



August 12, 2009

Carlsbad Municipal Water District

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SAN DIEGO COUNTY WATER CONTROL

Ms. Michelle Mata
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4353

Item No. 13
Supporting Document No. 14

Re: Comments on Draft Tentative Order No. R9-2009-0094 NPDES Permit No. CAG679001

Dear Ms. Mata:

Since July 20, 2009, A Technical Advisory Committee (TAC), made up of representatives of potable water purveyors in San Diego County, has been meeting with staff from the Regional Water Quality Control Board (RWQCB) on the tentative order cited above.

There were six major items of concern cited in a letter to Board staff on July 17, 2009 from the San Diego County Water Authority (SDCWA) and its 24-member agencies. These items are shown below:

- The Draft Tentative Order eliminates the current minimum reporting level for discharges of 500,000 gallons/day or more. The current draft tentative order will add thousands of discharges under 500,000 gallons/day that need to be reported and approved. This will overwhelm administrative and compliance capability, and will increase the cost of service.
- The Notice of Intent (NOI) contains open-ended requirements for certification of alternative methods of disposal or re-use. Potable water systems are already required to operate under strict Best Management Practices (BMP's) to limit water loss due to leakage and maintenance discharges. No additional regulation is needed.
- The requirement to obtain approval from each MS4 operator, prior to every discharge, places unreasonable burden on water agencies. The added complexity and cost is not justified for such low risk discharges, and the process could jeopardize projects that require dewatering operations.
- Hydrostatic testing of new oil and gas facilities and reclaimed water systems have been included in this permit. This adds unrelated groups with the potential of higher risk discharges to the permit.

- Discharge of water into water conveyance systems is no longer exempt under the new proposal. Water discharged into a potable water source poses no risk to the public or environment.
- Adoption of the order is scheduled for August 12, 2009, with an effective date of September 1, 2009. This does not allow adequate time to resolve issues with respect to the changes from the prior permit.

The only major item that has been resolved is the elimination of mandatory approval of the MS4 operator prior to allowing a discharge to occur. We appreciate the Board's removal of this item; however, it will not be possible to resolve the remaining issues prior to the action to adopt at the August 12, 2009, RWQCB meeting. TAC members have asked on numerous occasions for RWQCB staff to recommend delaying the action to adopt the tentative order until all issues can be resolved. Adoption of the Order, prior to resolution of these matters, will have severe impacts on the water agencies' ability to operate and maintain their treatment and distribution systems.

The Carlsbad Municipal Water District requests delaying adoption of the Draft Tentative Order until the TAC and RWQCB staff can craft mutually acceptable solutions. If you have any questions, please contact Mark Stone, General Manager or Steven Plyler, Superintendent of Water Operations, at (760) 438-2722.

Sincerely,



Lisa Hildabrand
Executive Manager
Carlsbad Municipal Water District

cc: Mark Stone, General Manager
Cari Dale, Assistant General Manager
Steven Plyler, Superintendent of Water Operations