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COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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STEPHEN R. MAGUIN
Chief Engineer and General Manager

February 8, 2010
File No. 31-370-40.4A

Rebecca Christmann, Unit Lead
California Regional Water Quality Control Board
Los Angeles Region
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

Dear Ms. Christmann:

**Comments on Tentative Amendment of Waste Discharge Requirements and National Pollutant
Discharge Elimination System (NPDES) Permit for the City of Oxnard's
Oxnard Wastewater Treatment Plant (NPDES No. CA0054097, CI No. 2022)**

The County Sanitation Districts of Los Angeles County (Sanitation Districts) appreciate this opportunity to submit comments on the California Regional Water Quality Control Board, Los Angeles Region's (Regional Board) tentative Amendment to the Oxnard Wastewater Treatment Plant's NPDES Permit Order No. R4-2008-0029 (Amendment). The Sanitation Districts are a confederation of special districts that operate 11 wastewater treatment facilities, 10 of which are classified as water reclamation plants. One of the Sanitation Districts' goals, consistent with California laws and policies, is to maximize the use of recycled water from its facilities for the benefit of the region.

The Sanitation Districts are actively engaged in planning efforts with local water agencies regarding the expansion of recycled water use, which will likely involve advanced treatment. Although this Amendment does not directly involve a Sanitation Districts' facility, the Sanitation Districts will likely seek amendment of one or more of its NPDES permits in the future, to address the discharge of brine from on-site advanced treatment of secondary effluent through the Sanitation Districts' existing effluent outfall. In order to be successful, these projects need cost effective and environmentally sound methods of brine disposal, and we are concerned that the Amendment will set a negative precedent for future projects of this nature. Recent conversations with Regional Board staff have indicated their intention to modify the Amendment to address concerns expressed by the Sanitation Districts and other stakeholders, however, since we are not aware of a modification of the Amendment having been completed, the Sanitation Districts are submitting these comments for the record.

One important aspect of advanced treatment of wastewater is that there are times when those facilities will not be operating at full capacity, due either to maintenance issues or a lack of need for the recycled water. In order to account for this variability, wastewater treatment plants must be allowed to discharge their design flows during these periods. In order to fully realize the potential for recycled water use, large groundwater recharge or surface water augmentation projects will be necessary. But until regulations exist to provide the framework for indirect potable reuse, the majority of recycled water will

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be utilized for irrigation purposes, which are by nature seasonal. Therefore, to provide for the periods when production of advanced treated water is low, the Amendment should not decrease the originally permitted design flow.

Setting Mass-Based Limits

The Sanitation Districts believe that the current version of the Amendment would have the unintended effect of discouraging recycled water projects utilizing advanced treatment by reducing the mass-based discharge limits proportional to the amount of flow intended to be reused. These projects generally require either nanofiltration or reverse osmosis, neither of which **destroys any** constituents found in treated wastewater. These constituents, that would have been otherwise discharged with the treatment plant effluent, are instead concentrated in reject streams (brine). In most cases, discharge of brine with the secondary effluent will be the only cost effective brine disposal method. If mass-based limits are reduced, this option will be precluded. As such, the mass-based limits in the Amendment should revert back to those originally provided, to account for the same mass of effluent constituents allowed for prior to advanced treatment.

Permitting of Full Design Flow

The Amendment reduces the permitted capacity of the treatment plant by the amount of recycled water diversion that will result from the project. Design flow of treatment facilities is based on capacity of the various unit processes and discharge facilities that have been constructed. To reduce their capacity because recycling projects are to be implemented would greatly diminish the value of the investment in infrastructure made by the ratepayers. Furthermore, recycled water projects are not failsafe disposal options. For instance, treatment process upsets, public perception, or regulatory actions for instance could force the recycled water use to be interrupted and require the discharger to utilize the full capacity of its existing discharge permit. If a discharger had to choose between a recycled water project and a loss in discharge capacity, the recycled water project would be much less attractive. To provide for the ability to discharge the design flow of the Oxnard Wastewater Treatment Plant, when the advanced treatment facilities are not operating at maximum capacity, the Sanitation Districts request that the Regional Board leave the permitted design flow of 31.7 MGD in place.

Wet Weather Exclusion for Mass-Based Limits

The Sanitation Districts request that the Amendment be changed to include a wet-weather exclusion for all mass-based limits. This exclusion is noted appropriately in Attachment F of the Amendment, but not in the body of the order itself, which appears to be an oversight.

The Sanitation Districts thank you in advance for your careful consideration of these comments. If you have any questions concerning this letter, please feel free to contact the undersigned at (562) 908-4288, ext. 2803.

Very truly yours,

Stephen R. Maguin



Ann Heil

Supervising Engineer

Technical Services Department

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cc: Don Tsai, Regional Board