RESPONSE TO COMMENTS
CITY OF SIMI VALLEY
SIMI VALLEY WATER QUALITY CONTROL PLANT (SIMI VALLEY WQCP)
TENTATIVE ORDER NO. R4-2026-XXXX
NPDES NO. CA0055221

Comment Letter Email dated April 16, 2026, from the City of Simi Valley (City or Discharger)

No.	Comment	Response	Action Taken
1	<u>Include a 10-Year Salts Compliance Schedule in the Permit</u> The City requests to include a 10-year salts compliance schedule in the permit, which is appropriate and allows the City to prepare the actions needed to comply with the new effluent limitations for salts, based on the flow measured at the time the sample collected. The Clean Water Act does not require effluent limitations to match TMDL wasteload allocations (WLAs) precisely. Rather, effluent limitations must be consistent with the assumptions and requirements of the WLAs, and the EPA Permit Writer's Manual recognizes that permit writers may use several methods to translate WLAs into NPDES permit limitations. Accordingly, permit limitations routinely differ from the underlying WLAs. The City received two successive permits applying the same calculation methodology and had no basis to anticipate that the	The Los Angeles Water Board acknowledges that the Discharger was not provided interim Waste Load Allocations (WLAs) for salts during the 15-year implementation schedule contemplated in the Calleguas Creek Watershed Salts TMDL (Salts TMDL). Historically, the Discharger had generally been able to meet the final dry-weather salts limits because its prior permits included effluent limits for salts based on a less stringent interpretation of the applicable WLAs. Nevertheless, the Los Angeles Water Board denies the Discharger's request for an in-permit compliance schedule instead of a separate Time Schedule Order because it disagrees that a 10-year compliance schedule in the permit would be consistent with applicable laws and regulations for the following reasons: A regional water board may include a compliance schedule in an NPDES permit when the state's water quality standards or regulations include a provision that authorizes such schedules in NPDES permits. (See In re Star-Kist Caribe, Inc., (Apr. 16, 1990) 3 E.A.D. 172, 175, modification denied, 4 E.A.D. 33, 34 (EAB 1992).) In California, a	None necessary.

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	RWQCB would change its interpretation. Nor did the City have any reason to pursue further salts reductions, given that it was in sustained compliance with its permit limitations - a fact acknowledged in the Fact Sheets for both permits. An in-permit compliance schedule is both warranted and consistent with applicable policy. The City was never afforded the compliance schedule authorized by the TMDL during the 15-year compliance period. The limitations in the tentative Order are newly interpreted and more stringent. Under these circumstances, a compliance schedule is appropriate and consistent with the TMDL's express provision that a compliance schedule may be used to meet the WLAs. Because the basis for the limitations has been reinterpreted - from design flow to daily flow measurement - a compliance schedule shorter than the original 15-year TMDL timeline is consistent with the TMDL's intent. The tentative Order Fact Sheet declines to provide a compliance schedule on the grounds that "the TMDL already provided the City of Simi Valley 15 years to conduct and complete the alternative implementation actions and to attain the salt limitation" (page F-22). This rationale is inconsistent with the regulatory record. As	compliance schedule for achieving Total Maximum Daily Load (TMDL) requirements are based on the schedule in the TMDL program of implementation. (Wat. Code, § 13240, 13242.) Most TMDL programs of implementation are adopted through basin plan amendments. The TMDL program of implementation, including any schedules contained therein, becomes a regulation upon approval by the State of California Office of Administrative Law (OAL). (See Gov. Code, § 11353, subd. (b).) Once a TMDL implementation schedule has been established through a basin plan amendment, Water Code sections 13263 and 13377 state that waste discharge requirements must implement water quality controls plans (i.e., basin plans). (Wat. Code, §§ 13263, subd. (a) & 13377.) Likewise, both federal and state regulations requires permit requirements to be consistent with an applicable TMDL implementation schedule. Title 40 of the Code of Federal Regulations (40 CFR) section 122.47, requires water quality based effluent limitations (WQBELs) in NPDES permits to be consistent with the assumptions and requirements of any WLAs, which includes applicable implementation schedules. The State Water Resources Control Board Resolution No. 2008-0025: Policy For Compliance Schedules in National Pollutant Discharge Elimination System Permits (Compliance Schedule Policy), authorizes compliance schedules in NPDES Permits consistent with TMDL implementation schedules, provided that “[t]he compliance schedule in the	

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	documented above, the City was never provided with the compliance schedule authorized during the TMDL compliance period: in 2014, the RWQCB withheld the schedule because the City was already in compliance; in 2019, the same rationale applied. The City was never notified that it would be subject to a different, more stringent calculation methodology, nor that it would be found out of compliance upon the TMDL's final deadline. The City therefore had neither the notice nor the opportunity to implement additional salts reduction measures before December 2023. The requested 10-year compliance schedule is consistent with both the Compliance Schedule Policy and the Basin Plan: • The Compliance Schedule Policy allows a compliance schedule of up to 10 years, or up to the length of a TMDL compliance schedule in a TMDL approved by EPA under Section 303(c) of the Clean Water Act. Because EPA did not approve the Calleguas Creek Salts TMDL under Section 303(c) - as noted in the 2014 permit - the applicable maximum is 10 years. The Compliance Schedule Policy further provides that a compliance schedule may not "exceed the maximum length	permit cannot, **under any circumstances**, exceed the maximum length for compliance schedules or implementation schedules contained in the TMDL implementation plan." (Compliance Schedule Policy, p., § 6(c)(ii).)(emphasis added). Therefore, permit compliance schedules for attaining WQBELs derived from WLAs must be based on a state-adopted TMDL programs of implementation and cannot exceed the maximum time that the implementation schedule allows, and where the implementation schedule is concluded an in-permit compliance schedule is not appropriate absent a regulatory amendment to revise the Basin Plan to authorize a longer implementation schedule to come into compliance with the final WLAs for salts. To the extent that the Discharger argues that the Compliance Schedule Policy allows a compliance schedule that is either 1) the length of a TMDL approved schedule or 2) an additional 10 years beyond the TMDL schedule, this interpretation ignores the plain language of the Compliance Schedule Policy. Section 2 of the Compliance Schedule Policy "authorizes a Water Board to include a compliance schedule in a permit for an existing discharger to implement a new, revised, or newly interpreted water quality objective or criterion in a water quality standard that results in a permit limitation more stringent than the limitation previously imposed" provided certain application requirements are met. Section 6 of the Compliance	

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	for compliance schedules or implementation schedules contained in the TMDL implementation plan." The Policy does not state that a compliance schedule cannot extend beyond a TMDL's final compliance date; it states only that the schedule's duration cannot exceed the maximum length provided in the TMDL. The City's requested 10-year schedule is shorter than the TMDL's 15-year implementation schedule. • The Basin Plan's Chapter 4 contains parallel language, providing that compliance schedules cannot exceed the "maximum length for compliance schedules (10 years) or implementation schedules contained in a TMDL implementation plan." The City's request does not exceed either threshold. Given that (1) the salts limitations in the tentative Order reflect a newly interpreted, more stringent calculation methodology; (2) the City has diligently reduced salts concentrations and participated in TMDL-related watershed activities; (3) the City received no prior indication that it would fail to meet the final TMDL limitations by December 2023 and therefore had no opportunity to implement additional reduction measures; and (4) the City has never received an in-permit compliance	Schedule Policy sets for the maximum length of a compliance schedule to "as soon as possible" but in no case longer than 10 years *unless* the action involves either a single permitting action (not relevant here) or there is TMDL implementation schedule longer than 10 years. (Compliance Schedule Policy, § 6(a-c).) To support a 10-year implementation schedule, the Discharger focuses solely on the existence of a new or modified interpretation of the Salts WLAs. However, this ignores the exception to the exception. Specifically, the authorization for a 10-year schedule states: "The duration of the compliance schedule may not exceed ten years from the date of adoption, revision, or new interpretation of the applicable water quality objective or criterion in a water quality standard, **except as provided in paragraph (c.) below**." (emphasis added). Paragraph (c)(ii) in turn caps the length of compliance schedule at the "maximum length for compliance schedules or implementation schedules contained in the TMDL implementation plan." Section 2(f) of the Compliance Schedule Policy further states that "[c]ompliance schedules are not authorized based solely on the time needed to develop a TMDL, use attainability analysis, or site specific objective." (Compliance Schedule Policy, p. 4, § 2(f).)	

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	schedule for the Salts TMDL, the City requests that the compliance schedule be incorporated into the permit rather than issued as a separate Time Schedule Order. The requested 10-year schedule is consistent with both the Compliance Schedule Policy and the Basin Plan, as it is shorter than both the TMDL's 15-year implementation schedule and the Compliance Schedule Policy's maximum allowable duration.	Reading these provisions together, a compliance schedule, even if it is 10 years or less, is not authorized when the implementation schedule in the TMDL is final because the maximum time for the implementation schedule has concluded and a TMDL revision is required to extend the schedule—as is the case here. As stated in Chapter 7-22 of the Basin Plan, the Salts TMDL provided a 15-year implementation schedule to allow sufficient time for and the completion of a range of alternative implementation actions that could be conducted to achieve the final WLAs by December 2, 2023. The schedule does not say that the Board will provide 15 years from the time it was determined that additional time is needed to meet the final WLAs. Rather, the TMDL schedule provides a final compliance deadline of December 2, 2023, which has passed. Moreover, if an in-permit compliance schedule of 10 years was granted in the Tentative Order, it would circumvent the rulemaking process used to establish the Salts TMDL implementation schedule in the first place. TMDL schedules in a Basin Plan are regulatory in nature. Regulations cannot be unilaterally revised in a permit because the issuance of WDRs are “specifically excluded from the procedures for administrative regulations and rulemaking” and subject to different public participation rules (City of Rancho Cucamonga v. Reg'l Water Quality Control Bd. (2006) 135 Cal.	

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		App. 4th 1377, 1381; see also Gov. Code § 11352, subd. (b); Wat. Cod § 13424, & 40 CFR § 25.5(b).) Nevertheless, the Los Angeles Water Board recognizes that the Discharger needs more time to comply with final WLAs. In previous Orders, Order Nos. R4-2014-0066, R4-2014-0066-A01, and R4-2019-0135, the WLAs in the TMDL for total dissolved solids (TDS), sulfate, chloride, and boron were translated into dry-weather effluent limitations by multiplying the Basin Plan water quality objectives for TDS, sulfate, chloride, and boron and the Simi Valley WQCP's design capacity of 12.5 million gallons per day with a unit conversion factor. The Discharger had been able to meet the dry-weather effluent limitations for these aforementioned parameters, so Order No. R4-2019-0135, adopted on November 14, 2019, did not include interim WLAs or a time schedule to implement implementation actions for salts. However, during Order No. R4-2019-0135 permit cycle, seven exceedances were reported: four sulfate and three TDS exceedances, which are discussed under Section 2.4 of the Fact Sheet. Per the Simi Valley WQCP's 2024 Annual Summary Report, these exceedances were likely caused by heavy rain events that led influent flows to increase substantially during this monitoring period. Groundwater inflow and infiltration were the presumed source of the higher effluent sulfate and TDS concentrations observed at the Simi Valley WQCP.	

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		In the Tentative Order, the WLAs in the TMDL for the salts were translated into dry-weather effluent limitations by multiplying the Basin Plan water quality objectives for salts and the Simi Valley WQCP's average daily flow on the day the water quality sample was collected, with a unit conversion factor. These effluent limits are based on a new interpretation of the WLAs in the TMDL and are more stringent than the final WLAs in the previous order because they are calculated using actual flow rather than the design flow of the POTW. On August 25, 2025, the Discharger submitted a request for a time schedule to come into compliance with TDS, chloride, and sulfate since the Simi Valley WQCP is unable to meet the proposed dry-weather effluent limitations for these pollutants. Boron was not included in the Discharger's request because the effluent data shows the Simi Valley WQCP can meet the dry-weather effluent limitations for boron. In order to bring the waste discharge into compliance with the dry-weather effluent limits for TDS, sulfate, and chloride, the Los Angeles Water Board has proposed a Time Schedule Order to accompany the Tentative Order, based on Water Code section 13385, subdivisions (h), (i), and (j)(3).	
2	<u>Fact Sheet Section 3.5.8.a - Calleguas Creek Salts TMDL Discussion</u> The City refers to the section of the Fact Sheet which lists a number of actions that had been included as potential	The Los Angeles Water Board does not agree that the Simi Valley has been fully in compliance with its effluent limitations for salts since the adoption of the 2019 NPDES permit. As documented in Table F-3 of the Fact Sheet, the Simi Valley WQCP	Revisions have been made to section 3.5.8.a. of the Fact Sheet.

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	implementation actions in the Salts TMDL and states that the City did not implement any of the actions. The City comments that the language in this section implies that the City did not take actions to comply with the Salts TMDL. The City stated: "The City did take actions, just ones that were different than those in the TMDL due to the fact that the Simi Valley WQCP was attaining the previous effluent limitations." The City stated that the Fact Sheet, should include a complete and accurate history of the permit limitations and should also include the fact that the Simi Valley WQCP was never provided with a compliance schedule for the Salt limitations.	experienced four sulfate exceedances occurring on March 31, 2023, February 29, 2024, March 31, 2024, and April 30, 2024; and three TDS exceedances occurring on February 29, 2024, March 31, 2024, and April 30, 2024. Although section 3.5.8 of the Fact Sheet is intended to provide background on the applicable TMDLs and to explain how the Salt TMDL waste load allocations have been implemented in the permit, the Los Angeles Water Board agrees to include a discussion of the City's efforts taken to comply with the salts limitations, and to note that a compliance schedule for the salts was never provided to the Discharger. The Los Angeles Water Board agrees to revise the last paragraph in section 3.5.8.a of the Fact Sheet as follows: "The City of Simi Valley did not complete any of these projects because under the former interpretation of calculating the dry-weather WLAs, the City of Simi Valley operated the Simi Valley WQCP under the pretense that its effluent would meet the effluent limitations for TDS, chloride, sulfate, and boron. ~~The City of Simi Valley did not complete any of these projects because the Simi Valley WQCP effluent met the previous effluent limitations for TDS, chloride, sulfate, and boron.~~ Therefore, the compliance schedules for salts were not set forth in the previous Order Nos. R4-2014-0066, R4-2014-0066-A01, and R4-2019-0135. Nevertheless, the City contributed to studies and activities aimed at	

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		protecting agricultural and groundwater recharge beneficial uses, evaluated potential desalters, and actively participates in the Calleguas Creek Stakeholder Watershed group meetings. The City also investigated sources of salts in its influent and is pursuing sewer relining and repair projects to proactively address groundwater infiltration into its sewer collection system. The Simi Valley WQCP is currently not connected to the ~~brine line or the~~ Calleguas Municipal Water District Regional Salinity Management Pipeline, which is owned and operated by the Calleguas Municipal Water District under a separate order, NPDES permit No. CA0064521." The City also stated that the Fact Sheet should include a complete and accurate history of the permit limitations. Section 2.3 of the Fact Sheet, Table F-2, summarizes previous effluent limitations under Order No. R4-2019-0135, and its historical monitoring data, while section 2.4 of the Fact Sheet includes a Compliance Summary for all monitored constituents under the previous Order. As permits are renewed every five years based on the data collected during the previous permit term to determine compliance and to revise effluent limitations, the Fact Sheet's summary in the Tentative Order regarding the history of the permit limits is adequate.	
3a	WDRs Section 6.3.2.d – Temperature Fluctuation Study Requirement	The Los Angeles Water Board declines the City's request to remove the Temperature Fluctuation Study because information gathered from this study will quantify the diurnal temperature change in the	Revisions have been made to section 6.3.2.d of the WDRs

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	The City requests removal of the Temperature Fluctuation Study requirement because: The permit already includes numeric effluent limitations for temperature and the Fact Sheet does not include any justification or indication that the discharges from the Simi Valley WQCP are impacting beneficial uses or that the included numeric effluent limitations for temperature are insufficient to meet the water quality objectives and protect beneficial uses, particularly in a waterbody such as the Arroyo Simi where the Simi Valley WQCP effluent makes up the majority of the flow. The City acknowledged the Fact Sheet provided as rationale for including the temperature study, the need to evaluate if additional requirements are necessary to meet the following portion of the temperature objective: *For waters designated WARM, water temperature shall not be altered by more than 5 °F above the natural temperature.* Between 2020 and 2025, there were 5 days when effluent temperature exceeded 80 °F. On the days where receiving water temperature was also measured, the temperature ranged from 75-79 °F with little difference between the upstream and downstream temperatures.	upstream and downstream receiving water stations and correlate the relationships between the Simi Valley WQCP's discharge, the downstream temperature, and/or other factors. The purpose and justification for the Temperature Fluctuation Study is stated in Section 6.2.2.d of the 2026 Fact Sheet, as follows: "The Temperature Fluctuation Study is required to investigate the impact the temperature of the effluent has on the natural receiving water temperature. […] Since the water quality objective for temperature in the Basin Plan requires that the discharge does not cause the temperature of the natural receiving water to be altered by more than 5°F, **the results from this study will be used to determine whether a potential revision of the temperature effluent limitation or other discharge requirements are necessary to ensure that the discharge does not cause the natural temperature of the receiving water to be altered by more than 5°F.** (emphasis added)."" As explained in the Fact Sheet, the Basin Plan requires that the water temperature in water bodies with a WARM beneficial use "shall not be altered by more than 5 °F above the natural temperature" (Basin Plan, Chapter 3, p. 3-45). The Los Angeles Water Board commonly refers to this water quality objective as the "delta 5 objective."	and section 6.2.2.d of the Fact Sheet to include continuous monitoring. Section 4.3.4 of the Fact Sheet is also updated based on historic temperature data.

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		The receiving waters for this discharge are designated with a WARM beneficial use and are therefore subject to the delta 5 objective for temperature. As acknowledged in the City's comment letter, the Fact Sheet cites the delta 5 objective as part of its rationale for the Temperature Fluctuation Study. Table F-8 shows that there were 6 days when effluent temperature exceeded 80°F. On four out of six temperature non-compliance days, upstream and downstream receiving water temperature data were not collected. Therefore, it cannot be confirmed that effluent temperature exceeding 80°F would not alter water temperature more than delta 5 objective than natural receiving water or not raising above 80°F as a result of waste discharges. Prior iterations of Simi Valley WQCP's NPDES permit included receiving water limitations for temperature to address the delta 5 objective. However, the Tentative Order removes all receiving water limitations to address the U.S. Supreme Court's decision in *City and County of San Francisco, California v. Environmental Protection Agency,* 145 S. Ct. 704 (2025). In lieu of receiving water limitations, the Los Angeles Water Board evaluated whether additional permit requirements or changes to the existing effluent limitation (e.g. seasonal effluent limitations for temperature) are needed to ensure that the discharge does not cause or contribute to an excursion of the delta 5 objective—i.e. whether the discharge has reasonable potential to cause or	

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		contribute to an exceedance of the delta 5 objective. At this time, however, there is insufficient information to determine reasonable potential because monthly discrete grab temperature samples are insufficient to ascertain the range of diurnal fluctuations in the receiving water or whether a delta 5 temperature change in the downstream receiving water was attributed to the discharge. Thus, the Temperature Fluctuation Study results, including the continuous temperature and flow readings that will be compiled, will provide essential data to conduct future reasonable potential analysis. The Los Angeles Water Board has revised the Section 6.2.2.d of the Fact Sheet to clarify that the Temperature Fluctuation Study will include continuous flow and temperature monitoring data as follows: "The Temperature Fluctuation Study is required to investigate the impact the temperature of the effluent has on the natural receiving water temperature. As shown in Table F-8, there were 6 days when effluent temperature exceeded ~~Although the effluent has been able to meet~~ the 80°F water quality objective in the Basin Plan. ~~h~~Historical data also indicate that the effluent may be causing a temperature difference of more than 5°F between the upstream and downstream monitoring locations. Since the water quality objective for temperature in the Basin Plan requires that the discharge does not	

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		cause the temperature of the natural receiving water to be altered by more than 5°F, the results from this study will be used to determine whether a potential revision of the temperature effluent limitation or other discharge requirements are necessary to ensure that the discharge does not cause the natural temperature of the receiving water to be altered by more than 5°F. The Temperature Fluctuation Study will at a minimum include the collection of continuous flow and temperature measurements in the effluent and receiving water upstream and downstream of the Facility, collected as concurrently as possible. The monitoring frequency and duration shall be adequate to assess seasonal and diurnal effects of the effluent on temperature in the receiving water for at least one year." In addition, Section 6.3.2.d of the WDR is modified as follows: "The Discharger shall submit a Temperature Fluctuation Study Work Plan to the Executive Officer of the Los Angeles Water Board within 120 days after the effective date of the Order to determine whether a potential revision of the temperature effluent limitation or additional discharge requirements are necessary to ensure that the discharge does not cause the natural temperature of the receiving water to be altered by more than 5°F. At a minimum, the work plan shall include collection of continuous	

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		temperature and flow data in the effluent and receiving water upstream and downstream of the Facility, collected concurrently as possible. The monitoring frequency and duration shall be adequate to assess seasonal and diurnal effects of the effluent on the temperature in the receiving water for at least one year." The Los Angeles Water Board declines the City's request to remove the pH Fluctuation Study because information gathered will quantify the diurnal pH change in the upstream and downstream receiving water stations and correlate if there is a relationship between the Simi Valley WQCP's discharge, the downstream pH, and/or other factors. The purpose and justification of the pH Fluctuation Study is clearly stated in Section 6.2.2.e of the Fact Sheet, as follows: "The pH Fluctuation Study is required to investigate the impact the pH of the effluent has on the receiving water pH. Although the effluent has been able to meet the 6.5-8.5 pH water quality objective in the Basin Plan […] Since the water quality objective for pH in the Basin Plan for this receiving water also requires that the discharge does not change the pH by more than 0.5 units from natural conditions, **the results from this study will be used to determine whether a potential revision of the pH effluent limitation or other discharge requirements are necessary to ensure that the discharge**	
3b	WDRs Section 6.3.2.e – pH Fluctuation Study Requirement The City requests removal of the requirement to submit, within 120 days after effective date of the Order, a workplan for a pH Fluctuation Study because: The permit already includes numeric effluent limitations for pH and the Fact Sheet does not include any justification or indication that the discharges from the Simi Valley WQCP are impacting beneficial uses or that the included numeric effluent limitations for pH are insufficient to meet the water quality objectives and protect beneficial uses, particularly in a waterbody such as the Arroyo Simi where the Simi Valley WQCP effluent accounts for most of the flow in the Arroyo Simi. The City acknowledged the Fact Sheet provided as rationale for including the temperature study, the need to evaluate if additional requirements are necessary to meet the following portion of the pH objective:		Revisions have been made to section 6.3.2.e of the WDRs and section 6.2.2.e of the Fact Sheet to include continuous monitoring.

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	Ambient pH levels shall not be changed more than 0. 5 units from natural conditions as a result of waste discharge. The City referenced Section 4.3.4.b.i of the Fact Sheet states that "the Los Angeles Water Board does not have sufficient ambient data (specifically the extent of diurnal pH fluctuations and flow regime variations of the receiving water) to determine the impact of the discharge on the pH of the receiving water, the RPA is inconclusive and this Order requires the discharger to investigate how the effluent discharge impacts the pH in the downstream receiving water," Effluent pH monitoring results indicate pH levels are consistently within the range of 6.5 to 7.7 with one value below 6.5 since 2020 and, therefore, do not fluctuate. The receiving water pH is consistently between 7.5 and 8.4 with the pH downstream of the discharge being lower than upstream but well above 6.5 and consistently within the 0.5 difference from the upstream pH. The Simi Valley WQCP processes include flow equalization that allow fairly consistent flow rates to the Arroyo Simi. Because the Simi Valley WQCP effluent accounts for most of the flow in the Arroyo, it follows that there is no significant "diurnal" variation in pH consistent with the values seen in the effluent.	**does not cause the nature pH of the receiving water to be altered by more than 0.5** (emphasis added)." As explained in the Fact Sheet, the Basin Plan requires that "[a]mbient pH levels shall not be changed more than 0.5 units from natural conditions as a result of waste discharge" (Basin Plan, Chapter 3, p. 3-40). Prior iterations of Simi Valley WQCP's NPDES permit included receiving water limitations for pH to address the 0.5 unit change objective. However, the Tentative Order removes all receiving water limitations to address the U.S. Supreme Court's decision in *City and County of San Francisco, California v. Environmental Protection Agency,* 145 S.Ct. 704 (2025). In lieu of receiving water limitations, the Los Angeles Water Board evaluated whether additional permit requirements or changes to the existing effluent limitation (e.g. effluent limitations for pH) are needed to ensure that the discharge does not cause or contribute to a change of pH of more than 0.5 units—i.e. whether the discharge has reasonable potential to cause or contribute to an exceedance of the 0.5 unit change objective. At this time, the Los Angeles Water Board does not have sufficient information to make this determination. As stated in response to Comment 2a above, a reasonable potential analysis is not based solely on effluent data, and the Los Angeles Water Board considers both effluent and receiving	

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		water data when conducting reasonable potential analysis. Although, the Simi Valley WQCP continuously tracks influent and effluent pH levels, it does not continuously track the receiving water pH levels. Instead, the City gathers one discrete pH receiving water measurement per month for the upstream and downstream receiving water stations. Since the receiving water pH is only measured once per month, there is not enough data to fully confirm the absence of diurnal fluctuations or to distinguish whether observed changes are caused by the discharge or by natural factors. Furthermore, the City commented that effluent pH is stable and does not fluctuate, largely due to the Simi Valley WQCP's flow equalization and the effluent dominant flow in the Arroyo. It should be affirmed that current operational practices at Simi Valley WQCP are expected to maintain steady pH levels in both effluent and receiving water, minimizing the likelihood of significant diurnal pH changes. The pH Fluctuation Study is essential for verifying these expectations and to determine compliance with the water quality objective for pH. Thus, this study will provide a more comprehensive understanding of pH behavior in the receiving water, help clarify the natural conditions versus any impact from the effluent, and support a future reasonable potential analysis. The Los Angeles Water Board revised Section 6.2.2.e of the Fact Sheet to clarify that the pH Fluctuation Study will include continuous flow and pH measurements in	

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		the effluent and receiving water upstream and downstream of the Facility, collected as concurrently as possible: "The pH Fluctuation Study is required to investigate the impact the pH of the effluent has on the receiving water pH. Although the effluent has been able to meet the 6.5-8.5 pH water quality objective in the Basin Plan, except for one incident, historic data indicate that the effluent may be causing a pH difference of more than 0.5 units between the upstream and downstream monitoring location. Since the water quality objective for pH in the Basin Plan for this receiving water also requires that the discharge does not change the pH by more than 0.5 units from natural conditions, the results from this study will be used to determine whether a potential revision of the pH effluent limitation or other discharge requirements are necessary to ensure that the discharge does not cause the nature pH of the receiving water to be altered by more than 0.5. The pH Fluctuation Study will at a minimum include the collection of continuous flow and pH measurements in the effluent and receiving water upstream and downstream of the Facility, collected as concurrently as possible. The monitoring frequency and duration shall be adequate to assess seasonal and diurnal effects of the effluent on pH in the receiving water for at least one year."	

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		In addition, Section 6.3.2.e of the WDR is modified as follows: "The Discharger shall submit a pH Fluctuation Study Work Plan to the Executive Officer of the Los Angeles Water Board within 120 days after the effective date of the Order to determine whether a potential revision of the pH effluent limitations or additional discharge requirements are necessary to ensure that the discharge does not cause the natural pH of the receiving water to be altered by more than 0.5 units. At a minimum, the work plan shall include continuous collection of pH and flow data in the effluent and receiving water upstream and downstream of the Facility, collected as concurrently as possible. The monitoring frequency and duration shall be adequate to assess seasonal and diurnal effects of the effluent on the pH in the receiving water for at least one year."	
4	WDR Section 6.3.6.a.ii – Spill Notifications The City requests modifying spill notification requirements by extending notification time to 5 hours and changing specific agency notifications to "other interested parties upon request."	California Water Code section 13271 (a)(1) requires notification by a person as soon as that person has knowledge of the discharge or deposit of any hazardous substance or sewage, in or on any waters of the state. The two-hour notification requirement included in the MRP is standard language for Publicly Owned Treatment Works (POTWs) to quantify spills "as soon as possible" to protect human health by minimizing exposure to pathogens contained in untreated wastewater.	Revision has been made to section 6.3.6.a.ii of the WDRs.

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		The 2-hour notification requirement in Section 6.3.6.a.ii is consistent with the spill notification requirements in section 1.1. of Attachment E1 of the Statewide General Order for Sanitary Sewer Systems (Order WQ 2022-0103-DWQ; WDID 4SSO10489), which the City is enrolled in. Thus, the 2-hour notification time for spill notification requirements will remain. While the Los Angeles Water Board declines to revise the 2-hour notification, the Los Angeles Water Board agrees to modify the language requiring the Discharger to notify the South Coast Air Quality Management District (AQMD), cities within the jurisdiction of the spill, and Heal the Bay. Individual agencies and persons would need to contact the City to request being placed on the City's interested person's list for spill notifications. The agency specific notification requirements in section 6.3.6.a.ii is revised as follows: "In addition, the Discharger shall notify other interested persons <u>who have requested notification</u> of any such sewage spill upon request~~, including but not limited to the South Coast Air Quality Management District (AQMD), cities within the jurisdiction of the spill, and Heal the Bay, by maintaining an email list of those interested persons that have requested such notification~~."	
5a	<u>Influent Monitoring for TKN, Phosphorus, and Total Chromium</u>. In Table E-2, influent monitoring requirements have been added for TKN,	The Los Angeles Water Board does not agree to remove the influent monitoring. The Clean Water Act requires monitoring to be sufficient to determine compliance with the relevant NPDES permit. 33	None necessary.

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	phosphorus, and total chromium. There are no effluent limits for these constituents indicating that there is no reasonable potential for effluent levels of these constituents to exceed water quality objectives. As such, monitoring in the effluent will provide adequate information regarding the presence of these constituents in discharges at levels of concern. Therefore, the City requests that influent monitoring requirements for TKN, phosphorus, and total chromium be removed.	U.S.C. § 1342(a)(2); 40 C.F.R. § 122.44(i)(1). Federal guidance recommends influent monitoring should be required when "characterization of the influent is needed to determine compliance with a permit condition." (NPDES Permit Writers' Manual, Chapter 8, p. 8-3.) Here, influent monitoring for TKN, phosphorus, and Total Chromium are necessary to determine compliance with permit limitations and to provide information that may inform development of future permit requirements. TKN influent monitoring was added to quantify the total amount of nitrogen that is available in a sample, including both organic and inorganic nitrogen, in the raw sewage entering the POTW. By comparing the influent and effluent TKN results, staff can determine the efficiency of the nitrification and denitrification process. High levels of TKN may produce algal blooms in the receiving water. TKN monitoring will provide information to the Los Angeles Water Board on whether POTW is causing or contributing to conditions that promote harmful algal blooms (HABs) in the receiving water. Measuring phosphorus in influent is crucial for optimizing wastewater treatment efficiency, determining chemical dosing requirements, and ensuring compliance with discharge standards. It allows operators to detect sudden load increases, monitor nutrient levels for biological phosphorus removal processes, and prevent environmental damage, such as algal blooms and eutrophication, by controlling overall removal rates. Influent monitoring for total chromium is required so that the	

<table>
<tr><th>No.</th><th>Comment</th><th>Response</th><th>Action Taken</th></tr>
<tr><td></td><td></td><td>result for chromium III can be calculated by subtracting the amount of chromium VI from total chromium.</td><td></td></tr>
<tr><td>5b</td><td><u>Pesticide Monitoring</u>
The effluent monitoring frequency is quarterly in Table E-3 for Diazinon, Chlordane, 4-4'DDD, 4-4' DDE, 4-4' DDT, or Dieldrin. However, these constituents are consistently below detection levels. Therefore, the City requests the monitoring frequency be changed to semi-annually. These constituents are only included as effluent limitations because they have TMDL wasteload allocations. The TMDL monitoring program recently modified the dry weather monitoring frequency for these constituents to semi-annual. Making this change will be consistent with the new TMDL monitoring program.</td><td>The Los Angeles Water Board does not agree to reduce the monitoring frequencies for these organochlorine pesticides (OC Pesticides), including Chlordane, 4-4'DDD, 4-4' DDE, 4-4' DDT, or Dieldrin and organophosphate pesticide (OP Pesticide), including Diazinon. These requirements are maintained to be consistent with the approved Revision (No. 4) of the Calleguas Creek Watershed Management Plan Quality Assurance Project Plan (QAPP) for the Calleguas Creek Watershed TMDL Monitoring Program (CCWTMP). Although a modification to the CCWTMP dry-weather monitoring frequency was proposed in Revision No. 6 of the CCWTMP QAPP, dated December 2025, that proposal is still being reviewed and has not been approved by the Executive Officer.

Revision 4 of the CCWTMP QAPP lists the following monitoring frequencies for OC Pesticides:
<table><tr><th>Arroyo Simi</th><th>Sampling Frequency Per Year</th></tr><tr><td>07D_SIMI</td><td>4 quarterly samples</td></tr><tr><td>07D_HITCH</td><td>4 quarterly (dry-weather) samples
2 wet-weather samples</td></tr></table></td><td>Revisions have been made to Table E-3 of the MRP and Table F-12 and its description in the Fact Sheet.</td></tr>
</table>

No.	Comment	Response	Action Taken
		Notably, Revision 6 of the CCWTMP QAPP proposed two wet-weather and two dry-weather pesticide sampling events per year for 07D_HITCH (also known as 07D_HITCH_LEVEE_2) and MO-MPK/07D_MPK and MO-SIM/07D_SIM_BUS, which are representative sampling locations for agricultural land use and urban discharges, respectively. While the monitoring results for OC Pesticides were reported as non-detect during this period, the method detection level (MDL) for the analytical test method is not sensitive enough to determine with certainty that these pesticides are not truly present at levels below the effluent limitations for these pesticides. Chlorpyrifos and diazinon (both categorized as OP Pesticides) have WQBELs consistent with the assumptions and requirements of the Calleguas Creek Watershed Toxicity Total Maximum Daily Load (Calleguas Creek Watershed Toxicity TMDL) in chapter 7-16 of the Basin Plan. Chlordane, 4-4'DDD, 4-4' DDE, 4-4' DDT, and Dieldrin have WQBELs consistent with the assumptions and requirements of the Calleguas Creek Watershed Organochlorine Pesticides, Polychlorinated Biphenyls, and Siltation TMDL (chapter 7-17 of the Basin Plan). Therefore, continued quarterly monitoring is included in the Tentative Order to determine if the Simi Valley WQCP remains in compliance with the WQBELs for OC and OP Pesticides.	

No.	Comment	Response	Action Taken
		The frequency of monitoring for Chlorpyrifos stays at quarterly because it was detected as 0.012 µg/L on December 18, 2018 and 0.015 µg/L on February 5, 2019. Since the MDL and RL for Diazinon are sufficiently sensitive, and the data were reported as non-detect, the Los Angeles Water Board reduced monitoring frequency for Diazinon in effluent from quarterly to semiannually.	
5c	PFAS Monitoring Table E-3 includes new quarterly monitoring requirements for PFAS. Based on previous monitoring conducted in 2020 through 2021, and discussions with the City's Pretreatment staff, there are no apparent industrial sources of PFAS and residential sources are not easily controlled. This new monitoring requirement will add approximately $2,000/year (i.e., quarterly sampling equipment and analytical costs). While the City recognizes the importance of characterizing PFAS levels, the same information will obtained through semi-annual monitoring. Therefore, the City requests that the monitoring frequency be changed from quarterly to semi-annually.	Section 7.2 of the Fact Sheet states that the new quarterly PFAS monitoring requirement is consistent with USEPA's PFAS Action Plan. A memo dated December 5, 2022, from USEPA, addressed to EPA Regional Water Division Directors in Regions 1-10, recommends that POTWs with a pretreatment program conduct quarterly PFAS monitoring. Since the Simi Valley WQCP implements a pretreatment program, the 2026 Order incorporates the quarterly PFAS monitoring requirement, as recommended by USEPA.	None necessary.
5d	Dissolved sulfide Monitoring Tables E-3 and E-6 includes new requirements to monitor for dissolved sulfide in the effluent and receiving water. The rationale for including this monitoring is noted in Table F-11 stating:	Since the narrative receiving water requirement for dissolved sulfide was removed, dissolved sulfide data is needed to conduct future reasonable potential analysis and determine if degradation is not taking place. Although the Simi Valley WQCP may be sampling for suspended solids and	Changes made in the MRP Tables E-3 and E-6 and Table F-12 of Fact Sheet.

No.	Comment	Response	Action Taken
	This receiving water limitation implemented the water quality objective for solid, suspended, or settleable materials in Chapter 3 of the Basin Plan. Sulfide forms under reducing (anaerobic) conditions, such as *in sediments or oxygen-depleted water. Reasonable potential* is *inconclusive since there* is *no monitoring data to determine how dissolved sulfide or other constituents in the effluent are impacting the dissolved sulfide in the receiving water. New dissolved sulfide effluent and receiving water monitoring* is *therefore included in this Order to conduct future reasonable potential analyses.* As stated, dissolved sulfide is associated with impacts from solid, suspended or settleable materials in the receiving water. Because the levels for total suspended and settleable solids in Simi Valley WQCP effluent are consistently below MDL and effluent limits, there is no reasonable potential for the receiving waters to be impacted by their discharge and generate sulfide. Therefore, the City requests that the monitoring requirements for sulfide in effluent and receiving water be removed since the suspended and settleable solids analyses already provide the information needed.	settleable solids, the results of those pollutants do not directly translate to a specific concentration of dissolved sulfide. Given that dissolved sulfide does not have effluent limits, the Los Angeles Water Board proposes to reduce the monitoring frequency from monthly to quarterly for dissolved sulfide for both effluent and receiving water.	
5e	<u>TCDD equivalents Monitoring</u>	2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD) is a priority pollutant and along with its equivalent	None necessary.

No.	Comment	Response	Action Taken
	Tables E-2, E-3 and E-6 also include monitoring requirements for TCDD equivalents. TCDD equivalents have not been detected in influent, effluent or receiving waters. Therefore, the City requests that the monitoring requirement be removed or reduced to once per permit period.	dioxins and congeners form the basis for regulating this compound, so they need to be monitored at least semiannually, for pretreatment purposes. Therefore, the frequency of monitoring will not be reduced.	
5f	<u>Permethrin, bifenthrin, cyfluthrin Monitoring</u> In addition, Tables E-3 and E-6, include monitoring requirements for pyrethroids (permethrin, bifenthrin, cyfluthrin), However, these constituents are currently monitored in the Simi Valley WQCP effluent and in the receiving water through the Calleguas Creek Watershed (CCW)TMDL monitoring program. The new permit monitoring requirements are redundant of this program adding approximately $5,400/year in duplicate monitoring costs. Because monitoring is already occurring under the CCW TMDL monitoring program, the City requests that this monitoring requirement be removed.	The Los Angeles Water Board declines the City's request to remove the pyrethroids monitoring requirements. As stated in section 7.2 of the Fact Sheet, the pyrethroid semiannual effluent monitoring requirement is required to determine whether the effluent from the Facility is a source of pyrethroids, given that the receiving water has been included on the recent 303d list. The Los Angeles Water Board acknowledges that the Simi Valley WQCP are conducting effluent and receiving water monitoring as part of the CCW TMDL monitoring program. Since the effluent monitoring location aligns with the monitoring location designated under the Tentative Order, the City may submit the results of the semiannual CCW TMDL monitoring program results for Station 07D_SIMI in lieu of duplicative effluent sampling. However, the receiving water monitoring location is more than 6 miles downstream from the discharge point, and cannot be considered as immediately downstream for evaluating water quality impact of waste discharge from the Facility. Therefore, receiving water monitoring results collected through the CCW	Revisions have been made to Table E-3 and added Footnote n of Table E-3.

No.	Comment	Response	Action Taken
		TMDL monitoring program will not be substitute for the required receiving water monitoring.	
5g	Cost of Monitoring Overall, the cost associated with the monitoring requirements has increased substantially. In addition to the $2,000/year noted above for the new PFAS monitoring requirements, Whole Effluent Toxicity (WET) testing is estimated to cost $1,000/sample or ~$12,000/year based on monthly sampling. The duplicate effluent and receiving water monitoring of pyrethroids (permethrin, bifenthrin, cyfluthrin) is an additional $5,400/year and dissolved sulfide would be an additional $1,200/year. The City requests that the monitoring frequency for WET testing be reduced to quarterly.	Monitoring is required to determine compliance with the prescribed effluent limitations and to the results are used to determine future reasonable potential analysis. The Los Angeles Water Board understands that monitoring costs can be significant and rise as a result of inflation and other external factors. Nonetheless, the monitoring program in the Tentative Order has been reasonably considered to ensure consistency with applicable State Plans and policies and is established to determine compliance with existing permit requirements, evaluate whether new or modified permit requirements are necessary, and to understand the discharge's impact to receiving waters. The cost of Toxicity testing and PFAS sampling can vary depending on the contract laboratory. For instance, there is a laboratory within the Ventura County service area that quotes just $455 per sample to test PFAS. At roughly $1,820 per year, this option represents an annual savings of $180 compared to the City's estimate. With respect to the frequency of WET testing, the State Policy for Water Quality Control: Toxicity Provisions, adopted by the State Water Board on December 1, 2020, and revised on October 5, 2021, specifies the following frequency of routine monitoring for chronic aquatic toxicity in section	None necessary.

No.	Comment	Response	Action Taken
		III.C.4.b.i(A) (at page 21), for dischargers required to comply with numeric aquatic toxicity effluent limitations: "For Non-storm water NPDES Dischargers authorized to discharge at a rate equal to or greater than 5.0 MGD, the frequency of Routine Monitoring shall be specified in the NPDES permit as follows: The discharger shall conduct at least one Chronic Aquatic Toxicity Test every Calendar Month during which there is expected to be at least 15 days of discharge. Initiation of the Routine Monitoring test shall be at a time that would allow any required MMEL Compliance Tests to be initiated within the same Calendar Month as the Routine Monitoring test.'" Since the Simi Valley WQCP is required to comply with an effluent limitation for chronic toxicity, is authorized to discharge more than 5 MGD, and discharges more than 15 days in a calendar month, it is required to conduct at least one effluent chronic toxicity test per calendar month. Therefore, the frequency of monitoring will not be revised.	
6	Section 9.1.1 lists the goals of the Calleguas Creek TMDL monitoring program. The listed goals do not match the approved QAPP for that monitoring program. Please change the goals to the following to match the QAPP in both this section and the Fact Sheet:	The overall goals of monitoring through the CCWTMP may differ from the goals of the NPDES permit. The goals listed in section 9.1.1. of the MRP are to determine any water quality impact from Simi Valley WQCP's discharge on the receiving water and its beneficial uses, as they relate to the Simi Valley WQCP's individual NPDES permit. In contrast, the goals of the CCWTMP are those of the following stakeholder parties who are regulated	None necessary.

No.	Comment	Response	Action Taken
	○ To assess progress towards TMDL numeric targets. ○ To test for sediment toxicity at sediment monitoring stations. ○ To identify causes of unknown toxicity. ○ To generate additional land use runoff data to better understand pollutant sources and proportional contributions from various land use types. ○ To monitor the effect of implementation actions by urban, POTW, and agricultural dischargers on in-stream water, sediment, and fish tissue quality, and watershed balances (salts). To implement the program consistent with other regulatory actions within the CCW.	under multiple NPDES and Non-NPDES Orders, which entered into a Memorandum of Agreement to pool monitoring resources: • POTWs - Camrosa Water District, Camarillo Sanitary District, Ventura County Waterworks District No. 1, and the Cities of Simi Valley and Thousand Oaks; • Urban Dischargers - Cities of Simi Valley, Thousand Oaks, Camarillo, Moorpark and Oxnard and the County of Ventura Public Works Agency; • Agricultural Dischargers consisting of the entities represented by the Ventura County Agricultural Irrigated Lands Group (VCAILG) within the Calleguas Creek Watershed, a subdivision of the Farm Bureau of Ventura County; and • Other dischargers consisting of U.S. Department of Navy and Caltrans. The language in section 9.1.1. will remain unchanged.	

* Staff initiated change: Los Angeles Water Board staff noticed a typographical error regarding the requirement in section 6.3.6.a of the Order that was not incorporated into the MRP. MRP section 10.5.14 is added as a reminder of the requirements detailed in section 6.3.6.a of the Order. Staff also corrected miscellaneous typographical errors, such as misspelled words, and clarifying information throughout the Tentative Order.