

CITY OF LIVERMORE



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Ph: 960-8020 • Fax: 960-8025

Water Resources Division

101 W. Jack London Blvd.

Ph: 960-8100 • Fax: 960-8105

March 15, 2006

Via Electronic Mail and UPS Next Day

Bruce Wolfe

California Regional Water Quality Control Board

San Francisco Bay Region

1515 Clay Street, Suite 1400

Oakland, CA 94612

Attn: Farhad Azimzadeh

Subject: Comment Letter – Tentative Order for LAVWMA Flow Equalization
Reservoirs, Alameda County, NPDES No. CA0038679

Dear Mr. Wolfe:

Thank you for the opportunity to comment on the subject Tentative Order. Comments are as described below:

1. It is inappropriate to name the City of Livermore as a co-permittee on a permit for a discharge of which it has no control.

The City of Livermore strongly objects to being identified in the Tentative Order as a discharger and co-permittee subject to the Waste Discharge Requirements for the Livermore Amador Valley Water Management Agency facilities. Page 1 of Attachment F – Fact Sheet erroneously describes the City of Livermore as having filed a report of waste discharge and submitted an application for permit renewal in April 2004.

The City of Livermore is a member agency of the Livermore Amador Valley Water Management Agency (LAVWMA), a Joint Powers Agency. The City of Livermore operates the Livermore Water Reclamation Plant and discharges treated effluent to LAVWMA-owned and operated facilities. The discharge from the Livermore Water Reclamation Plant is regulated by Order 00-089.

The LAVWMA Exercise of Joint Powers Agreement holds LAVWMA fully responsible for all wastewater flows from the time they leave member agency treatment facilities. The LAVWMA facilities are owned and operated by LAVWMA, and LAVWMA is solely responsible for making all decisions as to when, where and how to discharge emergency overflows.

2. The City of Livermore concurs with the comments and revisions outlined by LAVWMA in its comment letter on the subject Tentative Order.

As currently drafted, the subject Tentative Order demonstrates a significant lack of understanding of LAVWMA, the relationship with its member agencies, the operation of the LAVWMA facilities, and the emergency discharge for which the subject Order is intended to regulate.

Incorporating the comments and revisions outlined by LAVWMA would result in a permit that is more appropriate to the regulation of an intermittent peak wet weather discharge that has never occurred and is projected to not occur for decades to come.

Please let me know if you have any questions. Again, the City of Livermore appreciates the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren Greenwood", with a stylized flourish at the end.

Darren Greenwood
Water Resources Manager

Copy: Dan McIntyre City of Livermore