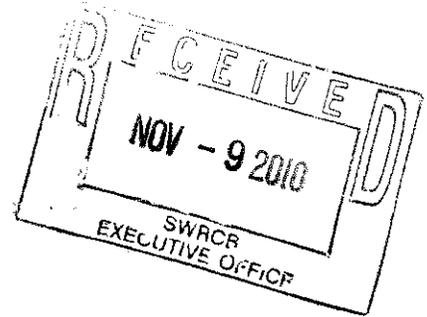




November 4, 2010



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Ms. Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

**Board of Directors:**  
Milt Davies  
Keith Battle  
Don McDougal  
Al Gebhart  
Bert Hayden

Dear Ms. Townsend:

**Staff:**  
Keith Lewinger  
General Manager

The Fallbrook Public Utility District (FPUD) operates a Publically-Owned Treatment Works (POTW) in San Diego County that provides sewer services to approximately 5,000 customers. FPUD has reviewed the proposed Whole Effluent Toxicity (WET) policy, and FPUD has the following concerns:

Marcie Eilers  
Admin Services Manager

1. The proposed analysis methodology for toxicity offers no clear benefits over the existing methodology and has a high false positive rate which will result in false violations and improper fines.
2. The proposed additional tests will result in increased monitoring and sampling costs with no data and studies to demonstrate any corresponding environmental benefit.
3. It could be technologically difficult as well as extremely expensive to implement treatment improvements to meet the new effluent limit requirements, which are much more stringent than federal requirements.
4. The additional cost for sampling, analysis and potential facility improvements would be borne by the 5,000 FPUD ratepayers with no clear environmental benefit. These are costs that my agency cannot afford in these difficult economic times. A \$1,000 fine results in \$1000 of maintenance not being accomplished or increased rates.

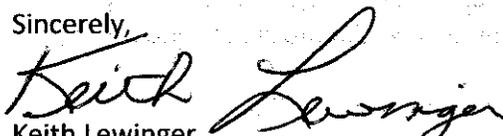
Jack Bebee  
Eng & Planning Manager

Robert H. James  
Legal Counsel

Mary Lou Boultinghouse  
Board Secretary

FPUD hopes that the State Water Resources Control Board will work with local agencies and their representative organizations, such as the California Association of Sanitation Agencies, to address these concerns with the policy.

Sincerely,

  
Keith Lewinger  
General Manager