



Mata

SAN DIEGO REGIONAL
WATER QUALITY
CONTROL BOARD

August 5, 2009

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Item No. 13
Supporting Document No. 9

California Regional Water Quality Control Board Members
via Michelle Mata and John Robertus
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4353

Re: Request for Extension of the Public Comment Period and Postponement of the Schedule Hearing for Draft Tentative Order No. R9-2009-0094 - NPDES Permit No. CAG679001 and Public Comment for the Record Thereof

Dear Ms. Mata and Mr. Robertus:

Padre Dam Municipal Water District objects to the Draft Tentative Order No. R9-2009-0094-NPDES Permit No. CAG679001 as currently proposed for the reasons listed below. We specifically request an extension of time of at least 90 days so the RWQCB staff can continue working with the Technical Advisory Committee (TAC) made up of the potable water agencies in San Diego County.

- No one has cited any prior, current or potential problem with discharging potable water into the water ways of California or the United States. The Regional Board has been given the responsibility of providing water quality "...to attain the highest water quality which is reasonable considering the demands...being made...on those waters and total values involved."
- Requiring a permit on threshold discharges below 500,000 gallons is unreasonable, unnecessary and impractical. As required by State health law, we are required to maintain water quality which requires us to flush our systems on a periodic and unpredictable schedule depending on a number of variable factors including customer usage. There is no way we can stop to get a permit for these non routine flushing's. Compliance to such an unreasonable and unnecessary system would jeopardize the water quality and the health of our customers. Further, we would be at odds with the Health Department requirements. Our Operators who have personal liability for willfully neglecting water quality standards for our customers could be held responsible. In short, we could not perform our job to protect water quality and the health of our customers under your draft tentative order.
- The Notice of Intent (NOI) contains open-ended requirements for certification of alternate 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.

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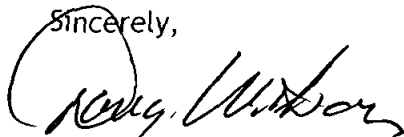
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- The requirement to obtain approval from each MS4 operator, prior to every discharge, places unreasonable burden on water agencies. The added complexity and cost is not justified for such low risk discharges, and the process could jeopardize projects 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.
- Extensive monitoring and reporting regarding the quality of potable water for a wide range of constituents is already conducted under public health and safety laws and regulations.
- In its current form, the Tentative Order has no minimum discharge volume for which the excessive monitoring requirements are not required. This will require literally thousands of new, costly laboratory samples to be taken per year for a system the size of OMWD at a staggering cost that we estimate will exceed \$1 Million per year in extra staff and laboratory fees, representing a large Unfunded Mandate.

Padre Dam MWD 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 Frank Kowalski, Director of Operations at 619-258-4663 or Dave Loudon, Assistant Operations Manager at 619-258-4673.

Sincerely,



Douglas S. Wilson
CEO/General Manager