

Department of Water and Power



the City of Los Angeles

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July 14, 2006

Dena McCann  
Division of Water Quality  
State Water Resources Control Board  
1001 I Street Sacramento, CA 95814

Sent via e-mail and U.S. Mail

Dear Ms. McCann:

Subject: Comments on the Draft Functional Equivalent Document for the Proposed Total Residual Chlorine and Chlorine-Produced Oxidants Policy of California (Policy)

The Los Angeles Department of Water and Power (LADWP) appreciates the opportunity to review the State Water Resources Control Board's (SWRCB) responses to comments and the revised Policy and provides the following comments for your consideration, in addition to those already submitted on June 5, 2006.

### **Non-Water Supply System Maintenance Activities**

LADWP appreciates that SWRCB is allowing certain field activities to comply with the Total Residual Chlorine and Chlorine-Produced Oxidants (TRC/CPO) policy through the use of best management practices (BMPs). This is because the activities: 1) are temporary in nature and have no stationary facility to provide de-chlorination; 2) are out in the field, making it difficult to mobilize a monitoring program/team to do testing; and 3) would require the use of field test methods that are not sufficiently accurate or precise for compliance determination according to the Policy. LADWP notes that there are other activities that either do not use potable water or are not involved with potable water system maintenance. These activities include, but may not be limited to, groundwater dewatering, hydrostatic testing of pipes not associated with the water supply, and vault dewatering. Thus, LADWP requests that SWRCB modify the paragraph

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preceding the Compliance Schedules section of the Policy as follows (from the strikeout version page 6, underlined portion added):

In addition, a ~~Regional Water Board~~ the permitting authority may include effluent limitations ~~requiring~~ expressed as best management practices, in lieu of numeric effluent limits, for TRC or CPO for discharges other than the drinking water discharges described in the preceding paragraph, where authorized under 40 C.F.R. §122.44(k), revised as of July 1, 2005. These activities include, but are not limited to hydrostatic testing of pipes not associated with the drinking water supply, vault dewatering, construction dewatering.

### **Receiving Water Monitoring**

The staff report states, "If grab samples taken at the end-of-pipe show chlorine residual above the stated effluent limit, the discharger must begin monitoring receiving water to adequately characterize and assess impacts to aquatic life within the receiving water." LADWP questions the purpose and usefulness of performing receiving water monitoring for intermittent TRC/CPO discharges [page 10]. Since the TRC/CPO dissipates rapidly and receiving water monitoring is very difficult due to the unexpected need for mobilization of staff and equipment, LADWP recommends that the receiving water monitoring requirement be eliminated. Further, in the case of power plant discharge, which is intermittent, any exceedance at end of pipe would probably not show up by the time personnel and a monitoring boat have been mobilized, since the chlorination would have been discontinued by the time a monitoring team arrived at the scene. By the time field monitoring can commence, the TRC/CPO would have long dissipated in the receiving water through volatilization or reduction with organic matter.

### **Intermittent discharges**

LADWP believes the concept of having less stringent criteria for intermittent targets is a scientifically defensible one, and has been acknowledged as such by USEPA in a letter to all Regions (attached to the June 5, 2006 comments). EPA's letter stated that "a chlorine standard could be derived which would accommodate relatively higher peak levels, such as those caused by periodic cleaning, while maintaining long term levels low enough to protect against environmental impact." This is because existing studies have shown that toxicity is reduced by the recovery times between intermittent discharges. As mentioned in our June 5 comment letter, a study done for the Utility Water Act Group in 1989 showed a reduction in toxicity associated with intermittent exposures.

LADWP requests that the intermittent criteria equations be returned to the Policy, for the reasons mentioned above. However, the various associated intermittent requirements (i.e., summation of discharge times and specific requirements for

monitoring) need not be returned to the Policy. Summation of discharge times is not necessary due to the lower toxicity of intermittent discharges caused by the recovery time between discharges, especially if the discharges are spaced evenly throughout the 24-hour day (refer to studies referenced in LADWP's June 5, 2006 comment letter). Other monitoring details for intermittent discharges can be developed with some flexibility, as long as the results of the monitoring are representative of discharge conditions; thus, requirements such as the number of samples or frequency of sampling can be finalized when intermittent dischargers develop their monitoring plan through collaboration with the RWQCB.

### **Online instrumentation**

LADWP disagrees that there exists online instrumentation that is capable of detecting criteria-level concentrations in real-world applications without excessive false exceedances due to analytical noise. While there may exist instruments with the required sensitivity, quantification of concentrations remains a problem, especially when those concentrations are at the Policy's criteria levels. LADWP believes that the only way to assure that there is no harm to beneficial uses is to work with Regional Boards to develop a reasonable verification method, such as providing stoichiometric information.

### **Other methods of analysis**

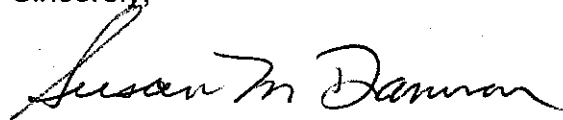
Concerning amperometric titration, the Policy states (page 8) that "All off-line measurements of chlorine residual shall be performed using this analytical method." LADWP requests that since amperometric titration with acceptable precision and accuracy can only be done in a laboratory, the above statement should be removed from the Policy.

### **Summary**

The draft Policy still does not allow for past site-specific decisions based on science to provide appropriate criteria that are protective. It still does not address real world detection levels, quantitative reporting limits, and analytical noise. Nor does it sufficiently address the difficulties in mobilizing to monitor intermittent discharges in the field. None of these reasons can justify a policy that is arbitrary and unfair, especially to intermittent dischargers.

If you have any questions or require additional information, please contact Clayton Yoshida at (213) 367-4651.

Sincerely,

A handwritten signature in cursive script that reads "Susan M. Damron". The signature is written in black ink and is positioned below the word "Sincerely,".

Susan M. Damron  
Manager of Wastewater Quality Compliance

c: Clayton Yoshida