

January 22, 2013

Russell Norman
SSO Reduction Program
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Transmitted via e-mail to: rnorman@waterboards.ca.gov

Subject: Comments on Proposed Changes to Sanitary Sewer System (SSS) Waste Discharge Requirements (WDR) Monitoring and Reporting Program (MRP)

Dear Mr. Norman:

The City of San Jose appreciate the opportunity to comment on the recently released proposed modifications to the SSS WDR MRP. The City of San Jose represents the largest public wastewater agency providing sewer collection, wastewater treatment and water recycling services in the San Francisco Bay Area. We are committed to the effective and appropriate implementation of the SSS WDR, and through our memberships in the Bay Area Clean Water Agencies (BACWA) and California Association of Sanitation Agencies (CASA), we have been an active partner with the State Water Resources Control Board in facilitating understanding of, and compliance with, the order. The City of San Jose supports BACWA's and CASA's comments on the proposed amendments to the MRP, and incorporates those comments by reference.

The current revised draft is a great improvement over the version released on August 14, 2012. The City appreciates that the revisions in this current version are less extensive. Water Board staff is to be commended for their response to stakeholder concerns. The City of San Jose supports a number of the changes incorporated into this revision of the MRP. For example, we support the delineation of the two existing overflow categories into three, clarification of the event-based approach to reporting, and clarification that agencies should only contact CalEMA for immediate reporting. Those changes are helpful.

The City remains concerned that the current revised draft MRP still creates significant additional burdens for the City of San Jose's collection system. The proposed

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amendments continue to constitute a significant revision of the MRP, contrary to both State Water Board direction and prior representations to stakeholders regarding the cleanup nature of the amendment process. For example:

- The amount of information required for the 2-hour reporting requirement is significant, and in most cases impractical;
- The new technical report and monitoring program required for all SSOs greater than 50,000 gallons is incredibly burdensome and is a significant new requirement and burdensome;
- The water quality sampling program is also a significant new requirement.

These new requirements are extensive and will result in agency staff devoting limited time and resources to simply compiling more documentation that is of little benefit.

The City of San Jose supports the specific language recommendations submitted by CASA and BACWA and recommends that those changes be added to the final MRP.

We appreciate the opportunity to provide comments on proposed changes to the MRP, and look forward to working with State Water Board staff in the future on issues related to the SSS WDR. Please contact Philip Lee, (408) 794-1948, if you would like additional information regarding our comments.

Sincerely,



Philip Lee, Associate Engineer
City of San Jose