

Response to Comments from San Elijo Joint Powers Authority by letter dated August 25, 2010
and email dated September 1, 2010
Tentative Order No. R9-2010-0087
Waste Discharge Requirements for the
San Elijo Joint Powers Authority, San Elijo Water Reclamation Facility
Discharge to the Pacific Ocean via the San Elijo Ocean Outfall

Comment No.	Page No.	Section	Comment	Response
1	1	Table 3	"This Order shall expire on: November 30, 2010" should be amended to the year 2015.	The permit has been corrected. (see Errata No. 3)
2	8	Paragraph III.C	Paragraph III.C. is not clear - could be read as if any discharge greater than 5.25 MGD at Discharge Point No.1 is prohibited, when only greater than 5.25 MGD from the SEWRF is prohibited. Consider revising sentence for clarity.	This paragraph refers specifically to the "Facility", which is defined in the previous Section II.A as San Elijo Water Reclamation Facility, (SEWRF). Also, Table E-1, states that Discharge Point No. 1 is representative of the SEWRF effluent only. This language is standard protocol for all permits. The tentative Order will remain unchanged.
3	9	Table 7	End Note 1, which explains scientific "E" notation, should have superscript "powers" (e.g. "6.1 x 10 ² " should be 6.1 x 10 ²).	The permit has been corrected. (see Errata No. 5)

4	9	Table 7	<p>SEJPA is assessing the possibility that the maximum cyanide concentration reported by SEJPA during 2005-2010 is incorrect due to a laboratory reporting error. If this is the case, the RPA analysis (Table F-12 on page F-22) may require revision and it may be appropriate for cyanide to be regulated by performance goal instead of a WQBEL. SEJPA is also reassessing prior monitoring data submitted to the Regional Board during 2005-2010 to ensure that concentration units were properly reported. Revised monitoring reports will be submitted to the Regional Board if necessary if SEJPA discovers any reporting discrepancies in the 2005-2010 data.</p>	<p>The RPA analysis was redone using the data sent in by SEJPA on September 1, 2010 and the dilution ratio (Dm) of 237. The revised endpoint is 2, which indicates that an effluent limitation is not required. Thus, the total cyanide effluent limitation will be removed from Table 7 and a performance goal for total cyanide will be added to Tables 8 and F-13. Table F-7 and corresponding discussion (top of page F-20) will be revised to reflect an endpoint 2 for total cyanide. The effluent monitoring frequency for total cyanide will also be reduced to 2 times per year as listed in Table E-3. (see Errata Nos. 6, 7, 29, 53, 54, 56, 57, 58, and 65)</p>
5	10	Table 8	<p>Objectives for protection of human health - noncarcinogens have 30-Day Average performance goal limitations that significantly differ from SEJPA calculations (and the previous permit) using the methodology prescribed in Attachment F. The listed performance goal concentrations appear to be low by a factor of approximately 2.7. The performance goal mass emissions listed in Table 8 appear to be low by a factor of approximately 2.9.</p>	<p>The permit has been corrected. (see Errata No. 7)</p>

6	11	Table 8	Objectives for protection of human health - noncarcinogens have 30-Day Average performance goal limitations that significantly differ from SEJPA calculations (and the previous permit) using the methodology prescribed in Attachment F. The listed performance goal concentrations appear to be low by a factor of approximately 2.7. The performance goal mass emissions listed in Table 8 appear to be low by a factor of approximately 2.9.	The permit has been corrected. (see Errata No. 7)
7	12	Table 8	The parameter noted as "Chlorodibromethane" should be noted as Chlorodibromomethane.	The permit has been corrected. (see Errata No. 8)
8	13	Table 8	End Note 1, which explains scientific "E" notation, should have superscript "powers" (e.g. "6.1 x 10 ² " should be 6.1 x 10 ²).	The permit has been corrected. (see Errata No. 9)
9	13	Table 8	End Note 3, specifies that y = the water quality objective "(in ug/l)". The units should be revised to read "in ug/l".	The permit has been corrected. (see Errata No. 10)
10	13	Table 8	End Note 3, refers to Ocean Plan (2001). The SEJPA believes that this should refer to the 2005 Ocean Plan.	The permit has been corrected. (see Errata No. 11)
11	13	Table 8	End Note 3, identifies that the effluent limitations were derived using a flow rate of "18 MGD." This flow rate should be revised to 5.25 MGD.	The permit has been corrected. (see Errata No. 11)
12	14	Paragraph V	This paragraph ties SEJPA "jointly" to all dischargers and calls a violation of surface water limitations to SEJPA whether it is due to our discharge or not. Storm water quality issues could cause a violation of this permit. Please provide an explanation of why the SEJPA permit is being indiscriminately tied to all other discharges.	This paragraph has been deleted. (see Errata No. 12)

13	16	Paragraph V.A.2.d	Add "(2005)" before Ocean Plan.	"Ocean Plan" is defined on page 5, section II.I, by the sentence "The State Water Board adopted the Water Quality Control Plan for Ocean Waters of California, California Ocean Plan (Ocean Plan) in 1972 and amended it in 1978, 1983, 1988, 1990, 1997, 2000, and 2005." The term is used throughout the permit to refer to the most recent version of the Ocean Plan as defined. Except as noted in Response to Comment 10 above, the tentative Order will remain unchanged.
14	16	Paragraph V.A.3.g	This paragraph specifies that the numerical water quality objectives in "Chapter IT, Table B of the California Ocean Plan (2001) ... " The SEJPA believes this should read "Chapter 1I, Table B of the (2005) Ocean Plan".	The permit has been corrected. (see Errata No. 13)
15	16	Paragraph V.A.3.g	This paragraph refers to "Hale Avenue Resource Recovery Facility". The SEJPA believes that the appropriate reference should be to the "San Elijo Water Reclamation Facility".	The permit has been corrected. (see Errata No. 13)
16	18	Paragraph VI.A.2.i	"This Order shall expire on: November 30, 2010" should be amended to the year 2015.	The permit has been corrected. (see Errata No. 14)
17	20	Paragraph VI.C.2.a.ii	This paragraph references the ELO (Escondido Land Outfall). This paragraph should be revised, as this is not applicable to SEJPA.	The permit has been corrected. (see Errata No. 15)

18	21	Paragraph VI.C.2.b.i	24 hour spill reporting is now required for a spill greater than 1,000 gallons "and/or" reaches "drainage channel, surface waters, or storm drainpipe". In the previous permit, the requirement used to be "and" and "surface waters", respectively. In the Definitions section (page A-10) a Category 1 SSO discharge is defined as (1) equal or exceed 1,000 gallons "OR" (2) result in a discharge to a drainage channel and/or surface water; OR (3) These two paragraphs should be revised to be consistent. Use "and/or" for both or "or" for both and use consistent receiving structures/waters.	Paragraph VI.C.2.b.i has been modified to be consistent with the Category 1 SSO definition. (see Errata No. 16)
19	21	Paragraph VI.C.2.b.i.(b)	Attachment D (page D-7) implies reporting in written form is mandatory, not at the request of the board, as this paragraph states. The two paragraphs should be revised for consistency.	Paragraph VI.C.2.b.i.(b) has been modified; the written form is required. (see Errata No. 17)
20	22	Paragraph VI.C.2.c	Please define "consistently exceeds" so that SEJPA understands the trigger for more sampling. Is retesting allowed?	Section VI.C.2.c on page 22 and Section V on page E-8 have been modified to be consistent and clearly identify "consistently exceeded". (see Errata No. 18 and 30) If additional test results are obtained, the results should be included in the next self-monitoring report due.

21	23	Paragraph VI.C.2.d	Requirement should be revised to reflect the fact that SEJPA has already developed and submitted a TRE workplan.	The San Diego Water Board acknowledges that the Discharger has previously submitted a TRE workplan under the previous permit. However, the Discharger is required to resubmit the TRE workplan each permit cycle to ensure it's reviewed a minimum of once every 5 years. The tentative Order will remain unchanged.
22	24	Paragraph VI.C.5.b	Attachment F (page F-36) does not state that the treatment plant capacity report is a conditional report as this paragraph states. The two paragraphs should be revised for consistency.	Attachment F has been modified; the treatment plant capacity report is a conditional report. (see Errata No. 70)
23	25	Paragraph VI.C.5.c.iii	Does this really apply to SEJPA? Need more information to comply.	No, this does not apply to SEJPA and this paragraph will be deleted. (see Errata No. 19)
24	26	Paragraph VI.C.5.e	This section implies that the SEJPA owns the collection system (by stating "Discharger's collection system"). The SEJPA believes that this section should be deleted from the permit, as the sanitary sewer system is owned by the Cities who also manage the permits required by this paragraph.	The permit has been modified to reflect the fact that SEJPA does not own/operate a sewage collection system. (see Errata No. 20)

25	26-27	Paragraph VI.C.6	<p>The arbitrary 3-year time schedule proposed by this tentative order is inappropriate and irrational; the tentative order provides no justification that such a time schedule is achievable. While the City of San Diego was able to develop a plan to achieve bacteriological compliance in a reasonably short period of time, the SEJPA discharge (which discharges directly into State waters) is not like the San Diego Point Loma discharge (which discharges outside the 3-mile zone.) Unlike San Diego, significant SEJPA facilities and operational modifications will be required if surf zone bacteriological standards are applied to all receiving water depths at the edge of the SEJPA zone of initial dilution. Requiring SEJPA to complete and submit a plan and alternatives analysis within six months is untenable. This first task will require SEJPA to (1) develop a proposed work scope for the proposed alternatives analysis, (2) qualify, select, and complete contractual arrangements to bring an outside specialist on board, (3) identify and complete any required laboratory bench-scale testing, monitoring, water quality assessments, or facilities assessments, (4) identify and assess potential compliance options, (5) develop a recommended alternative (or alternatives), and (6) receive SEJPA Board approval for the selected alternative(s). Completing financial arrangements (Task 2 of the tentative order) with three additional months is also not achievable. Attaining the financing for such a system will require a budget for the system, which will require a system design to be nearly completed (for the engineer's estimate). System</p>	<p>Additional comments and a recommended revised compliance schedule were submitted by the Discharger by email on September 1, 2010. The proposed schedule is the same as that proposed by the City of Escondido, which shares the San Elijo Ocean Outfall. See Comment No. 101 for a summary of the proposed compliance schedule and the San Diego Water Board response. (see Errata No. 21 and 73)</p>
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25 continued			design could reasonably take a year or more. Funding may also be contingent on completing CEQA analysis and obtaining required permits/approvals for the proposed compliance alternative. Obtaining financing is a lengthy process regardless of financing alternative, particularly in the current economic climate. For example, SEJPA has been working on obtaining SRF funding for a current project for over a year and still does not have approval. Design, construction, testing and start-up will add to the overall implementation schedule. Coordination between SEJPA and Regional Board staff is recommended to develop a proposed schedule that is realistic and achievable.	
26	27	Paragraph VII.B	" ... parameter, and alleged ... " should be " ... parameter, an alleged ... "	The permit has been corrected. (see Errata No. 22)
27	A-2	AWEL	Missing "T" at the beginning of the paragraph.	The permit has been corrected. (see Errata No. 23)
28	A-2	Best Uses	Should "Best" Uses be "Beneficial" Uses, as was on the last permit?	The permit has been corrected. (see Errata No. 24)

29	A-3	Best Uses	Begin definition under word to be defined, as is the convention for a majority of the definitions.	This response covers Comment Nos. 29-33. Attachment A represents standard provisions universally applied to all POTWs within the State. The State Water Board has developed Attachment A as part of the permit template. The requested changes to the standard permit text have been noted for future collaboration with the State Water Board in standard permit text.
30	A-5	Discharge	Begin definition under word to be defined, as is the convention for a majority of the definitions.	
31	A-6	DMR	Begin definition under word to be defined, as is the convention for a majority of the definitions.	
32	A-6	Estuaries and Coastal Lagoons	Begin definition under word to be defined, as is the convention for a majority of the definitions.	
33	A-8	Natural Light	The natural light definition is not a definition. Recommend defining Natural Light first, then identify other important elements of natural light.	
34	A-10	SSO Categories	24 hour spill reporting is now required for a spill greater than 1,000 gallons "and/or" reaches "drainage channel, surface waters, or storm drainpipe". In the previous permit, the requirement used to be "and" and "surface waters", respectively. In the Definitions section (page A-10) a Category 1 SSO discharge is defined as (1) equal or exceed 1,000 gallons "OR" (2) result in a discharge to a drainage channel and/or surface water; OR (3) These two paragraphs should be revised to be consistent. Use "and/or" for both or "or" for both and use consistent receiving structures/waters.	Paragraph VI.C.2.b.i has been modified to be consistent with the Category 1 SSO definition. (see Errata No. 16)

35	A-10	SSO Reporting System	Since SEJPA does not operate a collection system so we are not subject to online reporting requirements and do not have access to the online reporting database. Consider removing this section.	Attachment A represents standard provisions universally applied to all POTWs within the State. The State Water Board has developed Attachment A as part of the permit template. The requested changes to the standard permit text has been noted for future collaboration with the State Water Board in standard permit text. The definition does not imply that the reporting applies to SEJPA.
36	A-10	Shellfish	Shellfish definition is not alphabetic. Please move to appropriate location.	The permit has been corrected. (see Errata No. 25)
37	A-11	SWQPAs	How will this be affected by the MLPA?	The details on how the Marine Life Protection Act (MLPA) may impact the San Elijo NPDES permit is not known at this time. The California Department of Fish and Game is the lead agency for implementing the MLPA and is coordinating with other state and local agencies, the scientific community, and other stakeholders in determining the location and conditions for proposed areas to be designated for special protection under the MLPA. The State Water Board is one of the coordinating agencies and will be making recommendations on conditions related to water quality protection within the proposed protected areas. The State Water Board recognizes that permitted

37 continued				<p>discharges may already exist in areas to be designated for special protection. The State Water Board has indicated that these existing point source discharges may continue to be allowed so long as they meet all applicable conditions of the state and regional board plans and policies for water quality. Also, the State Water Board is aware that monitoring required for NPDES permits may need to be conducted within these protected areas and that maintenance of existing outfall pipes and structures within the areas could need to be conducted. There may be a future restriction on any new point source discharges to these areas. The State Water Board has reported that these newly designated protection areas would most likely not have the same restrictions as Areas of Special Biological Significance (ASBS's), but would have similar conditions as appropriate for the level of protection assigned to the areas. The San Diego Water Board and the State Water Board are available to provide updates on this process as it progresses. Also, additional information on the implementation process of the MLPA and its potential impacts on activities within the designated protection areas</p>
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37 continued				is available on the Department of Fish and Game's website at http://www.dfg.ca.gov/mlpa/ . No changes to the tentative permit are being made at this time. If the marine protection areas are finalized during the life of this NPDES permit, then the San Diego Water Board may need to reopen the permit to incorporate special conditions related to the MLPA using the standard reopening provisions in the permit. The discharger will be notified of any such reopening of the permit and will have ample opportunity to comment on any proposed changes to the permit.
38	A-12	Water Quality Control Plan	Capitalize the first word of the Water Quality Control Plan definition.	This Response covers Comment Nos. 38 and 39. Attachment A represents standard provisions universally applied to all POTWs within the State. The State Water Board has developed Attachment A as part of the permit template. The requested changes to the standard permit text has been noted for future collaboration with the State Water Board in standard permit text.
39	A-12	Water Quality Objectives	Begin definition under word to be defined, as is the convention for a majority of the definitions.	The permit has been modified to include the entire map provided as Figure 2 in the application. (see Errata No. 26)
40	B-1	Attachment B	The Map does not include narrative denoting where the SEWRF is on the map. The map also cuts off the southern-most monitoring points (e.g. A-14-S) and monitoring location S-8.	

41	D-7	Paragraph VI.E.1	On page 21, the permit states that reporting in written form is "upon the request of the board." This paragraph implies that reporting is mandatory (by using the word shall). The two paragraphs should be revised for consistency.	Paragraph VI.C.2.b.i.(b) on page 21 has been modified; the written form is required. (see Errata No. 17)
42	D-9	Paragraph VII.A.3	This paragraph does not apply to the preceding clause "All POTWs shall provide adequate notice of the following ... " Suggest revising to an independent clause, not a part of the list.	Attachment D represents standard provisions universally applied to all POTWs within the State. The State Water Board has developed Attachment D as part of the permit template. The requested changes to the standard permit text has been noted for future collaboration with the State Water Board in standard permit text.
43	E-3	Paragraph I.H	SEJPA no longer performs acute toxicity testing. Suggest removing the reference from this paragraph.	The permit has been modified as requested. (see Errata No. 27)

44	E-4	Table E-1	<p>Because SEJPA has a sandy bottom around our outfall, our biological consultant recommended trawls as gaining better data than transects. Consider allowing the SEJPA to perform trawls in place of transects.</p>	<p>The San Diego Water Board is in the process of evaluating and proposing changes to all of the POTW ocean outfall NPDES discharge permit receiving water monitoring programs to incorporate the recommendations of the Southern California Coastal Water Research Project's model monitoring program for small and medium-sized POTWs. Until this process is complete, the San Diego Water Board is not proposing changes to the ocean monitoring programs. The permit may be reopened during its five year life to incorporate the revised requirements. The discharger will be notified of any such reopening of the permit and will have ample opportunity to comment on any proposed changes to the permit.</p>
45	E-4	Table E-3	<p>We currently don't monitor our effluent at station EFF-001. We currently subtract our RW from the Influent to get our Effluent Flows, which has historically been acceptable to the San Diego Water Board. Is this still acceptable?</p>	<p>The permit has been modified to allow calculations for the effluent flow monitoring as currently accepted. (see Errata No. 28)</p>

46	E-5	Table E-3	SEJPA is assessing the possibility that the maximum cyanide concentration reported by SEJPA during 2005-2010 is incorrect due to a laboratory reporting error. If this is the case, the RPA analysis (Table F-12 on page F-22) may require revision and it may be appropriate for cyanide to be regulated by performance goal instead of a WQBEL. In this event, semiannual monitoring of cyanide may be appropriate.	See Response to Comment No. 4.
47	E-5	Table E-3	Radioactivity was grab sample in previous permit. Please clarify why this sample type was changed to composite.	The permit has been corrected. (see Errata No. 29)
48	E-8	Paragraph V	Last paragraph needs to be revised to clarify "exceeded" and be consistent with Paragraph VLC.2.c in the Order.	Section VI.C.2.c on page 22 and Section V on page E-8 have been modified to be consistent and clearly identify the term "exceeded". (see Errata No. 18 and 30)
49	E-10	Paragraph VIII.A.1-4	There are new requirements for monitoring at the surf zone if there is a bacterial hit. Surf zone quality is typically a function of storm water and other non-point sources. Please explain the rationale for requiring SEJPA to repeat surf zone monitoring for bacterial characteristics when the problem can be proven to not be as a result of the facility discharge through nearshore monitoring. Additionally, water pollution typically moves parallel to the shore, and we have the mouth of the San Elijo Lagoon, a 303(d) listed, impaired water body in our monitoring area. This is why monitoring S-6 is now historical. S-5 may also be in the 303(d) listed area.	See Response to Comment No. 44. Section VIII.A has been changed to the language in the current permit. (see Errata No. 32)

50	E-10	Paragraph VIII.A.1	typo – receiving	Section VIII.A has been changed to the language in the current permit. (see Errata No. 32)
51	E-10	Paragraph VIII.A.1	Define "Sanitary Survey" so that SEJPA knows how to comply with this requirement.	Section VIII.A has been changed to the language in the current permit. (see Errata No. 32)
52	E-10	Paragraph VIII.A.4	How is it possible to know if discharges from the SEWRF are responsible for surf zone issues?	Section VIII.A has been changed to the language in the current permit. (see Errata No. 32)
53	E-10	Paragraph VIII.B.a	Reference to "section V.B" may be a typo since that section of the Order is NA. Should it be V.A?	The permit has been corrected. (see Errata No. 33)
54	E-11	Paragraph VIII.B.2	Reference to "section V.B" may be a typo since that section of the Order is NA. Should it be V.A?	The permit has been corrected. (see Errata No. 35)
55	E-11	Paragraph VIII.C.1	Reference to "section V.B" may be a typo since that section of the Order is NA. Should it be V.A?	The permit has been corrected. (see Errata No. 36)
56	E-11	Paragraph VIII.C.1	Please explain the rationale for requiring reduced monitoring at the near shore at the surface and mid-depth. Previous permit reduced monitoring was at the surface only.	The permit has been modified to surface only for reduced monitoring at the near shore. (see Errata No. 37)
57	E-11	Paragraph VIII.C.2	Reference to "section V.5" may be a typo since that section of the Order is NA. Should it be V.A?	The permit has been corrected. (see Errata No. 39)
58	E-13	Paragraph VIII.E	Because SEJPA has a sandy bottom around the outfall, our biological consultant recommended trawls as gaining better data than transects. Consider allowing the SEJPA to perform trawls in place of transects.	See Response to Comment No. 44.

59	E-15	Paragraph X.A.2.f	Report now requires detailed statistical analysis? What is rationale for new requirement? Clarification will be needed to comply.	<p>The Discharger is subject to 6-month medians, daily maximums, 30-day averages, and geometric means as effluent and receiving water limitations. Further, statistical analysis is required as specified in Section VIII.E for epifauna and infauna monitoring. The Discharger is required to provide a summary of data and calculations used to generate results that demonstrate compliance or non-compliance with the various conditions of this permit.</p> <p>Further, this requirement is being implemented State-wide as part of the standard template text approved by the State Water Board.</p>
60	E-15	Paragraph X.A.4	Annual reports should be due March 1 not February 1. March 1 was the requirement in the previous permit.	The permit has been modified as requested. (see Errata No. 42)
61	E-16	Table E-13	SMR due dates should be March 1 for annual and semi-annual reports not February 1. March 1 was the requirement in the previous permit.	The permit has been modified as requested. (see Errata No. 43)
62	E-16	Paragraph X.B.4	Refer to 2005 Ocean Plan. What if 2010 Ocean Plan is adopted during this permit cycle? Do we automatically switch to the new Ocean Plan?	Unless otherwise required, any changes made to the Ocean Plan after this Tentative Order is adopted will be included in the next permit reissuance cycle.

63	E-17	Paragraph X.B.4.b	Is "reporting level" the same as MDL? RL is not defined or referred to in any other area.	The Reporting Level (RL) is not the same as the Method Detection Level (MDL). Reporting Level is synonymous with "Minimum Level" (ML), meaning: The concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specified sample weights, volumes and processing steps have been followed. In this paragraph, "reporting level" has been changed to "minimum level", which is defined in Attachment A. (see Errata No. 44)
64	F-4	Paragraph I.C	Supplemental information was not requested. May be referring to Escondido request?	The permit has been corrected. (see Errata No. 45)
65	F-4	Paragraph II	Change Cardiff Sanitation District to City of Encinitas.	The permit has been corrected. (see Errata No. 46)
66	F-4	Paragraph II.A	Change "Discharger's Service Area" to "SDWD, SFID, and City of Del Mar"	The permit has been corrected. (see Errata No. 47)
67	F-4	Paragraph II.A	Remove Ag-Tech name and address since we may change based on low bidder.	The permit has been modified as requested. (see Errata No. 48)

68	F-5	Table F-2	Table F-2 notes that the SEJPA reported an effluent pH between 7.1 & 9.0. We cannot find record that our effluent was historically as high as 9.0. Please verify and amend rationale as appropriate.	The verification was made in an email sent by SEJPA to San Diego Water Board dated September 1, 2010.
69	F-8	Paragraph II.D.1	Paragraph D.1. - Please verify if the SEJPA had a pH spike above 9.0. The pH violation is not noted in the list below this paragraph.	The verification was made in an email sent by SEJPA to San Diego Regional Board dated September 1, 2010. The permit has been modified to include the pH violation and the explanation for the violation. (see Errata No. 49)
70	F-9	Paragraph III.A	Change "surface waters" to "Pacific Ocean".	The permit has been modified as requested. (see Errata No. 50)
71	F-10	Table F-3	REC-1 and REC-2 were specifically listed in prior permit.	REC-1 and REC-2 are listed in the Tentative Order as "contact water recreation" and "non-contact water recreation", respectively. The abbreviation has not been included for each beneficial use, as has been done in the past. The abbreviations can be found in the Basin Plan, Chapter 2, Beneficial Use Definitions.
72	F-10	Paragraph III.C.2	What happens when the 2010 Ocean Plan is adopted? The revised plan is currently out for review.	Unless otherwise required, any changes made to the Ocean Plan after this Tentative Order is adopted will be included in the next permit reissuance cycle.

73	F-10	Table F-4	Fish Migration appears to remain as a beneficial use within the Ocean Plan but has been eliminated from this Table.	The permit has been corrected. (see Errata No. 51)
74	F-11	Paragraph III.D	Some of our shore sample points may be within the 303d listed area. This paragraph of the permit should be revised.	The permit has been modified to acknowledge that some sample points may be within the 303d listed area. (see Errata No. 52)
75	F-13	Paragraph IV.A.3	Does the permit reopen if the Ocean Plan changes?	Unless otherwise required, any changes made to the Ocean Plan after this Tentative Order is adopted will be included in the next permit reissuance cycle. If required, however, the permit may be reopened in accordance with the following sections: Section VI.C.1.b of the Tentative Order and Attachment F of the Tentative Order, section VII.B.1.
76	F-17	Paragraph IV.C.3	The Dilution factor may become more important with the new bacteria standards and so more detail should be included in the permit. Include the ZID (41 feet) if appropriate for clarification.	Please include details of the Zone of Initial Dilution (ZID) as part of the Compliance reports required in Section VI.C.6 of the Tentative Order. The San Diego Water Board concurs that the ZID is important in determining whether the bacteria standards are being met outside of the ZID as required by the Ocean Plan and Basin Plan.

77	F-18	Table F-7	Most Stringent Criteria for Phenolic Compounds and Chlorinated Phenolics do not have superscript endnotes denoting where this data came from.	The permit has been corrected. (see Errata No. 53)
78	F-18	Table F-7	SEJPA is assessing the possibility that the maximum cyanide concentration reported by SEJPA during 2005~2010 is incorrect due to a laboratory reporting error. If this is the case, the RPA analysis (Table F-12 on page F-22) may require revision and it may be appropriate for cyanide to be regulated by performance goal instead of a WQBEL. In this event, semiannual monitoring of cyanide may be appropriate.	See Response to Comment No. 4.
79	F-18	Table F-7	The MSC for chronic toxicity listed in Table F-7 needs to be modified to reflect the fact that the chronic toxicity Ocean Plan limit applies after completion of initial dilution.	<p>The San Diego Water Board concurs that the criteria is applicable after dilution. The paragraph preceding Table F-7 (on page F-17) indicates a minimum probable initial dilution of 237 to 1 was considered in the reasonable potential analysis.</p> <p>The most stringent criteria in Table F-7 is taken directly from Table B in the Ocean Plan and is a correct representation of the values used in the reasonable potential analysis. The table will remain unchanged.</p>

80	F-22	Table F-12	SEJPA is assessing the possibility that the maximum cyanide concentration reported by SEJPA during 2005-2010 is incorrect due to a laboratory reporting error. If this is the case, the RPA analysis (Table F-12 on page F-22) may require revision and it may be appropriate for cyanide to be regulated by performance goal instead of a WQBEL. In this event, semiannual monitoring of cyanide may be appropriate.	See Response to Comment No. 4.
81	F-23	Table F-12	End Note 1, which explains scientific "E" notation, should have superscript "powers" (e.g. "6.1 x 10 ² " should be 6.1 x 10 ²).	The contents of table F-12 have been deleted. (see Errata No. 57)
82	F-26	Table F-13	Objectives for protection of human health - noncarcinogens have 30~Day Average performance goal limitations that significantly differ from SEJPA calculations (and the previous permit) using a dilution factor of 237, the limitations specified in the 2005 Ocean Plan, and the methodology prescribed in Attachment F. All of the new numbers seem low by a factor of 2.7 or a dilution factor of 88 was used in the calculation.	The permit has been corrected. (see Errata No. 59)
83	F-27	Table F-13	Objectives for protection of human health - noncarcinogens have 30-Day Average performance goal limitations that significantly differ from SEJPA calculations (and the previous permit) using a dilution factor of 237, <i>the</i> limitations specified in <i>the</i> 2005 Ocean Plan, and the methodology prescribed in Attachment F. All of the new numbers seem low by a factor of 2.7 or a dilution factor of 88 was used in the calculation.	The permit has been corrected. (see Errata No. 59)

84	F-28	Table F-13	Chlorodibromomethane should be Chlorodibromomethane.	The permit has been corrected. (see Errata No. 60)
85	F-29	Table F-13	End Note 1, which explains scientific "E" notation, should have superscript "powers" (e.g. "6.1 x 10 ² " should be 6.1 x 10 ²).	The permit has been corrected. (see Errata No. 61)
86	F-29	Table F-13	End Note 3, specifies that y - the water quality objective "(in ugU)". Should be revised to read (in ug/l).	The permit has been corrected. (see Errata No. 62)
87	F-29	Table F-13	End Note 3, identifies that the effluent limitations were derived using a flow rate of "18 MGD." This flow rate should be revised to 5.25 MGD.	The permit has been corrected. (see Errata No. 63)

88	F-30	Paragraph V	<p>SEJPA recommends that this paragraph be rewritten to note that the California Ocean Plan applies body contact bacteriological standards to (1) areas within 1000 feet of the shore, (2) areas within the 30-foot depth contour, (3) designated kelp beds, or (4) other waters designated by the Regional Board as REC-I. Unlike the pre-1994 version of the Basin Plan, the current version of the Basin Plan applies the REC-I designation to the Pacific Ocean without distinguishing a difference between coastal waters and deep offshore waters. As a result, Ocean Plan body contact standards are applied to all depths of ocean waters within the three-mile limit.</p>	<p>The 2005 Ocean Plan specifies that the Water-Contact Standards apply to ocean waters within California's jurisdiction designated by the regional board as having Rec-1 beneficial uses. The San Diego Water Board's current Basin Plan, as well as the prior Basin Plan, designates all ocean waters within the region as having Rec-1 beneficial use. Thus, the water contact bacterial standards apply to all ocean waters within the San Diego Water Board's jurisdiction. The language in the 2005 Ocean Plan was modified from the 2001 Ocean Plan to clarify that the regional boards may specify certain areas within each region where the Rec-1 beneficial use does and does not apply. Language has been added to clarify this interpretation of the applicability of bacteria standards to ocean waters in the San Diego Region. See Errata No. 64)</p>
89	F-32	Paragraph VI.D.1	<p>Paragraph D.1. - This paragraph states that "surf zone monitoring station S-8 ... has been created for this Order." Surf zone S-8 was created for Order No. R9-2005-0100, which was the last order. Update this paragraph as appropriate.</p>	<p>The permit has been corrected. (see Errata No. 66)</p>

90	F-32	Paragraph VI.D.1	Paragraph D.1. - This paragraph references Monitoring & Reporting Program (MRP) R9-2005-0101, which is the City of Escondido's Order No. Order No. R9-2005-0100 should be used instead.	The permit has been corrected. (see Errata No. 66)
91	F-33	Paragraph VI.D.2.b&c	Do these retain the requirements of the last permit? If so, state that requirement to be consistent with other sections.	Yes, these requirements have been retained. The permit has been modified to reflect this. (see Errata No. 67)
92	F-33	Paragraph VI.E.3	typo-monitor	The permit has been corrected. (see Errata No. 68)
93	F-34	Paragraph VII.B.1	Year-by-year reopener provision? This should be revised to be more reasonable.	This provision refers to a Regional Monitoring Program for receiving waters, which is generally less burdensome and costly to Dischargers than an individual specified monitoring program. As stated within the Fact Sheet, due to the necessity to maintain flexibility within Regional Monitoring Programs, the San Diego Water Board Executive Officer retains the right to negotiate Regional Monitoring on a year-by-year basis. The San Diego Water Board believes that this reopener is reasonable to account for appropriate shifting of monitoring requirements to obtain better quality and more valid monitoring data.

94	F-35	Paragraph VII.B.5.a	Change 5.4 MGD to 5.35 MGD	The permit has been modified. (see Errata No. 69)
95	F-36	Paragraph VII.B.5.b	This paragraph implies that the SEJPA is required to perform a treatment plant capacity study. Page 24 states that the treatment plant capacity report is a conditional report. The two paragraphs should be revised for consistency.	Attachment F has been modified; the treatment plant capacity report is a conditional report. (see Errata No. 70)
96	F-36	Paragraph VII.B.5.e	This section implies (by stating "Discharger's collection system") that the collection system is owned by the SEJPA. The collection system is owned by the respective cities and is managed under their SSMP.	The permit has been modified to reflect the fact that SEJPA does not own/operate a sewage collection system. (see Errata No. 71)
97	F-37	Paragraph VIII.A	Please include a space between "Tribune" and "on" in this paragraph.	The permit has been corrected. (see Errata No. 72)
98	F-37	Paragraph VII.6	Change compliance schedule to be more reasonable. SEJPA requests 5-8 years for full compliance.	See Response to Comment No. 101. (see Errata No. 21 and 73)
99	G-1	Attachment G	This section used to be the dilution model information. Should the information on the dilution model be added back into the permit?	The new NPDES permit template no longer includes the dilution model information, but includes discharge prohibitions contained in the Ocean Plan and Basin Plan. The dilution model information is available in the San Diego Water Board file records.
100	G-1	Paragraph I.B	Will the areas designated in the Marine Life Protection Act be considered as "Areas of Special Biological Significance"?	See Response to Comment No. 37.

<p>101</p>	<p>26-27</p>	<p>Paragraph VI.C.6</p>	<p>This additional comment was submitted by San Elijo JPA via email on September 1, 2010. San Elijo proposes a revised compliance schedule to achieve compliance with the Ocean Plan bacteria standards that includes 8 tasks as follows:</p> <ol style="list-style-type: none"> 1. Prepare and submit a proposed work plan that outlines the tasks and the approach to be used in evaluating and selecting alternatives for ensuring compliance with Bacterial Characteristics receiving water limitations. (Within 6 months of adoption of the Order) 2. Submit progress report detailing progress achieved to date. (Within 12 months of adoption of the Order) 3. Submit alternative analysis and proposed plan for achieving compliance with Bacterial Characteristics receiving water limitations. (With 18 months of adoption of the Order) 4. Submit progress report detailing progress achieved to date. (Within 24 months of the Order) 5. Complete financial arrangements for the selected alternative(s). (Within 30 months of the adoption of the Order) 6. Initiate construction of any required facilities. (Within 36 months of the adoption of the Order) 7. Complete construction of required facilities and initiate facilities start-up. (Within 48 months of adoption of the Order) 8. Identify and implement operational refinements and confirm compliance with Bacterial Characteristics receiving water limitations. (Within 60 months of adoption of the Order) <p>The Discharger provided detailed justification for extending the compliance schedule deadline dates from 36 months to 60 months.</p>	<p>The San Diego Water Board acknowledges that depending on the alternative selected, more than 36 months may be needed to achieve full compliance with the Ocean Plan bacteria standards. However, other alternatives may not require the full 60 months to comply and, for these alternatives, the San Diego Water Board would expect the Discharger to comply in 36 months or less. Therefore, in order to ensure that the compliance schedule requires compliance as soon as possible, and to be consistent with the State Water Board Compliance Schedule Policy (State Water Resources Control Board Resolution No. 2008-0025), additional language is being added to the time schedule. The additional language will hold the Discharger to the shortest possible time schedule depending on the selected alternative. (see Errata No. 21 and 73)</p>
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