RESPONSE TO COMMENTS
WEST BASIN MUNICIPAL WATER DISTRICT
EDWARD C. LITTLE WATER RECYCLING PLANT
TENTATIVE ORDER NO. R4-2023-XXXX
NPDES NO. CA0063401

Comment Letter dated October 12, 2023 from West Basin Municipal Water District

No.	Comment	Response	Action Taken
D1	Effluent limits (Table 5, pg 9): The concentration and mass effluent limits for ammonia and the mass effluent limits for chlorine residual are more stringent than the previous permit. Please note increased ammonia is a consequence of water conservation and a reflection of the water quality received from the City of Los Angeles' Hyperion Water Reclamation Plant (Hyperion WRP). West Basin is concerned of possibly exceeding these limits without significant additions to our current treatment processes.	The concentration and mass-based effluent limits for total residual chlorine are carried over from Order No. R4-2018-0089 as described in Section 4.4.1. of the Fact Sheet. Since the total residual chlorine effluent limits calculated using data between January 2017 to December 2022 were less stringent than the effluent limits in Order No. R4-2018-0089, the effluent limits in the Tentative Order for total residual chlorine have been carried over from Order No. R4-2018-0089 to prevent backsliding. Based on data collected during the previous permit term, the Discharger has been able to meet the effluent limitations for total residual chlorine, and because the treatment process at the facility has not significantly changed since the adoption of the 2018 Order, the Discharger is expected to continue meeting the effluent limitations for total residual chlorine. Upon closer inspection of the mass-based effluent limits for total residual chlorine, and based on the calculation for mass-based limits described in footnote b of Table 5 of the	Revisions were made to the Tentative Order.

		Tentative Order, the 6-month median and instantaneous maximum mass-based effluent limits in the Tentative Order are typographical errors. The 6-month median and instantaneous maximum mass-based effluent limits for total residual chlorine have been corrected in the Revised Tentative Order in Table 5 and Table F-12 of the Fact Sheet to be consistent with how all other mass-based effluent limits were calculated as shown below: <u>6-month median Effluent Limitations</u> (0.00834)(8,000 ug/L)(5.2 MGD) = 350 lbs/day <u>Instantaneous Maximum Effluent Limitation</u> (0.00834)(239.000 ugL)(5.2 MGD) = 10,400 lbs/day The 6-month median effluent concentration and mass-based limits for ammonia in the Tentative Order are more stringent than the 6-month median effluent limits in Order No. R4-2018-0089 because the 6-month median effluent limits calculated for the Tentative Order were calculated using more recent data collected between January 2017 and December 2022, using calculation procedures specified in Section III.C.4.a. of the Ocean Plan. Based on historical brine data between January 2017 and December 2022, the ECLWRF can meet the effluent limits for ammonia in the Revised Tentative Order. The highest 6-month median ammonia concentration from January 2017 to December 2022 is 260 mg/L, showing that the discharge has never exceeded any of the	

		effluent limits for ammonia. Since the treatment process at the facility has not significantly changed since the adoption of the 2018 Order, the Discharger is expected to continue meeting the effluent limitations. To prevent backsliding, the maximum daily effluent limitation for ammonia should have been carried over from Order No. R4-2018-0089, since the calculated MDEL in the Tentative Order was less stringent than the MDEL in Order No. R4-2018-0089. The ammonia concentration-based MDEL in the Revised Tentative Order has been changed from 7,960 mg/L to 7,500 mg/L, and the corresponding mass-based MDEL was also revised from 322,000 lbs/day to 325,000 lbs/day in Table 5 of the Tentative Order and Table F-12 of the Fact Sheet to be consistent with the MDEL in Order No. R4-2018-0089. Section 4.4.1. of the Fact Sheet was also revised to indicate the ammonia MDEL was carried over from Order No. R4-2018-0089 to prevent backsliding. Upon closer inspection of the mass-based effluent limits for ammonia and based on the calculation for mass-based limits described in footnote b of Table 5 of the Tentative Order, the instantaneous maximum mass-based effluent limit in the Tentative Order is a typographical error. The instantaneous maximum mass-based effluent limit for ammonia has been corrected in the Revised Tentative Order in Table 5 and	

		Table F-12 of the Fact Sheet to be consistent with how all other mass-based effluent limits were calculated as shown below: <u>Instantaneous Maximum Effluent Limitation</u> (0.00834)(23,330,000 ug/L)(5.2 MGD) = 1,000,000 lbs/day Section 4.3.5. of the Fact Sheet has also been revised to indicate how the effluent limitations for total residual chlorine and ammonia in the Tentative Order were identified. The City of Los Angeles is also planning upgrades to the treatment processes at the Hyperion WRP that will improve the effluent water quality, which is expected to reduce ammonia concentrations in the influent to ECLWRF, thereby reducing the concentration of ammonia in the brine in the future.	
D2	Spill Clean-up Contingency Plan (Section 6.3.3.b, pg 23): This requirement, typically utilized for Publicly Owned Treatment Works (POTW), states that “at a minimum, the Spill Clean-up Contingency Plan procedures be carried out if floatable material is visible on the water surface near the discharge point or has been washed ashore." West Basin does not have access to the ocean discharge point, but will address this requirement pertaining to any spill, overflow, or bypass, with the potential of floatable materials to be	The minimum requirements in Section 6.3.3.b. of the Tentative Order are meant to ensure the Discharger has a plan in place if a spill were to occur. The Discharger may not have access to the discharge point but should still have a plan in place to prevent floatable materials from being discharged to the outfall. The Discharger will address this requirement in the Spill Cleanup Contingency Plan that will be submitted within 90 days of the effective date of the Order.	None necessary.

	discharged to the receiving water at West Basin's discharge point.		
D3	Pollutant Minimization Plan (Section 6.3.3.c, pg 23): The only constituents this requirement applies to are DDT and Polychlorinated Biphenyls (PCBs) as Aroclors. No effluent limit other than the Santa Monica Bay Total Maximum Daily Load (TMDL) is provided. This requirement will be satisfied by annual reporting of PCB and DDT mass loading.	The Discharger is correct that this requirement applies to DDT and PCBs. Section 8.1 of the *Santa Monica Bay TMDL for DDT and PCBs* recommends that pollutant minimization programs (PMP) incorporating the elements specified in the California Ocean Plan (or State Implementation Plan) be developed and implemented, if there is evidence that DDT or PCBs are present in the discharge above the TMDL waste load allocations or the permit's effluent limits. Data collected for DDT and PCBs between January 2017 and December 2022 were all non-detect. Since the City of Los Angeles supplies secondary-treated effluent from the Hyperion WRP to the EC Little WRF for further treatment and the City of LA has a pretreatment program in place to control toxic pollutants that could interfere or pass through the treatment plant, a PMP is not required for the EC Little WRF at this time.	None necessary.
D4	Certified Wastewater Treatment Plant Operators (Section 6.3.4.a, pg 24): West Basin's ECLWRF is an advanced water treatment facility that utilizes both Drinking Water and Wastewater Certified operators in accordance with recycled water regulations. In addition, numerous operators under an operating contract by Veolia, have also obtained their advanced water treatment certification. West Basin wants to assure that	Section 6.3.4.a of the Tentative Order requires the facility to be supervised and operated by persons certified in accordance with California Code of Regulations (CCR), title 23, division 3, chapter 26. Operators of wastewater treatment plants, including any facility that meets the definition of a water recycling treatment plant (Water Code §13625(g); CCR § 3670), may only be persons who have received State Water Board wastewater treatment plant operator	None necessary.

	Drinking Water state certifications also comply with this order.	certification or persons with certification as a (drinking) water treatment plant operator in accordance with 23 CCR § 3670.1(b). Therefore, a person certified by the State Water Board as a water treatment plant operator may operate a water recycling treatment plant at a grade level appropriate for the class of wastewater treatment plant being operated.	
D5	Alternative Power Source (Section 6.3.4.b., pg 25): Since ECLWRF is not a POTW, nor a drinking water treatment facility, influent water can be halted or controlled in case of a power outage. West Basin has a generator at ECLWRF that ensures SCADA is available when power is lost, allowing staff to monitor the system during shutdowns and react to changes in production in real-time. ECLWRF is operated 24-hours a day, seven days a week. West Basin also has two five-million-gallon storage reservoirs at ECLWRF, allowing for a consistent flow of product water to customers in case treatment is intermittent. There is no risk of untreated or partially-treated water discharging from ECLWRF to the outfall, Discharge Point 001.	Since ECLWRF only takes secondary-treated effluent from the Hyperion WRP when needed and operations at ECLWRF can be halted during a power outage, an alternative power source is not required. The requirement for a backup power supply is meant to prevent spills due to uncontrolled flows throughout the treatment process. Since ECLWRF can be turned off at any time (particularly in emergencies), the risk of untreated or partially treated waste being discharged to a surface water is minimal. The Los Angeles Water Board and the United States Environmental Protection Agency (USEPA) agree to remove this requirement from the Tentative Order. Consistent with the removal of this section regarding alternative power sources, section 10.1.3 of Attachment E and section 6.2.4. of the Fact Sheet have also been revised.	Revisions were made to the Tentative Order.
D6	Climate Change Effects Vulnerability Assessment and Mitigation Plan (Section 6.3.4.c, pg 25): West Basin has a committed yet smaller staff, and therefore, must hire experts on occasion to perform assessments and prepare studies. West Basin is also a	The Los Angeles Water Board has been including a requirement in all municipal NPDES permits recently issued or renewed in the Los Angeles Region to submit a Climate Change Effects Vulnerability Assessment and Mitigation Plan (Climate Change Plan) 12 months after the	None necessary.

	public agency that publicly solicits bids for goods and services. The Climate Change Effects and Vulnerability Assessment and Mitigation Plan (Climate Plan) will require a solicitation for appropriate consulting services. West Basin will do its best to meet all deadlines, but may require an extension for the completion of the assessment. In addition, West Basin assumes that when the Juanita Millender-McDonald Carson Regional Water Reclamation Plant (JMMCRWRP) tentative permit (NPDES Permit No. CA0064246) is released at the end of this year or early next year, a single Climate Plan, addressing both ECLWRF and JMMCRWRP, would suffice for both permits.	effective date of the permit. Based on experience, the Los Angeles Water Board finds that 12 months is an acceptable amount of time to develop and submit a Climate Change Plan. As such, the Tentative Order includes this requirement, and a similar requirement will be included in the Juanita Millender-McDonald Carson Regional Recycling Plant NPDES permit. The Climate Change Plan may be a single document for both facilities if it meets the permit requirements for both facilities. At a minimum, the Discharger is required to submit a draft Climate Change Plan to the Los Angeles Water Board by the due date; however, if good faith efforts have been made to meet requirements and extenuating circumstances prevent the Discharger from meeting requirements, the Discharger can request an extension. The granting of an extension request is at the Executive Officer's discretion.	
D7	Chlorine Residual (Table E-3, pg E-6): The holding time for chlorine residual is 15 minutes, therefore a composite sample would yield inaccurate results because of the decay over time. The sampling method for chlorine residual should not include the 24-hour composite since grab sampling is the only feasible method of collection for this constituent.	The Los Angeles Water Board and USEPA staff agree. Since chlorine is not stable in solution, it has a short holding time, and analyzing total residual chlorine in a 24-hour composite may not provide an accurate result. The 24-hour composite sample type was removed from Table E-3 of Attachment E of the Tentative Order.	Revision was made to the Order.
D8	Toxicity testing requirements (Attachment E, Table E-3, pg E-6; section 5.4., pg E-13; section 5.6., pg E-16): West Basin requests	The facility discharges waste to the Pacific Ocean, and the Ocean Plan applies. Although the NPDES permit for the Hyperion WRP	None necessary.

	that toxicity requirements be removed from this permit since ECLWRF is not a POTW, nor the owner or operator of the outfall, Discharge Point 001. In addition, these studies are already addressed in Hyperion WRP's recently renewed NPDES permit (No. CA019991). ECLWRF does not "consistently exceeds an effluent limitation" as stated as the rationale for a Toxicity Reduction Evaluation (TRE) in the 2019 revision of the California Ocean Plan. Regarding the Species Sensitivity Screening, and annual chronic toxicity on Giant Kelp (Macrocystis pyifera), the majority (97.73%) of the representative discharge from outfall is from Hyperion WRP with only a maximum of 2.27% of the discharge from ECLWRF's brine. Additionally, the City of Los Angeles is required to perform monthly chronic toxicity testing on Hyperion WRP effluent.	includes monthly effluent chronic toxicity monitoring, the compliance sampling point for the Hyperion WRP's effluent is upstream of the entry point of ECLWRF's brine to the five-mile outfall. The toxicity of the brine from ECLWRF is therefore not captured in the monitoring conducted for the Hyperion WRP. Appendix III, Section 7.1 of the Ocean Plan provides for annual chronic toxicity testing for ocean discharges between 0.1 and 10 MGD. Since ECLWRF is permitted to discharge 5.2 MGD, a requirement for ECLWRF to monitor chronic toxicity at least annually is appropriate. The "consistently exceeds an effluent limitation" quotation from the Ocean Plan refers to effluent characteristics that would require a TRE, not whether routine toxicity testing is needed. A species sensitivity screening is required to ensure routine toxicity testing is conducted on the most sensitive species, and it is only required to be conducted once during the permit cycle over the course of four quarters. The species sensitivity screening required in the Tentative Order is also different from the species sensitivity screening in the Hyperion WRP NPDES permit because the Tentative Order requires conducting the screening on composite samples that are representative of the discharge contributions from both Hyperion WRP and ECLWRF. Three marine species (fish, invertebrate, and alga) are tested using the Test of Significant Toxicity (TST) analytical approach,	

		and the most sensitive species is selected for the next permit cycle. Toxicity testing on the brine is needed since the brine is a concentrated solution of pollutants that has potential to impact the receiving water beneficial uses. Although most of the discharge from the outfall consists of Hyperion WRP effluent, the concentrations of pollutants in the ECLWRF brine could still impact the toxicity of the discharge. Toxicity testing requirements are necessary in the ECLWRF permit to monitor wastewater quality and ensure receiving water beneficial uses are protected.	
D9	PCBs as Congeners sampling (Table E-3., pg E-8): West Basin requests clarification that PCBs as Congeners are sampled semiannually as stated in the Effluent Monitoring, or quarterly as stated in the Effluent Monitoring Frequency Comparison (Table F-13, page F-46).	The monitoring frequency for PCBs as Congeners should be semiannually as shown in Table E-3 in the MRP. The quarterly monitoring frequency for PCBs as Congeners in Table F-13 was revised.	Revision was made to the Order.
D10	Per- and Polyfluoroalkyl Substances (PFAS) Monitoring (Table E-4, pg E-11): West Basin requests a list of PFAS required to be sampled and analyzed. West Basin would otherwise assume that sampling/analysis would be required for PFOA (perfluorooctanoic acid), PFOS (perfluorooctane sulfonic acid), PFHxS (perfluorohexane sulfonic acid), PFHpA (perfluoroheptanoic acid), and PFNA (perfluorononanoic acid).	All analytes that can be measured using an Environmental Laboratory Accreditation Program (ELAP)-accredited method shall be analyzed. The ELAP accredited method for each group of compounds will specify which specific analytes shall be measured. Per- and polyfluoralkyl substances (PFAS) includes fluorinated organic compounds noted by the Discharger: perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), perfluorohexane sulfonic acid (PFHxS),	None necessary.

		perfluoroheptanoic acid (PFHpA), and perfluorononanoic acid (PFNA). In addition, all other PFAS analytes the method used for analysis can measure shall be reported. The State Water Board website maintains a list of PFAS analytes with target analytical reporting limits as well as a list of ELAP-accredited labs at https://www.waterboards.ca.gov/pfas/ which can be used as a resource.	
D11	Volumetric Reporting (Attachment E, Section 9.2, pg E-20): West Basin assumes that the information is currently captured in our annual Geotracker submittal required under West Coast Basin Barrier Project permit (Order No. R4-2006-0069) suffices for fulfilling this requirement and a duplicate report is not necessary.	The ECLWRF is subject to two recycled water permits: Order R4-2002-0173 for non-potable reuse (Geotracker Global ID: WDR100000047) and Order R4-2006-0069 for the West Coast Basin Barrier Project (Geotracker Global ID: WDR100039456). To avoid double counting recycled water production, the volumetric reporting submitted for EC Little's recycled water orders satisfies Section 9.2 of the MRP of the Tentative Order as long as all water discharged to the ocean from ECLWRF and the water reused by ECLWRF is accounted for. A report upload confirmation from Geotracker must be included in the annual report submitted in CIWQS to demonstrate compliance with the Section 9.2 of the MRP of the Tentative Order.	None necessary.

Comment Letter dated October 11, 2023, from Los Angeles Waterkeeper and Heal the Bay

No.	Comment	Response	Action Taken
LH1	Los Angeles Waterkeeper and Heal the Bay appreciate the requirements included in the Tentative Permit for water quality protection including nutrient monitoring, toxicity monitoring, more frequency PCB monitoring (including congeners), stringent chloride requirements, and a special study for chlorinated organophosphate flame retardants. They support West Basin's commitment to utilizing recycled water for secondary uses and its intent to continue to expand its recycling plant. They hope West Basin will be able to expand its recycling capabilities.	The Los Angeles Water Board and USEPA agree and appreciate the supportive comments for the tentative permit renewal.	None necessary.