

**commentletters - Mandatory Minimum Penalties for NPDES Reporting Violations**

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**From:** "Rick Hydrick" <rick.hydrick@sjwd.org>  
**To:** <commentletters@waterboards.ca.gov>  
**Date:** Friday, September 18, 2009 4:03 PM  
**Subject:** Mandatory Minimum Penalties for NPDES Reporting Violations

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Dear Mr. Hoppin –

The San Juan Water District (SJWD) is a retail and wholesale water agency, providing water to over 140,000 residents in the east Sacramento and south Placer County areas. The SJWD source water is Folsom Lake. We take our responsibility to provide excellent drinking water seriously, and we have an excellent compliance record in meeting the Safe Drinking Water Act. This compliance depends on the proper operation of our treatment, distribution, and storage facilities according to California Department of Health regulations, as well as American Water Works Association standards. These regulations and standards require routine disinfection and flushing of water lines for a host of public health concerns.

In addition to meeting drinking water law, the SJWD desires to protect the environment at all times. The SJWD uses best management practices and low threat discharge order protocols during all of its flushing and dewatering activities, and therefore has not exceeded discharge limits.

Still, SJWD strongly endorses the comments provided to the SWRCB by the Association of California Water Agencies. Calling a late report or a discharge that did exceed discharge limitations a "serious violation," that carries a \$3,000 mandatory minimum penalty per month for each late report, is extreme and does not fit the common rule of thumb that the "penalty fit the crime." A smaller penalty, adequate to get a discharger's attention, should be sufficient.

Thank you for considering our concerns.

Sincerely,

Shauna Lorance  
General Manager  
San Juan Water District

