



Established in 1918 as a public agency
Coachella Valley Water District

Public Comment
Sanitary Sewer System WDRs
Deadline: 5/13/11 by 12 noon

Directors:
Peter Nelson, President - Div. 4
John P. Powell, Jr., Vice President - Div. 3
Patricia A. Larson - Div. 2
Debi Livesay - Div. 5
Franz W. De Klotz - Div. 1

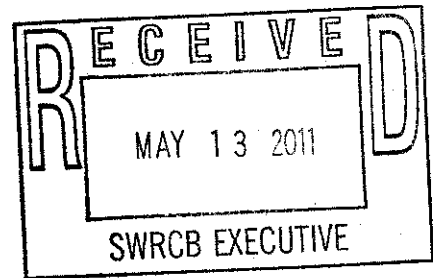
Officers:
Steven B. Robbins, General Manager-Chief Engineer
Julia Fernandez, Board Secretary

Redwine and Sherrill, Attorneys

May 13, 2010

File: 0736.

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814
Email: commentletters@waterboards.ca.gov



Dear Ms. Jeanine Townsend:

Subject: Comment Letter – SSS WDRs Review & Update

We appreciate the opportunity to provide comments on the draft statewide Sanitary Sewer Systems Waste Discharge Requirements (SSS WDRs). Coachella Valley Water District (CVWD) provides domestic water, wastewater, recycled water, irrigation/drainage and regional storm water protection services to a population of 265,000 throughout the Coachella Valley. Your consideration of the following comments is appreciated:

1. Notice of Opportunity to Comment, Draft Waste Discharge Requirements for Sanitary Sewer Systems, March 24, 2011. This notice solicits comments on whether the SSS WDRs should be revised to be a two-tiered WDR and National Pollutant Discharge Elimination System (NPDES) permit. Under the two-tiered WDR and NPDES permit, enrollees that have at least one Sanitary Sewer Overflow (SSO) that reaches waters of the U.S. would have to seek coverage under a NPDES permit. CVWD does not agree with the logic that entities should have a NPDES permit if they experience a SSO that discharges into waters of the U.S. NPDES permits are used to provide conditions to permit discharges to waters of the U.S. without limiting the beneficial uses of the receiving water. The primary objective of the SSS WDRs is to prevent discharges to surface waters, not provide a permit that provides conditions to permit these discharges to occur. CVWD opposes any change that would require entities to obtain a NPDES permit to operate and maintain a SSS just because they may have had a single unintentional discharge of wastewater to waters of the U.S. The SSS WDRs already meets the requirement of the state water code and provides the conditions and authority to achieve the objective of preventing SSO's to the maximum extent practicable. There would be no additional water quality benefit to replacing or supplementing the WDR with a NPDES permit.

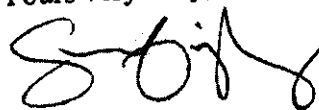
2. Draft SSS WDRs, Definitions, Sanitary Sewer Overflow (SSO), Section A(10)(a), page 10 of 33. The definition for SSOs that reach surface waters of the state includes “wastewater releases to storm drain pipes that are tributary to waters of the state that are not fully recovered.” CVWD does not agree with including this language in this definition because not all SSO’s that enter a storm drain pipe and are not fully recovered result in a discharge to the surface water body. This is especially true in the desert environment of the Coachella Valley where a discharge retained within the Municipal Separate Sanitary Stormwater System (MS4) and can’t be recovered is likely to evaporate before being flushed into a surface water body. In addition, this language is not included in the definition of surface waters of the state. CVWD recommends that Section A(10)(a) be revised to read as follows:
 - (a) Overflows or releases of untreated or partially treated wastewater that reach surface waters of the state.
3. Draft SSS WDRs, Prohibitions, Section C(1)(a), page 12 of 33. The language in this section for SSOs that result in a discharge to surface water of the state includes “Discharges to storm drains that are not fully captured and returned to the sanitary sewer system, or captured and otherwise appropriately disposed of if the storm drain is tributary to a surface water of the state.” CVWD does not agree with including this language in this prohibition because neither of these scenarios meet the criteria for an SSO reaching a surface water body as stated in comment 2 above. CVWD recommends that Section C(1)(a) be removed entirely.
4. Draft SSS WDRs, Prohibitions, Section C(3), page 13 of 33. This section indicates that the “discharge of chlorine, or any other toxic substance used for disinfection and cleanup of wastewater spills to any surface water body is prohibited.” This language is not consistent with provisions contained within existing NPDES permits that allow discharges from potable water sources as long as this non-stormwater discharge is not identified as a significant source of pollutants to the receiving water. Entities practice best management practices to ensure that if any residual chlorine reaches a surface water body the amount does not exceed applicable water quality objectives. A comprehensive prohibition of the discharge of any amount of chlorine to a surface water body is not reasonable. This provision is also not consistent with recent statements from California Department of Public Health (CDPH) staff that indicate a willingness from State Water Resources Control Board staff to work with CDPH staff and water agency representatives to fix regional permitting hurdles that currently challenge important potable water flushing programs. The discharge of potable water when cleaning-up a wastewater spill represents an important health protective measure in the same way water agencies flush potable water systems to protect the health of drinking water consumers. This prohibition needs to be revised to provide a practicable solution that balances the need to protect public health and minimize the risk of adverse effects to aquatic habitats.

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5. Draft SSS WDRs, Provisions, Section D(4), page 13 of 33. This section indicates that "the Enrollee shall report all SSOs in accordance with Section G of the SSS WDRs, in addition, the Enrollee shall report PLSDs [private lateral sewage discharges] they become aware of in accordance with Section G of the SSS WDRs." CVWD does not agree with being responsible for reporting SSOs occurring on a private lateral. CVWD believes the provisions related to reporting PLSDs contained in the existing SSS WDRs are appropriate and no change is needed.
6. Draft SSS WDRs, Provisions, Operations and Maintenance Program, Staff Assessment Program, Section D(12)(d)(iv), page 18 of 33. Performing a comprehensive staff assessment every year is an unreasonable use of resources for entities that use staff with many years of experience performing this operation and maintenance work. A more effective staff assessment program would provide for an initial assessment of new staff and allow entities to perform comprehensive staff assessments on a 5-year frequency which could be coordinated with revisions to the SSS WDR's.
7. Draft SSS WDRs, Provisions, Operations and Maintenance Program, SSMP Program Audits, Section D(12)(j)(iv), page 23 of 33. Requiring a SSMP program audit every 2-years is unwarranted and would not be an effective use of resources. CVWD recommends this audit be performed every 5-years for the reasons provided in comment 6 above.
8. Draft SSS WDRs, Provisions, Operations and Maintenance Program, Communication Program, Section D(13), page 24 of 33. Requiring that the SSMP be updated and re-certified on the online SSO database every 2-years is also unwarranted. CVWD recommends that this update be performed every 5-years for the reasons provided in comment 6 above.

If you have any questions, please call me at extension 2286.

Yours very truly,



Steve Bigley
Environmental Services Manager

SB:ch/eng/wr/11/May/SSS WDRs Review & Update

