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1	16, 19, and 20	IV.A.1.a IV.A.2 Table 6a Table 6b	 Comment: In general, the presentation of effluent limits and interim limits for chloride, TDS, and sulfate are confusing. We understand that the Salts TMDL has not yet been approved by USEPA. However, we feel that the limits can be presented in a more clear way. In previous permits, the TMDL limits have been included in the effluent limits table with a footnote discussing how and when the limits apply (see ammonia in the current SVWQCP permit). The Regional Board should include a separate line for the TMDL limits in Table 6a rather than Table 6b and include appropriate footnotes. Additionally, Table 6a should include a footnote for the current limits that the interim chloride, TDS, and sulfate and the 2002 Chloride TMDL-based chloride effluent limits upon the effective date of the Salts TMDL. Request: Modify these sections as shown in the attached underline-strikeout version of the Tentative Order.
2	17	IV.A.1, Table 6a	Comment: The waste load allocations in the Nutrient TMDL include average monthly and daily maximum concentration allocations and a daily mass load allocations. When the Basin Plan Amendment was heard for the Nutrient TMDL at the Regional Board, the BPA only included average monthly allocations. When the TMDL was heard at the State Board, the executive officer submitted "nonsubstantive" changes to the BPA in the form of a memo dated January 29, 2003. The changes revised the BPA to include a maximum daily concentration allocation and a maximum daily load allocation based on a table in the staff report. The stakeholders in the Calleguas Creek watershed had commented that the daily load allocations in that table had been calculated differently from the technical support document. The daily load allocations in the TMDL are not equal to the maximum concentration limits multiplied by the design flow for the treatment plant. For Simi Valley, the mass limit corresponds to a concentration of 2.1 mg/L at design flow, but the maximum daily concentrations that cause toxicity to aquatic life and not the mass of ammonia are based on concentrations that cause toxicity to aquatic life and not the mass of ammonia in the receiving water body, a mass limit lower than the maximum daily concentration limits are not appropriate. Additionally, since the Basin Plan Amendment adopted by the Regional Board did not include mass limits and the mass limits in the staff report that were added at the State Board with "nonsubstantive" changes were not corrected based on

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			 comments from the stakeholders, we do not feel that the mass based allocations from the TMDL should be included in the permit. Including the concentration limits in the permit is sufficient to make the permit consistent with the TMDL. Request: Remove the ammonia mass effluent limit in the Tentative Order.
3	17 - 18	IV.A.1 (Table 6a footnote s 9 and 12)	 Comment: Each effluent limit that is not yet effective because it reflects a final waste load allocation having a future date of achievement should be left blank with a reference to the applicable Table footnote (9 and 12), which will explain the TMDL and the future effluent limit. At a minimum, Table 6a footnote s 9 and 12 should be rephrased to emphasize that final effluent limits that are not yet operative will become operative in accordance with the schedules outlined in the relevant TMDL. Request: Please delete final limits in Table 6a and revise Table 6a footnote s 9 and 12 as shown in the attached underline-strikeout version of the Tentative Order.
4	17-18	IV.A.1 (Table 6a footnote s 9 and 12)	 Comment: The reference to a five year compliance schedule for the Metals TMDL included in Table 6a footnote 9 should be clarified. The Metals TMDL allows ten years to achieve the final WLAs. Request: Please revise Table 6a footnote 9 to authorize a ten-year compliance schedule as shown in the attached underline-strikeout version of the Tentative Order.
5	18, F-41	IV.A.1.a Table 6a and Attachment F, IV.B.4.c	Comment: There are significant differences between the Regional Board's effluent cyanide dataset and that provided to LWA by Simi Valley. 88% of LWA's dataset are undetected, necessitating a coefficient of variation set equal to 0.6. Therefore, the effluent limits for cyanide should be 4.3 ug/L as an average monthly limit and 8.5 ug/L as a maximum daily limit. The differences include: A) seven data points that are detected in the Regional Board's dataset but undetected in LWA's; B) three data points missing from the Regional Board's dataset that exist in LWA's; C) 22 data points with different results or reporting limits from LWA's dataset; D) one detected value in LWA's dataset that is undetected in the Regional Board's. For the complete comparison results and datasets, see the

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			 attached table "<i>Cyanide Effluent Comparison for the Simi Valley Water Quality Control Plant.</i>" Of additional significance is the fact that fifteen of the results in the Regional Board's dataset have smaller-than-possible values. The cyanide analytical method cannot achieve detection limits of 0.025 ug/L. These results must be units errors or typos. Request: Change the cyanide effluent limits to 4.3 ug/L as an average monthly limit and 8.5 ug/L as a maximum daily limit.
6	18, 21	IV.A.1.a Table 6a footnote 11 IV.A.3.g	Comment : Language is needed to clarify that the toxicity limit in Table 6a serves only to trigger the TRE/TIE process and is not an enforceable limit that if exceeded can trigger other enforcement action. Table 6a in the Tentative Order proposes a toxicity limit of 1.0 TUc as a monthly average. As in the current permit, the Tentative Order's narrative component of the toxicity limitation is that there shall be no chronic toxicity in the effluent. Order R4-2004-021 added this narrative limit in the current permit in 2004 to make the previous numeric toxicity limits in the permit consistent with SWRCB WQO 2003-0012. Consistent with this former action, Table 6a footnote 11 correctly indicates that the 1.0 TUc serves as a trigger for initiation of a toxicity reduction evaluation (TRE)/toxicity investigation evaluation (TIE) process. Despite this observation, however, the limit could be construed to trigger not just enhanced monitoring through the TRE/TIE process but other enforcement measures like MMPs, as well. This is because (1) the 1.0 TUc toxicity limit is included in a Table entitled "Effluent Limitations Applicable" where other broadly enforceable limitations appear and (2) Table 6a footnote 11 does not specifically exclude other enforcement measures. Footnote 11 should also reference Section IV.A.3.h where the toxicity TMDL, the intent of the 1.0 TUc WLA was to trigger that the 1.0 TUc is a WLA in the toxicity TMDL, the intent of the 1.0 TUc WLA was to trigger the TRE/TIE process and not serve as an enforceable limit unless USEPA, State Board or Regional Board policy changed this approach. As stated on Page 7 of Resolution R-4-2005-009 in the Implementation Plan section (and also in the text of footnote 11) "Currently, these WLAs would be implemented as a trigger for initiation of the TRE/TIE process as outline in USEPA's 'Understanding and Accounting for Method Variability in Whole Effluent Toxicity Applications Under the National Pollutant Discharge Elimination System Program' (2000) and current NPD

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			 unaware of any policy change surrounding the use of 1.0 TUc as a trigger for the TRE/TIE process, we request that the current permitting practice be maintained by removing the 1.0 TUc from the effluent limit table and moving the language from footnote 11 to Section IV.A.3.h with the Chronic Toxicity Trigger and Requirements. Alternatively, Table 6a footnote 11 should clearly specify that the 1.0 TUc limit shall <i>be enforceable only</i> as a trigger for initiation of the TIE/TRE process. Request: Delete or modify footnote 13 so that its clear the 1.0 TUc limit shall be enforceable only as a trigger for initiation of accelerated monitoring. In addition, delete and modify Section IV.A.1.i.ii appropriately as shown in the attached underline-strikeout version of the Tentative Order.
7.	19	IV.A.2.a	 Comment: Should above comment above not be implemented, following are a number of specific changes to the text in Section IV.A.2a that we request be considered. Section IV.A.2a states that interim effluent limits for chloride TDS, and sulfate will apply on the effective date of the NPDES Order. The interim effluent limits for these constituents are based on their respective interim WLAs, which do not become effective until USEPA approves the Salts TMDL. Therefore, the effective date of the interim effluent limits is the effective date of the TMDL. Section IV.A.2.a also provides that interim WLAs for TDS, sulfate, and chloride may be re-evaluated three and seven years after the TMDL effective date. The TMDL also includes a ten-year re-evaluation of the interim WLAs. Request: Please revise Section IV.A.2.a as follows: The following limitation in the Table <u>6b</u> below, is derived from the final waste load allocation as set forth in the <i>Calleguas Creek Watershed Salts TMDL (Salts TMDL)</i> established by the Regional Board on October 4, 2007. The TMDL will become effective following approval from USEPA. Consistent with the TMDL, the final WLA-based limits become operative fifteen years after the effective date of the TMDL, and

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			will supersede any previous applicable effluent limitations. Prior to the effective date of the final WLA-based limits, the TMDL specifies interim waste load allocations for total dissolved solids, sulfate, and chloride, which may be re-evaluated three, and seven, and ten years after the TMDL effective date. Interim limits for these constituents, consistent with those interim waste load allocations have been incorporated into the NPDES Order and will apply on the effective date of this NPDES Order the Salts TMDL (See Section IV.A.4.).
8.	19	IV.1.a. (Table 6a)	 Comment: Neither Halomethanes nor the individual constituents that comprise halomethanes triggered reasonable potential, but Halomethanes is listed in Table 6a as having a permit limit. Request: Remove effluent limits from Table 6a for halomethanes, as neither this constituent group nor constituents that comprise this constituent group triggered reasonable potential.
9.	19-20	IV.A.2.a Table 6b	 Comment: The formula used in Table 6b (and Table 7b in the Fact Sheet, page F-53) for the mass-based TDS, sulfate, and chloride AMELs is incorrectly written: Notwithstanding the comment 6 above, the formula should read as follows: 850Q – AF for TDS, etc., instead of 850 x (Q-AF). (i.e. as the formula is written, incorrect units result because the salt export adjustment factor is in units of lb/day in the TMDL. Request: Please change formulas in Table 6b (and Table 7b in the Fact Sheet) consistent with the above comment.
10.	20	IV.A.3.e	Comment : The Tentative Order includes the following effluent limitations for turbidity: "For the protection of the water contact recreation beneficial use, the wastes discharged to water courses shall have received adequate treatment, so that the turbidity of the treated wastewater does not exceed: (a) an average of 2 Nephelometric turbidity units (NTUs) within a 24 hour period; (b) 5 NTUs more than 5 percent of the time (72 minutes) during any 24 hour period; and (c) 10 NTUs at any time." <i>See</i> Tentative Order at Section IV.A.3.e.

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			The Basin Plan's water quality objective for turbidity recites the secondary drinking water standard for turbidity of 5 NTU (promulgated by the California Department of Health Services (now the California Department of Public Health (CDPH)) for water supplied to the public by community water systems pursuant to 22 Cal. Code Regs §64448), and also prescribes the following requirements: "Where natural turbidity is between 0 and 50 NTU, increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%. Allowable zones of dilution within which higher concentrations may be tolerated may be defined for each discharge in specific Waste Discharge Requirements." <i>See</i> Basin Plan at 3-17.
			The Tentative Order properly includes receiving water limitations based on the Basin Plan's water quality objective cited above. <i>See</i> Tentative Order at Section V.A.5. However, the effluent limitations for turbidity imposed at Section IV.A.3.e. are not properly included, as they do not correlate to the water quality objective for turbidity. <i>See</i> Water Code §13263. Further, there is no evidence in the administrative record to suggest the effluent limitations included in the Tentative Order are necessary to protect the water contact recreation beneficial use. In fact, no water quality objective for turbidity has been adopted by the Regional Board for surface water discharges to protect the water contact recreation beneficial use.
			Instead, the Tentative Order appears to base the effluent limitations solely on the definition of "filtered wastewater" contained in uniform statewide water recycling criteria section of Title 22 of the California Code of Regulations, promulgated by the CDPH and applicable only to reclamation projects (<i>i.e.</i> , the beneficial reuse of recycled water, such as agricultural and landscape irrigation), not to surface water discharges. <i>See</i> 22 Cal. Code Regs. §60301.320(a)(2)(A)-(C); <i>see also</i> Water Code §13521. These criteria have not been adopted as water quality objectives by the Regional Board.
			If Regional Board staff is imposing the effluent limitations for turbidity as a method for requiring a particular technology or requiring the maintenance of a particular technology (<i>i.e.</i> , a "performance" based limitation that correlates to the performance of a particular technology that has been installed), the Regional Board is prohibited from doing so pursuant to Water Code section 13360.

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			Request: The effluent limitations for turbidity should be removed, or, at the very least, be modified to comport with the secondary drinking water standard for turbidity of 5 NTU, and be expressed as an annual average of 5 NTU (the preferred approach). Alternatively, the effluent limitation for turbidity could be expressed as a monthly average of 2 NTU.
11.	21	IV.A.3.g.b	Comment: Reference to "IV.A.4.g.a.(i) or IV.A.4.g.a.(ii)" is incorrect. Request: Replace both occurrences of "4 with "3".
12.	22	IV.A.4.c	 Comment: The language used in this section should be revised for clarity and consistency with the Salts TMDL. Request: Please revise Section IV.A.4.c as shown in the attached underline strikeout version of the Tentative Order.
13.	22	IV.A.4	 Comment: This section either needs to begin by stating that the described interim limits are delineated in Table 7 or each of subsections IV.A.4.a, b, and c needs to separately reference Table 7. In addition, the phrase ""during the time period indicated in this provision" should be modified to clearly reflect the period that interim limits will apply as envisioned in the applicable TMDLs that have been adopted for the Calleguas Creek watershed. Lastly, the Metals TMDL became effective March 26, 2007 according to the Regional Board's web site (instead of as March 27, 2007). Request: Please revise Sections IV.A.4.a, b, and c as shown in the attached underline-strikeout version of the Tentative Order or state at the beginning of Section IV.A.4 that the limits in Section IV.A.4.a, b, and c are delineated in Table 7. Please also remove the word "accompanying" in Section IV.A.4.d when referring to TSO No. R4-2007-0038 due to its vagueness and instead use the language shown in the attached underline-strikeout version of the Tentative Order.
14.	22	IV.A.4.c	Comment: The use of an interim limit of 190 mg/L in the Time Schedule Order (TSO) creates unnecessary confusion in the permit. The permit, and compliance with the permit,

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		Time Schedule Order	 would be much more straight-forward if the TSO interim limits matched the interim limits from the Salts TMDL. Even though the Salts TMDL is not effective, the calculation of the interim limits is consistent with typical practices for calculating interim limits for TSOs and in this case the Salts TMDL interim limit (183 mg/L) is slightly lower than the 190 mg/L in the current TSO. Request: Please revise the interim limit in the TSO to match the chloride interim limit from the Salts TMDL (183 mg/L).
15.	23	IV.A.4.c (Table 7)	 Comment: When the Salts TMDL becomes effective, interim WLAs for TDS, sulfate, and chloride (salts) will apply to point source dischargers in the Calleguas Creek Watershed. The interim WLAs are expressed as monthly averages (mg/L) in the TMDL. The interim effluent limitations, however, are prescribed as maximum daily effluent limits (MDELs) in Table 7 (and Table 8 in the Fact Sheet) instead of monthly averages as in the TMDL. The Fact Sheet does not appear to explain why the interim limits in the Salts TMDL have been translated into MDELs in the TO. If the salt MDELs are not in error, changing the monthly basis of the interim WLAs to daily maximums in the effluent limitations would be inconsistent with the explicit language of the TMDL. The interim limits were calculated using the 95th percentile effluent concentrations, consistent with current RWQCB practice for calculating interim limits for monthly average limits, not maximum daily limits. (See also 40 CFR 122.44(d)(vii)(B), which provides that effluent limits must be consistent with the assumptions and requirements of the wasteload allocation upon which the effluent limits are based). Request: Please move the MDEL in Table 7 (and Table 8 in the Fact Sheet) for salts to the average monthly column as shown in the attached revised Tentative Order.
16.	27	V.A.17.d	Comment: Accelerated toxicity monitoring at the downstream monitoring station is not required if the acute toxicity at the upstream station is greater than that at the downstream station. However, accelerated monitoring at the downstream station should not be required if upstream toxicity is greater than or equal to toxicity at the downstream station.

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			Request: Revise this paragraph as follows: "If the upstream acute toxicity of the receiving water is greater than <u>or equal to</u> the downstream acute toxicity"
17.	25	25 V.A.1.	Comment : The Tentative Order includes the following surface water receiving water limitation for temperature: "For waters designated with a warm freshwater habitat (WARM) beneficial use, the temperature of the receiving water at any time or place and within any given 24-hour period shall not be altered by more than 5 °F above the natural temperature (or above 70 °F if the ambient receiving water temperature is less than 60 °F) due to the discharge of effluent at the receiving water station located downstream of the discharge"
			The Basin Plan's water quality objective for temperature specifies, for waters designated as WARM, an allowable maximum change of five degrees above "natural temperatures," and a prohibition on raising the temperature of such waters above 80 °F as a result of waste discharges. <i>See</i> Basin Plan at 3-16. "Natural temperature" for receiving waters is not defined in the Basin Plan. However, that term is defined in the Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays of California ("Thermal Plan") as: "The temperature of the receiving water at locations, depths, and times which represent conditions unaffected by any elevated temperature waste discharge or irrigation return waters."
			Arroyo Simi is an ephemeral, effluent dominated water body, and the flow upstream of the discharge point is primarily comprised of upwelling groundwater, and seasonal storm water and surface water drainage. As such, Arroyo Simi, upstream of the discharge, experiences severe temperature fluctuations during the summer, fall, and winter months, while the temperature of the discharge remains relatively stable. During most times of the year, Simi Valley's discharge dominates the flow in Arroyo Simi.
			For these reasons, Arroyo Simi has no readily identifiable "natural temperature," and establishing a natural receiving water temperature is problematic for purposes of complying with the receiving water limit in the Tentative Order since there may be "natural" flows only during short periods of the year. The State Water Resources Control Board has previously stated that receiving water objectives for temperature that key

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			compliance off of "natural temperatures" are inappropriate to apply to ephemeral and/or effluent dominated water bodies, and should be modified to reflect site-specific conditions. <i>See In the Matter of the Review on Own Motion of Waste Discharge Requirements Order No. 5-01-144 for Vacaville's Easterly Wastewater Treatment Plant,</i> Order WQO 2002-0015 at pages 48-50 and <i>In the Matter of the Review on Own Motion The City of Turlock, Municipal Services Department,</i> Order WQO 2002-0016 at pages 14-15. We assume that the parenthetical "(or above 70 °F if the ambient receiving water temperature is less than $60 \circ F$)" included in Tentative Order section V.A.1. was Regional Board staff's good faith attempt to tailor the receiving water limit to the site-specific conditions in Arroyo Simi and its downstream tributaries; however that parenthetical does not adequately address the temperature fluctuations that have occurred, and are expected to occur in the future, which will unreasonably and unnecessarily expose Simi Valley to liability for non-compliance that cannot be avoided. For example, if the receiving water temperature upstream of Simi Valley's discharge is 61 degrees, Simi Valley's discharge is 70 degrees, and the resulting downstream receiving water temperature is 67 degrees, Simi Valley would increase the receiving water temperature more than 5 degrees, and the parenthetical would not apply to provide relief.
			Request : Based on the above comment, the receiving water limitation should be removed entirely from the Tentative Order, or modified in the following manner, to comport with the factual circumstances in this case, as well as the State Board's directives in similar scenarios:
			"For waters designated with a warm freshwater habitat (WARM) beneficial use, the temperature of the receiving water at any time or place and within any given 24-hour period shall not be altered by more than 5 °F above the natural temperature (or above 70 $\underline{75}$ °F if the ambient receiving water temperature is less than $\underline{60}$ $\underline{68}$ °F) due to the discharge of effluent at the receiving water station located downstream of the discharge"
18.	27	V.A.18.d	Comment: Accelerated toxicity monitoring at the downstream monitoring station is not required if the chronic toxicity at the upstream station is greater than that at the downstream station. However, accelerated monitoring at the downstream station should not be required if upstream toxicity is greater than or equal to toxicity at the downstream

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				station. Request: Revise this paragraph as follows: "If the chronic toxicity of the receiving water upstream of the discharge is greater than <u>or equal to</u> the downstream"
	19.	34	VI.C.3	 Comment: Section VI.C.3 requires the City to "provide certification" if no storm water is discharged or allowed to run off the site of the SVWQCP. It is unclear what providing "certification" means. Request: Please clarify what the Regional Board means by "certification" and describe how compliance with this requirement is to be achieved.
	20.	E-2	Attachment E, I.A.	 Comment: The due date specified in the last sentence of this section should be revised to allow submittal in the third monthly monitoring report following the analysis, consistent with NPDES permits issued to other dischargers in the Calleguas Creek Watershed. Request: Revise the last sentence in this section as follows: "Results of quarterly, semiannual, and annual analyses shall be reported in the <u>third</u> monthly monitoring report following the analysis."
	21.	E-5, E-22	Attachment E, I.N., VIII.A.	Comment: The MRP requires the development of a watershed monitoring program to "assess the impacts of other sources of pollution (e.g., non-point source run-off, aerial fallout) or to evaluate the current status of important ecological resources on a regional basis." For compliance with the Nutrient, Toxicity, OC Pesticide and PCB, and Metals TMDLs, responsible parties (including the CCW POTWs) have developed a watershed monitoring program that has been approved by the Regional Board Executive Officer. This watershed monitoring program includes water chemistry and toxicity, sediment chemistry and toxicity, fish tissue, and bird egg analysis throughout the watershed. Additionally, benthic invertebrate monitoring will be conducted in Mugu Lagoon. For water chemistry, samples will be collected from agricultural and urban discharge locations in addition to receiving water monitoring program to meet the goals outlined in the MRP. Additionally, this program has been approved by the Regional Board and will be implemented starting in August 2008. Finally, we have recommended some changes to the

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			 MRP in later comments to be consistent with the TMDL watershed monitoring program. As a result, we feel that the requirement to develop a separate watershed monitoring program is unnecessary. Request: Remove the requirement to develop a watershed monitoring program from the MRP on page E-4, E-5, E-22, and E-23.
22.	E-8	Attachment E III.A.1 (Table 2)	 Comment 1: Cyanide is not indicated as a grab in the "Sample Type" column for "Remaining USEPA Priority Pollutants." Request: Indicate cyanide, in addition to VOCs and chromium VI, as a grab sample under the "Sample Type" header.
23.	E-9	Attachment E IV.A.1. (Table 3)	Comment: Footnote 4 incorrectly identifies the turbidity threshold for reporting; the correct threshold is 5 NTU, not 0.2 NTU. Request: Revise the turbidity trigger in footnote 4 to "5" NTU.
24.	E-9	IV.A.1. (Table 3)	 Comment: The "daily" monitoring frequency for many constituents should be reduced to weekly to be consistent with NPDES permits issued to other dischargers in the Calleguas Creek Watershed. Request: Reduce the monitoring frequencies from daily to weekly for total coliform, fecal coliform, <i>E. coli</i>, temperature, pH, settleable solids, suspended solids.
25.	E-10	IV.A.1. (Table 3)	 Comment: The "monthly" monitoring frequency for many constituents should be reduced to quarterly to be consistent with NPDES permits issued to other dischargers in the Calleguas Creek Watershed. Request: Reduce the monitoring frequencies from monthly to quarterly for oil & grease and CTAS.
26.	E-10	IV.A.1. (Table 3)	Comment: The "quarterly" monitoring frequency for many constituents should be reduced to semiannually to be consistent with NPDES permits issued to other dischargers

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			in the Calleguas Cre Request: Reduce th antimony, arsenic, b	eek Watershed. he monitoring fre peryllium, cadmin	equencies from um, chromiun	m quarterly to sem n III, chromium V	hiannually for I, lead, silver, and zinc.
27.	E-10, E-11	Attachment E, Section IV.A.1 (Table 3)	Comment: There of monitoring of TMD Calleguas Creek Wa implement quarterly with numeric targets 4,4 DDE, 4,4-DDD other constituents). current permit, the T Constituent Chronic toxicity Chlordane 4,4'-DDT [12] 4,4'-DDE [12] 4,4'-DDD [12] Dieldrin PCBs Toxaphene chlorpyrifos diazinon	loes not appear to DL constituents th atershed TMDL I y effluent monito s and waste load , dieldrin, PCBs, The table below Fentative Order, a R4-2003-081 monthly semiannually	b be a solid ra at will be mo Monitoring Pr ring in a fash allocations for toxaphene, Pr contrasts the and the CCW Tent. Order Monthly monthly	tionale for requiri nitored beginning rogram (CCWTM ion designed to de or chronic toxicity CBs, chlorpyrifos, effluent monitorin TMP. CCWTMP- QAPP quarterly	ng monthly effluent this year under the P). The CCWTMP will etermine compliance , chlordane, 4,4, DDT, , and diazinon (among ng frequencies under
			Project Plan (QAPP monitoring program	P) for the CCWT is sufficient to a	MP and, thus, assess progres	has implicitly agr is in meeting these	reed that this water quality goals.

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			The effluent limitations for these constituents directly reflect their respective WLAs and have been incorporated into the Tentative Order to enforce the TMDLs. Therefore, the approved monitoring delineated in the QAPP should suffice to assess the water quality of the watershed in terms of these constituents and further monitoring by the permit holder beyond quarterly monitoring is unwarranted. Additionally, a quarterly monitoring frequency is consistent with other NPDES permits in the Calleguas Creek Watershed. Request : Please modify the proposed monitoring frequencies in Table 3 for the above constituents to quarterly.
28.	E-11	IV.A.1. (Table 3)	Comment: The sample type for Halomethanes is incorrectly identified as a 24-hour composite. Request: Revise the sample type for Halomethanes to grab
29.	E-11, E-12	IV.A.1. (Table E-3 footnotes 15-17	Comment: The Tentative Monitoring and Reporting Program at Section IV.A.1., Table E- 3, requires effluent monitoring for specified emerging chemicals, endocrine disrupting chemicals, and pharmaceuticals. Footnotes 15 through 17 apply to the required monitoring, with footnotes 16 and 17 stating that the specified endocrine disrupting chemicals and pharmaceuticals must be monitored "only when the analytical methods for these chemicals are applicable and approved by the California Department of Public Health" With respect to the constituents labeled as "emerging chemicals" (1,4-dioxane, perchlorate, 1,2,3-trichloropropane, and methyl tert-butyl ether), the Regional Board has not set forth the rationale for requiring monitoring of these constituents (<i>i.e.</i> , why the Regional Board believes such monitoring is necessary). Furthermore, it is unclear how any data obtained might be used to determine compliance, if at all, with specific provisions set forth in the Tentative Order. Before imposing these new monitoring is required, and how the data will be used to determine compliance, if at all, with specific provisions set forth in the Tentative Order. Before imposing these new monitoring is required, and how the data will be used to determine compliance, if at all, with specific provisions set forth in the Tentative Order.

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			to monitoring for "endocrine disrupting chemicals" and "pharmaceuticals." However, even more significant scientific and policy issues exist with respect to monitoring for endocrine disrupting chemicals and pharmaceuticals. Monitoring for these constituents is a topic of great discussion and policy debate in California, and nationwide. We understand that at this time, CDPH, among other entities, believes the imposition of individual monitoring requirements for these constituents is not appropriate for surface water discharges, as the chemistry and analytical techniques simply do not exist to measure accurately, quantify reliably, or replicate results. Furthermore, any data obtained will exist in a regulatory and policy vacuum, which is a particular concern to POTWs and state regulatory agencies, as no explanation can be provided to the public to provide context for the data obtained (regardless of how accurate or inaccurate that data may be).
			For these and other reasons, the Santa Ana Regional Board has chosen not to impose monitoring for endocrine disrupting chemicals and pharmaceuticals in individual permits, but rather, is scheduling scoping meetings this Summer and early Fall for all interested stakeholders to discuss the issues, form a Task Force, and potentially create a watershed monitoring program. <i>See</i> enclosed Santa Ana Regional Board Scoping Evaluation for Emerging Constituents Monitoring. We believe this general approach is preferable to imposing individual monitoring requirements in NPDES permits, especially where no further discussion as to the regulatory or policy consequences of any data obtained is included, and strongly encourage the Los Angeles Regional Board to pursue a similar path.
			We understand that the Los Angeles Regional Board has already begun investigating how other regulatory agencies handle monitoring and regulation of endocrine disrupting chemicals, pharmaceuticals, and other emerging contaminants, and issued "Emerging Pollutants of Concern, A Survey of State Activities and Future Needs," in January 2008. This report confirms the uncertainty noted in our comments herein, including:
			 Lack of national ambient water quality criteria Lack of state resources to develop and adopt standards Analytical methodologies are still in development State laboratories doe not have necessary analytical capabilities Toxicological research is still inadequate (<i>e.g.</i>, RfDs or potency factors) Acute and/or chronic aquatic life database still in development.

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NUMBER	PAGE #	SECTION	ISSUE See Survey Report at page 4. We also understand that CDPH has promulgated draft regulations for the regulation of recharge of groundwater with recycled water. These draft regulations were updated on January 4, 2007 and the accompanying endnotes were updated on September 18, 2007. See Draft Regulation Groundwater Recharge Reuse and Draft Endnotes for Draft Recharge Regulations. The draft regulations and endnotes contemplate monitoring for emerging chemicals, endocrine disrupting chemicals, and pharmaceuticals so as to detect the
			presence of these potential influent wastewater constituents in groundwater recharged with recycled water. It is important to note that these regulations and endnotes have no regulatory applicability to Simi Valley's surface water discharge, as the regulations are only in draft form (and have not been formally adopted after a rulemaking effort), only apply to groundwater recharge projects, and are meant to detect the presence of potential influent wastewater constituents in groundwater (as such, this monitoring seems illogical to apply directly to effluent).
			In the draft endnotes, CDPH also makes clear that any monitoring conducted "is not for compliance purposes, but for informational use only." <i>See</i> Draft Endnotes for Draft Recharge Regulations at p. 4. By including monitoring within an MRP for a NPDES permit, the Regional Board is implying that such monitoring will be used to assess compliance for some provision of the NPDES permit (whether that be a general prohibition, receiving water limitation, or effluent limitation). Thus, at the very least, the Regional Board should request any informational monitoring outside the confines of an enforceable NPDES permit and associated MRP.
			Additionally, Endnote 5 lists the constituents that CDPH is interested in monitoring. <i>See</i> Draft Endnotes at Endnote 5, page 5. The monitoring required by the Tentative Monitoring and Reporting Program includes constituents that are not included in the list of constituents in Endnote 5. At the very least, Simi Valley should not be required to monitor for constituents that CDPH is not recommending for monitoring in drinking water.
			frequency column is confusing, as the word "biannual" has the same definition as

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			"semiannual," <i>i.e.</i> , occurring twice each year. The word "biennial" means happening every second year. We understand that Regional Board staff meant to impose monitoring for these constituents once every two years. For this reason, please modify the minimum sampling frequency for emerging chemicals, endocrine disrupting chemicals, and pharmaceuticals to "biennially."
			Request: Effluent monitoring for specified emerging chemicals, endocrine disrupting chemicals, and pharmaceuticals should be removed from the Tentative Monitoring and Reporting Program, and a watershed or basin-wide approach should be pursued, similar to the plan currently envisioned by the Santa Ana Regional Board. If monitoring data for informational purposes is sought by the Regional Board, this should be accomplished using a different regulatory vehicle that is not an enforceable NPDES Permit and associated monitoring and reporting program.
			To the extent the monitoring requirements for emerging chemicals, endocrine disrupting chemicals, and pharmaceuticals are retained in the Tentative Monitoring and Reporting Program, we request that Regional Board staff modify the list of constituents to remove those that do not appear in Endnote 5.
			While we appreciate the fact that footnotes 16 and 17 defer monitoring of endocrine disrupting chemicals and pharmaceuticals until analytical methods for these chemicals are applicable and approved by the CDPH, we are unclear as to the process for CDPH to approve such analytical methods and whether such approvals will be part of a formal rulemaking process, such that we would have notice of such analytical methods being developed and/or approved, and the opportunity to comment. For this reason, we request the following language change to footnotes 16 and 17 (reflected in underline format): "These chemicals need to be monitored, only when the analytical methods for these chemicals are applicable and approved by the California Department of Public Health (CDPH) as part of a formal rulemaking process."

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30.	E-13	Attachment E, V.A.2.d	 Comment: Accelerated toxicity monitoring at the downstream monitoring station is not required if the acute toxicity at the upstream station is greater than that at the downstream station. However, accelerated monitoring at the downstream station should not be required if upstream toxicity is greater than or equal to toxicity at the downstream station. Request: Revise the second paragraph as follows: "However, if the extent of the acute toxicity of the receiving water upstream of the discharge is greater than <u>or equal to</u> the downstream and"
31.	E-14	Attachment E, Section V.B.2.b.2	 Comment: The word "ambiguity" in this section should be replaced with language that is more meaningful. Request: Please amend Attachment E Section V.B.2.b.2 as shown in the attached underline-strikeout version of the Tentative Order.
32.	E-15	Attachment E Section V.B.2.b.a	 Comment 1: This section requires the City to perform the first toxicity screening tests for three consecutive months in 2008 using the three species as stated in the current permit. This requirement would result in an unnecessary use of the City's resources because test results over the past 25 years have confirmed the same most sensitive species without change. Request: Please reduce the first chronic toxicity screening to one test in 2008 instead of the three consecutive monthly tests.
33.	E-15	Attachment E Section V.B.3	 Comment 1: The best construction of Section V.B.3 is that the six additional toxicity tests shall be conducted on only the water source (effluent or downstream receiving water) for which the monthly trigger median of 1.0 TUc was exceeded. The language in this section should clarify this construction. Comment 2: Section V.B.3.a requires immediate implementation of the Initial Investigation TRE workplan if any three out of the initial test and the six additional tests results exceeds 1.0 TUc. Although this requirement is consistent with the City's current

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			permit, it is inconsistent with Section V.B.3.c, which authorizes returning to the normal sampling frequency if all of the six additional tests do not exceed 1.0 TUc. A negative result to the condition stated in section V.B.3.a should suffice to a return to the normal test frequency since the condition was not satisfied. Thus, is the initial test and one of the six additional test results exceed 1.0 TUc, immediate implementation of the Initial Investigation TRE workplan is not triggered, and a return to normal sampling frequency is warranted.
			Comment 3 : Section V.B.3.d presumably requires the Executive Officer to determine whether an accelerated test schedule may be terminated or used in performing a TRE/TIE where a TRE/TIE is initiated prior to completion of an accelerated testing schedule. Aside from the fact that language is vague in the context of the Executive Officer's involvement in the decision to forego further accelerated testing, the reference to the Executive Officer is unwarranted. Initiating a TRE/TIE before conducting or completing the accelerated testing, is in essence equivalent to meeting the condition in Section V.B.3.a, namely that there is a need to initiate the toxicity reduction evaluation. Since the POTW does not need Executive Officer approval where it "immediately implement[s] the Initial Investigation TRE workplan" under Section V.B.3.a (i.e. any three tests results exceed 1.0 TUc), there is no need for Executive Officer involvement where the POTW has elected to forego completion of the accelerated tests and engage the TRE/TIE process.
			of the Tentative Order.
34.	E-17	Attachment E, V.E.4.	Comment: This paragraph erroneously refers to "Section V.D." Request: Revise "Section V.D." to "Section V.B.3".
35.	E-18	Attachment E, V.E.6.d.	Comment: This paragraph erroneously refers to "Section D.3"Request: Revise "Section D.3." to "Section B.3.b".
36.	E-21	Attachment E, Section VII.A.1	Comment: In the context of this NPDES permit, a requirement for monthly sampling of benthic algal biomass, whether obtained via removal of algal tissue from benthic substrata

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			tor estimates of chlorophyll a per unit area, or via percent cover estimation, is inappropriate for several reasons. At the receiving water sites for these POTWs, benthic algae colonizes a variety of substrates, which includes bedrock, boulders and large rock, large and medium cobbles, gravel, sand, silt, clay, aquatic plants, and concrete. Each of the substrates requires a different approach (and different tools) for quantitative removal of attached algae for chlorophyll a analysis. In addition, all of the characteristic stream sub-habitats (riffles, runs, and pools) occur within the reaches used for receiving water monitoring by the POTWs. Legitimate estimates of benthic algal biomass in a stream reach can only be obtained by establishing a series of transects, which intersect examples of all stream habitat types present in the reach (riffles, runs, and pools), with multiple samples taken at each transect across the wetted width of the stream channel. The equipment and supplies currently used in well-regarded benthic algae sampling programs are not commercially available, but are constructed by hand by those who work in the field and are familiar with the substrates and taxa present in southern California streams. Furthermore, once the samples are collected in the field, they are subjected to a series of processing steps in the laboratory (1) for which there are no standard methods, (2) which are not performed at commercial laboratories which analyze chlorophyll a in water samples, (3) which are still being refined - primarily in academic settings, and (4) which need to be adjusted depending on which substrates were sampled and which taxa of algae were present in the field at the time of sampling. Even if the specialized preprocessing of field samples were conducted by field personnel after training by experts, additional expertise would be required by laboratory staff to correctly perform serial dilutions of pigment extracts prior to fluorometric or spectrophotometric analysis - expertise which is not reliab

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			 sampling would result in collection at the same locations at a frequency that does not correlate to algal growth patterns. Sampling programs for algal biomass are more appropriate during targeted growth periods two to three times per year. None of the stream reaches within the Calleguas Creek Watershed are currently listed as impaired by algae. As of this writing, a special study forming part of the Calleguas Creek Nitrogen TMDL, is currently underway in seven reaches of the watershed that will (1) evaluate the efficacy of field and laboratory techniques for determination of chlorophyll a and percent cover for benthic algae, given the habitats and taxa present in the Calleguas Creek watershed, and (2) provide data on algal abundance during its seasonal maximum (the spring bloom) and its effect on pH and dissolved oxygen. If the results of this study indicate that further data are required, benthic algal sampling could more appropriately be conducted at the receiving water stations in the form of an additional special study, or incorporated into the TMDL monitoring program for Calleguas Creek. Request: Please delete the requirement for monthly sampling of algal biomass.
37.	E-21, E-22	VII.A.1 (Table 4)	 Comment: The "quarterly" monitoring frequency for many constituents should be reduced to semiannually to be consistent with NPDES permits issued to other dischargers in the Calleguas Creek Watershed. Request: Reduce the monitoring frequencies from quarterly to semiannually for antimony, arsenic, beryllium, cadmium, chromium III, chromium VI, lead, silver, zinc, barium, methoxychlor, 2,4-D and 2,4,5-TP.
38.	E-22	VII.A.1 (Footnote 22 to Table 4)	Comment: Footnote 22 mis-identifies receiving water stations for which dioxin congener monitoring is required. Request: Revise the first sentence in footnote 22 as follows: "In accordance with the SIP the Discharger shall conduct effluent monitoring for the seventeen 2,3,7,8-tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD or dioxin) congeners in the effluent and in the receiving water Station RSW001 and RSW-006 RSW-002, located upstream downstream of the discharge points 001 and 002, respectively."

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39.	E-26	IX.B.4	 Comment: The requirement to report MLs, MDLs, and results as DNQ should apply to results of effluent and receiving water samples only, per the SIP. Influent samples should be clearly exempted from these reporting requirements. Request: Add clarifying language to this section to state that these reporting requirements do not apply to samples of influent.
40.	F-58 – 59	Table 9 in Attachment F, Section VI.B	 Comment: The City of Simi Valley appreciates the inclusion of Table 9 in the Tentative Fact Sheet. This Table shows the monitoring frequencies of effluent parameters on the current permit in contrast to the proposed monitoring frequencies. This should include all the parameters that were required to be monitored in Attachment T of the current permit and that are no longer proposed for monitoring per Attachment E. For example, Attachment T (page T-9) requires semiannual monitoring of methyl bromide in the effluent. Table 3 in Attachment E does not propose to require monitoring of this constituent. This change should be shown as "deleted" in Table 9 (as was done for algal biomass). Request: Please update the comparison table to contrast all monitoring frequencies between permits. This table should show all monitoring frequencies that are proposed for change, will remain the same, or are proposed for deletion.
41.	J-1	Attachment J, Section A	 Comment: Attachment J-1 requires the City to submit Annual Pretreatment Program Compliance Reports by March 1 of each year. Because, the City relies on the treatment plant laboratory personnel for the analytical results that are used in the annual report, the treatment plant may not have all the necessary results in time for us to meet the March 1 deadline. Request: Please change the due date for the Annual Pretreatment Report to April 15 to coincide with the due date of the treatment plant annual report.