 Board hearing.	The construction of the Newhall Ranch WRP was delayed due to litigation issues. Therefore, the tentative construction schedule has been adjusted accordingly in Section II.E of the 2019 Fact Sheet, on page F-13 of the proposed revised tentative NPDES Order.	None necessary.
4.3	SCOPE requested that the 2013 monitoring program be formalized to include a requirement for Newhall to build the demineralization facilities.	As discussed in section I.A.2, page F-4 of the 2019 Fact Sheet, the Newhall Ranch WRP NPDES permit does not regulate the interim demineralization facility that is regulated under separate Non-NPDES Waste Discharge Requirements contained in Order No. R4- 2012-0139.	None necessary.

a: The historic comments from SCOPE dated October 2013 were not submitted within the comment period, so responses were not included at that time. The responses for Items 4.1 thru 4.3 are current responses.

#	Historic Comment	Historic Response	Action Taken
Comments Included by Reference as Requested by FOSCR Previously Submitted Comments from Santa Clarita Valley Sanitation Districts on Tentative dated September 30, 2013			
5.1	Santa Clarita Valley Sanitation District (SCVSD) requested that the language on page 18 of the WDR § VI.C.2.b be changed as follows: "…Effluent sampling for the first test of the six additional tests shall commence within five **business** days of receipt of the test results exceeding the toxicity trigger."	The language allows adequate time to initiate accelerated testing.	None necessary
5.2	SCVSD requested that the language page 19 of the WDR § VI.C.3.a be removed or changed from "Newhall Ranch SD" to "Newhall Land and Farming," to reflect who will actually be conducting the LID efforts.	The language has been changed to reflect who will actually be conducting the Low Impact Development (LID) efforts.	Language changed in WDR § VI.C.3.a
5.3	SCVSD requested that the Sludge Disposal requirements on page 21 of the WDR § VI.C.5.a be removed since they are not applicable.	The language has been removed since Newhall Ranch WRP will not process sludge onsite. Language has been added to reflect that sludge will be processed at the Valencia WRP.	Language changed in WDR § VI.C.5.a
5.4	SCVSD requested that the Pretreatment Requirements on page 21 of the WDR § VI.C.5.b be removed since they are not applicable.	Although WDR § VI.C.5.b already indicates pretreatment requirements are not currently applicable, the section contains language indicating the circumstances under which Pretreatment requirements will apply in the future.	None necessary
5.5	SCVSD requested that the language on page 27 of the WDR§ VI.C.6.g be removed because it is duplicative of item VI.C.4.c.	The duplicative language on page 27 of the WDR has been deleted.	Deleted § VI.6.g
5.6	SCVSD requested that the influent sampling type on page E-8 of the Monitoring and Reporting Program (MRP) be changed to 24-hour composite, for Bis(2-ethylhexyl)phthalate, lindane, and 4,4-DDE.	The sampling type has been changed.	Changed MRP § III.A.1 Table E-2
5.7	SCVSD requested that Footnote 9 on page E-9 of the MRP be deleted because it only applies to receiving water, not effluent sampling.	The footnote has been removed from the effluent monitoring section since the nitrogen species and temperature are collected using different types of sampling methods. However, the footnote will remain in the receiving water section because there the constituents are collected using grab samples.	Changed MRP § IV.A.1 Table E-3
5.8	SCVSD requested that the effluent sampling type on page E-11 of the MRP be changed to grab for dichlorobenzenes.	The sampling type has been changed.	Changed MRP § IV.A.1 Table E-3
5.9	Since dichlorobenzene sample type should be grab, SCVSD requested the following language change for the remaining priority pollutant group on page E-11 of the MRP: "24-hour composite; grab for VOCs and dichlorobenzenes."	Consistent with the previous comment, the language has been changed.	Changed MRP § IV.A.1 Table E-3

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5.10	SCVSD requested that the “A” be removed from the sampling location EFF-001A on page E-11 of the MRP so that it the discharge point is simply referred to as EFF-001."	The effluent discharge point is now labeled as EFF-001.	Changed MRP § IV.A.2
5.11	SCVSD requested that a footnote be added to MRP.VIII.A.1 Table E-4a under the receiving water flow parameter as follows: “**Flow at receiving water stations RSW-001U and RSW-002D cannot be measured or estimated because of the soft-bottom nature of the channel. Therefore, total flow is not required to be reported**."	Newhall Ranch has been submitting receiving water flow data, therefore we will continue to require that it be submitted so that we may compare conditions in the receiving water before and after the Publicly Owned Treatment Works (POTW) is built.	None necessary
5.12	SCVSD requested that Footnote 16 be added to nitrate, nitrite, organic nitrogen, and total nitrogen in MRP.VIII.A.1 Table E-4a under the receiving water monitoring section.	The footnote has been added to nitrate, nitrite, organic nitrogen, and total nitrogen on page E-19, under MRP VIII.A.1 Table E-4a.	Changed MRP § VIII.A.1 Table E-4a
5.13	SCVSD requested that the units for algal biomass be changed to **mg/cm^2** on page E-19 of the MRP.	The units have been corrected.	Changed MRP § VIII.A.1 Table E-4a
5.14	Since pH and DO samples are not collected concurrently with macroinvertebrate or algal biomass samples, SCVSD requests that the reference to pH and DO be removed from the footnote on page E-19 as follows: "Algal biomass or Chlorophyll a samples shall be collected by obtaining scrapings from the substrate, ~~**concurrently with pH, dissolved oxygen**~~, and...."	The reference to pH and dissolved oxygen has been removed.	Changed MRP § VIII.A.1 Table E-4a
5.15	SCVSD requested that the list of observations on page E-21 be removed because they believe the language is outdated and there is no place to enter the results in the new electronic reporting format.	The language has been modified requiring the Discharger to log and report observations when something unusual takes place during sample collection.	Changed MRP § VIII.A.2
5.16.	SCVSD requested that the following language be deleted because they only collect dry-weather receiving water samples: "Receiving water samples shall not be taken during or within 48 hours following the flow of rainwater runoff into the Santa Clara River ~~**unless it is safe to do so**~~."	The language has been deleted.	Changed MRP § VIII.A.5
5.17	Monthly, quarterly, semiannual, and annual sampling should also be able to be rescheduled if conditions would endanger personnel collecting the samples. Therefore, language should be: "~~**Weekly s**~~**S**ampling may be rescheduled at receiving water stations if weather and/or flow..."	If a sampling event is rescheduled, the Discharger should have ample time within the remaining period to collect a sample for a given monthly, quarterly, semiannual or annual event.	Changed MRP § VIII.A.5
5.18	Since the receiving water observation language is outdated and should be removed, this language should also be changed, striking out "and observations".	Consistent with the response to comment #15, “and observations” has been deleted from MRP § VIII.A.7 on page E-21.	Changed MRP § VIII.A.7

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5.19	SCVSD requested that language on page F-4 of the Fact Sheet be modified as follows to more accurately portray the Interconnection Agreement: "…area will precede completion and initial operation of the Newhall Ranch ~~**SD**~~ WRP. ~~**With this this in mind, o**~~**O**n January 9, 2002, SCVSD and Newhall Land and Farming Company (Newhall Land) entered into an Interconnection Agreement~~**. so that**~~ **With certain conditions, a term of this agreement allows for** the sewage generated by the first 6,000 dwelling units of Newhall Ranch ~~**would**~~ **to** be temporarily treated at the Valencia WRP, until such time as the Newhall Ranch WRP is constructed. The Interconnection Agreement specifies that Newhall Land will design, fund, and construct all sewers, pumping plants, or force mains required to convey any flow generated within ~~**the new county sanitation district that will be treated at**~~ **Newhall Ranch to** the Valencia WRP."	The language on page F-4 of the Fact Sheet has been modified to clarify the description of the Interconnection Agreement.	Changed Fact Sheet § I.B
5.20	SCVSD requested that the word treated be deleted from the phrase "treated permeate," since the permeate is the high quality water and is not being further treated. In addition, SCVSD requests that language be added to indicate that Newhall Land is responsible for not only the pipelines that will be conveying permeate from the Interim Demin Facility to the Valencia WRP, but also for the pipelines to convey any flow generated from Newhall Ranch to be treated at the Valencia WRP.	Subsection 1 has been added to § I.B of the Fact Sheet to indicate that Newhall Land will also obtain the necessary permits, design, fund, and construct "all sewers, pumping plants, and force mains required to convey any flow generated from Newhall Ranch to be treated at the Valencia WRP."	Changed Fact Sheet § I.B
5.21	SCVSD requested that language be added as follows to reflect that Newhall Ranch will build the injection system itself: "Any necessary pipelines to convey the brine waste stream from Interim Demineralization Facility to the deep-well injection system **and the injection system itself** which will be permitted under a separate USEPA-issues Class I Non-hazardous Underground Injection Control (UIC) permit."	Language has been added to section I.B.4 (formerly section I.B.3 prior to renumbering) to indicate that Newhall Ranch will also obtain the necessary permits, design, fund, and construct "the injection system itself."	Changed Fact Sheet § I.B.3
5.22	Since the permeate will be significantly less than 100 mg/L, SCVSD does not believe that it is necessary to make this statement. SCVSD suggested that the language be changed as follows: "On August 27, 2013, they indicated that the demineralized treated effluent, also known as permeate, ~~**containing chloride concentrations of 100 mg/L or less,**~~ would be combined with Valencia WRP's tertiary treated effluent ~~**primarily**~~ for discharge to the Santa Clara River."	While the word "primarily" has been deleted as requested, the remaining language was not deleted to maintain consistency with the language used in Regional Water Board Order No. R4-2012-0139, *Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements (WDRs) for Newhall Land and Farming Company (Newhall Land & Farming 401 WDR).*	Changed one of two items in Fact Sheet § I.B.
5.23	SCVSD requested the following language changes to more accurately portray that any land must be turned over to the	The language on page F-6 of the Fact Sheet has been modified for clarity.	Changed Fact Sheet § I.D

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	Newhall Ranch SD prior to any sewage going to the Valencia WRP and modify the description of the JAA: **"Once the POTW is constructed and its operation successfully demonstrated, Newhall Land will transfer ownership of the POTW to Newhall Ranch SD. The Newhall Ranch SD will own and operate a POTW comprised of the Newhall Ranch WRP and its associated wastewater collection interceptor sewer, trunk sewers, and outfalls. The County of Los Angeles Sewer Maintenance District will own and operate the remainder of the collection system for Newhall Ranch. Newhall Ranch SD will petition to join the existing Joint Administration Agreement (JAA) that forms the confederation of 23 county sanitation districts known as the Los Angeles County Sanitation Districts (LACSD) and provides for a single administrative staff to support each sanitation district. If added to the JAA, LACSD staff would replace DPW staff in supporting the Newhall Ranch SD. Attachment B4 provides a schematic of the members of the JAA."**		
5.24	SCVSD suggested the following changes for clarity: "The 2.0 mgd facility will serve the inhabitants of the first **approximately 7,700** ~~**6,000**~~ dwelling units within the Newhall Ranch Specific Plan area, with an estimated 2.38 to 3.17 persons per unit, ~~**or an estimated population range of approximately 18,300 to 24,380 persons**~~. ~~**The 2.0 mgd facility will be designed to have the capacity of treating the sewage from an additional 1,690 dwelling units, assuming 260 gpd per unit of wastewater generation**~~."	Reference to the 6000 dwelling units was retained to preserve the language used in the *Newhall Land & Farming 401 WDR.* However, some of the existing language was reconfigured for clarity.	Slightly modified Fact Sheet § II.A.2
5.25	SCVSD requested that the HUC codes listed in Table F-4a be changed to reflect the most recent HUC codes in the Basin Plan update.	The new codes have been added to the table, but the former codes were also kept for reference.	Changed Fact Sheet § II.A.2
5.26	SCVSD believes it is not appropriate to include some of the groundwater basins and their respective beneficial uses in the fact sheet because some basins do not underlie the project area.	It is customary to include all of the groundwater basins from the project area all the way to the coast, similar to the way that surface water beneficial uses are listed from the point of discharge all the way down to the coast.	None necessary.
5.27	This requirement should clearly be spelled out in the Special Studies section of the permit, not in the Fact Sheet.	Language has been added to the WDR under Special Provisions § VI.C.2.d, but the current language was retained in Fact Sheet § II.C.11.	Changed WDR § VI.C.2.d
5.28	Monitoring of this constituent was not required in the 2007 permit and is not required in this tentative draft. Therefore, this parameter should be removed from the table	The constituent has been corrected to read Benzo(b)**fluoranthene** not Benzo(b)**pyrene.**	Changed Fact Sheet § VIII.B

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5.29	Methoxychlor monitoring is not required per the 2013 tentative draft so the table should say "--" instead of "semiannually."	The word semiannual has been replaced with "—" to indicate that Methoxychlor monitoring is no longer required.	Changed Fact Sheet § VIII.B
Comments Included by Reference as Requested by FOSCR Previously Submitted Comments from Newhall Ranch Sanitation Districts on Tentative dated June 6, 2007			
6.1	Page 13, Table 7. Copper and lead effluent limits should be revised based on local hardness data for Newhall baseline receiving water monitoring station NR1, which is located at the proposed discharge site.	The hardness-dependent limits were revised using the site-specific hardness of the receiving water.	Limits slightly modified
6.2	Copper and lead effluent limits should be revised based on local hardness data. The 50th and 90th percentile hardness values for NR1 are 384 and >400 mg/L as CaCO3, respectively, for the May 2004 through October 2006 period.	The average hardness value of 350 mg/L was used. However, prior to calculating the average hardness, individual hardness values were capped at 400 mg/L, in accordance with the CTR preamble.	Limits slightly modified
6.3	The Copper limits should be recalculated as follows (assuming CV = 0.6 (default) & n = 4): Average Monthly Effluent Limit (AMEL) = 48 ug/L, Daily Maximum Effluent Limit (DMEL) = 24 ug/L	Since Regional Board staff used a hardness value of 350 mg/L, the copper limits were more stringent than what the Discharger requested.	Limits slightly modified
6.4	The Lead limits should be recalculated as follows (assuming CV = 0.6 (default) & n = 4): MDEL = 29 ug/L, AMEL = 14 ug/L	Since Regional Board staff used a hardness value of 350 mg/L, the lead limits were more stringent than what the Discharger requested.	Limits slightly modified
6.5	Page 14, Table 7. Since the Newhall WRP effluent limits are generally based on those of the Valencia WRP's NPDES permit, consistent with guidance based on the EPA's Technical Support Document Chapter 3.2, the selenium limits should be revised to reflect those of the Valencia permit, or AMEL = 50 ug/L and no MDEL.	There was reasonable potential for the Newhall Water Reclamation Plant to contribute to an exceedance of the 5 µg/L Selenium aquatic life CTR criteria. Since the receiving water concentration was 6.2 µg/L, any concentration of Selenium discharged from the Newhall WRP would contribute to an exceedance.	None necessary
6.6	Furthermore, the current MDEL value of 8.2 ug/L is (a) inconsistent with the CTR, which reports no chronic maximum concentration for selenium, and (b) inconsistent with the SIP as it is based on a MDEL/AMEL multiplier of 2.0, which is multiplier that is applicable to human health-based criteria only	The AMEL and the MDEL were both calculated according to SIP procedures. The multiplier that was used was the one corresponding to aquatic life criteria, not human health criteria.	None necessary
6.7	Reasonable potential results should be based only on baseline receiving water monitoring data for NR1, or the receiving water monitoring site located at the discharge point.	Regional Board staff used data from both NR1 and NR3 to conduct reasonable potential. All relevant and adequately-collected data that was submitted to the Regional Board office was used to draft the tentative NPDES Order.	None necessary

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6.8	This correction should therefore result in the removal of effluent limits for 4,4'-DDE. Board staff previously used monitoring data from downstream receiving water monitoring site NR3 to base the reasonable potential finding for 4,4'-DDE.	There was reasonable potential for the Newhall Water Reclamation Plant to contribute to an exceedance of the 0.00059 µg/L 4,4-DDE human health CTR criteria. Since the highest receiving water concentration was 0.011 µg/L, any concentration of 4,4-DDE discharged from the Newhall WRP would contribute to an exceedance.	None necessary
6.9	Receiving water monitoring requirements should be clarified to state that downstream sampling is not required when effluent and River flows are not observed to commingle.	The receiving water sample shall be collected regardless of whether or not the effluent commingled with the Santa Clara River. However, the monitoring report should specify whether or not there was commingling at the time of sample collection.	None necessary
6.10	Page 7, Table 5. Please add a Footnote explaining the asterisk (*) designation for the MUN use.	The Footnote was added which clarifies that the potential MUN (p*MUN) beneficial use was conditionally designated. However, the Footnote only applies to the potential MUN beneficial use of the surface waters. The groundwater MUN beneficial use is a valid designated use.	Added Footnote
6.11	Pages 34, Section VII. Please change wording in all Section VII items from "will" to "may" when discussing potential violations (e.g., "the discharger will be considered out of compliance"), as was proposed for Los Angeles County Sanitation District's JWPCP, Long Beach, and Los Coyotes WRP permits.	The language was modified to resemble that which is included in the Long Beach and Los Coyotes WRP tentative Orders. However, there was only one instance where the word "will" needed to be replaced with the word "may".	Word modified in compliance determina-tion
6.12	Page E-8, Table 3. Footnote 4 refers to turbidity exceeding 5 turbidity units. However, Page 12 section III.H of the Permit states that the turbidity effluent limit is 0.5 NTUs or no more than 0.2 NTU 5 % of the time. Addition of this third 5 NTU limit may require the plant to unnecessarily implement a second continuous turbidity meter. Please render these sections consistent.	The language in the MRP Footnote was modified. The word five was replaced with the number 0.5 NTU.	MRP Footnote modified
6.13	Page E-19, Table 7a. Please include the following Footnote for E. coli testing: "E. coli testing shall be conducted only if fecal coliform testing is positive. If fecal coliform analysis results in no detection, a result of less than (<) the reporting limit for fecal coliform will also reported for E. coli."	The Footnote was added to be consistent with other POTW MRPs.	Footnote was added See Page E-20
6.14	Page E-19, Section VIII.A. Please add the following monitoring provisions, to ensure safety of sampling staff and usefulness of receiving water monitoring data: "Receiving water samples shall not be taken during or within 48 hours following the flow of	The Footnote was added to be consistent with other POTW MRPs.	Footnote was added

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	rainwater runoff into the Santa Clara system. Sampling may be rescheduled at receiving water stations if weather and flow conditions would endanger personnel collecting receiving water samples. Monthly reports shall note such occasions."		
6.15	Page E-3, Section I.A. The last sentence in this section states: "Results of quarterly, semiannual and annual analyses shall be reported in the monthly monitoring report following the analysis." This language should be revised to state: "in the second monthly monitoring report following the analysis," consistent with due dates shown in the table on Page E-25.	The language was modified as requested.	Language was modified
6.16	Section xii states that the receiving water limitations for coliform bacteria are based on Resolution [20]01-018, Amendment to the Water Quality Control Plan for the Los Angeles Region to Update Bacteria Objectives for Water Bodies Designated for Water Contact Recreation. An implementation provision in this amendment specifies that the geometric mean should be calculated "based on a statistically sufficient number of samples (generally not less than 5 samples equally spaced over a 30-day period)." This provision should be included in the receiving water geometric mean limits listed above.	This is standard language. Section VII. Compliance Determination, explains how compliance will be determined for average monthly, average weekly, and daily maximum effluent limitations.	None necessary
6.17	Page F-36, Table 5 & Page F-42, Table 6. For consistency, please include all parameters from Page 13 Table 7 in these effluent limit tables.	These two Tables represent different limits. Table 6 includes all limitations, where Table 6 only includes water quality-based limits.	None necessary
6.17	Also for Table 6, please add information on how the effluent limits for each parameter were calculated; i.e., add a column listing the lowest applicable water quality standard used and, in the case of CTR-based metal limits, the hardness value assumed for the aquatic life water quality criteria calculations.	Instead of modifying Table 6, the Reasonable Potential Table R1 was inserted as part of the Fact Sheet.	See Fact Sheet
Comments Included by Reference as Requested by FOSCR **Previously Submitted Comments from SCVSD on Tentative dated June 6, 2007**			
7.1	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	Since the most limiting long term average (LTA) was based upon the one-hour average ammonia criteria, the ammonia nitrogen monthly average final effluent limit has been revised, consistent with the following:	See Revised Tentative Table 7

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		• The implementation language contained in Resolution No. 2002-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Update the Ammonia Objectives for Inland Surface Waters (including enclosed bays, estuaries, and wetlands) with Beneficial Use designations for protection of "Aquatic Life*;" • The revised ammonia criteria contained in Resolution No. 2005-014, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Early Life Stage Implementation Provision of the Freshwater Ammonia Objectives for Inland Surface Waters (including enclosed bays, estuaries and wetlands) for Protection of Aquatic Life*; and, • The preamble to USEPA's 1999 Update of Ambient Water Quality Criteria for Ammonia (Federal Register Vol.64, No. 245, Page 71976).	
7.2	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.	Effluent pH and temperature data is not available, so Regional Board staff used receiving water pH and temperature to calculate the ammonia nitrogen limits.	None necessary.
7.3	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.	A Reopener has been added. See section VI.C.1.l. of the Order. After the Regional Board receives sufficient pH and temperature effluent data, the permit may be reopened to modify the ammonia nitrogen limits at a later date.	Reopener added in VI.C.1
7.4	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 USEPA Technical Support document as well as the SIP were used to derive the final effluent limits. The SIP does not address the issue of a new POTW nor how to set effluent limits in the absence of effluent data. However, the TSD does. Justification for the effluent limits is contained in the administrative record. However, for clarification purposes, Table R1 has been added to the Fact Sheet to demonstrate how effluent limits were derived.	See Table R1 in Fact Sheet
7.5	Remove all limits for these constituents from Tentative Permit.	Limits are included in the NPDES Order for those pollutants that had reasonable potential to cause or contribute to an exceedance. See RP analysis in Table R1.	None necessary
7.6	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."	Language has been changed to clarify that the 1 TUc is a trigger, not a numeric limitation, throughout the Order in the appropriate sections.	Replaced terminology

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7.7	It is requested that revisions be made to the "Spill Reporting Requirements" provisions in Section VI.C.5.c be consistent with revisions made in the July 9, 2007 Revised Tentative Permits for the Long Beach and Los Coyotes WRPs.	The language has been made consistent.	See MRP
7.8	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	Some reductions in the receiving water frequency of monitoring have been made, because Newhall has been conducting baseline receiving water monitoring since May 2004. However, the influent, effluent and groundwater monitoring frequencies have not been modified. Since the Newhall Ranch WRP will be a new facility, more monitoring will need to be done initially, in order for staff to perform another reasonable potential analysis after the plant is up and running and effluent data is available.	See MRP Receiving Water Section
7.9	Revise the due dates for monitoring reports to be similar to those in the Districts' NPDES permits. •Revise Sections V.G.1 and X.B.3. of the MRP to reflect that the monitoring reports are due on the 15th 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 15th rather than April 1st.	The due dates have been changed to match those of the other POTWs in the upper Santa Clara River Watershed.	See MRP sections
7.10	Revise sampling schedules for quarterly, semi-annual and annual analyses to be similar to that of the Valencia and Saugus WRPs. 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).	The sampling schedule has been modified.	See MRP sections
7.11	The unit process flow diagrams shown in Attachment C for the Newhall WRP need to be updated. 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	The Flow Schematic has been updated with what was provided by Newhall on July 2, 2007.	See Revised Tentative Order Page C-1
7.12	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).	The Finding has been modified.	See Revised Tentative Order Section II.B

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7.13	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.	The Newhall Ranch WRP will be required to report the quantity of biosolids hauled away.	None necessary
7.14	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). Add clarification to the Tentative Permit to provide for the 90-day exemption from mandatory minimum fines for violations per the California Water Code.	Approval cannot be given in advance. In order to qualify for this exemption, the Discharger would have to submit their Operations Plan no later than 30 days in advance of the Start-up date and seek EO approval. The Operations Plan must reflect the actual start-up conditions of the plant, which will not be known until the plant has been completed.	None necessary
7.15	The Tentative Permit should provide more options for reporting permit violations. • 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 (213) 576-6616 or electronic means within 24 hours of having knowledge of . . ."	The language has been modified.	See Revised Tentative
7.16	Compliance determination language should be removed from the Tentative Permit.	This is standard language for determining compliance.	None necessary.
7.17	Reporting should not be required of estimated analytical results obtained during influent sampling.	This is standard language. The influent results should be quantified, because the results are needed in order to determine treatment removal. In addition, the data is useful with respect to the Pretreatment Program to target possible local limit updates.	None necessary
7.18	Additional sampling should be allowed for monthly average compliance determinations.	This is standard language. Samples should be collected within a calendar month in order to demonstrate compliance with the monthly average effluent limit.	None necessary
7.19	The Monthly Average Chloride Limit should be further clarified.	Additional language was added, however it is somewhat different from what was requested.	See Tentative Order Footnote 2
7.20	The Fact Sheet information on the Chloride TMDL is incomplete and misleading and should be revised.	The comment is noted. However, the language was taken from a Technical Memorandum that was prepared by TMDL staff and cannot be changed.	None necessary

#	Historic Comment	Historic Response	Action Taken
7.21	Requirements for receiving water algal biomass monitoring should be removed	Regional Board staff Monitoring Coordinator agrees that algal biomass in the water column testing can be removed. However, benthic samples need to be collected. Footnote 17 has been added to the MRP section specifying that algal biomass or chlorophyll A samples shall be collected by obtaining scrapings from the substrate, as a measure of benthic algae, rather than algae in the water column.	See MRP Footnote 17
7.22	County Sanitation District of Los Angeles County also submitted Attachment B, which consisted of minor comments and suggestions for corrections of typographical errors.	All of the typographical errors were corrected and most of the minor changes were made, except for eight, where standard language was involved.	Typo-graphical errors corrected
Comments Included by Reference as Requested by FOSCR **Previously Submitted Comments from Heal the Bay on Tentative dated June 6, 2007**			
8.1	Effluent limits should be included for all priority pollutants, since a complete Reasonable Potential Analysis can not be conducted for new wastewater treatment plants	Although there was no effluent data available, a Reasonable Potential Analysis was conducted according to the Technical Support Document (TSD) and the SIP procedures, using the receiving water data that was collected. It is not reasonable to include limits for pollutants which were Non-detects in the receiving water, Non-detects in similar POTW effluents, and where it was determined that there was no reasonable potential. The TSD addresses how effluent limitations are set in the absence of effluent data, and staff proceeded setting limitations in this manner.	None necessary
8.2	Additional baseline monitoring is necessary to assess any impacts from the future discharge.	Newhall Ranch has conducted receiving water sampling at two stations for eleven quarters, from May 2004 through January 2007. Ongoing monitoring efforts will take place to demonstrate compliance with the NPDES Order.	None necessary
8.3	The Tentative Permit should include a daily maximum toxicity trigger. Other recently adopted NPDES permits include a monthly median toxicity trigger and a daily maximum trigger of 1.0 TUc. Toxicity testing is the safety net for NPDES permits because permits do not require monitoring or have limits for all constituents that can cause receiving water toxicity. Thus, it is import to have a daily maximum trigger as well as a monthly median trigger.	Although the recently adopted NPDES permits include a monthly median toxicity trigger and a daily maximum trigger of 1.0 TUc, the daily maximum trigger of 1.0 TUc has never been used as a required trigger for the implementation of accelerated chronic toxicity testing. Therefore, the Tentative Permit that only prescribes a monthly median toxicity trigger of 1.0 TUc is consistent with recently adopted NPDES permits. In the recently adopted NPDES permits, the daily maximum trigger of 1.0 TUc, when exceeded, serves as a warning for the Discharger that they may not be able to meet the monthly	None necessary

#	Historic Comment	Historic Response	Action Taken
		median of 1.0 TUc. When the daily maximum is triggered, the Discharger may collect additional samples to provide the Discharger the opportunity to meet the monthly median.	
8.4	The Regional Board should include an actual toxicity limit	Regional Board staff agrees that toxicity limits are the safety net for NPDES permits because permits do not require monitoring or have limits for all constituents that can cause receiving water toxicity. The Regional Board has encouraged the State Board to develop an appropriate policy regarding the numeric chronic toxicity, as soon as possible, during hearings and during stakeholder meetings. However, the circumstances warranting a numeric chronic toxicity effluent limitation when there is reasonable potential were under review by the State Water Resources Control Board (State Board) in SWRCB/OCC Files A-1496 & A-1496(a) [Los Coyotes/Long Beach Petitions]. On September 16, 2003, at a public hearing, the State Board adopted Order No. 2003-0012 deferring the issue of numeric chronic toxicity effluent limitations until Phase II of the SIP is adopted. In the meantime, the State Board replaced the numeric chronic toxicity limit with a narrative effluent limitation and a 1 TUc trigger, in the Long Beach and Los Coyotes WRP NPDES permits. This permit contains a similar narrative chronic toxicity effluent limitation, with a numeric trigger for accelerated monitoring. Phase II of the SIP has been adopted, however, the toxicity control provisions were not revised. On January 17, 2006, the State Board Division of Water Quality held a California Environmental Quality Act (CEQA) scoping meeting to seek input on the scope and content of the environmental information that should be considered in the planned revisions of the Toxicity Control Provisions of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP). However, the Toxicity Control Provisions of the SIP continue unchanged. This Order contains a Reopener to allow the Regional Board to modify the permit, if necessary, consistent with any new policy, law, or regulation. Until such time, this Order will have	None necessary

#	Historic Comment	Historic Response	Action Taken
		toxicity limitations that are consistent with the State Board's precedential decision.	
8.5	Sufficient baseline receiving water monitoring should be conducted prior to discharge.	See response to Heal the Bay Comment #III.2.	None necessary
8.6	The Tentative Permit states that Newhall Land has been conducting receiving water sampling. What constituents are being monitored and at what frequency is the applicant monitoring the receiving water?	Organics, metals, nutrients, bacteria, chlorophyll A, acute and chronic toxicity have been monitored monthly. Other pollutants had been monitored more frequently in the first year of sample collection. However, the frequency was reduced after some constituents were found Non-detected, or not varying much from month to month. Bioassessment monitoring had also been performed on a semiannual basis.	None necessary
8.7	In addition to priority pollutant monitoring, bioassessment monitoring should occur at least twice before the discharge begins.	This has been done already, which is why Regional Board staff was only recommending that it be done on an annual basis from now on, consistent with what is being required of other POTWs.	None necessary
8.8	The discharger should conduct influent, effluent and receiving water monitoring for all of the priority pollutants within the first month of discharge.	Language has been added to the MRP, following the Tables which list the constituents and their specified frequency of monitoring.	See MRP sections.
8.9	The Regional Board should require chlorophyll-a monitoring.	Footnote 17 has been added to the MRP section specifying that algal biomass or chlorophyll A samples shall be collected by obtaining scrapings from the substrate, as a measure of benthic algae, rather than algae in the water column.	See MRP Footnote 17.
8.10	The Tentative Permit includes algal biomass monitoring but not chlorophyll-a monitoring. It is important to monitor algal coverage and chlorophyll-a to understand if there is truly an impact.	Footnote 17 also requires that percent cover be reported.	See MRP Footnote 17
8.11	The Regional Board should increase bioassessment monitoring frequency to twice per year. Heal the Bay claims that bioassessment monitoring should take place at least twice per year – ideally in the spring and fall – to capture conditions before the rainy season and after the rainy season.	Although Newhall had conducted baseline bioassessment monitoring semiannually, SWAMP (Surface Water Ambient Monitoring Program) recommends that bioassessment monitoring be conducted once during the suggested index period (late spring to early fall). It is unnecessary to sample twice per year to assess the health of the benthic macroinvertebrate community. For the Los Angeles Region, staff recommends sampling during the late spring or early summer, as many streams contain little or no water, particularly in the upper watershed areas, by late summer or fall. That is why only annual bioassessment monitoring is being proposed.	None necessary

#	Historic Comment	Historic Response	Action Taken
8.12	Receiving water monitoring should be expanded to include at least four monitoring locations.	One additional monitoring station (RSW-001D) has been added, within 100 feet of the discharge point. However, the downstream receiving water stations for the Valencia WRP can provide useful information on the stream conditions upstream of the Newhall Ranch WRP. That is why another upstream station was not added, only an additional downstream station.	See MRP Section VIII.A.2
8.13	The Regional Board should require a minimum of two upstream and two downstream monitoring locations. One downstream site should be several miles downstream from the plant and below the western most edge of the Newhall Ranch housing development.	See response to Heal the Bay Comment III.12.	None necessary
8.14	Also, when Phases II and III are initiated the Regional Board should increase the number of receiving water locations.	No additional monitoring stations are anticipated at this time. First, Regional Board staff would need to analyze data gathered from the 2 MGD discharge from the Newhall Ranch WRP, to assess if there has been an impact on the receiving water. Then, Newhall Ranch would need to do an Anti-degradation analysis prior to being allowed to discharge at a higher capacity. But ultimately, the watershed-wide monitoring effort will evaluate the location of existing receiving water stations and the data that is being collected, then come out with recommended changes to better utilize resources while still providing compliance data and assessment data. It may be premature to agree to add additional stations at this point in time.	None necessary
8.15	The Regional Board should make several clarifications to the Spill Reporting Requirements.	Slight changes were made to address public exposure and with respect to the safety of the personnel collecting the receiving water samples, as follows: “The Discharger shall obtain a grab sample (if feasible, accessible, and safe) for spills, overflows or bypasses of any volume that flowed to receiving water, ~~or~~ entered a shallow ground water aquifer, or have the potential for public exposure; and for all spills, overflows ~~and~~ or bypasses of 1,000 gallons or more ~~that have the potential public exposure~~.”	See WDR Section VI.C.5.c
8.16	“The Discharger shall obtain a grab sample [if feasible, accessible, and safe] for spills, overflows or bypasses of any volume that flowed to receiving waters or entered a shallow ground water aquifer, and all spills, overflows and bypasses of	One of the major criteria in selection of a sampling site is that the access should be safe. During high channel flow, when conditions are dangerous for sampling, the Regional Board does not expect a sample to be taken. In addition, the	None necessary

#	Historic Comment	Historic Response	Action Taken
	1,000 gallons or more that have the potential public exposure," is contradictory. Please clarify this sentence.	Regional Board does not expect the discharger to exercise this option very often. If the discharger fails to collect any spill samples because of unsafe conditions (unfeasible, inaccessible, or unsafe), the discharger is responsible for providing facts for this discretion. Regional Board staff always has the authority to verify the claimed conditions. If Heal the Bay has criteria used for safety (e.g., Stream Team guidance), we would be happy to review that.	
8.17	Heal the Bay recommends that a grab sample be collected for any volume of sewage spilled. In addition, if the Regional Board uses the later portion of that sentence, with the language states" that have the potential for public exposure," then how is this potential defined? As Heal the Bay has witnessed with other sewage spills in the Los Angeles region, the public 's health has often been placed in harms way because the discretion was with the contractor/operator who caused the spill.	See response to Heal the Bay Comment #III.15.	See WDR section VI.C.5.c.
8.18	Regional Board staff uses the 50th percentile of receiving water pH and temperature data to calculate the monthly average ammonia limitation and the 90th percentile of pH data to calculate the daily maximum ammonia effluent limitation. This calculation method is not fully protective.	Regional Board staff followed the same protocol used in the TMDLs for Metals and Selenium for San Gabriel River and Impaired Tributaries to calculate the monthly average and daily maximum limitations for ammonia. Regional Board staff has consulted with USEPA on this approach and have received support from USEPA because it is consistent with the TMDL. In addition, this approach will facilitate the compliance determination for ammonia in the Enforcement Unit by converting two moving ammonia effluent limitations (depending on temperature and pH of the receiving water) to two calculated values, as a monthly average and a daily maximum limitations, respectively.	None necessary
8.19	Mass emission limitations are based on the Phase I plant design flow rate of 2 mgd. Tentative Permit at F-23. This is not protective of receiving waters. The Regional Board should use the average effluent discharge flow, as this number represents the actual flow volume. By utilizing the design flow, the Regional Board is allowing much higher mass emissions than is merited based on plant operation.	40 CFR Part 122.45(b)(1) reads as follows, "In the case of POTWs, permit effluent limitations, standards, or prohibitions shall be calculated based on design flow." The mass-based limits are consistent with Federal requirements and do not need to be changed.	None necessary
8.20	The Tentative Permit's Fact Sheet states that the Nitrite-N effluent limit is 0.9 mg/L, in accordance with the Santa Clara River Nitrogen Compounds TMDL. However, Table 7 provides an effluent limitation of 1.0 mg/L. Tentative Permit at 14. The 0.9 mg/L effluent limit is appropriate, as it corresponds to the	The WDR was corrected to reflect what was written in the Fact Sheet.	WDR limit table was updated

#	Historic Comment	Historic Response	Action Taken
	TMDL's waste load allocation. Thus, this discrepancy should be corrected.		
8.21	The Tentative Permit outlines the 303(d) listings for the Santa Clara River. Toxaphene appears to be missing from the list for the Santa Clara River Estuary.	Toxaphene had been inadvertently left out. However, the error has been corrected, by including it in the list of constituents.	303d reference was corrected
8.22	The Tentative Permit states that the treatment process will include partial reverse osmosis. Tentative Permit at 5. What percentage of the discharge will be treated using reverse osmosis?	The revised Flow Schematic (Attachment C) reflects RO treatment. However, the percent of the effluent that will be put through the RO process has not been determined. That will depend on the chloride content of the influent that enters the headworks, which in turn is a function of the potable water supply and the contribution from households and businesses to the sewage . The Newhall Ranch WRP will need to comply with the 100 mg/L chloride final effluent limit, regardless of the quality of the influent, and the Regional Board may not specify the manner of compliance with the limits.	None necessary
8.23	What are the end-uses planned for this advanced-treated water?	Newhall Ranch will be applying for Recycled Water Requirements under a separate Order. However, we understand that the majority of the treated effluent is intended to be used for irrigation. Although they may use some of the recycled water for industrial process supply.	None necessary
8.24	What is the management plan for the brine that is generated in the reverse osmosis treatment process?	The brine will be disposed of through deep well injection, under a separate USEPA permit. Such deep well injection is made under a federal permit, and not state Waste Discharge Requirements.	None necessary
8.25	The first column and last row of Table 2 is cut-off. Currently, it states the parameter is "Remaining EPA priority pollutants excluding." Tentative Permit at E-7. What does this exclude?	The row has been corrected. Remaining EPA priority pollutants, excluding asbestos, should be monitored.	See revised MRP table
Comments Included by Reference as Requested by FOSCR **Previously Submitted Comments from Friends of the Santa Clara River (FOSCR) on Tentative dated June 6, 2007**			
9.1	Since the affected reach of the Santa Clara River is already impaired for chlorides and ammonia, it is imperative that no permits be issued that will worsen the situation.	The Newhall Ranch WRP NPDES permit will not worsen the situation. The proposed discharge is required to adhere to the Anti-degradation Policy; and to comply with the NPDES final effluent limitations, the receiving water requirements, and the prohibitions. The permit is written with the intent to protect existing beneficial uses.	None necessary

#	Historic Comment	Historic Response	Action Taken
9.2	Don Davis, a past member of the Board of the Friends of the Santa Clara River, feels that the fecal coliform and E. coli limits are fairly lax for a tertiary facility.	The effluent limitations and the surface water limitations are based upon the Basin Plan's Water Quality Objectives. However, the groundwater limitation, in Section V.B. of the Order, for coliform of 1.1/100 mL is more stringent. All of the limitations have to be met by the Newhall Ranch WRP discharge.	None necessary
9.3	Sufficient baseline receiving water monitoring should be conducted prior to discharge.	Newhall has been gathering receiving water samples at two stations since May 2004.	None necessary
9.4	The discharger should conduct influent, effluent, and receiving water monitoring for all of the priority pollutants within the first month of discharge.	See response to Heal the Bay Comment # III.8.	None necessary
9.5	The Regional Board should increase bioassessment monitoring frequency to twice per year.	See response to Heal the Bay Comment # III.11.	None necessary
9.6	The Regional Board should clarify the spill monitoring requirements.	See response to Heal the Bay Comments # III.15.	None necessary
9.7	The Regional Board should use the average effluent discharge flow.	See response to Heal the Bay Comment # III.19.	None necessary
9.8	The management plan for the brine that is generated in the reverse osmosis treatment process should be evaluated in the Permit findings.	See response to Heal the Bay Comment # III.24.	None necessary
Comments Included by Reference as Requested by FOSCR **Previously Submitted Comments from Friends of the Santa Clara River (FOSCR) on Tentative dated June 6, 2007**			
10.1	SCOPE believes that the issuance of this permit is premature. Although we understand that the NPDES permit is not legally linked to other land use approvals, the reality is that a Sanitation District will not be built without a land use that produces effluent. While there is a specific plan for the Newhall Ranch project that this facility is proposed to serve, no tract maps have yet been approved. The first phase of this treatment facility will serve approximately 17,000 residents and provide treatment for 2 million gallons a day. There is a tract map moving through the County planning process for 1444 units (Landmark Village), but for other tracts, not even a Notice of Preparation has been released. Acquisition of adequate water supplies to serve this	We have modified the findings to make it clear that the proposed NPDES permit will only cover the capacity of 2.0 MGD, enough to treat the sewage generated by the Landmark Village project. The permit would have to be reopened to accommodate a treatment plant expansion. See permit re-opener "l" in Section VI.C.1 of the Order; Special Study requirement "a" in Section VI.C.2 of the Order; the revised Process Flow schematic on Page C-1; and, Footnote #1 (mass emission rate calculation) following the effluent limitation table in the Order.	See Sections referenced in response

#	Historic Comment	Historic Response	Action Taken
	project is a serious impediment to its ultimate approval, Without approval of those units, this facility will not be needed.		
10.2	The above fact contradicts and invalidates your Statement of Findings for Order R4-2007-XXX, Item E. Page 6, regarding CEQA compliance.	The EIR for the Water Reclamation Plant has been certified. However language will be added, to the second revised tentative, to clarify that the EIR for the Landmark Village housing project is pending certification. This permit will only regulate the discharge up to 2 MGDs, which would include sewage generated by the Landmark Village project and some industrial/commercial sites in Valencia.	See second revised tentative
10.3	Further, there is no Army Corps. 404 permit for this facility.	The comment is noted, however, the NPDES permitting process is independent of the Army Corps 404 permitting process.	None necessary
10.4	Since technology and cumulative impacts will change rapidly in this developing area (where app. 30,000 units are already approved upstream, but not yet built), we believe it is not protective to prematurely approve conditions and requirements that may need to be more stringent in the future.	This NPDES permit only regulates discharges to surface waters from the Newhall Ranch WRP. It will not regulate runoff from the housing projects.	None necessary
10.5	As the RWQCB is very aware, many reaches of the Santa Clara River are on the 303d list for exceedances of chlorides and ammonia. Generally, these exceedances are a result of effluent from the two upstream Sanitation District plants' outfalls. Any additional contaminants from a new plant would therefore have an increased cumulative impact to basins that are already impaired by these exceedances.	The effluent requirements contained in the Newhall Ranch WRP are more stringent than some of the limitations contained in the Saugus and Valencia WRP NPDES permits. Since Newhall WRP will recycle most of their treated effluent, they are not expected to worsen the conditions in the Santa Clara River. See response to Friends of the Santa Clara River Comment # IV.1.	None necessary
10.6	Therefore it is imperative that this permit contain strong conditions and regulatory enforcement mechanisms such as daily fines that will guard against any further exceedances as described at Page 22 items r and s.	The enforcement unit of the Regional Water Board evaluates each permit exceedance on an individual basis and considers the appropriate enforcement action. Enforcement action may start with a Notice of Violation Letter, and could lead to either a Mandatory Minimum Penalty or a discretionary Administrative Civil Liability. Sections r and s of the Order already references CWC sections and mentions the monetary range of penalties per violation.	None necessary
10.7	This is especially important because much of the project may rely on imported water that is high in salts than the local ground water. Additionally, testing from local ground water wells that are supposedly going to be used for the first phases of the project (see condition # *** of the Specific Plan approval), is higher in salts and TDS than ground water found elsewhere in the Santa	Newhall's November 2006 Landmark Village EIR identifies local alluvial groundwater wells located near lower Castaic Creek as the primary source of water for the new development. Taken from section 4.10 Water Service: "Results from laboratory testing conducted for Valencia Water Company wells expected to serve the Landmark Village	None necessary

#	Historic Comment	Historic Response	Action Taken
	Clarita Valley (charts are available in the Newhall Ranch and Sanitation Plant EIR and will be submitted upon request).	project site are provided in Appendix 4.10 of this EIR. The wells expected to be used are approved by the State Department of Health Services (DHS) and are located just northeast of the Newhall Ranch Specific Plan site in the Valencia Commerce Center." Valencia Water Company well sampling data reported in this EIR Appendix range from 74-89 mg/L for chloride. Groundwater chloride concentrations are, in general, lower than blended water supply concentrations (state water project and local groundwater), which are supplied to the rest of the Santa Clarita Valley Joint Sewerage System (SCVJSS). Therefore, influent chloride concentrations to the Newhall Ranch WRP will be lower than influent to the SCVJSS.	
10.8	In light of these existing exceedances it is imperative that the chloride limit of 100 mg/L TMDL as listed on the fact sheet summary, not be exceeded or increased at a future date. This is a new plant that supports effluent that does not yet exist. If it cannot comply now AND in the future with the 100 mg/L baseline, it should NOT be permitted. We believe that this limit is required by law under the Anti-Degradation Policy of the Clean Water Act and Porter-Cologne Act.	That is what is being proposed in the tentative NPDES permit. The Discharger is proposing to use reverse osmosis to treat the wastewater to a level that will allow them to discharge at the 100 mg/L limit. The Regional Board sets limitations to protect beneficial uses. It is specifically prohibited from specifying the manner of compliance with these limitations (CWC Section 13360).	None necessary
10.9	A reverse osmosis plant will require brine disposal and substantial use of energy that may not be available. These issues are not addressed in the permit application, nor were they addressed in the EIR. There is no brine line on the Santa Clara River, neither is there funding nor any environ-mental documentation in place to support building such a facility including traffic impacts from additional truck traffic that might be needed to transport high brine effluent to a disposal location. Please state conditions that address the proper disposal of brine and require a disposal plan.	See response to Heal the Bay Comment # III.24.	None necessary
10.10	This permit application includes a temperature limit of 86F (p. 12, Discharge Prohibitions, Item D.) We believe that this limit is not protective of the aqueous and amphibian species, including the Unarmored Three-spine stickleback fish, a listed endangered species and California Species of Special Concern that exist in the Santa Clara River in these reaches. We request that the Regional Board or the applicant provide studies showing that this temperature will support fish and allow breeding of all aqueous and amphibian species dependent on this stream flow. Again, the upstream sanitation plant discharges have been observed	We have no information which would lead us to believe that the effluent limitations are not protective of aquatic life. The discharge must be able to meet all of its requirements under the permit otherwise they will be in violation and may be subject to an administrative civil liability. Most of those limitations are based upon constituent toxicity to aquatic life or human health, if more stringent. The temperature of 86° is based upon a white-paper developed by Regional Board staff, based upon a literature search. In addition, the Department of Fish and Game	None necessary

#	Historic Comment	Historic Response	Action Taken
	exceeding this level where water entering the river produces steam in the winter. We believe that the above temperature perimeter conflicts with required surface water temperature limitations as listed on Page 18.	recommended that 86° would be protective in previous permits. In addition, Section V.A.1. of the Order, Receiving Water Limitation for Surface Water, prohibits the temperature of the receiving water from being altered by more than 5°F above the natural temperature.	
10.11	We do not see a description for volume of existing stream flow. How much of that flow is contributed by existing upstream Sanitation Plant effluent? How will existing flow affect the calculations of the downstream water quality?	Although there is no description of the existing stream flow in the permit, stream flow data is available for the USGS website for gauge station 11109000 at the Newhall Bridge location, or by going on the following website: www.santaclarariver.org The 1996 Annual Monitoring Report for the Valencia WRP (the POTW which is located upstream of the proposed Newhall WRP) included information with respect to the Average, Maximum and Minimum flow discharged to the Santa Clara River. In 1996, Valencia discharged an average of 15.61 MGD to the Santa Clara River and recycled an average of 0.38 MGD. The contribution from the Newhall Ranch WRP will be minimal in comparison to the Valencia WRP, because Newhall will recycle a large percentage of its treated effluent.	None necessary
10.12	Are monitoring locations situated to ensure accurate garb sampling of effluent generated solely by the new filtration plant?	Yes, the effluent samples will be able to generate data solely from the Newhall Ranch WRP. However, in the receiving water that is not possible, because there are upstream POTWs, urban runoff, other tributaries discharging to the main branch of the Santa Clara River, as well as rising groundwater.	None necessary
10.13	Microfiltration should enable lower water quality contaminant limits. Why aren't the lower limits required? In reviewing permit requirements from other states such as Illinois it appears that higher standards are both required and achieved. If BMPs are available to achieve such standards, why isn't the Los Angeles Regional requiring them?	Section 13360 of the California Water Code precludes the Regional Water Board from specifying the manner of compliance. In addition, Section I.D. on Page D-1 of the Order specifies the following: "The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 C.F.R. § 122.41(e).)"	None necessary

#	Historic Comment	Historic Response	Action Taken
		Also see response to Sierra Club Comment #30.	
10.14	This permit seems to just put off the issue of reuse of the water, saying it will be addressed in another order. We object to the deferring of this issue, because once the permit allows discharge of 100%, the Newhall Sanitation District could abandon their plans to reuse the water with no consequence.	The water recycling issue is not being put off. The Discharger is in the process of preparing the Engineering Report which will be submitted to the Department of Health Services for approval of their water recycling program. Once DHS approves the water recycling proposal, the Discharger will submit a Report of Waste Discharge for the Water Recycling Requirements (WRR) to the Regional Water Board. At that time, the Regional Board would review the application for completeness and prepare draft WRR for adoption at a future Board meeting. We do not believe that Newhall Sanitation District would abandon their plans to reuse the water, because if they did, then they would be using up their potable water supply faster, and eventually having to pay for imported supply.	None necessary
10.15	Use of Recycled water – Spreading conditions (at total load of salt) Attachment E. Page E-18 states that land discharge limits are not applicable. Since the permit states that some effluent is planned for irrigation, some limits should be imposed. We do not find a description of any proposed irrigation/spreading plan described in the permit. Should this be a special related permit?	This and other issues related to water recycling will be addressed through a separate Board Order (Water Recycling Requirements). If it is determined that the reuse of water would have an impact on groundwater, then the Water Recycling Requirement would have limitations to protect the groundwater basins.	None necessary
10.16	We concur with and join in the comments submitted to this Board by the Sierra Club, Heal the Bay and the Friends of the Santa Clara River.	Comment noted. See responses to individual comments.	None necessary.
Comments Included by Reference as Requested by FOSCR **Previously Submitted Comments from Friends of the Sierra Club Los Angeles Chapter on Tentative dated June 6, 2007**			
11.1	Sierra Club believes that riparian encroachment into flood plain and channels results in loss of flood capacity and eventually leads to removal of riparian habitat and wildlife. They therefore, request that Newhall WRP have a “Zero Channel Discharge” and that they maximize use of riparian/wetlands areas.	There is no nearby wetland to which the Newhall WRP can discharge. We are not proposing a discharge flow prohibition, because we are unaware of a berm-breaching-situation in the upper reaches of the Santa Clara River, unlike the situation in the Malibu Lagoon. However, Newhall Ranch Sanitation District is voluntarily committing to maximizing the amount of recycled water usage during dry weather periods. Newhall Ranch SD proposes to discharge to surface waters only during wet weather, in which the demand for recycled water is low.	None necessary

#	Historic Comment	Historic Response	Action Taken
11.2	Sierra Club requests that during the first five years of operations, Newhall Ranch WRP be directed to discharge to recharge (not noncompliant holding) basins, above the banks of the existing braided channel system.	Section 13360 of the California Water Code precludes the Regional Water Board from specifying the manner of compliance.	None necessary
11.3	Sierra Club believes that Total Maximum Load (Daily, Monthly, Quarterly, Annual) and Chloride Limits are inadequate to maintain and protect chloride limitations for agriculture, riparian vegetation and wildlife, and eventually potable uses.	This NPDES permit is not modifying or creating Total Maximum Daily Loads (TMDLs), but rather is implementing existing Basin Plan Water Quality Objectives and USEPA-approved TMDLs. Final effluent limitations are consistent with the existing TMDLs for the Upper Santa Clara River Watershed. The 100 mg/L limitation for chloride is intended to be protective of the most sensitive beneficial use, which has been identified to be Agricultural Supply (AGR). The chloride limitation is also intended to be protective of aquatic life, because it is two times lower than the 230 mg/L chloride objective for aquatic life protection.	None necessary
11.4	The permit and analyses provided do not provide sufficient and adequate basis for developing the TMDL for the Project discharges, summertime irrigation, and long-term degradation of the groundwater and eventually the surface waters downstream of the Project, the reach, or even the basin.	This NPDES permit is not developing a TMDL. This permit implements the existing TMDL and followed the recommendations in a Technical Memo prepared by TMDL staff. Since the TMDL is concentration-based new sources are allowed as long as they can meet the concentration-based waste load allocation. The TMDL does not restrict mass.	None necessary
11.5	Chlorides do not metabolize, degrade, or evaporate and thereby all salts imported to the basin add to the total salts within the basin and can only be exported by physical transport by human activities or discharge through surface and groundwater regime to the sea.	See response to SCOPE Comment #V.7.	None necessary
11.6	The Sierra Club provided what they call a “Simplified Numerical Model”. They believe that salt will accumulate in the soil until it leaches down through surface/vadose zones.	The chloride limit (100 mg/L) specified in the tentative order fully protects surface waters (Basin Plan Objective 100 mg/L) and the underlying groundwater quality (Basin Plan Objective 150mg/L). The limit is consistent with the provisions of the Regional Board’s chloride TMDL, which was adopted in 2002 after a public hearing on the matter. Loading of chloride in soils, and ultimately groundwater, can be an issue when re-using the wastewater for recycled water irrigation. If the groundwater chloride quality is far better than the objective-that is, we have a second tier waterbody that must be protected, then a determination of the assimilative capacity of the groundwater, mass balance analysis, and ultimately if needed, and Antidegradation Analysis, must be	None necessary

#	Historic Comment	Historic Response	Action Taken
		performed. These issues will be addressed when the Water Recycling Requirements for Newhall Ranch Water Reclamation Plant are considered by the Regional Board at a future Board hearing. The Regional Board is leading a stakeholder workgroup to address the most practical way to regulate and monitor recycled water for irrigation in regards to salts, while ensuring that recycled water use will be promoted. This process will be complete by June 2008. No Water Recycling Requirements for irrigation projects will be issued until that stakeholder process has been completed. In addition, the State Water Resources Control Board is in the process of developing a revised Recycled Water Policy and Guidance document to be used by the Regional Boards, statewide. No Water Recycling Requirements for irrigation projects will be issued until that process has been completed.	
11.7	The noticeable bedrock ridges on the north and south of the SC River channel and floodplain would suggest that groundwater upstream of the point of discharge may be confined in such a manner as to promote upwelling discharges from the groundwater table into the channel through this gap and then a recharging of the groundwater table in the downstream floodplain area.	There are ongoing studies, as a result of the chloride TMDL, which will investigate the surface and groundwater interaction. Rather than speculating on what may or may not be happening, we will await the results of the surface water/groundwater interaction studies.	None necessary
11.8	The Sierra Club requests that the Regional Water Board review/revise the current TMDL for chlorides within the Santa Clara Basin.	The TMDL process is separate from the NPDES permit adoption process. Permit writers cannot modify a TMDL, but must fully implement the provisions of a TMDL.	None necessary
11.9	The Sierra Club requests that the Regional Water Board review/revise a new integrated plan for “disposal” of salts and apply it to the Newhall project.	Section 13360 of the California Water Code precludes the Regional Water Board from specifying the manner of compliance.	None necessary
11.10	The Sierra Club requests that the discharge limits to soil for landscaping (groundwater) and to open channel (surface water) shall be identical.	The NPDES permit and the Water Recycling requirements cannot be identical. Water recycling projects are subject to separate waste discharge requirements and are also subject to different regulations. The CTR criteria, which in most cases is more stringent than Title 22 MCLs, is not applicable to water recycling projects. This NPDES Order contains limitations that are more stringent than the discharge requirements that would be contained in Water Recycling Requirements.	None necessary
11.11	The Sierra Club requests that receiving surface water monitoring shall be based on the unaffected flow (upstream and up	This is typically done if the discharge was given dilution credits and a mixing zone. However, the Discharger has not	None necessary

#	Historic Comment	Historic Response	Action Taken
	groundwater flow) at one site upstream/upflow approximately 10x the width of the SC River at/above the point of discharge and the affected flows two downstream/ down-flow sites approximately 10x the width of the SC River at/below the point of discharge.	conducted any mixing zone study, and no dilution credits are recommended in the NPDES permit.	
11.12	The Sierra Club requests that receiving ground-water water monitoring shall be based on the unaffected flow (upstream and up groundwater flow) at one site upstream/upflow approximately 10x the width of the SC River at/above the point of discharge and the affected flows two down-stream/downflow sites approximately 10x the width of the SC River at/below the pt. of discharge	Newhall Ranch will be submitting a workplan, for approval by the Executive Officer, specifying the suggested locations of monitoring wells. Regional Board staff geologists will review the workplan and comment on its content. If the workplan is deficient or inadequate, Regional Board staff will recommend that the workplan be revised to address issues raised.	None necessary
11.13	The Sierra Club requests that a prohibition be placed on total residential, commercial, and industrial use of sodium/chloride deionization or ion-exchange or reverse osmosis systems anywhere in the collection system, without a permit of the SD.	Section 13360 of the California Water Code precludes the Regional Water Board from specifying the manner of compliance. However, the Newhall Ranch Specific Plan was conditioned to place a ban on Self-Regenerating Water Softeners (SRWSs). The Newhall Ranch Sanitation District has been formed and will be responsible for imposing this ban on SRWSs, through its sewer use ordinance.	None necessary
11.14	The Sierra Club requests that the Regional Board fine facilities, which discharge sodium/chloride deionization or ion-exchange waste within the SD, over $1000 per day.	The Newhall Ranch Sanitation District would be in charge of enforcing its own Sewer Ordinance.	None necessary
11.15	The Sierra Club requests that the Regional Board require further geo-hydrological investigations to establish the groundwater/ surface water relationship for a distance of at least 10,000 ft.	See response to Sierra Club Comment #VI.7.	None necessary
11.16	The draft permit does not clearly or definitive describe treatment levels and process consistent with the technology and usual levels and thereby suggests that treatment process may be seasonably changed.	The treatment system should always be operating efficiently and should not be changed on a seasonal basis. The only thing that would change would be the quantity of water that is discharged to the Santa Clara River versus the amount of water being recycled for irrigation purposes. In addition, Section 13360 of the California Water Code precludes the Regional Water Board from specifying the manner of compliance.	None necessary
11.17	The Sierra Club requests that the Regional Board require Newhall Ranch WRP to use membrane and reverse osmosis 100% of the time for both land and channel applications/discharges.	Section 13360 of the California Water Code precludes the Regional Water Board from specifying the manner of compliance.	None necessary

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11.18	The Sierra Club requests that the Regional Board require Newhall Ranch WRP to comply with the rated capability of membrane bioreactors and reverse osmosis, <10/10mg/L maximum observed for BOD and TSS, median levels of 5/5 mg/L;	Section 13360 of the California Water Code precludes the Regional Water Board from specifying the manner of compliance. In addition, Section I.D. on Page D-1 of the Order specifies the following: "The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 C.F.R. § 122.41(e).)"	None necessary
11.19	The Sierra Club requests that the Regional Board require Newhall Ranch WRP to base Monthly averages on tests or monitoring of >10 samples or instances; and, not base weekly averages on <7 individual day samples or tests.	Section VII. Compliance Determination, discusses sample size with respect to demonstrating compliance with the average monthly and average weekly limitations.	None necessary
11.20	The Sierra Club requests that the Regional Board require Newhall Ranch WRP to monitor all discharges: including discharges to both ground and surface waters; and at fixed irrigation locations or hydrants.	This and other issues related to water recycling will be addressed through a separate Board Order (Water Recycling Requirements). However, the tentative NPDES Order already contains influent, effluent, receiving surface water, and groundwater monitoring requirements.	None necessary
11.21	Operations shall monitor turbidity levels on an hourly basis and shall provide treated effluents not exceeding 2.0 NTU average, not exceeding 5.0 NTU < 5% of operating time during any 24-hour period, and never exceed 10 NTU (0.001% of the time).	Section 13360 of the California Water Code precludes the Regional Water Board from specifying the manner of compliance. However, the turbidity limits contained in the tentative NPDES Order are much more stringent than 2 and 5 NTUs, by a factor of 10.	None necessary
11.22	Bypassing shall be allowed for the first five years of operations (including commissioning, running-in, and build-out of the Phase 1), and the Phase 1 facilities shall be provided with a detention ponds for one-day discharges during the first five years to receive any non-compliant bypassing or discharge and to allow return of bypassed liquids to process streams for compliant treatment.	Bypassing of treatment units is not allowed. However, the facility is planning on having a concrete-lined detention basin which can serve as a flow equalization basin or a temporary detention basin to facilitate maintenance and servicing of equipment.	None necessary

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11.23	The Sierra Club believes that the draft permit does not clearly or definitively describe early operations controls when typically non-compliant process-upsets and discharges may occur. As a new facility and allowing for greater expansions (tripling), the first three years are critical to establishing controls and operational averages and startup-operators training.	See response to Sierra Club Comment # VI.18. In addition, Section13385 (D) of the California Water Code provides up to 90 days for start-up operations of a biological system, provided the Discharger submits an operations plan and notifies the Executive Officer 30 days prior to the start-up date. Three years is too long of a start-up period.	None necessary
11.24	The Sierra Club believes that a Start-Up Report shall be presented within 30 days of issuance of the Order and shall be updated on a monthly basis for the first year and quarterly thereafter for the first five years of operations;	The NPDES Order does not become effective until 50 days after the date of Board adoption. However, the Monitoring and Reporting Section of the NPDES Order will require the Discharger to submit monthly monitoring reports. If no discharge is taking place, the report will state that no discharge took place. The Discharger has agreed to provide updates on the status of the Newhall Ranch WRP construction as part of the routing monitoring reports.	None necessary
11.25	The Sierra Club requests that the Regional Water Board require Year 1, Year 1-2, and Year 1-3 screening, MBR, and UV disinfection parameters for new discharges.	Regional Board staff interpret “screening” to be equivalent to monitoring and have addressed the comment accordingly. The MRP requires influent, effluent, receiving water, and groundwater monitoring, which will track concentrations of pollutants, through water column testing, bioassessment testing, and toxicity testing. In addition, the Discharger will be required to participate in watershed-wide monitoring to better characterize the watershed.	None necessary
11.26	The Sierra Club requests that the Regional Water Board require triple the sampling/testing per unit time and incorporate online, real-time operations monitoring parameter indicative of the primary parameters (e.g., COD, TOC, ReDox, Turbidity, etc.).	The Monitoring and Reporting program does not require monitoring of internal plant waste streams. See response to Sierra Club Comment #VI.25.	None necessary
11.27	The Sierra Club requests that the Regional Water Board require concrete-lined ponds for receiving/returning of non-compliant flows from/to processes.	It is not necessary to insert this requirement, because the design calls for a concrete-lined holding facility.	None necessary.
11.28	The Sierra Club pointed out some errors in the Table of Contents and made suggestions for corrections.	The Table of Contents was modified.	See new Table of Contents
11.29	The Sierra Club would like the mass-based Footnote to be modified to specify what is meant by “wet-weather storm events,” because they believe that conditions may prove to be unenforceable.	This Footnote contains standard language that explains how concentration-based limits are converted to mass-based limits. During high storm events, when the flow exceeds the design capacity, mass-based limits will not apply. However, the	None necessary

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		concentration-based limits will have to be met at all times, regardless of the weather. Therefore, an enforceable limit will be in place at all times. Clarifying language is not necessary, because the Footnote specifies that the condition applies only if a storm event leads to increased flows. The Footnote is not going to be applied during all storm events.	
11.30	The Sierra Club requests that the WRB review/revise current drafts and change from **85%** removal to **95%** removal and add "on a daily basis (third standard deviation above median) ".	The Code of Federal Regulations (40 CFR) which regulated NPDES discharges, prescribes minimum treatment levels for POTWs. Minimum treatment is secondary treatment without advanced filtration. Advanced treatment is what we normally describe as "tertiary" treatment. <u>There are no federal regulations requiring tertiary treatment.</u> However, in order to recycle wastewater in California the wastewater must be "disinfected tertiary recycled water", according to State regulations contained in Title 22, California Code of Regulations. The proposed order contains effluent limitations more stringent than federal requirements: <u>Constituent</u> <u>Federal Standards</u> <u>Proposed Limitations</u> BOD-Average Monthly 30 20 BOD-average Weekly 45 30 TSS-Average Monthly 30 15 TSS-Average Weekly 45 40 pH 6-9 6.5-8.5 BOD/TSS % Removal 85% 85% While there are manufacturer's suggestions on the removal efficiency of a membrane bioreactor system, each system, depending upon the influent quality, volume, presence/absence of industrial and commercial wastes, operations, geographic and climatic conditions, etc. will have their own operational efficiencies. It is expected that the Newhall Ranch Water Reclamation Plant will be in operation by August 2009. The proposed Order expires in July 2012, giving roughly three years to gather data on the efficiency of the plant. During the next permit renewal, Regional Board staff will determine if the	None necessary

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		plant's operational efficiency warrants a ratcheting down of the limitations or the imposition of performance goals.	
11.31	The Sierra Club believes that Receiving Water limits and monitoring frequencies (weekly grabs) are not integrated and do not reflect probable diurnal changes of temperature, algae, turbidity, and DO.	The Monitoring and Reporting requirements are standard and typical of what is required of a POTW. However, in relation to the ammonia nitrogen limitation, the Discharger will be required to submit a workplan and conduct a study to evaluate the fluctuations in receiving water temperature and pH within 100 feet of the discharge.	See MRP Section VIII.A.2.b
11.32	The Sierra Club requests that the Regional Water Board review/revise current draft to provide a single table of all numeric parameters and limits along with their sampling locations (directly referencing Attachments B and C) and frequencies.	The information requested is already presented in separate sections of the Order, within the WDR and the MRP, in a standard format.	None necessary
11.33	The Sierra Club requests that the Regional Water Board have a statistician who is experienced in biostatistical ecology increase the monitoring frequencies of the pollutants, so that:multiple grab samples are collected, rather than one sample per day; and, more statistical data points are generated with which to calculate averages.	This is standard language. Section VII. Compliance Determination, explains how compliance will be determined for average monthly, average weekly, and daily maximum effluent limitations. For example, if only one sample is collected during the month, then that sample must meet both the daily maximum and the monthly average effluent limitations. Statistical analysis will be conducted over time, as month after month of data is gathered, and prior to the next permit renewal.	None necessary.
11.34	The Sierra Club believes that compliance shall be appropriate to the degree of enforcement and penalties to violators (as has been demonstrated by the Clean Air Act Amendments).	The NPDES Order cannot implement the Clean Air Act Amendments. It can only implement the Clean Water Act, the California Water Code, the Basin Plan, and other related rules and regulations, as they pertain to water.	None necessary
11.35	The Sierra Club asks that the Regional Water Board provide a table specifying the parameter, cost of violation, cost of non-reporting, and cost of falsified reports.	The Standard Provisions section of the Order (Sections VI.A.2.r and VI.A.2.s) describes the range of penalties as follows: r. The CWC provides that any person who violates a waste discharge requirement or a provision of the CWC is subject to civil penalties of up to $5,000 per day, $10,000 per day, or $25,000 per day of violation, or when the violation involves the discharge of pollutants, is subject to civil penalties of up to $10 per gallon per day or $25 per gallon per day of violation; or some combination thereof, depending on the violation, or upon the combination of violations. Violation of any of the provisions of the NPDES program or of any of the provisions of this Order may subject the violator to any of the penalties described herein, or any combination thereof, at the	None necessary

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		discretion of the prosecuting authority; except that only one kind of penalty may be applied for each kind of violation. s. Under CWC 13387, any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this order, including monitoring reports or reports of compliance or noncompliance, or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained in this order and is subject to a fine of not more than $25,000 or imprisonment of not more than two years, or both. For a second conviction, such a person shall be punished by a fine of not more than $25,000 per day of violation, or by imprisonment of not more than four years, or by both.	
Comments Included by Reference as Requested by FOSCR **Previously Submitted Comments from County Sanitation Districts of Los Angeles County on Tentative dated June 6, 2007**			
12.1	County Sanitation District of LA County are concerned that the Regional Board established limits based on "similar facilities with similar processes" per Section 3.2 of the USEPA Technical Support Document. In the absence of effluent data the Regional Board deemed the Valencia WRP to be a "similar facility". County Sanitation District of LA County recommends that the Regional Board not include 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	See response to response to County Sanitation District of LA County Comment II.4. Regional Board staff considered the following factors establishing limits for the Newhall Ranch WRP: -"similar facilities" POTW in the same watershed - Influent or activated sludge from the Valencia WRP is going to be used to start-up the Newhall Ranch WRP - the Newhall Ranch WRP will be receiving (via gravity flow) and treating raw sewage from an industrial park which currently gets pumped to the Valencia WRP for treatment; - Pollutants were present in high concentrations in the vicinity of the proposed discharge or downstream of the Discharge. Furthermore, the opening paragraph of Section 3.2 of the TSD reads as follows: " If the regulatory authority so chooses, or if the circumstances dictate, the authority may decide to develop and impose a permit limit for whole effluent toxicity or for individual toxicants without facility-specific effluent monitoring data, or prior to the generation of effluent data."	None necessary

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		Newhall Ranch Sanitation District has accepted the final effluent limits as proposed.	
12.2	County Sanitation District of LA County fail to understand why the Regional Board did not simply follow the SIP in establishing limits for the Revised Tentative.	The SIP as well as the TSD allows other factors to be considered when determining if there is reasonable potential. However, the SIP does not address new facilities that are new sources. The SIP mainly addresses how existing facilities will comply with CTR-based limits and allows existing dischargers to obtain interim limits and compliance schedules up until May 17, 2010, to achieve compliance with those CTR-based limits. However, Newhall Ranch WRP is a new source and is therefore not eligible for compliance schedules. Newhall Ranch WRP must comply immediately with its effluent limits.	None necessary
12.3	County Sanitation District of LA County believes that Newhall Ranch WRP may be subject to anti-backsliding issues with respect to the questioned effluent limits if they remain in the NPDES permit.	The State Board has already made a precedential decision with respect to new monitoring information satisfying one of the Anti-backsliding exemptions. If new monitoring data demonstrated that there is no longer any reasonable potential for the Newhall Ranch WRP to cause or contribute to an exceedance, then those limits may be removed at the next permit cycle, when the permit is up for renewal, or based upon one of the existing permit reopeners.	None necessary
12.4	County Sanitation District of LA County requests that the ammonia nitrogen limits be calculated similarly to the limits contained in the Long Beach and Los Coyotes WRPs' tentative Orders.	See response to County Sanitation District of LA County Comments II.1, II.2, and II.3 (from comment letter dated July 17, 2007).	None necessary
12.5	County Sanitation District of LA County requests that Footnote 2 of Table 6 in the Order be modified to add clarifying language regarding a proposed SSO for Chloride in the Upper Santa Clara River, as a result of tasks to be completed under the Chloride TMDL.	The comment is noted. However, further clarification is not needed, considering that the Chloride SSO has not been released for public comment, nor has it been adopted by the Regional Board. The requested language assumes that the SSO for chloride will be adopted by the Regional Board. However, we cannot presume future actions by the Regional Board.	
12.6	County Sanitation District of LA County requests that the facility description in Section II.B. of the Order and the corresponding section II.A in the Fact Sheet be revised to clarify that flow may also undergo chlorination, in addition to UV disinfection for surface water discharge and reuse.	Regional Board staff received supplemental information from Newhall Land, including a technical memo regarding brine disposal and an updated flow process diagram. The diagram did indicate that the recycled water may be chlorinated. However, the flow diagram did not specify that the surface water discharge would be subject to chlorination. The Regional Board cannot specify the manner of compliance. If such a proposed process change is proposed from Newhall Ranch, then they need to submit another Process Flow Diagram indicating the change.	None necessary

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12.7	County Sanitation District of LA County requests that the monitoring frequencies for the Newhall Ranch WRP be reduced.	See response to County Sanitation District of LA County Comment II.8 (from comment letter dated July 17, 2007).	None necessary
12.8	County Sanitation District of LA County believes that the language in the Monitoring and Reporting Requirements implies that the Newhall Ranch Sanitation District is exclusively responsible for preparing and implementing the new watershed-wide monitoring program, and would like the language to change.	This is standard language when an approved watershed-wide monitoring program in not being implemented. Although a draft program may have been drafted years ago, an up-to-date workplan which incorporate the Newhall Ranch WRP, will need to be submitted to the Regional Board for Executive Officer approval and then implemented in the watershed.	None necessary
12.9	County Sanitation District of LA County requests that the report due date be changed in section I.A. of the Monitoring and Reporting Program, to be consistent with other due dates.	The change has been made, so that reports are due on the 15th of the third month following sampling.	See MRP Section I.A.
12.10	County Sanitation District of LA County believes that the following statement in the permit might prohibit the discharge of advanced treated water: "Wastes discharged from the Discharge Serial No. 001 shall be limited to tertiary-treated wastewater, as proposed in the ROWD."	The discharge of membrane and reverse osmosis-treated water will not be prohibited. Newhall Ranch WRP will be allowed to discharge advanced treated water, consistent with the supplemental Report of Waste Discharge (ROWD) information which they submitted on August 17, 2007. The revised process flow diagram on page C-1 of the Order reflects the updated treatment process which Newhall Ranch is proposing in their ROWD.	None necessary.