



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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Via Electronic Mail

Mr. Man Voong
California Regional Water Quality Control Board
Los Angeles Region
320 West Fourth Street, Suite 200
Los Angeles, California 90013

Dear Mr. Voong:

**Comments on the Bacteria Total Maximum Daily Loads (TMDL) Revisions:
Draft Amendment to the TMDLs for Bacteria in the Santa Monica Bay Beaches (SMBBB);
the Marina del Rey Harbor Mothers' Beach and Back Basins;
and the Los Angeles Harbor Inner Cabrillo Beach and Main Ship Channel;
and to Revise Implementation Provisions for Water Contact Recreation Bacteria Objectives**

The County Sanitation Districts of Los Angeles County (Sanitation Districts) appreciate the opportunity to provide comments to the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) on the subject proposed amendments (Bacteria Amendments). By way of background, the Sanitation Districts are a confederation of 23 individual special districts providing wastewater and solid waste management services to over 5 million people in Los Angeles County, including 78 cities and unincorporated areas within the County. The Joint Water Pollution Control Plant (JWPCP) is a 400 million gallon per day wastewater treatment facility that is owned and operated by the Sanitation Districts, which discharges secondary treated effluent to the Pacific Ocean. The JWPCP NPDES permit requires indicator bacteria monitoring at eight shoreline locations along the Palos Verdes peninsula, which is conducted solely for the purposes of public health assessment and to ensure protection for public recreational use of coastal ocean waters. Through an agreement described in the Santa Monica Bay Beaches Bacteria (SMBBB) TMDLs Coordinated Shoreline Monitoring Plan, the monitoring data are also used for compliance with the SMBBB TMDL. The Sanitation Districts additionally conduct extensive indicator bacteria monitoring in the San Gabriel River, Rio Hondo, and Santa Clara River watersheds, in accordance with NPDES permit requirements for water reclamation plants discharging in these watersheds.

The Sanitation Districts' primary concern with the Bacteria Amendments relates to proposed revisions to the wasteload allocation (WLA) for the JWPCP under the SMBBB TMDL. We also believe that geometric mean calculations should be consistent with recent U.S. Environmental Protection Agency (EPA) draft recommendations for recreational water quality criteria, and believe that several changes to the Bacteria Amendments are needed for clarity. Detailed comments are provided below.

JWPCP Waste Load Allocations

The existing WLA for the JWPCP in the SMBBB TMDL is “zero (0) days of exceedance.” As the JWPCP does not cause or contribute to indicator bacteria exceedances at shoreline monitoring points, no action was required on the part of the Sanitation Districts to comply with this WLA. The Staff Report for the Bacteria Amendments does not mention any contributions by the JWPCP to indicator bacteria exceedances, nor does it discuss any need to make the JWPCP WLA more stringent. However, the Bacteria Amendments propose to revise the WLA to being “equal to the bacteriological objectives contained in Chapter 3 during summer dry weather, winter dry weather, and wet weather.” As written, the updated WLA language could inadvertently be interpreted as meaning that the JWPCP discharge would have to meet Basin Plan bacteriological objectives at end of pipe. Such an interpretation would require extensive treatment plant upgrades at the JWPCP, which would be unwarranted since the JWPCP does not cause or contribute to beach indicator bacteria exceedances. Therefore, the Sanitation Districts request that the proposed JWPCP WLA be revised. Suggested language is provided below.

“The three Publicly Owned Treatment Works (POTWs)⁴ discharging to Santa Monica Bay are each assigned individual WLAs expressed, as receiving water limitations, as follows: the Discharger shall ensure that bacterial concentrations in the effluent do not cause or contribute to exceedances at shoreline monitoring points of bacteriological objectives contained in Chapter 3 during summer dry weather, winter dry weather, and wet weather. The POTWs are not expected to be sources of bacteria to Santa Monica Bay Beaches, so no additional actions are expected to be necessary to be in compliance with TMDL WLAs.”

Geometric Mean Calculations

The Bacteria Amendments revise the requirements for geometric mean calculations in the Basin Plan and in several TMDLs, including the SMBBB TMDL. For the TMDLs, the current 30-day rolling geometric mean calculated daily would be replaced with a 6-week rolling geometric mean calculated weekly. While we believe that this change provides a more accurate assessment of water quality than the previous method, we are still concerned that even a 6-week monitoring period would not provide adequate sample results to provide reliable and representative water quality determinations. We agree with and support the recent EPA draft recommendations for recreational water quality criteria (76 Federal Register 79176, December 21, 2011) to include more samples in the geometric mean calculations to improve the accuracy of the characterization of water quality, and therefore prevent the chance of misclassifying water bodies. EPA showed that, for beaches with actual geometric means less than 25 CFU/100 ml (the geometric means observed at Jurisdiction 7 beaches are generally less than this value), the likelihood of misclassifying water bodies is more than 20% with 4 samples and 14% with 5 samples. EPA has been conducting research since 2004 to support the updated criteria and went to great lengths to clarify the intended purpose and use of the geometric mean, as well as how it should be calculated. We support the EPA recommendation to minimize the risk of inaccurate water quality determinations by calculating geometric means over a longer time period, and recommend that geometric means be based on 90-day periods.

Basin Plan Implementation Provisions for Water Contact Recreation Bacteria Objectives

The Bacteria Amendments propose to change the first paragraph under “Implementation Provisions for Water Contact Recreation Bacteria Objectives” in Chapter 3 of the Basin Plan as follows, “The geometric mean values ~~should~~ shall be calculated based on a statistically sufficient number of samples (generally not less than 5 samples equally spaced over a ~~30-day~~ the calculation period.” The Sanitation Districts are concerned that the meaning of the term “the calculation period” is unclear. The Basin Plan does not specify a calculation period for geometric means for fresh or marine waters designated for water contact recreation. While the Bacteria Amendments are providing specific time periods in the beach TMDLs for geometric mean calculations, it will be difficult for dischargers to

waterbodies without indicator bacteria TMDLs to interpret the phrase “the calculation period.” We recommend that a 90-day period be used to calculate all indicator bacteria geometric means, to provide the most accurate characterization of water quality.

Additionally, the third paragraph under “Implementation Provisions for Water Contact Recreation Bacteria Objectives” in Chapter 3 of the Basin Plan also states that a “30-day period shall be used to calculate the geometric mean.” However, no changes to this paragraph have been proposed. Language in the third paragraph of this Basin Plan section should be changed to be consistent with any changes to the first paragraph. As stated above, we recommend that a 90-period be specified for calculating the indicator bacteria geometric mean.

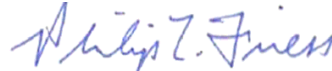
Table Corrections

The second and third columns (“Type” and “Location”) in Table 3 of the Staff Report do not correctly correspond with the other columns. Additionally, the sample stations in Table 7-4.2a in the Bacteria Amendment and Table 5 of the Staff Report are incorrectly described. These tables should be revised accordingly.

The Sanitation Districts thank you in advance for your consideration of our comments and suggested modifications. If you have any questions concerning this letter or need additional information, please contact Ann Heil at (562) 908-4288, extension 2803 or aheil@lacsdsd.org.

Very truly yours,

Grace Robinson Chan



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