

Response to Comments

City of Los Angeles
Los Angeles-Glendale Water Reclamation Plant
Tentative NPDES Permit

(This Table summarizes the comments received from interested parties with regard to the above-mentioned Tentative Permit. Each comment presented in this Table has corresponding Regional Water Board's response and/or action taken.)

Issue/ Document Reference	#	Comment	Agree	Disagree	Response to Comment	Action Taken
City of Los Angeles, Bureau of Sanitation's (Bureau) Comments Regarding the Tentative NPDES Permit dated August 4, 2011						
Revision of Ammonia Effluent Limitations	C1	<p>Ammonia Effluent Limits</p> <p>The ammonia effluent limits for LAGWRP in the Tentative Order are set equal to the wasteload allocations (WLAs) in the Los Angeles River Nitrogen Compounds TMDL. The Nitrogen Compounds TMDL became effective in March 2004. During TMDL development, the City of Los Angeles in cooperation with the City of Burbank and the Los Angeles County Sanitation District were in the process of developing a site-specific objective (SSO) for ammonia. The TMDL acknowledges the SSO development but did not incorporate the SSO because at the time the TMDL was adopted, the SSO was not effective. In March 2009, the ammonia SSO became effective for the Los Angeles River.</p> <p>From the time the SSO became the effective Basin Plan ammonia water quality objective for the Los Angeles River, the Bureau has been encouraging Regional Board staff to modify the TMDL targets and allocations to reflect the revised ammonia objectives.</p>		X	<p>The Nitrogen Compounds TMDL has been in effect since March 23, 2004. While the Nitrogen Compounds TMDL is in effect, the permit writers cannot revise the ammonia effluent limitation. This TMDL established the waste load allocations for ammonia. On March 30, 2009, a Basin Plan amendment incorporating the site specific objectives for ammonia 30-day average objective (SSO) was approved by USEPA. However, the Implementation schedule of the Nitrogen Compounds TMDL specifies that, "If a site specific objective is adopted by this Regional Board, and approved by relevant approving agencies, this TMDL will need to be revised, readopted, and reapproved to reflect the revised water quality objectives." The Nitrogen Compounds TMDL has not yet been revised.</p> <p>Once the Nitrogen Compounds TMDL is revised to incorporate the ammonia SSO and reapproved, staff will revise this NPDES permit.</p> <p>Regional Water Board staff reviewed the LAGWRPs ammonia's compliance with the ammonia TMDL effluent limitations. Since</p>	None necessary.

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		<p>Additionally, the Bureau has provided information demonstrating that, using the new Basin Plan objectives, the Los Angeles River is no longer impaired for ammonia and could be delisted in 2012. However, to date, the TMDL revision and/or delisting decision have not been completed. As a result, the ammonia effluent limits in the LAGWRP Tentative Order are currently set equal to the TMDL WLAs without an adjustment for the effective Basin Plan ammonia objectives.</p> <p>The Bureau is concerned that the currently effective Basin Plan ammonia objectives are not the basis for the effluent limits in the Tentative Order. The proposed effluent limits in the Tentative Order present a compliance risk for the Bureau, and this risk is as a result of an administrative timing issue (i.e., the TMDL was not revised prior to the development of the tentative order and therefore the revised WLAs could not be incorporated) rather than a water quality issue. The Regional Board staff has indicated they will be revising the Los Angeles River Nitrogen Compounds TMDL to incorporate the new Basin Plan ammonia objectives in early to mid-2012. However, even if the TMDL is revised by the Regional Board as planned, it will take approximately a year to become effective and at least several months to revise LAGWRP's permit. Until such time as the effluent limitations are revised, the Bureau will potentially be subject to enforcement liability even though the discharge is meeting limits consistent with current Basin Plan objectives and the receiving water is meeting water quality objectives.</p> <p>To resolve this administrative issue, the Bureau requests that the Tentative Order be modified to include effluent limitations based on the SSO-adjusted WLAs to be consistent with the Basin Plan objectives.</p>			<p>the nitrification/denitrification process became operational in June 2007, the average monthly effluent limitations of 2.2 mg/L has never been exceeded. The maximum ammonia concentration ever detected as of July 2011 was 1.65 mg/L. The Bureau has always been in compliance with the ammonia effluent limitations.</p>	

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		<p>The Bureau requests that the Average Monthly Effluent Limitation (AMEL) for ammonia at LAGWRP be modified as follows:</p> <p>AMEL = 4.24 mg/L for October 1 through March 31 (ELS-absent) AMEL = 3.19 mg/L for April 1 through September 30 (ELS-present)</p> <p>The proposed AMEL was calculated by utilizing the same pH and temperature used to calculate the current WLAs and applying the current ELS-absent Basin Plan objective between October 1 and March 31 and the current ELS-present Basin Plan objective between April 1 and September 30. The ELS-present and ELS-absent objectives are both applicable to Reach 5 (the reach to which LAGWRP discharges) during the respective time periods indicated for the proposed AMELs. Once the objectives were determined, a 10% margin of safety was subtracted from the value to obtain the proposed AMELs.</p>				
Metals Effluent Limitations	C2	<p>Metals TMDL</p> <p>In Table 6 of the Tentative Order for LAGWRP, effluent limits for cadmium, copper, lead, and zinc were calculated based on WLAs established in the Los Angeles River and Tributaries Metals TMDL (Metals TMDL) using the procedures in the SIP. The Bureau feels that the proposed effluent limits are not consistent with the assumptions of the Metals TMDL WLAs or the SIP and should be revised.</p>	X		<p>Regional Water Board staff revisited this issue with the TMDL staff. TMDL staff stated that the intent of the Metals TMDL is to provide only the chronic criteria for dry weather. Therefore, there will be no assigned acute criteria in the calculation using SIP procedure. The revised calculated effluent limitations for copper and lead are now in agreement with the Bureau's proposed effluent limitations. Please see attached revised Reasonable Potential Analysis Table.</p>	Changes have been made.
Tentative Order, List of Attachments, Page 4	1	<p>The Bureau requests that the RWQCB remove the following "Not Applicable" Attachments and remove references to the Attachments within documents.</p> <p>Attachment H Storm Water Pollution Prevention Plan Requirements (Not Applicable)</p>		X	<p>Regional Water Board staff does not agree with the request to remove Attachments H, I, and K. The text in each of those attachments was removed, but the topic header was retained. This is necessary to retain the format consistent with Statewide NPDES template and so that it is clear that the issue has been</p>	None necessary.

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		Attachment I Biosolids/sludge Use and Disposal Requirements (Not Applicable) Attachment K TMDL-Related Tasks (Not Applicable)			addressed.	
Tentative Order, Section II.F Pages 6 and 7 and Attachment F (Fact Sheet), Section IV.C.2.b.i, Page F-26	2	The permit states that: “The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 CFR part 133 and Best Professional Judgment (BPJ) in accordance with 40 CFR part 125.3. A detailed discussion of the TBELs development is included in the Fact Sheet (Attachment F).” Best Professional Judgment in 40 CFR 123.5 does not apply to POTWs. Please revise the language (and in the Fact Sheet) as follows: The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 CFR part 133 and Best Professional Judgment in accordance with 40 CFR part 125.3. ”		X	Regional Water Board staff disagree. 40 CFR part 123.5 describes the Technology-based treatment requirements for POTWs. However, the Best Professional Judgment was used in connection with the discharges other than POTWs . The revised language shall read: “The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 CFR part 133 and Best Professional Judgment in accordance with 40 CFR part 125.3. ”	Changes have been made.
Tentative Order, Section IV, Table 6, Page 19	3	Effluent Limit footnotes for Total Dissolved Solids, Sulfate, Chloride, MBAS are missing footnote explanations for origin of effluent limitations. The Bureau request footnotes explaining the basis for the effluent limits.		X	Regional Water Board staff disagree. There are no missing footnotes. The detailed discussions of effluent limitation derivation are found on pages F-15 and F-28 for chloride, F-28 for Total Dissolved Solids, F-28 for Sulfate, F-29 for MBAS. Since the origin of these effluent limitations are fully discussed in the referenced pages of the Fact Sheet, adding a footnote is not necessary.	None necessary.
Tentative Order, Section IV.A.1.a Table 6, Page 20	4	The mass emissions lbs/day for parameters in units of ug/L refers to Footnote 8 which specifies the calculation for parameters in units of mg/L. Please include a separate footnote for ug/L unit.	X		Regional Water Board staff agree. The footnote on mass emission rate calculation is provided as a guide in calculating the mass emission in lbs/day. To provide guidance to the Bureau in converting from mg/L to µg/L, a new conversion factor of 0.00834 is provided in the revised footnote.	Changes have been made as appropriate.
Tentative Order, Section	5	The Bureau requests to revise sentence: No sample shall exceed an MPN or CFU of 240 total coliform bacteria per 100 milliliters in more than one sample	X		After review of CDPH Title 22 requirements, staff agree with the Bureau’s comment. The suggested changes will be reflected in the cited sections of the permit.	Changes have been made.

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IV.A.d, Page 21 and Attachment F (Fact Sheet), Section IV.C.2.b.xi.a, Page F-32		<p>within any 30-day period.</p> <p>The statement is contradictory and not consistent with Title 22 requirements.</p>				
Tentative Order, Section V.A.17. c., Page 26 and elsewhere in the document (especially Attachment E, II, Table 1, Page E-5)	6	Station RSW-001 should be designated as RSW-LAGT650 and RSW-002 should be RSW-LAGT654 to be consistent with the LARWMP station designations.	X		Regional Water Board staff agree. To be consistent with the Los Angeles Regional Watershed Monitoring Program (LARWMP), the receiving water monitoring station numbering nomenclature in this permit will be identical to LARWMP.	Changes have been made as appropriate.
Tentative Order, Section VI.C.1.b, Page 30	7	<p>It appears that this provision is related to Section 2.4.5 of the SIP that addresses Pollutant Minimization Programs (PMPs) and the need to collect additional information. In accordance with Section 2.4.5.2b of the SIP "RWQCBs may include special provisions in the permit to require the gathering of evidence to determine whether the constituent of concern is present in the effluent at levels above a calculated effluent limitation." It is not necessary for this permit provision to say that additional requirements may be included as result of the information collected because the other re-opener provisions in the permit are broad enough to allow for any necessary permit modification to take place. Suggested language is as follows:</p> <p><u>"This Order may be reopened for modification, or revocation and reissuance, based on the results of the Pollutant Minimization Program, pursuant to Permit Section VI.C.3.c, to gather evidence to determine whether a constituent of concern is</u></p>		X	Regional Water Board staff disagree. Section VI.C.1.b. of the Reopener Provisions is a standard language for all POTWs and it is verbatim language from section 2.4.5.1 Pollutant Minimization Program of the SIP. The reopener language shall stay as written.	None necessary.

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		<p>present in the effluent at levels above a calculated effluent limitation, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are Evidence may include but is not limited to <u>data such as</u>, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring the data.</p>				
Tentative Order, Section VI.C.2.b., Page 32	8	<p>The Bureau requests the following change to the work plan approval deadline, to be consistent with other references in the permit:</p> <p>“The Discharger shall update its existing initial investigation Toxicity Reduction Evaluation (TRE) workplan and submit a copy of the revised initial investigation TRE workplan to the Executive Officer of the Regional Water Board for approval within 30 <u>90</u> days of the <u>effective date of adoption</u> of this permit.”</p>	X		Regional Water Board staff agree. The TRE workplan approval deadline was changed from 30 days to 90 days.	Changes have been made.
Tentative Order, Section VI.C.3.a, Page 33	9	The Bureau requests the section titled: “Storm Water Pollution Prevention Plan (SWPPP) Not Applicable” be removed from the permit since as stated, it is not applicable.	X		Regional Water Board staff agree. The foregoing texts of the SWPPP discussion were deleted but the topic header was retained. See also response #1.	Changes have been made.
Tentative Order, Section VI.C.5.a., Page 36 Attachment F (Fact Sheet), Section VII.B.5.a.,	10	Please strike this section because it does not apply to the LAG treatment process. LAG returns the solids generated by the treatment process back to the sewer for transport and treatment at HTP; therefore, this section does not apply to LAG.	X		Regional Water Board staff agree. The section on sludge disposal requirements does not apply to LAGWRP. Solids generated by the treatment process at the plant are sent to the Hyperion Treatment Plant.	Changes have been made.

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Tentative Order, Section VII.C. Page 43, Paragraph 3	11	In many instances, the following requirement is unachievable and should be modified. "If the analytical result of any single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the AMEL for any parameter, the Discharger shall collect up to four additional samples within the same calendar month." The organochlorine pesticide (EPA 608) and base/neutral, and acid extractable (EPA 625) analyses have a turn-around time of approximately one month. Additionally, the allowable holding time between sample collection and extraction is 7 days. So, from the time that the analytical result from one of these tests is known there is no time to collect an additional four samples within the same month. Please consider revising the sentence as follow: "If the analytical result of any single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the AMEL for any parameter, the Discharger may collect up to four additional samples within the same calendar month.	X		Regional Water Board staff agree. To be consistent with the recently adopted POTW permits, the suggested language replaced the tentative permit's language.	Changes have been made.
Tentative Order, Section VII, D, Pages 43 and 44	12	The Bureau requests that the language reflect the following:" A calendar week will begin on Sunday and end on Saturday. Partial calendar weeks at the end of the calendar month will be carried forward to the next month in order to calculate and report a consecutive seven-day average value on Saturday". This would be consistent with other Bureau permits.	X		Regional Water Board staff agree. For consistency among other permits, the suggested language was used.	Changes have been made.
Tentative Order, Section VII.N.1, Page 46	13	The Bureau requests the definition of a geometric mean include: "A minimum of 5 data points is needed to conduct a geometric mean that is statistically valid."		X	Regional Water Board staff disagree. The intent of the Basin Plan in calculating the geometric mean for bacteria is to have a minimum of 5 samples per month. However, it also allows for a lower number if it is deemed statistically valid. Basically, weekly sampling is accepted to be statistically valid, so a geometric mean can and should be calculated with only 4 weekly samples in a 30-day period.	None necessary

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Attachment E (MRP), Section I.H, Page E-3	14	The following text incorrectly references 40 CFR 136 as a source of procedures for establishing Minimum Levels (MLs). Method Detection Limits (MDLs), not MLs are addressed in 40 CFR 136. Please delete the reference.	X		Regional Water Board staff agree. MDLs are discussed in 40 CFR part 136. Staff deleted the reference to 40 CFR part 136.	Changes have been made.
Attachment E (MRP), Section III. A.1, Table 2, Page E-7	15	LAG Influent flow specifies Sample Type as "Calculated." The Bureau request to change it instead to " Recorder ".	X		Regional Water Board staff agree. The sample type was changed from "Calculated" to "Recorder."	Changes have been made.
Attachment E (MRP), Section III.A.1, Table 2, Page E-7	16	The Bureau requests that the influent data monitoring for the "Remaining USEPA priority pollutants excluding asbestos" be reduced from semiannually to annually.		X	Regional Water Board staff disagree. This influent data monitoring frequency is standard to all POTWs. In addition, the data collected is useful in determining pretreatment standards and limitations.	None necessary.
Attachment E (MRP), Section IV.A.1 Page E-8 And Attachment E (MRP), Section II. Table 1. Page E-5	17	The Bureau requests the constituents monitored at each monitoring location name be applied consistently between LAG and DCT. The following change will reflect that EFF-001A is the main sampling station for everything except Bacteria and Turbidity.	X		Regional Water Board staff agree. To be consistent with the DCT permit, the sampling station numbering was revised as suggested by the Bureau.	Changes have been made.
Attachment E (MRP), Section IV.A.1, Table 3, Page E-9	18	The Bureau requests insertion of a footnote for temperature, pH, settleable solids, and total suspended solids stating that: "Daily grab samples shall be collected Monday through Friday, except, for holidays; and not on weekends."	X		Regional Water Board staff agree. The suggested footnote was added.	Changes have been made.
Attachment E (MRP) Section IV.A ,Table 3,	19	On July 8, 2010 the Regional Board adopted Resolution R10-005 to amend the Basin Plan to update the bacteria objectives for freshwater designated for water contact recreation by removing		X	Regional Water Board staff disagree. Resolution R10-005 has not been approved by the State Board, OAL, and USEPA. As written, the tentative permit contains effluent limitation for fecal coliform, therefore, fecal coliform must be monitored to verify	None necessary.

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Page E-9 and Section VII.A. Table 4A, Page E-19		the fecal coliform objective. This amendment updates the freshwater bacteria objectives in the Basin Plan to maintain consistency with U.S. EPA's recommendation that <i>E. coli</i> replace fecal coliform as an indicator of the presence of pathogens in fresh water, and removes unnecessary permitting and monitoring requirements that arise from having water quality objectives for both indicators. The tentative permit contains requirements to test for both fecal coliforms and <i>E. coli</i> as part of the receiving water and effluent monitoring programs. To be consistent with the Basin Plan amendment and eliminate unnecessary monitoring, the Bureau recommends that the Regional Board remove the fecal coliform requirement for testing of the effluent and receiving waters.			facility's compliance.	
Attachment E (MRP), Section IV,A,1, Table 3, Page E-10	20	The Bureau requests to change the 1,4-Dioxane sample type to 24-hour composite sample. This is consistent with previous permits.		X	Regional Water Board staff disagree. USEPA SW-846 listed 1,4-Dioxane as volatile organic compounds. Therefore, the sample type for 1,4-Dioxane shall be "grab". In addition, previous LAGWRP permit indicates sample type as "grab".	None necessary.
Attachment E (MRP), Section V.E.6.b, Page E-16	21	This requirement is not consistent with the requirements as found in Attachment E, V.A.2.d Page E-12 and V.B.3 Page E-14. It should be revised as follows: "If the results of any of the six accelerated tests exceed the acute toxicity limitation, or the chronic toxicity trigger, then the Discharger shall continue to monitor weekly until six consecutive weekly tests are in compliance <u>conduct six additional tests, approximately every two weeks, over a 12-week period.</u> "	X		Regional Water Board staff agree. For consistency, the suggested language, modified by the staff, was used.	Changes have been made.
Attachment E (MRP), Section IV,A., Table 3, Pg E-10 and Section VII,A,a, Table 4a, Page E-	22	The Bureau requests that Benzo(a)Anthracene, Chrysene, N-Nitrosodi-n-propylamine should be monitored annually and be included under "remaining priority pollutants".		X	Regional Water Board staff disagree. These constituents bear effluent limitations in the previous permit. These constituents currently do not show reasonable potential; hence, the frequency was dropped from monthly to quarterly. 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 of pollutants.	None necessary.

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20					<p>The monitoring frequencies for these pollutants, which vary from monthly, to 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 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,</p> <p>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.</p>	
Attachment E (MRP), Section V.A.2.a, page E-11, and Table 3a, page E-9	23	Acute toxicity is typically tested based on grab samples. The Bureau requests to change acute toxicity sample type from 24 hr composite to grab sample.		X	Regional Water Board disagree. Acute toxicity testing based on grab sample is applicable to receiving water monitoring only. For effluent monitoring, 24-hour composite sample is required.	None necessary.
Attachment E (MRP), Section VII.A.1, Table 4a, Page E-19	24	The Bureau requests that the "total flow" requirement be removed from Table 4a for receiving monitoring locations RSW-001 and RSW-002. Receiving water flow is reported at station RSW-003D.		X	Regional Water Board staff disagree. Receiving water flow measured at station RSW-003D is several miles downstream of RSW-001 and RSW-002. Therefore, the flow measured at RSW-003D will not be a representative of the flow near the facility's outfall.	None necessary.
Attachment E (MRP) Section VII.A 1. Table 4A and B, Pages E-19 to E-23	25	The Los Angeles River Regional Monitoring Program (LARRMP); now called the Los Angeles River Watershed Monitoring Program (LARWMP), was submitted to the LARWQCB by the City of Los Angeles and City of Burbank in December 2007 and was approved by the LARWQCB on January 12,	X		Regional Water Board staff agree. The City of Los Angeles' contribution to fund bioassessment monitoring at 10 random sites, in conjunction with bioassessment monitoring at several targeted sites conducted by the LARWMP program, will provide the information needed to assess the overall health of Los Angeles River watershed receiving waters.	Algal biomass was removed from the MRP

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		2009. To fund this program some receiving water stations were deleted from the monitoring program, and the remaining stations had their analyzed constituents and frequency changed. One of these approved changes was to remove bioassessment monitoring from the remaining stations and to remove chlorophyll a from the list of monitored constituents. Thus, the requirement in this permit for bioassessment and algal testing at the four receiving stations should be removed. The money saved will be used for bioassessment and algal biomass testing at the 10 annual random sites tested as part of the LARWMP program, as agreed upon by the LARWQCB in January 2009.				
Attachment E (MRP), Section VII.A.1, Table 4a, Page E-20	26	The Bureau request that the receiving water monitoring frequency at surface water stations RSW-001 and RSW-002 for Bis(2-Ethylhexyl)Phthalate, Dibenz(a,h)Anthracene, Tetrachlorethylene, Benzo(a) anthracene, Chrysene, and N-Nitrosodi-n-propylamine be reduced from quarterly to semiannually since historical receiving water data has been non-detect (ND).		X	Regional Water Board staff disagree. Please see response #22.	None necessary.
Attachment E (MRP), Section VII.A.1 Table 4a, Page E-20	27	The Bureau requests that the receiving monitoring frequency for the "Remaining USEPA priority pollutants excluding asbestos" receiving water RSW-001 and RSW-002 be reduced from semiannually to annually.		X	Regional Water Board staff disagree. The minimum required monitoring frequency for priority pollutants is semi-annually. See also response #22.	None necessary.
Attachment E, (MRP), Section VII.A.1 Table 4a, Page E-20	28	The Nitrogen Compounds TMDL only requires weekly monitoring for nitrate, nitrite, and nitrate+nitrite per the starred statement in the Wasteload Allocations section of the Basin Plan Amendment. The note requiring monitoring frequency does not apply to the ammonia allocations. As a result, The Bureau requests that the ammonia, organic nitrogen, and total nitrogen monitoring frequency be change to monthly consistent with the TMDL.		X	Regional Water Board staff disagree. The objectives of monitoring nitrogen compounds in the receiving water are to assess compliance with in-stream targets, to evaluate effectiveness of the TMDL, and to determine if additional WLAs are required for other constituents. This TMDL document also recommended monitoring for organic nitrogen in order to keep track of total nitrogen loadings.	None necessary.

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Attachment E (MRP), Section VIII.A.1.a, Table 5, Page E-24	29	The Bureau requests that meprobamate be deleted from the list of CEC because it is not listed as an analyte in any ASTM, EPA or USGS analytical method.	X		Regional Water Board staff agree. However, to be consistent with recently adopted POTW permit, iodinated contrast media (i.e., iopromide) will be added to the list of CECs.	Changes have been made as appropriate.
Attachment E (MRP) Section VIII.B, Page E-25 and throughout permit	30	The watershed monitoring program submitted to the LARWQCB in Dec 2007 and approved in Jan 2009 was called the Los Angeles River Regional Monitoring Program (LARRMP). It is now called the Los Angeles River Watershed Monitoring Program (LARWMP) to avoid confusion with another City program in place with the acronym LARRMP (Los Angeles River Revitalization Master Plan). The Bureau requests to change all references to Los Angeles River Regional Monitoring Program (LARRMP) contained in the permit to Los Angeles River Watershed Monitoring Program (LARWMP).	X		Regional Water Board staff agree. LARRMP was changed to LARWMP (Los Angeles River Watershed Monitoring Program).	Changes have been made.
Attachment E (MRP), Section IX.B.3, Table 6, Page E-28	31	The Bureau requests the quarterly monitoring periods to begin February, May, August, and November. This would be consistent with other Bureau permits.		X	Regional Water Board staff disagree. The monitoring period specified on Table 6 of the MRP shall stay the same. Monitoring period follows calendar month that starts, e.g., January 1 to March 31 as first quarter. This is standard for all NPDES permits.	None necessary.
Attachment E (MRP), Section IX.B.4, Page E-28	32	<p>The permit contains the following provision for reporting protocols: "Reporting Protocols. The Discharger shall report with each sample result the applicable reported Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in Part 136."</p> <p>This language is not consistent with the SIP. We request that this language be replaced with the following: "Reporting Protocols. The Discharger shall report with each sample result the applicable reported Minimum Level (ML), for those constituents where the SIP specifies MLs, and the applicable reported Reporting Limit (RL), for all other constituents as</p>	X		Regional Water Board staff agree. The paragraph was revised to include the Bureau's suggested language.	Changes have been made.

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		appropriate, and the current Method Detection Limit (MDL), as determined by the procedure in Part 136.”				
Attachment F (Fact Sheet), Section II.E, Page F-12	33	The Discharger is planning to: (1) upgrade the existing sand filters, (2) upgrade electrical substation switchgear, and (3) replace water lines and instrument air lines by with stainless steel pipes.	X		Regional Water Board staff agree. The typographical error has been corrected.	Changes have been made.
Attachment F (Fact Sheet) Section IV.C.2.b.ii, Page F-26	34	The Bureau requests the clarification of the word ‘basic’ in the following paragraph: “The hydrogen ion activity of water (pH) is measured on a logarithmic scale, ranging from 0 to 14. While the pH of “pure” water at 25 °C is 7.0, the pH of natural waters is usually slightly basic due to the solubility of carbon dioxide from the atmosphere.” If the pH of natural waters is slightly acidic, this statement makes sense because the product of carbon dioxide’s interaction with water is carbonic acid. However, if the statement that natural waters pH is as written, natural salts that are alkaline would be a more appropriate basis for this statement.	X		Regional Water Board staff agree. The second sentence was deleted in the paragraph to avoid contradicting statement.	Changes have been made.
Attachment F (Fact Sheet) Section IV.C.2.ix (c), Page F-30	35	The Bureau finds the term ‘restored’, to be ambiguous and unnecessary. The Bureau request to change the sentence as follows: when the Los Angeles River is eventually restored and the Los Angeles River becomes de-listed for nutrient, then the permit would be re-opened to include Basin Plan-based effluent limitations	X		Regional Water Board staff agree. The sentence was revised as suggested by the Bureau.	Changes have been made.
Attachment F (Fact Sheet) Section C 2c, Page F-35	36	The procedures include those used to conduct a reasonable potential analysis (RPA) to determine the need for effluent limitations for priority and non-priority pollutants.	X		Regional Water Board staff agree. The typographical error has been corrected.	Changes have been made.
Attachment J, Page J-1, Pretreatment reporting	37	Sludge processing is not performed at LAG/DCT. Therefore, the Bureau requests that the reference to monitoring sludge from secondary treatment processes be deleted as follows: “The Discharger is required to monitor pollutants in the influent and the effluent of the POTW(s)”, and in the sludge from the secondary treatment process. , as sludge is sent to HTP for processing.”	X		Regional Water Board staff agree. Sludge is not processed at LAGWRP.	Changes have been made.

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Attachment J, Page J-2	38	Please delete reference to the Joint water pollution control NPDES permit. The Discharger will coordinate its monitoring requirements under this program with the requirements under Attachment I (Biosolids/Sludge Management) in the Joint Water Pollution Control Plant NPDES Permit (CA0053813, Order NO. R4-2006-0042).	X		Regional Water Board staff agree. Staff revised the paragraph to include the applicable Hyperion Treatment Plant NPDES permit and Order number.	Changes have been made as appropriate.
Attachment J, Section A.4.h, Page J-2	39	Reference to the definition of SNC applicable 40 CFR 403 is not correct. Change from 40 CFR 403.12(f)(2)(vii) to 40 CFR 403.8(f)(2)(viii)	X		Regional Water Board staff agree. 40 CFR 403.12(f)(2)(vii) was changed to 40 CFR 403.8(f)(2)(viii).	Changes have been made.
Attachment J, Pages J-2-4	40	Footers on pages 2, 3, and 4 do not have the date "August 4, 2011".	X		Regional Water Board staff agree. The dates were inserted on the pages where it is needed.	Changes have been made.
Attachment J, Section B, Page J-3	41	Semi-Annual Reporting Submission due date is not consistent with other NPDES permits, which is September 1 st . The Bureau requests to change the submission due date from August 15 th to September 1 st .	X		Regional Water Board staff agree. The submission due date was changed to September 1 st .	Changes have been made.
Heal the Bay's Comments Regarding the Tentative NPDES Permit dated August 4, 2011						
Heal the Bay		Heal the Bay is in general support of this tentative permit.	X		We thank the Heal the Bay for their comments in support of the permit.	Comment noted.
Heal the Bay	1	Glendale and Tillman Water Recycling Plants should maximize water recycling in accordance with the Reasonable and Beneficial Use Doctrine and the State Recycled Water Policy. The permit should require the development of a workplan to determine the minimum flow needed to protect and sustain the Los Angeles River's beneficial uses, then maximize recycling of the		X	We agree with Heal the Bay that the LAG and DCT WRPs should maximize water recycling. The City of Los Angeles' responded to Heal the Bay's comments on September 23, 2011, by stating that the City also supports water recycling to offset potable demand and for other beneficial uses. The Los Angeles Department of Water and Power (LADWP) and the Bureau of Sanitation (BOS) are working together to expand recycled water usage that will	None necessary.

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		effluent from Tillman and Glendale WRPs by a specified date.			<p>reduce reliance on imported water. To this end, the City of Los Angeles has been developing Recycled Water Master Planning (RWMP) documents since 2009, a process in which Heal the Bay has been involved as a founding participant of the Recycled Water Advisory Group. The RWMP effort is scheduled to be concluded in 2012.</p> <p>The proposed permit is an NPDES permit that regulates the discharges of waste. Water reclamation is addressed in separate Waste Discharge Requirements (Order No. R4-2007-0008 (as amended by R4-2008-0040, adopted on July 10, 2008)) and Water Recycling Requirements (Order No. R4-2007-0009 (as amended by R4-2011-0032, adopted on February 3, 2011)). Both Orders were adopted by this Regional Water Board on January 11, 2007.</p> <p>The State Water Board's Recycled Water Policy directs the Regional Water Boards to encourage the use of recycled water. The State Water Board addressed waste and unreasonable use in the Recycled Water Policy as follows: "The State Water Board hereby declares that, pursuant to Water Code sections 13550 <i>et seq.</i>, it is a waste and unreasonable use of water for water agencies not to use recycled water when recycled water of adequate quality is available and is not being put to beneficial use, subject to the conditions established in sections 13550 <i>et seq.</i> The State Water Board shall exercise its authority pursuant to Water Code section 275 to the fullest extent possible to enforce the mandates of this subparagraph."</p>	
Heal the Bay	2	<p>The WQBEL for metals from the Los Angeles River Metals TMDL should apply in both wet and dry weather.</p> <p>The Tillman and Glendale Revised Permits include numeric effluent limits for cadmium and zinc based on the assigned wasteload allocations only during wet weather. This approach is inappropriate as the 303(d) list does not distinguish between impairments occurring in dry weather and wet weather. Plainly, the effluent limits for cadmium and zinc set in the</p>		X	<p>The WQBELs for cadmium and zinc are consistent with the Los Angeles River Metals TMDL. TMDLs cannot be modified through a permitting action, but instead must go through a separate public hearing process. If in the future the TMDL is modified, to specify that the WLAs should be applied all year round, then the NPDES permit may be modified, consistent with reopener provision in section VI.C.1. of the Order.</p> <p>TMDL stated that impairments related to cadmium and zinc only occur during wet weather. Therefore, the TMDL has established</p>	None necessary.

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		<p>Revised Permits should apply in both wet and dry weather, as the WRPs' discharges occur regardless of weather and flow conditions in their respective reaches and could contribute to impairments throughout the year. If monitoring efforts show that the permittee already meets the numeric targets and allocations under certain flow regimes, they will be in compliance with the Permits. Thus we urge the Regional Board to address this general deficiency by including a year-round effluent limit for cadmium and zinc in the Revised Permits.</p>			<p>WLAs for cadmium and zinc during wet-weather conditions only.</p>	
Heal the Bay	3	<p>The Regional Board should not remove WQBELs for constituents in the Permits based on results of the calculated reasonable potential analyses ("RPA").</p> <p>While we support the inclusion of WQBELs for diazinon and cyanide, we are concerned that WQBELs for other pollutants have been removed from the Permits. The Regional Board utilized the calculated RPA approach to determine which constituents should have effluent limitations included in the Permit. As we have commented many times in the past, this approach is bad public policy for several reasons. The RPA approach never strengthens a permit. In fact, the RPA approach typically greatly reduces the number of WQBELs and the monitoring frequency of constituents in an NPDES permit. In this case, effluent limitations for tetrachloroethylene, bis(2-ethylhexyl)phthalate, and gamma-BHC have been dropped in the Revised Tillman Permit from the current permit. Effluent limitations for cyanide, tetrachloroethylene, benzo(a)anthracene, chrysene, and N-Nitrosodi-n-Propylamine are removed from the Revised Glendale Permit for constituents that no longer have "reasonable potential" as determined by the RPA approach. This is cause for major concern. While we understand the need for adapting permits to account for changes that occur between permit cycles, we</p>		X	<p>The RPA method is based on State Water Board policy and has been used in all the development of all adopted permits since 2000. 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.</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, to 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 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,</p> <p>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.</p>	None necessary.

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		<p>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.</p> <p>Even if the Permittee does not have a problem meeting the remaining effluent limits, the Regional Board should include these limits in the Permit as a safety net to ensure that objectives are met in the future. This is particularly important because the Permits lack a hard toxicity limit, which would have provided a safety net capturing potential impacts from the synergistic effects of low concentrations of multiple contaminants and impacts of contaminants that are not given limitations in this permit. The RPA approach should not grant dischargers "free exceedances" of the priority pollutants and other constituents without a risk of enforcement. Further, including additional WQBELs in the Revised Permits would provide no additional burden to the Permittee, as they would only need to maintain current wastewater performance.</p>				
United States Environmental Protection Agency's (USEPA) Comments Regarding the Tentative NPDES Permit dated August 4, 2011						
USEPA	1	<p>Chronic Toxicity Reporting We request clarifying revisions to compliance reporting requirements' for the proposed narrative chronic toxicity effluent limit implementing WQO 2002-0012. WQO 2002-0012 requires the enforceable narrative effluent limit to be the following: "There shall be no chronic toxicity in the effluent discharge." While the existing and draft permits require the discharger to report chronic toxicity</p>	X		<p>1. The suggested language and footnote (both modified) were incorporated into the Monitoring and Reporting Program (MRP). Based on discussions with USEPA, the reporting of "Pass" / "Fail" were replaced with "Absent" / "Present" to indicate that the accelerated monitoring for chronic toxicity was triggered.</p> <p>The modified footnote now reads:</p> <p>"For narrative chronic toxicity effluent limit reporting, "Absent" is</p>	Changes have been made.

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		<p>monitoring results (in chronic toxic units, TU_c), they do not require compliance reporting for the narrative chronic toxicity effluent limit.</p> <p>To correct this omission and provide for our mutual compliance tracking of the narrative chronic toxicity effluent limit required by WQO 2002-0012, the permits should be revised to require a report of "pass" or "fail", on submitted Discharge Monitoring Reports/State Monitoring Reports, when accelerated testing is triggered by monitoring results greater than the numeric accelerated monitoring trigger specified in the permit (i.e., monthly median of 1 TU_c = 100/NOEC). This reporting requirement is important to ensure the State and EPA receive evidence when chronic toxicity is present in the discharge at levels higher than the allowable narrative limit of no chronic toxicity in discharged 100 percent effluent.</p> <p>This reporting requirement can be easily incorporated into each permit by adding the following underlined text to Monitoring and Reporting Table 3, for effluent monitoring:</p>			<p>reported when chronic toxicity effluent results do not trigger accelerated testing by exceeding the monthly median trigger of 1.0 TU_c = 100/NOEC. <u>"Absent" does not imply the complete absence of chronic toxicity effects.</u> "Present" is reported when chronic toxicity effluent results trigger accelerated testing by exceeding the monthly median trigger of 1.0 TU_c = 100/NOEC."</p>	
USEPA	2	<p>TMDL Implementation</p> <p>We have reviewed TMDL implementation requirements in the draft permits and support the application of statistical procedures in section 1.4 of the State Implementation Policy (SIP) for TMDL wasteload allocation-to-WQBEL calculations, rather than direct implementation of wasteload allocations as WQBELs. Use of the SIP's statistical procedures ensures that calculated toxics WQBELs for discharges to impaired receiving waters with TMDL wasteload allocations based on CTR criteria are as stringent as the toxics WQBELs calculated for discharges to unimpaired receiving waters.</p> <p>In 2009, EPA approved a site-specific objective</p>	X		<p>2. Thank you for your comment in support of the permits' derivation of WLA- WQBELs and the ammonia SSO implementation schedule.</p>	

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		(SSO) for ammonia that could result in less stringent permit limits than those based on current wasteload allocations in the Nitrogen TMDL. As a result, prior to permit implementation, the SSO must be incorporated into the Nitrogen TMDL to ensure that impaired receiving waters will achieve water quality standards for ammonia.				
City of Los Angeles, Bureau of Sanitation's (Bureau) Comments Regarding the Revised Tentative NPDES Permit dated October 6, 2011						
Ammonia Effluent Limitations	1	<p>Ammonia Effluent Limits</p> <p>The Bureau repeated their comment submitted on September 2, 2011. (Please see comment C1 on page 1.)</p> <p>The Bureau's comment letter dated October 6, 2011, added the following paragraph:</p> <p>However, revisions were not made to the Tentative Orders. The Bureau understands that Regional Board staff does not believe the effluent limits could be changed in the absence of addressing the TMDL. If this is the case, the Bureau believes that at least two options are available: delisting as supported by the attached November 9, 2010 letter or revising the TMDL. As such, the Bureau requests that Regional Board staff 1) identify the most appropriate and expeditious approach to address this administrative issue, and 2) identify the earliest possible date that the revisions can be completed and brought before the Regional Board for consideration.</p>		X	<p>As indicated in the previous response on page 1, once the Nitrogen Compounds TMDL is revised to incorporate the ammonia SSO and reapproved, staff will revise this NPDES permit.</p> <p>However, the Regional Water Board staff are exploring options on how to incorporate the 30-day objective SSO in the calculation of ammonia effluent limitations.</p>	None necessary.
Toxicity Reporting Requirements	2	On page E-10 of the DCTWRP and page E-9 of the LAGWRP Revised MR&Ps, a provision was added to Table 3A to require reporting of compliance with the		X	After receiving the comments from interested parties that includes, City of Los Angeles, Joint Outfall System, CASA/Tri-	The chronic toxicity

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		<p>chronic toxicity narrative effluent limit. The Bureau understands that this provision was added in response to comments from USEPA. While the Bureau acknowledges the desire to have clear information on compliance with effluent limitations, the approach that is proposed with respect to toxicity is neither appropriate nor accurate.</p> <p>First, it is unclear why this reporting requirement has been deemed to be necessary for the Bureau's water reclamation plants. WQO 2003-0012, which is cited in USEPA's letter as the basis for this request has been in place for eight years, and these types of reporting requirements have not been required for any other dischargers within the Los Angeles region or the State. We are aware of no justification to require the Bureau to be the first and only agency in the State providing this type of information for compliance purposes. Without a clear understanding of the intent and purpose of the reporting and the language, the Bureau is concerned that confusion regarding the intent of the reporting could occur. Moreover, the State Water Resources Control Board has embarked upon a process to develop a statewide policy for toxicity that includes adoption of a statewide objective and implementation program, including monitoring and reporting requirements. The State Water Board has conducted multiple workshops and released an initial draft for public comment. Upon adoption, which is anticipated in early 2012, the policy will be binding on the Regional Water Boards. The existence of this statewide effort-which is motivated in large part by a desire to bring consistency to the approach to toxicity testing and related permit requirements-is a compelling reason not to depart from the Regional Board's established approach to toxicity on a permit specific basis. . The Bureau requests that the reporting requirements for the LAGWRP and DCTWRP be consistent with</p>			<p>TAC, reiterating similar concerns regarding chronic toxicity issue, the Regional Water Board staff confer with the USEPA on possible revision to the previously suggested chronic toxicity monitoring requirement. Based on discussions with the USEPA, the reporting of "Absent" / "Present" were replaced with "Passed" / "Triggered" to indicate whether accelerated monitoring for chronic toxicity was triggered or not.</p> <p>The revised footnote now reads:</p> <p>"For narrative chronic toxicity effluent limit reporting, "<u>Passed</u>" is reported when chronic toxicity effluent results do not trigger accelerated testing by exceeding the monthly median trigger of 1.0 TU_c = 100/NOEC. "<u>Triggered</u>" is reported when chronic toxicity effluent results trigger accelerated testing by exceeding the monthly median trigger of 1.0 TU_c = 100/NOEC."</p> <p>Please also see the response to CASA below.</p>	<p>language was revised as indicated in the revised tentative permit.</p>

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		the reporting requirements for other dischargers in the region and State and that the Regional Board remove the added language.				
California Association of Sanitation Agencies (CASA) and Tri-TAC Comments Regarding the Revised Tentative NPDES Permit dated October 6, 2011						
	1	CASA and Tri-TAC join the City of Los Angeles Bureau of Sanitation in requesting that the reporting requirements for these WRPs be consistent with the reporting requirements for other dischargers in the region and State, and that the Regional Water Board remove the added language from Table 3A.		X	<p>It appears the commenter misunderstands the intent of the proposed chronic toxicity reporting requirement. It is not the Water Board's intent to create a numeric effluent limit for chronic toxicity at this time, or to create new requirements for monitoring chronic toxicity or interpreting test results. Rather, the proposed change simply requires actual chronic toxicity test results to be compared with the permit's existing monitoring threshold, and reported in a narrative manner indicating whether test results are above or below the existing monitoring threshold. This type of reporting is needed by the Water Board because the existing monitoring and reporting approach does not provide clear information that can be efficiently reviewed or coded in State and EPA databases. As DMRs tend to be very lengthy, it is infeasible for State or EPA staff to review every reported data value to determine whether reporting thresholds or permit limits are met or exceeded. With respect to the permit's narrative chronic toxicity effluent limit and associated monitoring requirements, the Water Board believes it is necessary to incorporate a summary of monitoring results for permit requirements that can be efficiently reviewed and coded in State and EPA databases.</p> <p>With respect to the comment that the proposed chronic toxicity reporting requirement might require a permittee to draw conclusions about underlying toxicity, the commenter misunderstands the representation that a permittee would be required to make in reporting whether a chronic toxicity test result is higher than, or lower than, a specified threshold. While the State and EPA continue to believe chronic and acute toxicity</p>	The chronic toxicity language was revised as indicated in the revised tentative permit.

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					testing methods do reliably indicate the presence of toxicity, the proposed reporting requirement simply requires the permittee to report test results in comparison with the existing monitoring threshold, not to evaluate whether the test results are reliable indicators of actual underlying toxicity.	
Joint Outfall System (County Sanitation Districts of Los Angeles County) Comments Regarding the Revised Tentative NPDES Permit dated October 6, 2011						
	1	<p>The Sanitation Districts object to inclusion of the proposed monitoring and reporting provision, as detailed below, and request that it be removed prior to the adoption of the Revised Tentative Orders. The remaining permit requirements for chronic toxicity are amply sufficient to allow the Regional Board and the City to assess and control chronic toxicity. These permit requirements include monthly chronic toxicity testing, reporting of the results in TUC, accelerated testing when the chronic toxicity monthly median TUC value is greater than 1.0, and investigation of the source of toxicity if warranted by the results of the accelerated testing.</p> <ol style="list-style-type: none"> 1. A monthly median of 1.0 TUC is not an approved water quality standard or approved regulatory benchmark to establish the presence or absence of chronic toxicity. 2. The City Cannot be Compelled to Report Chronic Toxicity as "Present" or "Absent" in Discharge Based on Comparisons to An Accelerated Monitoring Trigger 3. The Proposed Requirement is Not Supported by Adequate Findings or Evidence, Nor Will it Provide New Evidence of the Presence or 		X	Please see response above.	The chronic toxicity language was revised as indicated in the revised tentative permit.

Issue/ Document Reference	#	Comment	Agree	Disagree	Response to Comment	Action Taken
		<p>Absence of Chronic Toxicity</p> <p>4. Compliance with the Narrative Effluent Limitation for Chronic Toxicity Should Be Unambiguous</p> <p>5. The Accelerated Monitoring Trigger Will Improperly Operate Like a Final Numeric Effluent Limitation for Chronic Toxicity</p> <p>6. The State Water Board Opined that Regional Boards Should Not Impose Final Numeric Effluent Limitations for Chronic Toxicity before Adoption of a Statewide Policy on Toxicity</p>				