

Response to Comments

West Basin Municipal Water District
 Juanita Millender-McDonald Carson Regional Water Recycling Plant (JMMCR WRP)
 Tentative NPDES Permit CA0064246

Letter/ Issue	#	Comment	Agree	Disagree	Response to Comment	Action Taken
West Basin Municipal Water District (West Basin) September 21, 2012 Cover Letter – Comments Regarding Tentative Order dated August 23, 2012						
Order Section II.B Fact sheet Section II.A.	1	The draft permit references BP Refinery which should be changed to 'Refinery' instead. This facility is in the process of being sold to another company.	X		The Regional Water Board has changed all references to "BP Refinery", as requested.	Changes have been made.
Order Section VI.C.3.a	2	West Basin is enrolled in the General Industrial Stormwater Permit. This section could be removed as the provisions are covered in the statewide Industrial General Storm Water permit already.	X		The Regional Water Board has removed section 6.C.3.a, as requested.	Changes have been made.
Order Section VI.C.3.b	3	The Pollutant Minimization Program (PMP) is complicated to unravel. Could the board staff provide an explanation or flow chart to clarify when a PMP is triggered as well as providing an example of a PMP done by another agency?			Regional Water Board staff will assist the discharger with the PMP process, if and when they need to create one.	None necessary.
Attachment E Section I.E.	4	Commercial lab reports are typically signed by a project manager or department manager, or electronically signed by the lab manager. Furthermore, due to LIMS and other systems, a perjury statement on each analysis report may be very difficult for each lab. If the main report sent by the QA/QC manager/ Lab Manager would suffice this would follow standard lab procedures more accurately.	X		Regional Water Board staff has revised section I.E as follows: <i>"All analyses shall be accompanied by the chain of custody or internal laboratory tracking documents, as applicable, including but not limited to date and time of sampling, sample identification, name of person who performed sampling, date of analysis, name of person who performed the analysis, QA/QC data, and method detection limits, copy of laboratory certification, and a perjury statement executed by the person responsible for the laboratory. ELAP requires log books and internal lab documents to track the person who performed the analysis. A general perjury statement is included by every lab manager / project manager on their report of analysis."</i>	Changes have been made.
Attachment E Section I.E.	5	West Basin uses several contract labs, some of which may not list the name of person performing analysis on the	X		Regional Water Board staff has revised section I.E. See Response to Comment on Item 4.	Changes have been

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		<p>report as they are traceable through internal lab documents and log books required by ELAP. Also, lab certifications are frequently dozens of pages long and are included in annual reports.</p> <p>Suggested Change: <i>All analyses shall be accompanied by the chain of custody or internal laboratory tracking documents, as applicable, including but not limited to date and time of sampling, sample identification, name of person who performed sampling, date of analysis, name of person who performed the analysis, QA/QC data, method detection limits, copy of laboratory certification, and a perjury statement executed by the person responsible for the laboratory. ELAP requires log books and internal lab documents to track the person who performed the analysis. A general perjury statement is included by every lab manager / project manager on their report of analysis.</i></p>				made.
Attachment E Table E-2	6	The requirement to change to composite samples would be better served to remain grab samples as approved during last permit cycle (2007). RO operation is robust and brine water quality is very stable over time - both 24 hour period and annually. Grab sampling is appropriate for this process and more efficient as a public agency since constituent levels have been very consistent over the years	X		Regional Water Board staff agree to change composite samples to grab samples, per the statement in the Fact Sheet of the current permit Order R4-2007-0001: "The type of sample required has been revised from a 24-hour composite to grab. The discharge is composed of reverse osmosis brine waste and is not expected to contain much variability. Because the discharge is not expected to change much throughout the day, a grab sample is considered representative of the effluent. Further, grab samples are more cost-effective and may eliminate unnecessary monitoring costs."	Changes have been made.
Attachment E Section IV	7	Which metals constitute "all metals"? Could the permit list those in a table?	X		A footnote stating that "All metals" refers to the list of metals in the Ocean Plan Table B. Clarification has been added to the permit..	Change has been made.
Order Section II.B	8	Page 5 of the Order specifies a brine line that leads to the JWPCP's effluent discharge tunnels Nos. 001 and 002. Is it reasonable to assume that toxicity results can be compared to Discharge Points 001 with a limit of 167 TUc?	X		The chronic toxicity shall be sampled at EFF-001, specified in Table E-1 of Monitoring and Reporting Program Section II. The results of chronic toxicity can be compared to JWPCP's Discharge Points 001, 002, 003, and 004 with limits of 167, 167, 151, and 116 TUc, respectively. Discharge Points 001 and 002 are for the routine flow discharge. Discharge Point 003 is used for hydraulic relief of flow, during times of heavy rain. Lastly, Discharge Point 004 is used as a	None necessary.

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					standby, providing additional hydraulic relief during the heaviest flow.	
Attachment E Section VII.B & VII.C	9	Please clarify triple reporting requirements. West Basin has been submitting tabular data for Carson into CIWQS since Nov. 2010 and has not been advised by the State Boards that the duplicate data submittal (electronic to LA RWQCB and CIWQS) is no longer required. This also seems to conflict with LARWQCB 10/20/11 directive "Guidelines For Electronic Submittal of Documents."		X	The State Water Board is reviewing reporting requirements. Once the State Water Board modifies the reporting requirements, sections VII.B and VII.C will be revised accordingly.	None necessary.
Fact Sheet Table F-1	10	The Authorized Person for signature should state "Rich Nagel or Shivaji Deshmukh" as the Assistant General Manager frequently acts in place of the General Manager during his absence.	X		The revised tentative permit has been changed accordingly.	Change has been made.
Fact Sheet Section II.A.2	11	This section should match the introduction on page 5 of the permit (MF/RO train capacity increase is only 1.83 mgd) therefore should say: "... This second phase will increase the MF/RO train capacity by 5 1.83 MGD (total MF/RO and nitrified plant capacity will be 10.9 8.63 MGD).	X		The revised tentative permit has been changed accordingly.	Changes have been made.
Fact sheet Table F-11	12	This table noting the increases in monitoring is appreciated. Over 10 years of monitoring data for this facility demonstrates relatively consistent water quality. Typically, reduced monitoring is granted for constituents with consistent water quality numbers. Therefore, West Basin requests maintaining constituents at semi-annual monitoring frequency instead of quarterly, for those constituents where no reasonable potential to exceed was found.		X	<p>To establish Water Quality Based-Effluent Limitations (WQBELs) for the Tentative Permits using Reasonable Potential Analysis (RPA) is the policy of the State of California and is derived from NPDES regulations at 40 CFR 122.44(d)(1). The RPA is based on the methodology set forth in State Water Board policy. The RPA has been used in all adopted permits since 2000.</p> <p>Regional Water Board staff use a matrix of criteria, based upon Best Professional Judgment, to set the effluent and receiving monitoring frequencies for regulating the myriad pollutants. The monitoring frequencies for these pollutants, which vary from monthly, quarterly, to semiannually, are generally set based on the following three criteria:</p> <p>Criterion 1: Monitoring frequency will be monthly, for those pollutants with reasonable potential to exceed water quality objectives (i.e. monitoring has shown exceedances of the objectives); or,</p> <p>Criterion 2: Monitoring frequency will be quarterly, for</p>	None necessary

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					those pollutants in which some or all of the historic effluent monitoring data detected the pollutants, but without reasonable potential to exceed water quality objectives; or, Criterion 3: Monitoring frequency will be semiannually, for those pollutants in which all of the historic effluent monitoring data have had non-detected concentrations of the pollutants and without current reasonable potential to exceed water quality objectives.	
Order Table 3	13	The permit is slated to take effect on December 28, 2012. Could the date be changed to January 1, 2013? This would make a much cleaner break for quarterly reporting cycles.	X		The tentative permit is rescheduled for the March 7, 2013, Board Hearing. In case of the tentative permit adopted on March 7, 2013, this permit will become effective on April 26, 2013 and expire on February 10, 2018. All necessary modifications have been changed accordingly.	Change has been made.
Heal the Bay September 24, 2012 Cover Letter – Comments Regarding Tentative Order dated August 23, 2012						
	1	The RPA approach never strengthens a permit. While we understand the need for adapting permits to account for changes that occur between permit cycles, we also see that the current practice of the RPA approach favors dropping constituents and weakening the monitoring programs from the current permits, creating progressively less protective permits with every permitting cycle. Thus we suggest that you maintain monitoring for constituents, even if the RPA indicates that effluent limits are not necessary.		X	See Response to Comment 12, above. The removal of effluent limitations, for constituents that no longer show reasonable potential, is consistent with the State Water Board's Precedential Order WQO 2003-0009.	None necessary
	2	To further aid in the control of toxic substances, Heal the Bay recommend that the Permit include a special <i>Chronic Toxicity Monitoring Study</i> using the USEPA's Test of Significant Toxicity (TST) hypothesis testing approach. This study approach is justified given that the amount of brine discharged has increased as a result of increased water recycled at the plant. The TST method is superior to traditional NOEC method because it regulates the instances of both false positives and false negatives that may result from toxicity testing, while encouraging higher amounts of replicates and good lab practices through the		X	Until the State Water Board adopts the <i>Draft Policy for Whole Effluent Toxicity Assessment and Control</i> , the NOEC method is still used for all NPDES permits.	

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		<p>use of the proposed statistical method. This would be consistent with the <i>WDRs and NPDES permit for West Basin Municipal Water District, Edward C. Little Water Recycling Plant Discharge to the Pacific Ocean via the Hyperion Treatment Plant "Five-Mile Outfall."</i> This is also the method currently proposed by the State Water Board in the <i>Draft Policy for Whole Effluent Toxicity Assessment and Control.</i></p>				