Response to Comments

City of Los Angeles Bureau of Sanitation & Environment (City or LASAN)
Terminal Island Water Reclamation Plant (TIWRP)
Tentative Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit

This table describes all significant comments received regarding the tentative permit described above. Each comment has a corresponding response and action taken.

Comments received from the City of Los Angeles on April 16, 2021			
#	Comment	Response	Action Taken
1	**Discharge Prohibitions 3.9 (Page 5)** The LASAN requests Discharge Prohibition 3.9 revised as: "… The Discharger plans to cease the continuous discharge of tertiary-treated effluent from the Facility. ~~and~~ Instead ~~provide the tertiary-treated effluent to end users for non-potable water recycling uses. In addition,~~ the Advanced Water Purification Facility (AWPF) at the TIWRP will provide~~s~~ advanced treated effluent to ~~an~~ end user~~s~~ for indirect potable reuse and non-potable uses…. "	The Los Angeles Regional Water Control Board (Los Angeles Water Board) agrees.	Revisions have been made to the permit.
2	**Discharge Prohibitions 3.9.5 (Page 6)** states "Executive Officer approval is required prior to discharge in all the previous circumstances except for emergency situations."	Discharge to the LA Outer Harbor is subject to the Water Quality Control Policy for the Enclosed Bays and Estuaries of California (Estuary Policy) established in 1974 by the State Water Resources Control Board, and the Los Angeles Water Board issued Board Orders through permit renewals requiring the Discharger to cease the discharge into the	Revisions have been made to the permit.

	LASAN seeks clarification on this sentence *"Executive Officer approval is required prior to discharge in all the previous circumstances except for emergency situations."*. Executive Officer approval should only be required for "planned" activity, which in this case, applies only to "Item 3.9.4 Scheduled maintenance activities of the AWPF". Items 3.9.1, 3.9.3, and 3.9.5 are all unplanned activities and are also considered as "emergency situations" and seeking approval prior to discharge is not feasible or practicable.	Harbor at the earliest practicable date. In 1994, the Los Angeles Water Board issued Resolution No. 94-009 to approve the proposal by the Discharger to phase out the discharge from the TIWRP to the Harbor through water recycling and achieving total reuse by 2020. Due to the unexpected delays in obtaining recycled water customer agreements with the end users, and delays in construction on both TIWRP and end user facilities, the total reuse date is delayed to the end of the year of 2024. The Discharge Prohibition in section 3.9 is established to ensure that discharges to the LA Outer Harbor cease by 2024 at the latest, with limited exceptions. These limited exceptions can be categorized as either emergency situations or anticipated situations. The Los Angeles Water Board agrees with the Discharger that the situation in 3.9.1 could qualify as an emergency situation, and revised three other situations, sections 3.9.3 thru 3.9.5, to clarify when the Discharger needs to seek the Executive Officer's approval. Those three sections and the following sentence now read as follows: "3.9.3. Fluctuations in <u>planned</u> recycled water demand. <u>Executive Officer approval is required prior to discharge, except when emergency fluctuations in water recycling demand are due to end users' immediate shutdowns</u>;	

		3.9.4. Scheduled maintenance activities of the AWPF. Executive Officer approval is required prior to discharge; or 3.9.5. When tertiary-treated effluent flows from the TIWRP exceed the AWPF capacity. Executive Officer approval is required prior to discharge, except when the discharge is due to unanticipated heavy rain and storm events. ~~Executive Officer approval is required prior to discharge in all the previous circumstances except for the situations described in 3.9.1 and 3.9.2 above~~."	
3	**Section 4, Temperature in Table 4 (Page 6)** LASAN requests to reinstate the exemption statement back in the effluent temperature limit. This permit removes the exception statement "except as the result of external ambient temperature". Effluent temperature is highly dependent on external ambient temperature and less on treatment processes. Temperatures during summer months have higher influence on effluent temperature. The plant is not able to modify its treatment processes to reduce the effluent temperature.	The Los Angeles Water Board doesn't agree to reinstate the exemption statement for the effluent temperature limit, but agrees to modify the effluent temperature limit based on the rapid mixing at the outfall diffusers and receiving water conditions. As required by state and federal law, the Tentative Order implements the Basin Plan and other statewide plans and policies, including the "Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California" (Thermal Plan) by including effluent limitations to achieve water quality objectives. Based on the narrative Thermal Plan water quality objective for temperature and a White Paper titled, *Temperature and Dissolved Oxygen Impacts on Biota in Tidal Estuaries and Enclosed Bays in the Los Angeles Region*, researched and written by Los Angeles Water Board staff, a	Revisions have been made to the permit.

		maximum daily effluent limitation of 86 °F was included in Order No. R4-2015-0119 to protect the beneficial uses of the receiving water. This temperature effluent limitation did not take into account the rapid mixing that occurs at the outfall diffuser and the ambient water temperatures of the Harbor. The discharge to the Harbor is via an 800-foot long outfall diffuser with 100 staggered ports. The acute mixing zone is thus 800 feet along the diffuser with 25 feet on each side perpendicular to the diffuser, and the dilution ratio approved for this discharge is 65 to 1. Due to the vigorous mixing at the diffuser and the consistently cool temperature of the Outer Harbor, the beneficial uses outside the acute mixing zone will not be impacted by variations in the temperature of the effluent. For example, using an energy balance in the mixing zone, the calculated temperature outside the mixing zone would only be 72.28°F if the effluent temperature was increased to 86°F and 72.37°F if the effluent temperature was raised to 92°F. Although it has been demonstrated that the TIWRP effluent temperature will not increase the temperature of the receiving water more than a degree, it is still appropriate to include a temperature effluent limitation in this order. Since the Thermal Plan also has a Specific Water Quality Objective for new discharges into Enclosed Bays, it is reasonable to apply that	

		objective to the TIWRP discharge. The requirement is as follows: *Elevated temperature waste discharges shall comply with limitations necessary to assure protection of beneficial uses. The maximum temperature of waste discharges shall not exceed the natural temperature of the receiving waters by more than 20°F.* The maximum temperature, based on data collected from 2015 to 2020 from multiple receiving water locations, is 72.446°F on 8/27/2015. Utilizing the 72°F maximum temperature of the Harbor from the previous permit term, which is the critical condition with respect to the receiving water temperature, the maximum daily temperature effluent limitation included in this order is 92°F. See discussion in Fact Sheet Sections 4.3.2.i and 4.4.1, and note (j) in Table F-8.	
4	**Section 4, TCDD in Table 4 (Page 7)** LASAN requests to remove the 2,3,7,8 TCDD limits in the permit. An effluent limit is determined if a pollutant in a discharge has a reasonable potential (RP) to cause or contribute to an excursion above a state water quality standard. For all parameters that demonstrate reasonable potential, numeric Water Quality Based Effluent Limits (WQBELs)	The Los Angeles Water Board agrees with LASAN's comment on the application of Trigger 2 but has concerns about the analytical method detection limit for 2,3,7,8-TCDD. As LASAN mentioned, reasonable potential (RP) is determined under Trigger 2 based on the measurement of the ambient background concentration of the pollutant above the water quality objective and the detection of the	Comments are acknowledged. No changes are needed.

	are required. In the case of 2,3,7,8-TCDD, the Regional Water Board determined that 2,3,7,8-TCDD has RP because the background concentration is greater than the CTR water quality standard. However, according to Trigger 2 as stated in Page F-33 *("Trigger 2 – If background water quality (B) > C* ***and the pollutant is detected in the effluent, a limitation is needed****"*), TCDD has no RP because it was not detected in the effluent as shown in Table F-6 Page 34.	pollutant in the effluent. According to the 2,3,7,8-TCDD (Dioxin) data collected between August 2015 and June 2020, the maximum detected dioxin background concentration was 0.99 pg/L, which is greater than the California Toxics Rule (CTR) criterion of 0.014 pg/L for dioxin. The dioxin concentrations in the effluent were all reported as non-detect with detection limits from 9.6 to 110 pg/L. These detection limits are up to 10,000 times less sensitive than the CTR criterion for dioxin. In this case, a non-detect result does not mean that the effluent does not contain levels of dioxin that exceed the CTR criterion, but rather raises concerns about the uncertainty of the impact of dioxin on the water quality and beneficial uses of the receiving water. In addition, the effluent limitations for 2,3,7,8-TCDD are existing limitations. Sections 402(o) of the Clean Water Act (CWA) and federal regulations at 40 CFR section 122.41(l) prohibit backsliding in NPDES permits. To remove the existing effluent limitations, it must be determined that the removal is consistent with the anti-backsliding requirements of the CWA and federal regulations. Due to the high method detection limits, which result in all non-detect effluent data, Los Angeles Water Board staff could not determine if the removal of effluent limitations for 2,3,7,8-TCDD is consistent with the anti-backsliding requirements of the CWA and federal regulations. Therefore, the effluent limitation for 2,3,7,8-TCDD is retained, however,	

		in consideration of the sensitivity of currently available methodology, the monitoring frequency for 2,3,7,8-TCDD Equivalents is reduced from quarterly to semiannually. To better identify the impact of 2,3,7,8-TCDD in the effluent on the receiving water, Los Angeles Water Board staff strongly urge LASAN to use a more sensitive analytical method for dioxin, so the results are meaningful in future evaluations of reasonable potential for dioxin.	
5	**Section 4.1.1.c** states "Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases in natural turbidity attributable to controllable water quality factors shall not exceed the following limits: Where natural turbidity is between 0 and 50 NTU, increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%. Allowable zones of dilution within which higher concentrations may be tolerated may be defined for each discharge in specific Waste Discharge Requirements. Dilution credit of 65 is granted for turbidity." LASAN requests clarification and guidance on how to determine compliance with this new Turbidity requirement in terms of sampling location, monitoring frequency, limit comparison, and method of calculation.	The Basin Plan water quality objective for turbidity states "Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases in natural turbidity attributable to controllable water quality factors shall not exceed the following limits: Where natural turbidity is between 0 and 50 NTU, increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%. Allowable zones of dilution within which higher concentrations may be tolerated may be defined for each discharge in specific Waste Discharge Requirements." A dilution credit of 65 is granted for turbidity. Since the dilution credit of 65 for turbidity is granted, the numeric turbidity effluent limitations are based on the Basin Plan water quality objective and the results from the Los Angeles Harbor Natural Turbidity Special Study (Special Study) that the Discharger conducted in 2017. According to the Special Study, the average	Revisions have been made to the permit.

		receiving water turbidity around the outfall is 1.3 NTU with a standard deviation of 2.9 NTU. Based on the mean and standard deviation values, with the 20 % allowance from the Basin Plan, the numeric effluent limitations for turbidity will be as follows: Maximum Daily = 60 NTU Average Monthly = 18.5 NTU. These numeric effluent limitations are included in Table 4, Effluent Limitations and Table F-8. Other revisions are also made throughout the Order, including the text added to 4.3.2 (j) of the Fact Sheet.	
6	**Section 4.3. (Page 8)** LASAN requests the following correction. There ~~are~~ is currently ~~three (3)~~ one recycled water user~~s, (~~Water Replenishment District of Southern California ~~(WRD)~~ and two potential recycled water users (Air Products, and Ultramar).	The Los Angeles Water Board agrees.	Revisions have been made to the permit.
7	**Bacteria Unit in Section 5.1.2.a.i (Page 9)** Geometric Mean (six-week rolling) Limits: Enterococci shall not exceed 30 colony forming units (cfu)/100 mL, calculated weekly LASAN requests that the discharger be allowed the flexibility to apply any of the detection methods presented in Table 1A of 40 CFR Part 136 and their corresponding units. Testing requirements in the MRP (Tables E-3 and E-5)	The Los Angeles Water Board agrees. The final staff report of *Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California-Bacteria Provisions and a Water Quality Standards Variance Policy* (Bacteria Provision) states that the most probable number (MPN) is a comparable unit to the colony forming unit (cfu), so Section 5.1.2. has been revised as:	Revisions have made to the permit.

	already state the units as CFU/100 mL or MPN/100 mL.	i. Geometric Mean (six-week rolling) Limits: Enterococci shall not exceed 30 colony forming units (cfu)/100 mL or most probable number (MPN)/100 mL, calculated weekly. ii. Statistical Threshold Value (STV): Enterococci STV of 110 cfu/100 mL or MPN/100 mL shall not be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.	
8	**Section 5.1.20 (Page 11) States:** "The wastes discharged shall not result in problems associated with breeding of mosquitoes, gnats, black flies, midges, or other pests." LASAN requests clarification on what method to be used for monitoring mosquitoes, gnats, black flies, midges, and other pests.	Footnote e. of Table E-5, Receiving Water Monitoring Requirements, has been revised as: e. Receiving Water Observations of mosquitoes, gnats, black flies, midges, or other pests, water color, turbidity, odor, and unusual or abnormal amounts of floating or suspended matter in the water or on the beach, rocks and jetties, or beach structures shall be made and recorded at stations. The character and extent of such matter shall be described…	Revisions have been made to the permit.
9	**Receiving Water Limitation- Chronic Toxicity Median in Section 5.1.21.c (Page 11) States:** "If the chronic toxicity median monthly threshold at the immediate downstream receiving water location is not met and the toxicity cannot be attributed to upstream toxicity, as assessed by the Discharger, then the Discharger shall initiate accelerated	Chronic toxicity monitoring must be conducted at two harbor stations: HW20 and HW62. Because the tidal current directions around the Outfall change with the oceanic tidal currents, these two stations could be either up-current or down-current of the Outfall, depending on the tidal current directions. Nevertheless, sections 5.1.21.c and 5.1.21.d of the Order have been removed since there is not a fixed upstream location to determine ambient background	Revisions have been made to the permit.

	monitoring according to Attachment E – MRP section 6.1.7." LASAN requests to correct or clarify language. *"If the chronic toxicity median monthly threshold at the immediate downstream receiving water location is not met and the toxicity cannot be attributed to upstream toxicity, as assessed by the Discharger, then the Discharger shall initiate accelerated monitoring according to Attachment E – MRP section 6.1.7"* Upstream narrative does not apply. There are no upstream stations for the Los Angeles Harbor. Upstream of the discharge is the TIWRP itself. Upstream stations appropriately apply more to river discharges.	conditions for assessing toxicity impacts from TIWRP.	
10	**Section 6.3.3.3 (Page 18)** Pollutant Minimization Program (PMP) The Discharger shall develop and conduct a PMP as further described below when there is evidence (e.g., sample results reported as DNQ when the effluent limitation is less than the RL, sample results from analytical methods more sensitive than those methods required by this Order, presence of whole effluent toxicity, health advisories for fish consumption, results of benthic or aquatic organism tissue sampling) that a priority pollutant is present in the effluent above an effluent limitation and either: i. A sample result is reported as DNQ and the effluent limitation is less than the RL; or	The Los Angeles Water Board disagrees with LASAN's request to remove the PMP requirement unless a compliance monitoring method is available under the Clean Water Act (CWA). The PMP requirement is an existing requirement under the current NPDES permit for TIWRP, is a statewide requirement, and has been included in multiple permit terms for TIWRP. The goal of the PMP requirement is to reduce potential sources of pollutants through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, and to maintain the effluent concentration at or below the water quality-based effluent limitation. This Order requires a PMP to be conducted when there is evidence of	Comments are acknowledged. No changes are needed.

	ii A sample result is reported as ND and the effluent limitation is less than the MDL, using definitions described in Attachment A and reporting protocols described in MRP section 11.3.4. LASAN requests that PMP should not be required even if: *"A sample result is reported as DNQ and the effluent limitation is less than the RL; or A sample result is reported as ND and the effluent limitation is less than the MDL"* unless a compliance monitoring method is available under the Clean Water Act (CWA).	a priority pollutant being present and the sample result is reported as DNQ and the effluent limitation is less than the RL; or the sample result is reported as ND and the effluent limitation is less than the MDL. In these situations, the results do not provide any information about whether the level of the pollutant in the effluent is safe for aquatic life and other beneficial uses, and/or does not degrade receiving water quality. The monitoring methods required by the CWA are specified in 40 CFR Part 136, which includes the analytical methods for all priority pollutants. In some cases, multiple analytical methods are available for some pollutants and the sufficiently sensitive method should be used to determine compliance. Even though an analytical method in 40 CFR Part 136 may not be sufficiently sensitive based on the effluent limitation, modifications can be made to improve the sensitivity. The Los Angeles Water Board recommends that if the Discharger's lab is unable to attain the necessary sensitivity, then the Discharger could investigate the option of using an outside lab capable of performing a more sensitive method for the pollutant of concern. Removing the PMP requirement because the standard analytical method for a pollutant in 40 CFR Part 136 is not sensitive enough to detect the pollutant would discourage the Discharger from exploring more sensitive methods.	

11	**Attachment E, Section 1.14.2 (Page E-5) States:** "Detection methods used for *E. coli* shall be those presented in Table 1A of 40 CFR part 136 or in the USEPA publication EPA 600/4-85/076, *Test Methods for Escherichia coli and Enterococci in Water By Membrane Filter Procedure*, or any improved method determined by the Los Angeles Water Board to be appropriate." LASAN requests to remove E. coli from Attachment E, section 1.14.2. and replaced with *Enterococci*. The new Bacteria Provision establishes *Enterococci* as the sole compliance indicator of bacteria for the Los Angeles Harbor Receiving Waters.	The Los Angeles Water Board agrees to revise section 1.14.2 as: "Detection methods used for *Enterococci* ~~*E. coli*~~ shall be those presented in Table 1A of 40 CFR part 136 or in the USEPA publication EPA 600/4-85/076, *Test Methods for Escherichia coli and* Enterococci *in Water By Membrane Filter Procedure*, or any improved method determined by the Los Angeles Water Board to be appropriate."	A revision has been made to the permit.
12	**Attachment E, New Temperature Requirement for Influent Monitoring in Table E-2 (Page E-15)** LASAN requests to remove Temperature as part of the influent monitoring requirement. Temperature has not been historically tested and is not part of the requirement in other LASAN's treatment plant's NPDES permits. LASAN would like to know the basis for the requirement and what is it going to be used for.	Due to climate change and the associated impact of rising temperatures, influent temperature data will provide necessary information to understand the changing temperature profiles during the wastewater treatment process, the effects of external ambient temperature, and the possible effects/impacts to the receiving water beneficial uses.	Comments are acknowledged. No changes are needed.
13	**Attachment E, Sampling Type of Bis(2-Ethylhexyl)Phthalate in Table E-2 (Page E-15)** LASAN requests to remove Bis(2-Ethylhexyl)Phthalate from the Sample Type	40 CFR Part 136 allows both grab (discrete) and automatic sampler (composite sampler) for sample collection for certain phthalate esters including Bis (2-ethylhexyl) phthalate. The 40 CFR Part 136 method requires samples to be collected by glass sample containers to	Revisions have been made to the permit.

	specification for Remaining Priority Pollutants in Table E-2. The sample type is currently specified as GRAB. Bis(2-Ethylhexyl)Phthalate is a Semi-Volatile Organic Compound and the appropriate sample type is 24-Hour Composite. The Sample Type for BNAs have always been specified as 24-Hour Composite in all previous and current permits. The City's Standard Procedures, data management and reporting are already set up expecting 24-Hour Composite sampling. If there is a new regulatory requirement that these constituents be sampled by Grab, please provide the language and source. Otherwise, LASAN requests that the Sample Type be reinstated to 24-Hour Composite. It should not be singled out as the only Semi-Volatile Organic Compound to be sampled by Grab.	eliminate background phthalate contamination. Phthalate esters are contaminants in many products, and it is important to avoid the use of plastics during sample collection and analysis because phthalates are commonly used as plasticizers and are easily extracted from plastic materials. To incorporate the glass bottle for sample collection, an additional footnote under Table E-2 and E-3 is added to address this issue. The new footnote is as follows: "The 40 CFR Part 136 method for these pollutants requires samples to be collected in glass sample containers to avoid interference, which can lead to artifacts and/or elevated baselines in gas chromatograms. Sample collection must be done using glass sample containers for all volatile organic compounds including semi-volatile organic compounds, pesticides, phthalate esters including bis (2-ethylhexyl) phthalate, and PCBs unless analytical methods for these pollutants in 40 CFR Part 136 specify that other means of sample collection are approved. Grab sample type is recommended, but an automatic sampler (composite sample) can be used to collect samples for all semi-volatile organic compounds, pesticides, phthalate esters, and PCBs as long as the sample bottles are glassware."	
14	**Attachment E, Pesticides in Table E-2 (Page E-16)** LASAN requests clarification on the specified language. There is no sensitive CWA method to	Footnote b for the analytical methods described in 40 CFR Part 136 has been removed from Table E-2 and Table E-3 for pesticides. USEPA method 8141B does not cover all six pesticides	Revisions have been made to the permit.

	analyze pesticides demeton, guthion, malathion and parathion. EMD should be permitted to use EPA Method 8141B listed in SW-846 for wastewater monitoring and also for regulatory compliance.	specified in 40 CFR Part 125.58(p) and covers demeton, guthion, malathion, and parathion. Footnote c. of Table E-2 has been revised as follows: "Pesticides specified in 40 CFR, Part 125.58(~~m~~p) include demeton, guthion, malathion, methoxychlor, mirex, and parathion. USEPA method 614 covers demeton, guthion, malathion, and parathion. USEPA method 617 covers methoxychlor and mirex. Both methods are for municipal and industrial wastewater." Footnote k. of Table E-3 in the Tentative Order has been revised to state: "Pesticides specified in 40 CFR, Part 125.58(p) include demeton, guthion, malathion, methoxychlor, mirex, and parathion. USEPA method 614 covers demeton, guthion, malathion, and parathion. USEPA method 617 covers methoxychlor and mirex. Both methods are for municipal and industrial wastewater."	
15	**Attachment E, Enterococci and Total in Coliform Table E-3 (Page E-17)** LASAN requests to remove the monitoring of *Enterococci* and Total coliforms in the effluent as stated in Table E-3. The Bacteria Provisions does not require effluent testing but may implement effluent limits if receiving water quality is not met. Receiving water data shows that TIWRP meets water quality standards in the Los Angeles Harbor (especially at HW33, end of pipe location). Therefore, effluent monitoring should not be required in this permit	The Los Angeles Water Board agrees to remove the monitoring of *Enterococci* and Total coliforms in the effluent as stated in Table E-3.	Revisions have made to the permit.

	including as a means to collect data at a non-disinfected plant to impose an effluent limit (as stated on page F-18, 3.3.15).		
16	**Attachment E, Sample Type in Table E-3 (Page E-17)** LASAN requests the Sample Type for all Semi-Volatile Organic Compounds (BNAs, Pesticides and PCBs) to be specified as 24-Hour Composite as in all previous and current permits. The City's Standard Procedures, data management and reporting are already set up expecting 24-Hour Composite sampling. If there is a new regulatory requirement that these constituents be sampled by Grab, please provide the language and source. Otherwise, LASAN requests that the Sample Type be reinstated to 24-Hour Composite. Below are the constituents that need to have the Sample Type in Table E-3 changed from Grab to 24-Hour Composite: Dibenzo(A,H)anthracene, 2,4,6-Trichlorophenol, Benzo(A)pyrene, Bis(2-Chloroisopropyl)ether, Bis(2-Ethylhexyl)phthalate, Butylbenzyl Phthalate, Diethyl Phthalate, Di-N-Butyl Phthalate, Indeno(1,2,3-CD)pyrene, Phenanthrene, 4,4'-DDT, and 4,4'-DDE	40 CFR Part 136 allows both grab (discrete) and automatic sampler (composite sampler) for sample collection for these pollutants. The method requires samples to be collected in glass sample containers to avoid interference, which can lead to artifacts and/or elevated baselines in gas chromatograms. In addition to revising the Sample Type, an additional footnote under Table E-2 and E-3 is added to address this issue. The new footnote is as follows: "The 40 CFR Part 136 method for these pollutants requires samples to be collected in glass sample containers to avoid interference, which can lead to artifacts and/or elevated baselines in gas chromatograms. Sample collection must be done using glass sample containers for all volatile organic compounds including semi-volatile organic compounds, pesticides, phthalate esters including bis (2-ethylhexyl) phthalate, and PCBs unless analytical methods for these pollutants in 40 CFR Part 136 specify that other means of sample collection are approved. Grab sample type is recommended, but an automatic sampler (composite sample) can be used to collect samples for all semi-volatile organic compounds, pesticides, phthalate esters, and PCBs as long as the sample bottles are glassware."	Revisions have been made to the permit.

17	**Attachment E, Tributyltin Unit in Table E-3 (Page E-19)** LASAN requests to change Tributyltin reporting **units from ug/L to ng/L** to be consistent with the reporting units for all TIWRP Tributyltin data that has been previously uploaded to the CIWQS database and also to standardize with the corresponding requirement in the HWRP Permit.	The Los Angeles Water Board staff agrees.	A revision has been made to the permit.
18	**Attachment E, "Remaining priority pollutants excluding Asbestos" in Table E-3 (Page E-19)** LASAN requests to change the Minimum Sampling Frequency for Remaining Priority Pollutants from "quarterly" to "semiannually" as in all previous and current permits. If this is changed as requested, then the following constituents can be removed from Table E-3 as they will be covered under this requirement: Benzene, Phenol, Benzo(A)Pyrene, Bis(2-Chloroisoproyl)Ether, Butylbenzyl Phthalate, and Di-N-Butyl Phthalate	The Los Angeles Water Board agrees to modify the monitoring frequency of "remaining priority pollutants excluding asbestos" from quarterly to semiannually. Benzene and phenol are removed from Table E-3 as these chemicals are covered under "remaining priority pollutants excluding asbestos." However, Benzo(A)Pyrene, Bis(2-Chloroisoproyl) Ether, Butylbenzyl Phthalate, and Di-N-Butyl Phthalate have a different sample type: grab or 24-hour composite (see response numbers 13 and 16), so these pollutants are kept separate but with semiannual monitoring frequencies.	Revisions have been made to the permit.
19	**Attachment E, Footnote a.ii (Page E-19)** LASAN requests to designate Footnotes for Table E-3, a.ii specifically for Turbidity only a.ii. Turbidity – A flow-weighted 24-hour composite sample may be used in place of the recorder to determine the flow proportioned average daily value.	The Los Angeles Water Board staff agrees. Footnote a.ii. has been revised as "Turbidity – A flow-weighted 24-hour composite sample may be used in place of the recorder to determine the flow-proportioned average daily value."	Revisions have been made to the permit.

20	**Attachment E, PCB USEPA Test Method in Footnotes h & i(1) (Page E-20)** LASAN recommends correcting the footnote for the test method. USEPA method should be **608.3** and not 608 for Footnotes h and i(1).	The Los Angeles Water Board agrees to use 608.3 instead of 608. USEPA Method 608.3 was published in December 2016 and was updated from USEPA Method 608 promulgated in 1984.	Revisions have been made to the permit.
21	**Attachment E, Radiochemicals Stipulated Criteria of Footnote k (Page E-20)** The permit states that "*If radium-226 & 228 exceeds the stipulated criteria, analyze for tritium, strontium-90 and uranium".* However, the permit did not state the number for the "stipulated criteria". LASAN requests the Los Angeles Water Board to include the number of the stipulated criteria for radium-226 and 228. In addition, LASAN requests to cite the source for the number of stipulated criteria.	The stipulated criteria, based on Title 22 California Code of Regulations sections 64442 and 64443, of 5 pCi/L was added to provide clarity for the requirement. Footnote l on Page E-20 had been revised as: "… Analysis for combined radium-226 & 228 shall be conducted only if gross alpha results for the same sample exceed 15 pCi/L or beta greater than 50 pCi/L. If radium-226 & 228 exceeds the stipulated criteria of 5 pCi/L, based on Title 22 California Code of Regulations sections 64442 and 64443 analyze for tritium, strontium-90 and uranium. The incorporation by reference is prospective including future changes to incorporate provisions as changes take effect."	A revision has been made to the permit.
22	**Attachment E, Section 6.1.4 (Page E-22)** Species Sensitivity Criteria Species sensitivity screening shall be conducted during this permit's first required sample collection. The Permittee shall collect a single effluent sample to initiate and concurrently conduct three toxicity tests using the fish, an invertebrate, and the alga species previously referenced. This sample shall also be analyzed for the parameters required on a	The Los Angeles Water Board concurs. The first sentence in Section 6.1.4 in Attachment E is revised as follows: The first species sensitivity screening under this Order shall be initiated in March of 2022. ~~during this permit's first required sample collection.~~ The Permittee shall collect a single effluent sample to initiate and concurrently conduct three toxicity tests using the fish, an invertebrate, and the alga species previously referenced.	Revisions have made to the permit.

	monthly frequency for the discharge, during that given month. LASAN requests continuation of current species screening schedule, with the first screening test for TIWRP to be conducted in March 2022. Species Screening for TIWRP was recently conducted March 2020 per the current permit. As described in a letter from the Board on August 31, 2017 **(see Attachment B),** the Toxicity Testing Lab was allowed to offset the species screening of the four treatment plants as screening of more than one plant at a time creates logistical challenges, such as staffing, lab equipment, and testing chamber availability. Also, conducting the screening with the monthly chemistry parameters as required per the permit cannot be done when multiple screenings occur in the same month. Currently, the Toxicity Testing Lab is conducting species screening for DCTWRP (Mar 2021-July 2021) and will be conducting screening for LAGWRP beginning August 2021 to December 2021.		
23	**Attachment E, Typo Errors in Sections 8.1&8.2 (Page E-28)** 8.1 Harbor Water Recycling Project – Non-potable Reuse Project. Order No. R4-2003-0025 was adopted by this Regional Water Board 8.2 Harbor Water Recycling Project – Dominguez Gap Barrier Project. Order No. R4-	The Los Angeles Water Board agrees, and revised Sections 8.1 and 8.2 as follows: 8.1. Harbor Water Recycling Project - Nonpotable Reuse Project. Order No. R4-2003-0025 was adopted by this ~~Reginal~~ Los Angeles Water Board on January 30, 2003. Order No. R4-2011-0033 amending Order No. R4-2003-0025 was adopted by this Los Angeles Water Board on February 3, 2011.	Revisions have been made to the permit.

	2016- 0334 was adopted by this Regional Water Board on October 13, 2016.	Both orders regulate the treated effluent for nonpotable applications on irrigation, industrial uses, and recreational uses. 8.2. Harbor Water Recycling Project – Dominguez Gap Barrier Project. Order No. R4-2016-0334 was adopted by this Los Angeles~~Reginal~~ Water Board on October 13, 2016. This order regulates the treated effluent for seawater intrusion prevention and groundwater augmentation.	
24	**Attachment E, Total Coliform and Fecal Coliform/E.coli in Table E-6 & Table E-7 (Page E-31)** LASAN requests to replace total coliform and fecal coliform/E. coli in Table E-6 and Table E-7 with *Enterococci*. The bacteria requirements in Table E-6 and Table E-7 should reflect the new Bacteria Water Quality Objective (WQO) for the Los Angeles Harbor Receiving Waters. Attachment F section 3.3.15. (Page F-18) states, "This Order implements the Bacteria Provisions by establishing receiving water limitations using *Enterococci* as the sole indicator of bacteria for protection of REC-I beneficial uses in the receiving water." All microbiological monitoring stations listed in sections 9.2.1 and 9.2.2 of Attachment E are receiving waters stations	The Los Angeles Water Board agrees to remove fecal coliform/E. coli monitoring requirements in Tables E-6 and E-7 but disagrees with removal of total coliform monitoring in Table E-6. Both *Enterococci* and total coliform receiving water limitations are set forth in the 2021 permit renewal. The *Enterococci* receiving water limitation is established based on the Bacteria Provisions to protect REC-1 beneficial uses, while total coliform receiving water limitations are retained based on total coliform water quality objectives of the Basin Plan to protect the potential SHELL beneficial use in the Outer Harbor. The monitoring of total coliform in Table E-6 is necessary to determine compliance with the receiving water limitations. As LASAN commented, Attachment F section 3.3.15 (page F-18) states, "This Order implements the Bacteria Provisions by establishing receiving water limitations using *Enterococci* as the sole indicator of bacteria for protection of REC-I beneficial uses in the receiving water." In the	Revisions have been made to the permit.

		same section, this Order also states that "the Bacteria Provisions do not supersede any objectives for the Shellfish Harvesting (SHELL) beneficial use." The Harbor has a potential SHELL beneficial use, thus, the bacteria receiving water limitation for the SHELL beneficial use is retained. Since the LA Outer Harbor has both REC-1 and potential SHELL beneficial uses, both uses must be protected and *Enterococci* and total coliform should be monitored regularly to determine compliance with these receiving water limitations. However, the monitoring requirements for fecal coliform/E. coli are removed from Tables E-6 and E-7 based on the Bacteria Provisions.	
25	**Attachment E, Section 9.3.5 (Page E-33) States** "If the first two years of data do not show any exceedances, then the sample frequency will be reduced from quarterly to semiannually. In the event of an additional exceedance, the sampling frequency shall be immediately increased back to quarterly, until two years of data no longer show any exceedance." LASAN seeks clarification on section 9.3.5. Currently, sampling for chronic toxicity is semiannual due to a similar provision in the current permit. Sampling should remain as semiannual until an exceedance occurs. The wording of 9.3.5 suggests that monitoring may be required quarterly for two years until the	The Los Angeles Water Board agrees to modify the monitoring frequency for chronic toxicity for two harbor stations (HW 20 and HW62). As section 9.3.5 stated, if the first two years of data do not show any exceedances, then the sample frequency can be reduced from quarterly to semiannually. The monitoring data, collected from 2015 to 2020, showed that LASAN did not have any exceedances of toxicity and has been conducting sampling for toxicity semiannually in the receiving water since 2018. The Los Angeles Water Board further modified the section 9.3.5 by removing "the first" because it is unnecessarily requiring LASAN to restart the exceedance counting for semiannual monitoring. Section 9.3.5 clearly states that if any exceedance occurs LASAN shall return	Revisions have been made to the permit.

	data under the draft permit allows for the reduction.	immediately to the quarterly monitoring frequency.	
26	**Attachment F, Typo Error in Table F-1 (Page F-3)** LASAN requests to change "Gonzales" to "Gonzalez" under the Facility Contact.	The Los Angeles Water Board staff agrees.	The revision has been made to the permit.
27	**Attachment F, Section 3.3.15 Bacteria Provisions (Page F-18)** states "This Basin Plan amendment is pending approval by OAL. It will become effective after approval by USEPA." LASAN seeks clarification whether the new Bacteria Provisions are already effective on this permit when it stated the *"Basin Plan amendment is pending approval by OAL"*	The legal approval processes for (1) the State Water Board's Bacteria Provisions and (2) the Los Angles Water Board's Basin Plan Amendment are on different tracks. The legal approval process for the Bacteria Provisions, including adoption by the State Water Board, and approval by OAL and USEPA are complete and the Bacteria Provisions became effective on March 22, 2019. The Los Angles Water Board amended its Basin Plan by incorporating the effective Bacteria Provisions. This amendment to the Basin Plan will become effective after all legal approval processes are complete. This amendment to the Basin Plan was approved by the Los Angles Water Board on February 13, 2020 and is pending approval by OAL. Once approved by OAL it will become effective upon approval by USEPA.	Comments are acknowledged. No changes are needed.
28	**Attachment F, Section 4.3.4 (Page F-33) & 2,3,7,8-TCDD (Dioxin) in Table F-6 (Page F-34)**	Please see response to Comment No. 4. The last paragraph of Section 4.3.4 of the Fact Sheet had been revised as: "The RPA was performed for the priority pollutants regulated in	Revisions have been made to the permit.

	LASAN requests that 2,3,7,8 TCDD should not be identified as having RP. The Regional Water Board determined that 2,3,7,8 TCDD has RP because the background concentration is greater than the CTR water quality standard. However, according to Trigger 2 as stated in Page F-33 *("Trigger 2 – If background water quality (B) > C* ***and the pollutant is detected in the effluent, a limitation is needed****"*), 2,3,7,8 TCDD has no RP because it was not detected in the effluent as shown in Table F-6 Page 34.	the CTR for which data are available. Based on the RPA, pollutants that demonstrate reasonable potential are copper, nickel, cyanide, dibenzo(a,h)anthracene, ~~TCDD,~~ and 4,4'-DDT and 4,4'-DDD because ~~either~~ the MEC is greater than the C~~, or in the case of TCDD, the B is greater than the C~~. TCDD effluent limitations are maintained to avoid backsliding due to the inability to determine RP because the method detection limit for TCDD is almost 10,000 times higher than the applicable water quality objective, and all reported effluent data for TCDD were non-detect. The following table summarizes results from the RPA."	
29	**Attachment F, Cyanide Unit in Table F-7 (Page F-37)** LASAN requests to correct cyanide unit from mg/L to µg/L to correspond with the units given in Table 4, Effluent Limitations, on page 7 of the Order.	Los Angeles Water Board staff changed the units to µg/L in Table F-7 for cyanide as well as copper and nickel.	Revisions have been made to the permit.
30	**Attachment F, Acute Toxicity in Table F-9 (Page F-50)** LASAN requests to remove Acute Toxicity in this table since it is no longer monitored in the effluent.	The Los Angeles Water Board agrees to remove acute toxicity from the monitoring list for the 2021 permit.	The revision has been made to the permit.
31	**Attachment F, Zinc in Table F-9 (Page F-50)** LASAN requests to change the monitoring frequency for Zinc from "Monthly" to "Quarterly".	The Los Angeles Water Board agrees.	The revision has been made to the permit.

32	**Attachment F, "No change" Extra Row in Table F-9 (Page F-50)** LASAN requests to remove this row "No change"	The extra row is removed.	The revision has been made to the permit.