



September 28, 2007

Xavier Swamikannu, Chief Storm Water Permitting Unit
Los Angeles Regional Water Quality Control Board
320 W. 4th Street, #200
Los Angeles, CA 90013-2343
Email: seconddraftVCMS4@waterboards.ca.gov

Re: Comments On the Second Draft of the Proposed "Waste Discharge Requirements for Storm Water and Non-Storm Water Discharges From the Municipal Separate Storm Sewer Systems Within the Ventura County Watershed Protection District, County of Ventura and the Incorporated Cities Therein"

Dear Mr. Swamikannu,

As a drinking water provider, Golden State Water Company (GSWC) has a vested interest in preserving the quality of our streams, lakes and underground aquifers. GSWC supports the Los Angeles Regional Water Quality Control Board's efforts as a partner in protecting our drinking water resources and appreciates the opportunity to comment on the second draft of the above-referenced document (draft permit).

Current Permit Coverage

GSWC provides drinking water to more than one million people in 10 counties throughout California. We operate within the jurisdiction of six of the nine Regional Water Quality Control Boards. Within the boundaries of the Central Valley, Central Coast, Santa Ana and Lahontan Boards, discharges from our drinking water system fall under de minimus or low threat permits. These permits require stringent sampling, monitoring and reporting requirements to ensure that Best Management Practices are effective. We understand that each watershed has unique issues to address and that permits vary accordingly.

In Ventura County our distribution system discharges are covered under the current Municipal Separate Storm Sewer Systems (MS4) Permit, Los Angeles Regional Water Quality Control Board Order No. 00-108. Under Part 1.A.2.b. of the current permit, Co-permittees are to effectively prohibit non-stormwater discharges into the MS4 (storm drain systems) and watercourses, except where such discharges are not identified as a source of pollutants, including "discharges from potable water sources". Even where they are a source of pollutants, discharges from potable water sources need not be prohibited if the Co-permittee implements appropriate BMPs. Potable water sources are defined as, "flows from drinking water storage, supply and distribution systems including flows from system failures, pressure releases, system maintenance, well development, pump testing, fire hydrant flow testing; and flushing and de-watering of pipes, reservoirs, vaults and wells."

Limitation on Flushing of Water Supply and Distribution Mains

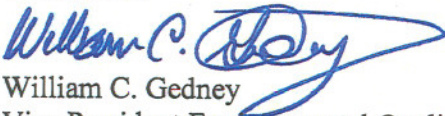
The current draft permit prohibits all non-storm water discharges that the Permittees are not preempted from regulating, except a few categories listed in Part 1.B.1(b). Category 6 refers to “discharges from potable water sources” which is qualified by a footnote. The second sentence of the footnote states that “It does not cover scheduled discharges by potable water purveyors for the (i) dewatering or hydrotesting or flushing of water supply and distribution mains, or (ii) dewatering or draining of reservoirs or water storage facilities.”

GSWC is dedicated to providing our customers with water that meets strict State and Federal drinking water standards and to fulfilling our commitment to maintain the fire fighting infrastructure for emergency responders. System maintenance and hydrant testing via line flushing are critical tools used to meet those standards. Drinking water utilities are inspected annually by the California Department of Public Health (DPH) to determine compliance with DPH regulations and are also required to report annually to the DPH on their system flushing program. If voluntary system flushing is not adequate, DPH can enforce mandatory flushing in order to protect public health.

The prohibition of flushing activities in the draft permit could have an adverse affect on public health and safety and conflict with other laws and regulations. The same is true with regard to the prohibition of dewatering or draining of reservoirs and water storage facilities. GSWC requests that these key maintenance activities continue to be permitted. To that end, we request that the first and second sentences of the footnote in question be deleted.¹

We look forward to discussing with you how we might achieve a permit that is protective of both natural resources and public health and safety.

Thank You,



William C. Gedney
Vice President Environmental Quality

¹ We also suggest that the third sentence of the footnote be modified to read “Releases may occur for discharges from potable water sources only with the implementation of appropriate BMPs as provided in Table 1.” In addition, we suggest that the last sentence of the footnote be modified to read “Covered discharges from well heads and hydrostatic pipe testing shall be subject to separate NPDES general permit coverage ([well head permit reference] and CAG674001, respectively).”

Second draft Ventura County Municipal Separate Storm Sewer System Permit

- (4) Flows from riparian habitats or wetlands.
- (5) Flows from emergency fire fighting activity.
- (6) Discharges from potable water sources.¹
- (7) Gravity flow from foundation, footing and crawl space drains.
- (8) Air conditioning condensate.
- (9) Reclaimed and potable landscape irrigation runoff.
- (10) Dechlorinated/ debrominated swimming pool discharges [see def. Part 8].
- (11) Non-commercial car washing by residents or non-profit organizations.
- (12) Sidewalk rinsing
- (13) Pooled storm water from treatment BMPs.²

Table 1 – Required BMPs for Non-Storm Water Discharges

Type of Discharges:	Conditions under which allowed:	Required BMPs for discharge to occur:
Stream diversions permitted by the State Board;	Shall comply with all conditions in the authorization.	Shall comply with all conditions in the authorization.
Natural springs and rising ground water	1. Ground water dewatering requires a separate NPDES permit. 2. Segregate flow to prevent introduction of pollutants.	Shall comply with all conditions in the authorization.
Uncontaminated ground water infiltration [as defined by 40 CFR 35.2005(20)] (Utility vault dewatering requires a separate NPDES permit.)	NPDES permit for ground water dewatering is required within the Los Angeles Region including Ventura County	Shall comply with all conditions in the authorization.
Flows from riparian habitats or wetlands	Provided that all necessary permits or authorizations are received prior to diverting the stream flow.	Shall comply with all conditions in the authorization.

¹ The term applies to low volume, incidental and infrequent releases that are innocuous from a water quality perspective. It does not cover scheduled discharges by potable water purveyors for the (i) dewatering or hydro-testing or flushing of water supply and distribution mains, or (ii) dewatering or draining of reservoirs or water storage facilities. Releases may occur for discharges from potable water sources only with the implementation of appropriate BMPs, dechlorination prior to discharge [see section G for specific BMPs]. Discharges from utility vaults shall be conducted under coverage of a separate NPDES permit specific to that activity. Discharges from well heads and hydrostatic pipe testing shall be subject to a separate NPDES general permit coverage (CAG674001).

² All storm water BMPs shall at a minimum be maintained at a frequency as specified by the manufacturer, and designed to drain within 72 hours of the end of a rain. Storm water treatment BMPs may be drained to the MS4 under this Order if the discharge is not a source of pollutants. Sediments shall be disposed of properly, in compliance with all applicable local, state, and federal policies, acts, laws, regulations, ordinances, and statutes.

Second draft Ventura County Municipal Separate Storm Sewer System Permit

Type of Discharges:	Conditions under which allowed:	Required BMPs for discharge to occur:
Flows from emergency fire fighting activity	Pooled water after fire must be controlled.	
Discharges from potable water sources	See Footnote #1 on page 26. Provided discharges from water lines and potable water sources shall be dechlorinated, pH adjusted if necessary, reoxygenated, and volumetrically and velocity controlled to prevent resuspension of sediments.	See Footnote #2 on page 26. To be discharged, this type of water shall be dechlorinated using aeration and/ or sodium thiosulfate and/ or other appropriate means and/or be allowed to infiltrate to the ground. BMPs such as sand bags or gravel bags shall be utilized to prevent sediment transport. All sediments shall be collected and disposed of in a legal and appropriate manner.
Drains for foundation, footing and crawl drains	Dewatering requires a separate NPDES permit.	Shall comply with all conditions in the authorization.
Air conditioning condensate	Segregation of flow to prevent introduction of pollutants	Infiltration whenever possible.
Water from crawl space pumps	Dewatering requires a separate NPDES permit within the Los Angeles Region including Ventura County	NPDES permit for ground water dewatering is required.
Reclaimed and potable landscape irrigation runoff	Segregation of flow to prevent introduction of pollutants.	Implement conservation programs to minimize this type of discharge by using less water.
Dechlorinated/ debrominated swimming pool discharges [see definition Part 8]	Provided discharge to a sanitary sewer is not available. Swimming pool discharges are dechlorinated, pH adjusted if necessary, aerated to remove chlorine if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments. Cleaning waste water and filter back wash shall not be discharged to municipal separate storm sewers. Water that has been hyperchlorinated shall not be discharged to municipal separate storm sewers, even after de-chlorination.	Pool water may be dechlorinated using time, aeration, and/ or sodium thiosulfate.

Potable Water Sources - means the potable water system for the treatment, distribution, and provision of water for residential, commercial, industrial, or institutional use that meets all California safe drinking water regulatory standards for human consumption.

Pre-Developed Condition - means native vegetation and soils that existed at a site prior to first development. The pre-developed condition may be assumed to be an area with the typical vegetation, soil, and storm water runoff characteristics of open space areas in coastal Southern California unless reasonable historic information is provided that the area was atypical.

Priority Pollutants - means those constituents referred to in 40 CFR 401.15 and listed in the U.S. EPA NPDES Application Form 2C, pp. V-3 through V-9.

Project - means all development, redevelopment, and land disturbing activities. The term is not limited to "Project" as defined under CEQA (Reference: California Public Resources Code § 21065).

Rare, Threatened, or Endangered Species (RARE) - means a beneficial use for water bodies in the Los Angeles Region, as designated in the Basin Plan (Table 2-1), that supports habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered.

Redevelopment - means land-disturbing activity that results in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an already developed site. Redevelopment includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of a routine maintenance activity; and land disturbing activities related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

Regional Administrator - means the Regional Administrator of the Regional Office of the U.S. EPA or the authorized representative of the Regional Administrator.

Report of Waste Discharge (ROWD) - means an application for renewal of the NPDES Permit for Waste Discharge Requirements for Municipal Separate Storm Sewer Discharges Within the Ventura County Watershed Protection District, County of Ventura and the Incorporated Cities Therein.

Restaurant - means a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC Code 5812).