

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0055 (Aliso Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
1	<p><u>Page 6, paragraph 1</u> – The Coastal TP (CTP) is owned and operated by SOCWA, not SOCWA and Moulton Niguel Water District (MNWD).</p>	<p>The permit has been updated.  <i>(see item no. 2 on the ACOO Errata 1)</i></p>
2	<p><u>Page 13.6</u> - The outfall flow limit has changed for average dry weather flow in R9-2001-008, to a calendar-monthly average flow. Although the calendar-monthly average limit given, 32.86 MGD, has not been exceeded any calendar month in the last five years, the rationale for the change is not understood; the limit could conceivably be exceeded in the case of a 100 year flood, something beyond SOCWAs control.</p>	<p>The flow limitation is based on the existing secondary treatment design capacities for all contributors to the outfall as was reported by SOCWA in their NPDES application. The flow limitation could be revised in the future to establish one flow limitation for dry weather and a second limitation for peak discharge provided SOCWA submits the rationale for the peaking factor and documenting that the treatment processes have the capacity to achieve compliance during the peak flow periods.</p> <p>No change to tentative Order is justified at this time.</p>
3	<p><u>Page 24, 2.a.</u> – Related to previous comment – Order R9-2001-008 contained a trigger for a written report to the Regional Board when a POTWs “average dry weather influent flow for any 30-day period” reached 75% of the plants design capacity; in the tentative order, the wording was changed to “average monthly influent flow”.</p>	<p>See response to Comment 2.</p>

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4	<p><u>Page 25, 1), 2), &amp; 3)b)</u> – SOCWA does not currently report spills on the form referenced in this section, but one that contains all of the same information; the agency would like to continue using the current form.</p>	<p>The Special Provisions regarding spill reporting requirements have been modified to include other forms that are similar to the Sanitary Sewer Overflow Report Form provided under Order No 96-04. (see item no. 3 on the ACOO Errata 1)</p>
5	<p><u>Page 26, c.2)</u> – There is no allowance for composting as a method of sludge (biosolids) disposal in this section. The majority of SOCWAs sludge is composted; a 180 day approval period for composting disposal would be a serious hardship for SOCWA and its member agencies.</p>	<p>The Special Provisions regarding the Sludge [Biosolids] Disposal Requirements in the tentative permit (R9-2006-0055) reiterate the requirements in the current permit (Order No 2001-08). This is the standard language for NPDES permits and do not restrict any SOCWA composting and disposal options that are conducted in compliance 40 CFR Parts 258 and 503.</p>

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<p>6</p>	<p>Page 32, C. – defines Daily Effluent Value (DEV) as, “<u>..the results of a flow-weighted 24-hour composite sample collected during a calendar day (12:00 am through 11:59 pm) or any continuous 24-hour period that ends on and reasonably represents a given calendar day for purposes of sampling.</u>” Currently SOCWA and it’s member agencies, collect 24-hour composite samples that begin at approximately 08:00 am through 07:59 am; since the greatest proportion of sample is collected during the 16 hours of the start date, the value obtained is considered to reasonably represent the start date, and recorded that way. Changing to a calendar day 24-hour composite sampling would require the purchase of new sampling equipment at a large cost to the agencies. In order to maintain the consistency of the database, the wording could be changed to “<u>...any 24-hour period that <b>begins</b> on and reasonably represents..</u>”. If the wording cannot be changed, would the Regional Board consider the final 8 hours of the composite sampling to be reasonably representative of the end date?</p>	<p>The Compliance Determination and Enforcement Provisions contained in Section VII.C have been modified.   <i>(see item no 4 on the ACOO Errata 1)</i></p>

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7	<p><u>Page 38,L.2.</u> – states that, “<i>For all bacterial analyses, sample dilutions should be performed so the range of values extends from 2 to 16,000 MPN (most probable number)</i>”. SOCWA uses membrane filtration (MF) for all bacterial tests, which is a more precise method than the MPN; results are reported quantitatively as colony forming units (CFU) per 100ml. Currently, two dilutions are run at most sites; to guarantee a value within this range would require at least 3 dilutions; the staff attempts to bracket the regulatory levels by choosing dilutions based on site specific conditions. SOCWA would like to continue this practice, or change the required range to meet the tentative order limits of 35 to 10,000 CFU.</p>	<p>The language in this section is consistent with the current permit (Order No. 2000-13, Provisions Section F.33) and is the standard language in the NPDES permits.</p>
8	<p><u>Page E-7, A.</u> – The influent channel at the CTP is configured so that it can only be sampled after addition of in-plant return flows.</p>	<p>The influent sampling shall represent the influent before the addition of in-plant return flows. The sampling point needs to be modified or the influent sampling results shall take into account the in-plant return flows.</p>
9	<p><u>Page E-8, Table 3.</u> - Incorrect endnote; <b>End note 3 refers to <i>daily</i></b> sample frequency, not weekly.</p>	<p>The superscript was moved from the row labeled “weekly” to the rows labeled “daily”.  <i>(see item no 5 on the ACOO Errata 1)</i></p>

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<p>10</p>	<p>Page E-11 &amp; E-12, Tables 5. and 6. – The monitoring of brine discharge and treated groundwater called for includes more parameters and greater frequency than has been previously discussed. The rationale for the increased monitoring is not understood. These two discharges are unlikely to contain high levels of TSS, Oil and Grease, or Settleable Solids; the pH of these discharges is unlikely to have much impact on the final outfall discharge.</p>	<p>As described in the Fact Sheet (Attachment F, Section IV.B), the technology-based effluent limitations for the brine discharge and treated groundwater are considered industrial discharges for which effluent guidelines have not been established, and thus subject to the Table A effluent limitations contained in the Ocean Plan. 40 CFR §122.48 requires monitoring to determine compliance with effluent limitations in NPDES permits. The tentative permit therefore requires monitoring for all regulated parameters. Although the Regional Board agrees that the discharges are unlikely to contain high levels of the limited parameters, however, little to no data exist to support this assumption at this time. The weekly monitoring requirements were proposed to ensure compliance with the Table A effluent limitations and collect data for use in reissuance of the permit. Upon further examination, weekly monitoring for these discharges may be excessive. The final Order will require monthly monitoring for the Table A parameters. In addition, turbidity was inadvertently left off Tables 5 and 6 in Attachment E, and will be included in the final Order. <i>(see items no 6 and 7 on the ACOO Errata 1)</i></p>

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11	<p>Page E-15, A. –In SOCWAs current Order No. 2001-08, page 83, 4. SURF ZONE WATER QUALITY MONITORING, B.(3), states that, <u>"In the event of stormy weather which makes sampling hazardous at certain surf zone stations, collection of samples at such stations can be omitted, provided that such omissions do not occur more than 5 days in any calendar year or occur at consecutive sampling times. The observations listed in (2) above shall still be recorded and reported to the Regional Board for these stations at the time the sample was attempted to be collected."</u> This provision is not in TO# R9-2006-0055. Staff does not recall using this exemption more than twice in the five years covered by Order 2001-08, but feels it is important for the safety of our staff to have it available.</p>	<p>The Monitoring and Reporting Program was modified. (see items no 8 on the ACOO Errata 1)</p>
12	<p>Page E-15, A.1. – The rationale for more frequent surfzone monitoring in TO#R9-2006-0055 than in R9-2006-0054, is not understood.</p>	<p>The surf zone monitoring has remained the same from the current permit (Order No. R9-2001-08) to the tentative permit.</p> <p>Based on the outcome of the coordination among the agencies regarding responsibilities for surf zone monitoring, the Regional Board may modify the affected permits in accordance with applicable State and federal permit requirements. The MRP has been modified to clarify that the number and location of monitoring sites may be modified in the future.</p> <p>(see item no 15 on the SJCOO Errata 1)</p>

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<p>13</p>	<p><u>Page E-17, C. Off Shore Water Quality Monitoring – Attachment E (page E-16 through E-20) and F (page F-45) give conflicting monitoring requirements</u></p> <p><u>Page E-18, VI.C.2., Reduced Monitoring</u> – Specifies Visual Observations be made at each site, plus, total and fecal coliform, and enterococcus be monitored at surface and mid-depth.</p> <p><u>Page E18, VI.C.3. Intensive Monitoring</u> – states that, <i>“The intensive monitoring specified below is required during the 12-month period beginning July 1, 2008 through June 30, 2009, and must be submitted by August 1, 2011.”</i> Intensive monitoring requirements include salinity, temperature, and depth at 1 meter intervals, DO and Light transmittance at surface, mid-depth, and bottom, and pH at the surface, in addition to the p. E-16, VI, C.2, monitoring requirements.</p> <p><u>Page F-45, Section VI.D.3., Offshore Water Quality Monitoring</u>, states that, <i>“...MRP No. R9-2006-0055 establishes a schedule of monitoring at seven offshore locations for total and fecal coliform and enterococcus bacteria in surface and mid-depth samples on a year-round, monthly basis. In addition, monitoring requirements at the offshore stations have been included for salinity, in surface, mid-depth, and bottom (S.M.B) samples on a year-round basis to provide adequate data for evaluating initial dilution”.</i></p>	<p>The Fact Sheet, Page F-45, Section VI.D.3 was modified to be consistent with the Monitoring and Reporting Program.</p> <p><i>(see item no 9 on the ACOO Errata 1)</i></p>

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14	<p>Please Clarify</p> <p>Will SOCWA be required to perform the additional monitoring described in the Fact Sheet? If so, will the monitoring be ongoing through the life of the permit, or for a limited time?</p>	Please see response to comment 13.
15	<p>Please Clarify</p> <p>If the monitoring described in the Fact Sheet is performed, will SOCWA be required to perform the intensive offshore monitoring from July 2008 through June 2009 as described in the MRP? To perform the intensive monitoring requires a much more expensive instrument than that in the fact sheet.</p>	Please see response to comment 13.
16	<p>Please Clarify</p> <p><u>Page E-19, E. &amp; F-46</u> – If SOCWA is required to perform the Benthic Monitoring as described in the MRP, we will require clarification on sample collection; we have been advised by our receiving water sampling contractor that the sampling equipment and techniques referenced in the MRPM are incorrect and/or outdated.</p>	<p>The language in the Benthic and Kelp Bed Monitoring section is consistent with the current order (Order No. 2001-08). The MRP may be modified in the future upon approval of the sampling equipment and techniques that are preferred. The tentative MRP has been modified to clarify that the method of sample collection may be modified in the future.</p> <p><i>(see item no 16 on the SJCOO Errata 1)</i></p>

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17	<p>Please clarify <u>Page E-20., Section VI.F., Intensive Monitoring, states that, “The Discharger shall perform the intensive monitoring as described by this MRP in conjunction with the next Southern California Coastal Water Research Project (SCCWRP) Bight Study.”</u>            Intensive Monitoring cannot be performed as described by the MRP if it is done in conjunction with SCCWRP Bight 2008. The purpose of the SCCWRP Bight Study is to determine conditions over a wider area than the discharge, including reference sites to help evaluate the effect the outfall discharge may have. The sampling plan relies on targeted random site selection; the questions the study seeks to answer may require different types of analyses than those specified in the MRP. In the past, SOCWA has participated in the Bight study’s through a resource exchange – the permit specific monitoring requirements are exchanged for staff participation in study planning, sampling and analyses for the microbiology portion of the study, and a financial contribution toward the offshore, benthic, demersal fish and macroinvertebrates.</p>	<p>The purpose of the requirement contained in Section VI.F of the MRP is to ensure conjunction (joint or simultaneous occurrence or coordination) of monitoring efforts with the SCCWRP Bight Study, not to add additional monitoring to the Intensive Monitoring (page E-17/E-18, Section VI.B.2/ VI.C.2).</p>
18	<p>Please Clarify <u>Page F-18, 2.</u> – Please clarify what is required to “provide certification” that all storm water is captured on-site and not allowed to run off-site of the POTW.</p>	<p>The required certification can be in the form of a letter with supporting documentation (e.g., site diagram depicting site drainage and locations of storm drains). The certification should be signed by a responsible official in accordance with the signatory requirements specified in Attachment D, Section V.B.   <i>(see item no 10 on the ACOO Errata 1)</i></p>

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19	<p>Please Clarify</p> <p><u>Page F-44, D.1.</u> – Monitoring site C1 is not an NPDES compliance site. C1 is located in Aliso Creek, upstream of marine influence. This site was chosen by SOCWA and voluntarily monitored to confirm that the Aliso Creek runoff to the surf zone is a major source of bacteria that is unrelated to the outfall discharge. At the time the site was added, Regional Board staff hailed it as a positive, proactive move on SOCWAs part. Using the data obtained as the basis for additional special studies in this tentative order is inappropriate. During SCCWRP Bight Study Microbiology Committee planning sessions, SOCWAs monitoring at C1 has been cited as an example, when agencies have balked at monitoring sites within their monitoring area, but not specified in their MRP; this is the type of action that prevents participation in special studies.</p>	<p>There is no change to the monitoring sites at this time. Based on the outcome of the coordination among the agencies regarding responsibilities for surf zone monitoring, the Regional Board could modify the affected permits in accordance with applicable State and federal permit requirements. The MRP has been modified to clarify that the number and location of monitoring sites may be modified in the future.</p> <p><i>(see item no 15 on the SJCOO Errata 1)</i></p>
20	<p>Please Clarify</p> <p><u>Page F-28, IV.C.5.a and b, Tables 16 and 17</u> - Tables 16 and 17 present Performance Goals based on the 2005 Ocean Plan and a dilution factor of 260. However, the Monthly Average Performance Goals values in the tables are incorrect. The values shown are based on a 100 dilution factor; these values need to be recalculated using a 260 dilution factor. The correct Performance Goals for these constituents are presented in Table 10 (p15) and Table 23 (p.F33).</p>	<p>The tables have been updated.</p> <p><i>(see item no 13 and 14 on the ACOO Errata 1)</i></p>