



Linda S. Adams
Secretary for
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State Water Resources Control Board

Division of Water Quality

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Edmund G. Brown Jr.
Governor

NOTICE OF PUBLIC HEARING

DRAFT WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

NOTICE IS HEREBY GIVEN that State Water Resources Control Board (State Water Board) will hold a public hearing to accept comments on draft revisions to the statewide Sanitary Sewer Systems Waste Discharge Requirements (Water Quality Order No. 2006-0003-DWQ). A quorum of the State Water Board may be present; however, no Board action will be taken. The location and time of the hearing are provided below.

Tuesday, April 5, 2011 - 9:00 am
Joe Serna, Jr. Cal/EPA Headquarters Building
Coastal Hearing Room – Second Floor
1001 "I" Street, Sacramento, CA 95814

A live audio broadcast and webcast will be available at <http://www.calepa.ca.gov/broadcast/>.

BACKGROUND

The State Water Board adopted statewide general waste discharge requirements (WDRs) and a monitoring and reporting program (MRP) for sanitary sewer systems in May 2006 as Water Quality Order No. 2006-0003-DWQ. The MRP for the WDRs was subsequently revised in 2008 as Order No. 2008-0002-EXEC. Water Quality Orders No. 2006-0003-DWQ and 2008-0002-EXEC are referred to as the Sanitary Sewer System Waste Discharge Requirements (SSS WDRs).

The purpose of the SSS WDRs was to provide consistent statewide requirements for quantifying and reducing the number of wastewater spills and volume of wastewater spilled in the state.

The current SSS WDRs (Order No. 2006-0003-DWQ) apply to public agencies that own sanitary sewer systems with over one mile in length of pipe. The SSS WDRs and associated MRP requires public agencies to enroll for coverage; provide notifications to Regional Water Boards, health departments, and the California Emergency Management Agency (Cal EMA) when high threat spills occur; provide monthly reporting of spills or a No-Spill certification; and develop and implement a Sewer System Management Plan that addresses proper management, operations and maintenance of the sanitary sewer collection system. The 2008 revisions to the MRP changed spill notification timelines, added additional agencies to be notified, and included a requirement to certify that spill notification was made in accordance with the MRP requirements.

California Environmental Protection Agency

State Water Board staff initiated the triennial review and update of the SSS WDRs and associated MRP in September 2009. State Water Board staff solicited stakeholder input for the SSS WDRs review and update in two informal public meetings on September 15, 2009 in Orange County (82 participants) and on September 29, 2009 in the City of Oakland (101 participants). In follow-up to the staff workshops, comment letters were solicited. Thirty-eight comment letters were received from the public and four comment letters were provided by Regional Water Quality Control Boards (Regional Water Boards). To capture additional Regional Water Board input on the WDRs Review and Update, a workshop was conducted on January 19, 2010 with participating Regional Water Board staff from the North Coast, San Francisco Bay, Central Coast, Central Valley and San Diego Regional Water Boards. In addition, comments and information were solicited from Cal EMA staff during a meeting with them on March 4, 2010 and from local health department staff via a survey form distributed through the California Conference of Directors of Environmental Health, Land Use Committee.

Proposed revisions presented in the draft SSS WDRs include modifying the WDRs applicability criteria to include a flow threshold in addition to the pipe mileage threshold, expanding coverage of the WDRs to private collection systems meeting the pipe mileage and proposed flow thresholds, mandating the reporting of private lateral spills by enrollees when they become aware of the spills, revisions to streamline spill notification points of contact, changing the prohibition against spills to “waters of the United States” to a prohibition against spills to “surface waters of the state”, revisions to the SSMP requirements, audit schedules, and re-certification schedules, and other changes as noted in the Staff Report for the SSS WDRs review and update.

The Staff Report addresses in detail the issues raised in the comments received and provides supporting information for the staff recommendations incorporated in the revised SSS WDRs and associated MRP that accompany this notice.

AVAILABILITY OF DOCUMENTS

The draft revisions to the SSS WDR and supporting documentation are available to view or download on the State Water Board’s website at:

http://www.waterboards.ca.gov/water_issues/programs/sso/review_update.shtml

Alternatively, you may receive a paper copy in the mail by contacting Colleen Ingram at (916) 341-5506.

For information regarding future public notices or status of the draft revisions to the SSS WDR, please sign up for the “Sanitary Sewer Overflow (SSO) Reduction Program Order Review” electronic mailing list at the State Water Board’s Lyris List website:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

SUBMISSION OF WRITTEN COMMENTS

The State Water Board is interested in receiving comments regarding all aspects of the draft revisions to the SSS WDRs. Comments are also being solicited on whether the WDRs should be revised to be a two-tiered WDRs and National Pollutant Discharge Elimination System (NPDES) permit. Under the two-tiered WDRs and NPDES permit, (1) Enrollees that have had at least one SSO that has reached waters of the United States would be required to seek coverage under the NPDES permit; (2) Enrollees that have never had any SSO that has reached waters of the United States would be required to seek coverage under the WDRs; and (3) When an Enrollee covered under the WDRs reports an SSO that has reached waters of the United States, the Enrollee would have to switch coverage from the WDRs to the NPDES permit. The NPDES permit would include a prohibition against all SSOs to waters of the United States.

Oral comments can be made during the public hearing. Written comments must be received by **12:00 noon on Wednesday, March 30, 2011**, and addressed to:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Comment letters may be submitted to the Clerk to the Board via email at: commentletters@waterboards.ca.gov (if less than 15 megabytes in total size) or by fax at (916) 341-5620. Please indicate in the subject line: “**Comment Letter – April 5, 2011, SSS WDRs Review & Update**”

Couriers delivering comment letters must check in with lobby security personnel, who can contact Jeanine Townsend at (916) 341-5602.

PROCEDURAL MATTERS

The hearing will be informal. There will be no sworn testimony or cross-examination of participants, but the State Water Board and its staff may ask clarifying questions. Participants are encouraged to submit written comments prior to the hearing. At the hearing, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient process in which all participants have an opportunity to participate, oral presentations may be time-limited. For other presentation recommendations, go to:

http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml.

PARKING AND ACCESSIBILITY

Joe Serna Jr./California Environmental Protection Agency Building (Cal/EPA), Sacramento. A parking garage is located across from the Joe Serna Jr./Cal/EPA building with entrances on 10th and 11th Streets between "I" and "J" Streets. Metered parking spaces are also available in the vicinity of the building. For a map, refer to the State Water Board Web site: <http://www.calepa.ca.gov/EPAbldg/location.htm>.

Please note: All visitors to the Joe Serna Jr./Cal/EPA Building are required to sign in and receive a badge at the Visitor Services Center located inside the main entrance (10th Street entrance). Valid picture identification may be required due to the security level. Please allow up to 15 minutes for receiving clearance before proceeding to the Coastal Hearing Room on the 2nd floor.

The Joe Serna Jr./Cal/EPA Building is accessible to persons with disabilities. Individuals who require special accommodations are requested to call (916) 341-5880 at least 5 working days prior to the meeting date. Persons with hearing or speech impairments can contact us by using the California Relay Service Telecommunications Device for the Deaf (TDD). TDD is reachable only from phones equipped with a TDD Device.

HEARING IMPAIRED RELAY SERVICE: TDD to voice 1 800-735-2929; voice to TDD 1-800-735-2922.

Questions regarding the proposed SSS WDR should be directed to Russell Norman at (916) 323-5598 or email at rnorman@waterboards.ca.gov.

February 28, 2011
Date

Jeanine Townsend
Clerk to the Board