



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams
Cal/EPA Secretary

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

October 14, 2008

Mr. Dan Pfeifer
Utility Manager
City of San Buenaventura
P.O. Box 99
Ventura, CA 93002-0099

TENTATIVE AMENDMENT, COPPER WATER EFFECTS RATIO (WER) FOR WASTE DISCHARGE REQUIREMENTS (WDRs) AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT – CITY OF SAN BUENAVENTURA, VENTURA WATER RECLAMATION FACILITY (NPDES NO. CA0053651, CI NO. 1822)

Dear Mr. Pfeifer:

A copper WER of 1.58 was applied to the final limits for copper in Order No. R4-2008-0011, adopted by the Regional Board on March 6, 2008. The Regional Board also directed staff to meet with the City of San Buenaventura and re-evaluate the possibility of applying a higher copper WER value.

Following the March 6, 2008 Board Hearing, the City prepared a follow-up response in an effort to reach agreement with Regional Board staff and resolve the issue of which WER is the most appropriate to use in calculating the final copper effluent limits for the discharge. Additional data were provided to staff.

Regional Board staff re-evaluated all of the data with regard to critical conditions in the Estuary, and followed the USEPA guidance on using the geometric mean of the individual sample WERs to calculate the final WER. Based upon two sampling periods (five data points) that represent the most critical conditions in the Estuary, which is wintertime with the berm open, a revised WER of 2.08 is found to be protective and appropriate.

Accordingly, pursuant to the Federal Clean Water Act, as amended; and in accordance with the California Water Code, a tentative amendment for the waste discharge requirements has been prepared for the Board's consideration.

Enclosed are copies of the following:

1. Tentative amendment,
2. Publication, consisting of:
 - a. Instruction Sheet for Public Notice;

California Environmental Protection Agency



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Mr. Dan Pfeifer
City of San Buenaventura

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October 14, 2008

- b. Public Notice; and,
- c. Statement of Posting Notice.

In accordance with administrative procedures, this Board at a public hearing to be held on December 11, 2008, at 9:00 a.m., at Ventura County Government Center, 800 South Victoria Avenue, Ventura, California 90034, will consider the enclosed tentative amendment and comments submitted in writing regarding any and all portions thereof. The Board will hear any testimony pertinent to this discharge and the tentative amendment. It is expected that the Board will take action at the hearing; however, as testimony indicates, the Board, at its discretion, may order further investigation.

Written comments regarding the tentative amendment must be received at the Regional Board office by the close of business on November 13, 2008, in order to be evaluated by Board staff and included in the Board's agenda folder. Comments received after that date will be provided, ex agenda, to the Board for their consideration. Timely submittal of written comments is encouraged to ensure that all comments are accurately and fully included in the administrative record, that Board staff is able to provide timely review, and that Regional Board members have sufficient time to give full consideration to the comments and issues raised. Comments received after the requested date may result in delay in consideration of the tentative Order.

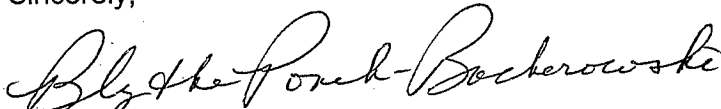
With respect to the public notices, in accordance with the Federal Clean Water Act, as amended, and California Code of Regulations, you are required to follow the enclosed instructions for posting of the notice no later than October 20, 2008.

Failure to post the notice by the above date may require us to reschedule this item for a later hearing and will require posting of a second notice. Please notify this Board by telephone when the notice has been posted and submit the proof of posting as required in the enclosed instructions. Proof of posting the notice must be received by the Executive Officer of this Regional Board no later than October 27, 2008.

All pertinent documents in the record, as well as written comments received in the future, can be viewed at the Regional Board's web address at www.waterboards.ca.gov/losangeles/.

If you have any questions, please contact Don Tsai at (213) 576-6665 or call me at (213) 576-6720.

Sincerely,



Blythe Ponak-Bacharowski
Unit Chief, Municipal Permitting Unit (NPDES)

Enclosures

cc: See mailing list

California Environmental Protection Agency



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MAILING LIST

Ms. Robyn Stuber, U.S. Environmental Protection Agency, Region IX, Clean Water Act
Standards and Permits (WTR-5)
U.S. Army Corps of Engineers
Mr. Russell M. Strach, Assistant Regional Administrator, Protected Resources Division,
National Marine Fisheries Service, Sacramento
Mr. Rodney R. McInnis, Regional Administrator, NOAA, National Marine Fisheries Service, Long
Beach
Mr. Stan Glowacki, NOAA, National Marine Fisheries Service, Long Beach
Mr. Mark Capelli, NOAA, National Marine Fisheries Service, Santa Barbara
Mr. Chris Dellith, Department of Interior, U.S. Fish and Wildlife Services
Mr. Jeff Phillips, Department of Interior, U.S. Fish and Wildlife Services
Mr. Roger Root, Department of Interior, U.S. Fish and Wildlife Services
Mr. Philip Isorena, State Water Resources Control Board
Ms. Stephanie Trotter, State Water Resources Control Board
Ms. Betty Courtney, California Department of Fish and Game, Region 5
Mr. Richard A. Rojas, State Parks and Recreation
Ms. Barbara Fosbrink, State Parks and Recreation
Ventura County Department of Public Works, Flood Control and Drainage
Ventura County Department of Environmental Health
Ms. Ann Heil, County Sanitation Districts of Los Angeles County
Mr. David Beckman, Natural Resources Defense Council
Mr. Ron Bottorf, Friends of the Santa Clara River
Ms. Lynn Plambeck, Santa Clara Organization for Planning and the Environment
Mr. Steven R. Howard, United Water Conservation District
Dr. Mark Gold, Heal the Bay
Ms. Tatiana Gaur, Santa Monica BayKeeper
Ms. Vicki Clark, Environmental Defense Center
Mr. Jessie Altstatt, Santa Barbara ChannelKeeper
Mr. Paul Jenkin, Surfrider Foundation
Mr. Matti Waiya, Wishtoyo Foundation/Ventura CoastKeeper
American Ocean Campaign
Environmental Now
Sierra Club
Southern California Coastal Water Research Project
Ms. Mary Lynn Coffee, Nossaman, Guthner, Knox & Elliott, LLP
Mr. Reed V. Smith, Ventura Audubon Society
Dr. Richard F. Ambrose, University of California, Los Angeles
Dr. Camm C. Swift, Entrix, Inc
Dr. Howard C. Bailey, Nautilus Environmental
Ms. L. Purpus, United Water Conservation District
Ms. Elise Kelley, University of California at Santa Barbara
Mr. Jae Kim, Tetra Tech

