

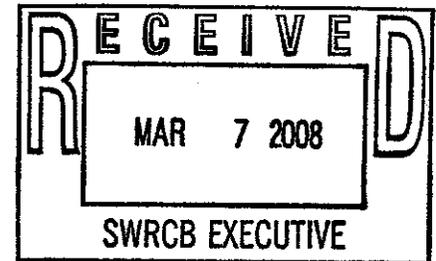


South Orange County Wastewater Authority

3/18/08 Bd. Mtg. Item 13
Recycle Water Policy
Deadline: 3/10/08 by 12 p.m.

March 3, 2008

Jeanine Townsend
Acting Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento CA 95812-0200



Re: Comment Letter – proposed revised Recycled Water Policy

Dear Ms. Townsend:

The South Orange County Wastewater Authority (SOCWA) would like to thank the State Water Resources Control Board (SWRCB) for the opportunity to provide written comments on the revised Water Recycling Policy. For over forty years SOCWA and its member agencies have successfully produced and purveyed recycled water in the southern portion of Orange County.

We agree with the need to protect the beneficial uses of groundwater from salt and nutrient related degradation. The SOCWA service area has very little underlying potable quality groundwater and the groundwater is naturally salty, not because of previous agriculture activity, but due to geology and proximity to the ocean.

While we are very pleased that the revised Policy would increase the allowable recycled water TDS incremental increase to 550 mg/L, we are not agreeable that the revised policy should maintain a proposed statewide recycled water total nitrogen limit of 3 mg/L. No justification is provided in the policy for setting such an extremely low statewide total nitrogen limit and, as ocean dischargers, none of the nine recycled water treatment facilities within our service area have secondary treatment processes designed to meet such an extremely low nitrogen limit. We strongly believe that proposed policies that fundamentally alter long standing environmentally sound practices must be accompanied with equally sound fiscal impact analysis. As far as we can determine, no cost estimates have been performed to determine the statewide fiscal impact of a 3 mg/L total nitrogen limit in recycled water.

The policy would in effect require a 90 % removal of total nitrogen from wastewater while, by comparison, the Clean Water Act only requires an 85% removal of Biological Oxygen Demand and Suspended Solids. If the SWRCB Policy places a 3 mg/L total nitrogen limit on all new recycled water projects it will restrict rather than promote the use of recycled water statewide.

As we understand the language in the policy, if the total nitrogen limit of 3 mg/L is not met, the recycled water producer would be required to implement nutrient management practices. There appears to be a great deal of inconsistency between the policy and SWRCB staff report as it relates to the elements of nutrient management practices. We

Jeanine Townsend
March 3, 2008

Page 2 of 2

support the educational approach taken in the revised policy and would recommend that the staff report be made consistent with the policy.

Please understand that while we do stand ready to support a policy that promotes the use of recycled water and is effective in protecting the beneficial uses of the local water basins and the waters of the State, we do not fully support the policy as it is currently drafted. Thank you for the opportunity to provide these comments. If you require additional information please contact Brennon Flahive at (949) 234-5419.

Sincerely,

SOUTH ORANGE COUNTY WASTEWATER AUTHORITY



Tom Rosales
General Manager

TR/bf