

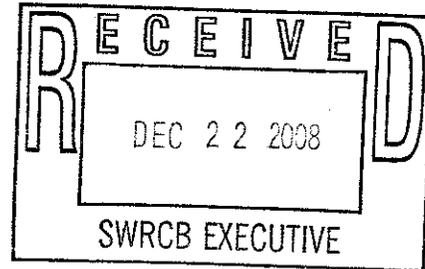


Environmental Utilities
2005 Hilltop Circle
Roseville, California 95747-9704

Public Comment
Recycled Water Policy
Deadline: 12/22/08 by 12 noon

December 22, 2008

Tam Doduc, Chair, and Members
State Water Resource Control Board
1001 I Street
Sacramento, CA 95814



SUBJECT: City of Roseville Comments on Draft Recycled Water Policy Dated November 4, 2008

Dear Chair Doduc and Members of the Board:

The City of Roseville (City) appreciates the opportunity to provide comments on the proposed Recycled Water Policy. Increased use of recycled water is critical to California's water supply future, and the policy should facilitate the beneficial use of recycled water for irrigation and groundwater recharge, among other uses. We are aware that the Association of California Water Agencies, the California Association of Sanitation Agencies and the WaterReuse Association (the Associations) have submitted comments on the proposed Policy, and we generally endorse the language changes the Associations have recommended except as discussed below.

We support the overall structure and approach of the November 2008 proposed Policy and believe it is a significant improvement over the previous drafts. The proposed Policy also tracks the September 2, 2008 draft prepared by a group of water industry and nongovernmental organization stakeholders. However, we urge the State Water Board to consider additional revisions to the proposed Policy in order to provide greater clarity, increase the practicality of implementation, and conserve the limited resources of water recyclers, their customers, and the Water Boards. Following are the City's comments on the draft Policy:

Existing Master Reclamation Permits

In Section 2 (Purpose of the Policy), language should be added to clarify that existing Master Reclamation Permit (MRP) holders would be allowed to continue coverage under their current permit. Current MRP holders should be able to either Opt In or Opt Out of the streamlined permitting process. The streamlined permit should not create a situation of double coverage or contradiction between permits.

To make this clarification, the City proposes to add Section 2.g to clarify how existing MRP holders would be treated under the new Policy:

2.g

Existing recycled water producers, distributors, or users operating under an existing Master Reclamation Permit can continue coverage under that permit. Holders of existing Master Reclamation Permits may Opt In or Opt Out of the new streamlined permit as set in this Policy.

Incidental Runoff

The City is supportive of the Associations proposed change to Section 7.a. The Policy should state that runoff of incidental amounts of highly treated recycled water do not pose a significant threat to water quality. The City also agrees that multiple permit mechanisms, including waste discharge requirements and municipal separate stormwater (MS4) permits, may be an appropriate to address the minor amounts of recycled water runoff that occurs with normal irrigation operations.

However, if the Board is compelled to keep language pertaining to storage pond overflows, the City feels modifications to Section 7.a(4) are needed. While we believe the intent of Section 7.a(4) is to encompass only the discharge of recycled water from the ponds, the Policy does not explicitly state this. Because a number of recycled water purveyors, including the City of Roseville, have implemented operations strategies in which recycled water is removed from irrigation storage ponds prior to the onset of the rainy season, the Policy language should be modified to make clear that this provision applies only to ponds in which recycled water is stored at the time of the storm event. In addition, the Policy sets forth an objective criterion that must be satisfied for the discharge of recycled water from the ponds, but also requires approval of the Executive Officer in advance of the discharge. It is not clear what additional factors beyond the storm frequency would be taken into account by the Executive Officer in deciding whether to approve the discharge; it is also unclear what the consequences of the Executive Officer withholding that approval would be, as the condition appears in a Policy rather than a permit. We recommend deleting the approval step and replacing it with reference to notification as required by the applicable permit.

To address both of these concerns, the City proposes that the language in Section 7.a(4) be revised as follows:

Management of any ponds in which recycled water is stored during the rainy season such that no discharge of recycled water occurs unless the discharge is a result of a 25-year, 24-hour storm event or greater, and there is prior approval for any notification of the discharge required by the applicable permit by is provided to the appropriate Executive Officer.

Salt and Nutrient Management Plans

The City generally agrees with the Policy language regarding the creation of salt management plans. However, the City feels salt and nutrient management plans are two completely separate issues. We do not see the need for a nutrient management plan in the same context as salt management plan. Salt management revolves around the salt content of recycled water, whereas nutrient management is focused on the application and runoff of nutrients (i.e. – fertilizers). The ability of recycled water purveyors to regulate and oversee application of fertilizers by landscape irrigation customers is unknown. Practical and legal limitations may make oversight and control of nutrient application almost impossible. Nutrient management should be handled by a best management practices approach. Grouping salt and nutrient management together does not get any closer to the ultimate goal of protection of groundwater and the public health.

Funding for Salt and Nutrient Management Plans

The City is concerned regarding funding expectations for salinity management plans contained in the draft policy and staff report. To be successful, this effort must include the participation and funding from all stakeholders and contributions to this effort must be commensurate with salt contributions/impacts.

The Staff Report and Draft Policy imply a higher level of funding than what was committed to by CASA, AQWA and WateReuse, who have pledged to strongly encourage their members to commit funding and resources to salt/nutrient management planning efforts. The Staff Report at page 5 states:

*"The proposed Policy **requires** that water and wastewater agencies lead the development of the salt/nutrient management plans and in a letter **water and wastewater agencies have agreed to provide funding for the development.**"*
(emphasis added)

And Section 6.b(1) states (emphasis added):

The local water and wastewater entities, together with local salt/nutrient contributing stakeholders **have agreed to fund** (see letter dated _____ attached to the Resolution adopting this Policy) locally driven and controlled, collaborative processes open to all stakeholders that will prepare salt and nutrient management plans for each basin / sub-basin in California, including compliance with CEQA including participation by Regional Water Board staff.

The City is concerned that Central Valley recycled water/wastewater agencies may be required to provide more than their fair share of the cost to prepare these plans and

recommends that both the proposed policy and Staff report be changed to properly reflect the commitment made by the Associations.

Monitoring Requirements for Constituents of Emerging Concern

Sections 7.b(4) and Section 8.b(2) currently contains similar minimum monitoring requirement that:

Landscape irrigation projects shall include, in addition to any other appropriate effluent monitoring requirements, effluent monitoring for CECs on an annual basis and priority pollutants on a twice annual basis. (Section 7.b(4))

Groundwater recharge projects shall include effluent monitoring for CECs on an annual basis and priority pollutants on a twice annual basis in recycled water. (Section 8.b(2))

This level of monitoring is extremely problematic for small utilities that recycle or desire to recycled water or pursue groundwater recharge due to the high cost of laboratory monitoring required by the proposed policy. Priority pollutant laboratory monitoring normally costs between \$700 to \$1,200 per test, not including staff sampling and processing costs. It is unknown what CEC monitoring costs will be, although some preliminary estimates for basic indicators are in the range of \$5,000 or more per sample analysis. Using these figures, minimum recycled water cost will cost a water recycler a minimum of \$6,400 a year or higher. This cost is significant for small utilities. Currently many small surface water dischargers only have to monitor once a permit cycle or once a year (depending on size) for priority pollutants per SIP requirements, and are not currently required to monitor for CECs. The increase in monitoring cost of \$5,700 can easily exceed the monthly operating costs for very small facilities and have significant rate impacts or cost impacts to either the recycled water purveyor or user.

The City recommends that Section 7.b(4) requirements be removed from the policy, or at minimum, replaced with the following language:

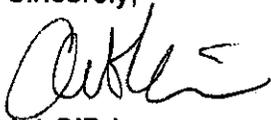
Permits issued for landscape irrigation projects (under the streamlined permitting) shall include, in addition to any other appropriate monitoring requirements for the treatment plant producing the recycled water, recycled water monitoring for CECs in accordance with recommendations from CDPH and the expert panel and priority pollutants at an appropriate frequency not more frequent than a twice annual basis.

The City recommends that Section 8.b(2) requirements be removed from the policy, or at minimum, replaced with the following language:

Permits issued for Groundwater recharge projects shall include monitoring in recycled water for CECs in accordance with recommendations from CDPH and the expert panel and priority pollutants at an appropriate frequency not more frequent than a twice annual basis.

In summary, we would support a policy that promotes the use of recycled water and benefits the people of California and sets the stage to encourage expanded recycled water use throughout the state.

Sincerely,



Art O'Brien
Wastewater Utility Manager
City of Roseville