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December 4, 2006

Executive Officer  
San Diego Region  
California Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

**Subject: Comments on the Revised Tentative Order No. R9-2006-0121 Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region.**

Dear Executive Office:

On behalf of Eastern Municipal Water District (EMWD), I would like to thank you for the opportunity to submit comments on the Revised Tentative Order No. R9-2006-0121, Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region. EMWD provides potable, wastewater and recycle water within a 555 square-mile area in Riverside County and serves a customer population of 630,000.

It is surprising to see in finding number 11 that the San Diego, California Regional Water Quality Control Board (CRWQCB) has taken the stand to require public agencies to report all known Private Lateral Sewage Discharges. Though the interest of these reports are to develop regulatory approaches for reducing Private Lateral Sewage (PLS) Discharges in the San Diego Region, it is an unfair burden placed upon public agencies to mandate reporting these discharges which public agencies are not responsible for. A concern that EMWD has with the PLS Discharge is the non-reporting issue and the possibility of associated fines with non-reporting, even though the District is not responsible for the PLS discharge and/or the clean-up associated with the PLS Discharge.

In addition, to mandate by Order the redirection of EMWD staff and resources to investigate PLS Discharge and eventually reporting will create a significant cost burden to public agencies. In particular the unknown quantity of PLS is a concern for District, especially from systems that we are unfamiliar with and lack the authority to maintain.

EMWD supports the current State Water Resources Control Board Order No. 2006-0003, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems approach to reporting PLS Discharges on a voluntary basis. It allows public agencies to report PLS Discharges when and if pertinent information is available and complete.

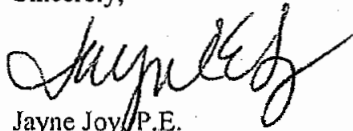
December 4, 2006

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EMWD recommends that Board remove this requirement from Tentative Order NO. R9-2006-0121 in order to evaluate the financial impact to public agencies and wait to see if the voluntary reporting process to the State provides the information sought by the Regional Board.

Again, EMWD would like to thank you for the opportunity to comment on the Revised Tentative Order. If you should have any questions, please feel free to contact Edward Filadelfia at (951) 928-3777 extension 4318.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jayne Joy".

Jayne Joy, P.E.

Director of Environmental and Regulatory Compliance



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December 6, 2006

Ref: 07-0919

San Diego Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

Re: Revised Tentative Order No. R9-2006-0121

Dear Mr. Robertus:

The Leucadia Wastewater District is a public agency that provides wastewater collection and treatment services to approximately 60,000 residents in the Leucadia and Village Park areas of Encinitas and the La Costa area of Carlsbad. LWD operates a collection system consisting of over 200 miles of pipelines and 12 pump stations. LWD has historically maintained an excellent environmental compliance record.

The purpose of this letter is to convey LWD's comments on the Regional Water Quality Control Board – Region 9's (R9) proposed Tentative Order No. R9-2006-0121 (Tentative Order).

LWD's primary concern with implementation of the Tentative Order is that it would be in addition to the newly promulgated state General SSO WDR and the existing R9 Collection System WDR. This amounts to 3 different regulations governing wastewater collection systems, all administered by R9. We believe this is excessive and will lead to confusion amongst wastewater agencies and R9 in terms of implementation and reporting requirements.

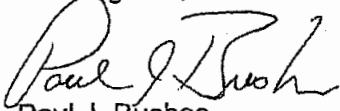
For example, it is our understanding that the Tentative Order would use the same electronic reporting system as the General SSO WDR. One potential problem is that the General SSO WDR's electronic reporting system would place private lateral spills in the "Other" category, whereas, the Tentative Order would treat private lateral spills either as a Category 1 or 2 depending on the magnitude. This makes it unclear as to how agencies should report this information.

LWD is also concerned with the Tentative Order's requirement for reporting private lateral spills. This issue was deliberated at length during the development of the General SSO WDR and was *not* made a mandatory requirement. LWD is concerned that mandatory private lateral spill reporting could make wastewater agencies the de-facto regulators, an area in which we have no control or legal authority to enforce. This requirement could also place wastewater agencies in the awkward position of having to testify against our own customers in the event of a 3<sup>rd</sup> party lawsuit.

In light of this, LWD urges R9 to delay consideration of the Tentative Order until all of these issues can be resolved. Because the General SSO WDR and the existing R9 WDR are already in place, LWD believes that delaying the Tentative Order would *not* endanger water quality in the region. LWD would be willing to participate in a stakeholders group or in any other type of forum to help resolve the aforementioned concerns.

Thank you for this opportunity to comment on the Tentative Order. If you any questions, please do not hesitate to contact Mr. Leo Schempp or myself at (760) 753-0155.

Best regards,

A handwritten signature in cursive script, appearing to read "Paul J. Bushee".

Paul J. Bushee  
General Manager

Is:PJB