



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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State Water Resources Control Board
Clerk to the Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Attention: Ms. Jeanine Townsend

Comment Letter **2014 Final Draft NPDES Industrial General Permit**

The Sanitation Districts of Los Angeles County (Sanitation Districts) operate comprehensive wastewater and solid waste management systems that serve the needs of a large portion of Los Angeles County. The Sanitation Districts own or operate 18 facilities that are currently covered by the Industrial General Permit. This includes wastewater treatment facilities, operating landfills, closed landfills, recycle centers, materials recovery/transfer facilities, and energy recovery facilities. All of these facilities will be affected by a new National Pollutant Discharge Elimination System (NPDES) General Industrial Permit and the Sanitation Districts appreciate this opportunity to comment on the 2014 Final Draft NPDES Industrial General Permit (Permit).

The Sanitation Districts recognize and appreciate the efforts of the State Board staff to consider input from stakeholders during development of the 2012, 2013, and the current 2014 drafts of the permit. This 2014 Final Draft has added more clarity to a number of the permit requirements; in particular, we appreciate the revisions to Section XI.B.11 on Sampling Analysis Reporting that should help preserve the integrity of the original laboratory values.

Our primary concerns with this 2014 Final Draft continue to be related to the significant resources that the Sanitation Districts will need to commit in an attempt to comply with Numeric Action Levels (NALs) or U.S. EPA Benchmarks that are not economically achievable at unpaved industrial facilities such as landfills. We continue to believe that sector-specific dischargers should be afforded a process at the time this Permit takes effect to define BAT/BCT for specific sectors and to develop NALs that are specific and appropriate for the activities. However, as requested in your February 19, 2014 notice, we have limited our comments to the

revisions since the July 2013 version of the permit. We request that the State Board consider these comments and suggested revisions before adopting the Final Permit.

Comments and Suggested Revisions

28.1 **Item 1:** We recommend modifying Section XII.C.3. for “NAL Exceedances Prior to Implementation of Level 1 Status BMPs” to clarify the intent of the State Board.

Section XII.C.3 of the 2014 Final Draft states that “*Prior to the implementation of an additional BMP identified in the Level 1 ERA Evaluation or October 1, whichever comes first, sampling results for any parameter(s) being addressed by that additional BMP will not be included in the calculations of annual average or instantaneous NAL exceedances in SMARTS.*” We believe the intent of this Section is to prevent responsible dischargers from being placed into Level 2 based on sampling results collected before new BMPs are implemented (subject to a maximum delay of one year from the Level 1 ERA Report due date). If that is the intent of this Section, we recommend that the Final Permit include the following clarifications to Section XII.C.3:

*“Prior to the implementation of an additional BMP identified in the Level 1 ERA Evaluation or **by October 1 of the year after the ERA Evaluation due date**, whichever comes first, sampling results for any parameter(s) ~~being~~ **that would be** addressed by that additional BMP will not be included in the calculations of annual average or instantaneous NAL exceedances in SMARTS.”*

28.2 **Item 2:** For a sampling result that falls between the method detection limit (MDL) and the reporting limit (ML/RL) or $MDL \leq \text{Sample Result} < ML/RL$, the estimated chemical concentrations with the appropriate data qualifiers should be reported.

Section XI.B.11.c of the 2014 Final Draft Permit requires responsible dischargers to “*provide the analytical result from samples taken that is reported by the laboratory as below the minimum level (often referred to as the reporting limit) but above the method detection limit.*” While this reporting requirement maintains the integrity of the laboratory value, it does not provide a clear description of the value which is an “estimated chemical concentration that is detected but not quantified (DNQ)”.

We recommend that the Final Permit include the following revisions to Section XI.B.11.c:

*The Discharger shall provide the **estimated chemical concentrations with the appropriate data qualifiers (i.e., DNQ value of 5.0mg/L as E5.0 mg/L in SMARTS)** for analytical result from samples taken that is reported by the laboratory as below the minimum level (often referred to as the reporting limit) but above the method detection limit.*

The Sanitation Districts thank you in advance for your careful consideration of our comments. If you have any questions concerning this letter or need additional information, please contact the undersigned at (562) 908-4288, extension 2826.

Very truly yours,
Grace Robinson Hyde

A handwritten signature in blue ink that reads "Kristen M. Ruffell". The signature is written in a cursive style with a large initial 'K'.

Kristen M. Ruffell
Section Head
Water Quality Section

KMR:KL:cv