ATTACHMENT F

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
320 West 4th Street, Suite 200, Los Angeles

FACT SHEET

WASTE DISCHARGE REQUIREMENTS
FOR
CITY OF BURBANK
(BURBANK WATER RECLAMATION PLANT)

NPDES No. CA0055531
Public Notice No. : ~~R4-2006-049~~10-007

FACILITY ADDRESS	FACILITY MAILING ADDRESS
Burbank Water Reclamation Plant	City of Burbank
740 North Lake Street	740 North Lake Street
Burbank, California	Burbank, CA 91510-6459
	Contact: ~~Rodney Andersen~~Daniel Rynn
	Telephone: (818) 238-393~~1~~40

I. Public Participation

1. The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for the above-referenced facility. As an initial step in the WDR process, the Regional Board staff has developed tentative WDRs. The Regional Board encourages public participation in the WDR adoption process.

A. Public Comment Period

The staff determinations are tentative. Interested persons are invited to submit written comments only on the changes contained within the tentative WDRs, MRP, and this Fact Sheet for the City of Burbank's (the City or Discharger), Burbank Water Reclamation Plant (Burbank WRP). The added text is underlined and the deleted text is in strikethrough.

Comments should be submitted either in person or by mail to:

Executive Officer
California Regional Water Quality Control Board
Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013
ATTN: Veronica Cuevas

determined that there is a reasonable potential that the discharge will cause toxicity in the receiving water and, consistent with SIP section 4, the Order contains a narrative effluent limitation for Chronic Toxicity. The circumstances warranting a numeric Chronic Toxicity effluent limitation were reviewed by the State Board in SWRCB/OCC Files A-1496 & A-1496(a) [Los Coyotes/Long Beach Petitions]. On September 16, 2003, the State Board adopted Order No. WQO 2003-0012, deferring the numeric chronic toxicity effluent limitation issue until a subsequent phase of the SIP is adopted, and replaced the numeric chronic toxicity effluent limitation with a narrative effluent limitation for the time being.

2. Nitrate plus nitrite as nitrogen and other constituents with non-CTR based limitations – RPA was conducted for Nitrate plus Nitrite as Nitrogen and other constituents (Table **R2** of the accompanying Fact Sheet) using the Discharger's effluent data from their self monitoring reports. The effluent data for Non-priority pollutants is summarized in Table D2 of the accompanying Fact Sheet. The TSD RPA procedure compares the effluent data with the Basin Plan water quality objectives (WQOs) and other applicable criteria, and uses statistics to predict a receiving water concentration. Based on information submitted to the Regional Board by the Discharger, and using the TSD RPA procedure, the Regional Board has determined that there is a reasonable potential that the discharge will cause or contribute to an exceedance of the applicable criteria for: Nitrate plus Nitrite as Nitrogen, arsenic, bis(2-ethylhexyl)phthalate, total trihalomethanes and iron. Therefore, the Order contains numeric effluent limitations for Nitrate plus Nitrite as Nitrogen, arsenic, bis(2-ethylhexyl)phthalate, total trihalomethanes and iron. During the settlement negotiations preceding the January 25, 2010 settlement agreement, a new reasonable potential analysis was conducted in February 2009, using available data that was representative of the treated effluent following the NDN upgrade and the ammonia add-back process change (Table R2r of this Fact Sheet). In response to comments received, the dataset was expanded to include data from 2009; spreadsheets in this Fact Sheet were revised; and an updated reasonable potential analysis was conducted on March 1, 2010, yielding similar results. Therefore, the accompanying Order contains numeric effluent limitations for Nitrate plus Nitrite as Nitrogen, bis(2-ethylhexyl)phthalate, and total trihalomethanes, as reasonable potential continues to exist for the discharge to cause or contribute to excursions above criteria for these constituents. Effluent limitations for arsenic and iron are removed in this order for constituents that no longer have reasonable potential, as required by State Board Order WQ 2003-0009.

B. Using the method described in the SIP, the Regional Board has conducted RPA for priority pollutants using the discharger's effluent data contained in Table D1 and receiving water data contained in Table D3. The RPA

shall require additional monitoring, in accordance with Section 1.3 of the SIP. Upon completion of the required monitoring, the Regional Board shall use the gathered data to conduct RPA and determine if new WQBELs are required.

Therefore these constituents require interim requirements. Section 2.4.5 of the SIP discusses how compliance will be determined in the case where the lowest detection level is higher than the WQ criteria. The Discharger should work with the laboratory to lower detection levels to meet applicable and reliable detection limits; follow procedures set forth in 40 CFR Part 136; and, report the status of their findings in the annual report. During the term of the permit, if and when monitoring with lowered detection limits shows any of the priority pollutants at levels exceeding the applicable WQOs, the Discharger will be required to initiate source identification and control for the particular pollutant. Appendix 4 of the SIP lists the minimum levels and laboratory techniques for each constituent.

A numerical limitation has not been prescribed for a toxic constituent if it has been determined that it has no reasonable potential to cause or contribute to excursions of water quality standards. However, if the constituent had a limitation in the previous permit, and if none of the Antibacksliding exceptions apply, then the limitation will be retained. A narrative limitation to comply with all water quality objectives is provided in *Standard Provisions* for the priority pollutants, which have no available numeric criteria.

2. ***RPA Data*** - The RPA conducted in 2006 was based on effluent monitoring data for June 2003 through May 2006. Data collected prior to June 2003 was excluded from the data set, because it was not representative of the level of treatment provided by the upgraded treatment units at the Burbank WRP. However, since the priority pollutants were not sampled that frequently in the previous monitoring and reporting program, there was no priority pollutant data for June and July in 2003. During the settlement negotiations preceding the January 25, 2010 settlement agreement, an updated RPA was conducted in February 2009, using available data that was representative of the treated effluent following the NDN upgrade and the ammonia add-back process change. Effluent monitoring data was collected between December 17, 2007 and December 3, 2008 (see Tables D1r, R1r and R2r). In response to comments received, the dataset was expanded to include data from 2009; spreadsheets in this Fact Sheet were revised; and an updated reasonable potential analysis was conducted on March 1, 2010, yielding similar results. Effluent limitations for Dibromochloromethane and Dichlorobromomethane are removed in the accompanying Order for constituents that no longer have reasonable potential, as required by State Board Order WQ 2003-0009. Table R1 of theis fact sheet summarizes the RPA, lists the

greater demands are exerted on an increasingly scarce resource which may lead to total oxygen depletion and obnoxious septic conditions. Increased temperature may increase the odor of water because of the increased volatility of odor-causing compounds. Odor problems associated with plankton may also be aggravated.

- Temperature changes in water bodies can alter the existing aquatic community. Coutant (1972) has reviewed the effects of temperature on aquatic life reproduction and development. Reproductive elements are noted as perhaps the most thermally restricted of all life phases, assuming other factors are at or near optimum levels. Natural short-term temperature fluctuations appear to cause reduced reproduction of fish and invertebrates.

The Basin Plan lists temperature requirements for the receiving waters. Based on the requirements of the Basin Plan and a white paper developed by Regional Water Board staff entitled *Temperature and Dissolved Oxygen Impacts on Biota in Tidal Estuaries and Enclosed Bays in the Los Angeles Region*, a maximum effluent temperature limitation of 86 °F is included in the Order. The white paper evaluated the optimum temperatures for steelhead, topsmelt, ghost shrimp, brown rock crab, jackknife clam, and blue mussel. The new temperature effluent limitation is reflective of new information available that indicates that the 100°F temperature is not protective of aquatic organisms. A survey was completed for several kinds of fish and the 86°F temperature was found to be protective. It is impracticable to use a 7-day average or a 30-day average limitation for temperature, because it is not as protective as of beneficial uses as a daily maximum limitation is. A daily maximum limitation is necessary to protect aquatic life and is consistent with the fishable/swimmable goals of the CWA.

Section I.A.4. of the WDR contains the following effluent limitation for temperature:

"The temperature of wastes discharged shall not exceed 86°F, except as a result of external ambient temperature."

Section IV.E.5. of the WDR explains how compliance with the receiving water temperature limitation will be determined."

C. *Toxicity.*

Ambient monitoring data indicates that the background concentration in the Burbank Western Wash and in the lower Los Angeles River is toxic to aquatic organisms, and therefore exceeds water quality standards. Final effluent water quality data, contained in the Discharger's monitoring reports, also shows that chronic toxicity in the effluent has exceeded 1TUc (EPA WQO) several times. Therefore, pursuant to the TSD, reasonable potential exists for toxicity. As such, the permit should contain a numeric effluent limitation for toxicity.