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Public Comments
Report to the Legislature on DPR
Deadline: 10/25/16 12:00 noon

DAVID H. WRIGHT
General Manager

October 25, 2016



Ms. Jeanine Townsend,
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Ms. Townsend:

Subject: Comment Letter – Report to the Legislature on DPR

The Los Angeles Department of Water and Power (LADWP) would like to thank the State Water Resources Control Board (State Board) for the opportunity to comment on the Draft Report to Legislature on the Feasibility of Developing Uniform Water Recycling Criteria for Direct Potable Reuse (Report). LADWP is pleased that the Report concludes that Direct Potable Reuse (DPR) is technically feasible, allowing a path forward for DPR projects in California.

DPR has great potential to provide a new local source of water supply, and will assist the City of Los Angeles in meeting its sustainability goals. With climate change and persistent droughts in California, every drop of water must be accounted for as a water source. LADWP is encouraged that recycled water is being increasingly recognized as a source and not a waste. LADWP already utilizes recycled water to offset certain potable demands and plans to increase recycled water use in its service territory to 59,000 Acre-Feet (AFY) per year by 2025, and has set a long term goal to reach 75,000 AFY by 2040. DPR has the potential to become a major part of LADWP's recycled water portfolio. Moving forward, LADWP plans to make investments in DPR as a part of its future water supply portfolio.

LADWP supports the conclusions in the Report, and has the following comments:

1) Timeline for additional studies and research

LADWP understands the need to conduct additional research to fill knowledge gaps and protect public health. However, LADWP recommends that the State Board allow DPR projects to move forward concurrently with the research and development of the DPR regulations on a case-by-case basis. This will promote a better understanding of the specific type of research necessary to support the DPR regulations. LADWP supports coordination with other research agencies so that the research can be conducted effectively and

efficiently. LADWP suggests that the State Board establish a timeline for the research as the projects and the development of the regulations move forward.

LADWP also suggests that the State Board provide a timeline for both the regulatory framework and the scientific research, with a recommendation to expedite the research, and to move forward with the framework for multiple pathways, not just Surface Water Augmentation DPR.

2) Technical, Managerial and Financial Capacity (TMF)

LADWP supports the need for adoption of TMF requirements to ensure that projects are planned, developed and carried out in a manner that will allow for their success. By requiring the necessary TMF guidelines and requirements, quality projects can be completed and will provide necessary augmentation to local water supplies.

LADWP recommends that the State Board adopt TMF requirements that are consistent with the Federal and State Safe Drinking Water Acts and associated regulations to ensure that local water purveyors have the proper authority to manage, oversee, and implement DPR projects. The TMF requirements should also be consistent with existing drinking water operator regulations and should allow water purveyors to have the final monitoring and control of compliance points into the distribution systems. Moreover, where private entity projects are considered for development, the private entity should be required to reach an agreement with the local water purveyor that would help ensure oversight of the DPR into the local purveyor's distribution system.

3) Operator Certification Programs

LADWP supports the implementation of a specific operator training and certification program to ensure that DPR treatment plants are staffed by well-trained and knowledgeable operators in order to ensure the implementation of rigorous response protocols as recommended in the Report.

4) Enhanced Source Control and Pretreatment Programs

LADWP supports the implementation of enhanced source control and pre-treatment programs. Enhanced source control programs will allow for increased removal of chemicals of concern from pre-treated waste streams. Removal of unnecessary chemicals will, in turn, increase the ability of DPR projects to produce potable water that is safe for public health consumption with reduced resources, thus saving valuable public agency resources and time.

Enhanced source control programs should focus on industrial sources and encourage the general public to reduce introduction of household cleaning products, personal care products, pharmaceuticals from entering the waste stream. In order to be effective, the source control program will require an expanded public outreach.

5) "Averaging" concepts

LADWP supports the Expert Panel's findings on recognizing alternatives to blending. It suggests the following as additional considerations to provide final averaging of the product water for DPR projects:

- An alternative to averaging could be achieved by adding a secondary or tertiary effluent Total Organic Carbon (TOC) target as a critical control point to identify illicit discharges to the collection system; and
- Retention times should be based on a compliance point and in-pipe blending should be allowed up to that compliance point.

6) Public Outreach Programs

LADWP supports the robust public outreach plan set forth in the Expert Panel's report to educate and gain support for DPR projects. Public acceptance is paramount to the implementation and success of DPR projects.

7) Alternative to Reverse Osmosis (RO)

LADWP supports research for an alternative to RO. Options should exist to develop DPR projects without RO as the primary treatment system. As more data are collected and analyzed from various recycled water projects, treatment alternatives and processes should be evaluated to offer options for treatment processes that ultimately produce water that will obtain the same endpoint, be cost effective and be protective of public health.

8) Value and Sustainability of DPR Projects

While LADWP's top priority is the protection of public health, requirements that greatly increase cost and/or energy consumption should be evaluated to see if they are necessary to protect the public health or if they are overly-protective safeguards that could be replaced with a more sustainable alternative or pathway.

9) DPR Project Compliance

The pathway to DPR compliance should include a holistic approach to all measures taken, including wastewater treatment and source control. The total concept of the project needs to be considered and the synergy of systems, tactics and processes needs to be taken into account. It is important that compliance not be limited to fixed log reduction credits for fixed treatment train systems.

10) Project Permitting

LADWP recommends that the State Board allow permitting agencies to start the permitting process on a case-by-case basis for DPR projects concurrently with the development of the draft regulations. A concurrent approach will help DPR projects move faster toward

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implementation. This can potentially save a significant amount of time on the approval process for future DPR projects, and provide much needed additional local sources of water sooner.

Allowing DPR projects to move forward on a case-by-case basis will increase knowledge and data acquisition from actual projects that will expand the understanding of the DPR process and provide valuable confirmation of the effectiveness and reliability of DPR. As knowledge is accumulated from these projects, the State Board should consider conducting technical workshops to share this information and solicit additional input from the larger DPR community. This will allow for the results to be incorporated more quickly into evolving DPR projects and streamline the permitting process.

11) Groundwater Replenishment (GWR) Regulations

LADWP recommends that the State Board utilize the additional research and data gained from DPR projects to improve the GWR regulations. Items that could be augmented through additional DPR project information include a reduction in blending and travel time and reduced monitoring requirements based on soil aquifer studies. All relevant science should be incorporated into all of the recycled water use pathways to continue to improve and expand the opportunities to reuse this precious resource.

In closing, LADWP appreciates the opportunity to provide comments on the Report and looks forward to working with the State Board staff in developing draft regulations for DPR. LADWP hopes that the process will be flexible, timely, and fiscally prudent to address California's on going drought and water needs. Should you have any questions regarding this letter, please contact Ms. Katherine Rubin at (213) 367-0436 or Mr. Serge Haddad at (213) 367- 8774.

Sincerely,



Ms. Nancy H. Sutley
Chief Sustainability and Economic Development Officer

CG:rc

- c: Ms. Felicia Marcus, Chair, State Water Resources Control Board (SWRCB)
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- Ms. Katherine Rubin LADWP
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- Mr. Martin L. Adams, LADWP