



TRIUNFO SANITATION DISTRICT

A PUBLIC AGENCY

May 12, 2011

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

VIA EMAIL commentletters@waterboards.ca.gov

COMMENT LETTER - SSS WDR's REVIEW & UPDATE COMMENTS TO THE DRAFT STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

The Triunfo Sanitation District (TSD) has reviewed the draft Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (SSS WDR) and appreciates this opportunity to comment.

The TSD service area includes approximately 50 square miles within the County of Ventura, servicing approximately 32,000 people with 12,200 sewer connections. Wastewater is treated at the Las Virgenes Municipal Water District's Tapia Water Reclamation Facility. Per the requirements established in Order No. 2006-003-DWQ TSD has developed and is implementing a Sanitary Sewer Management Plan since August 2009. TSD supports many of the modifications in the revised SSS but has several areas of concern that are discussed below.

The State Water Board noted in the Notice of Opportunity to Comment notice that it was interested in receiving comments particularly on whether the SSS WDR should be revised to be a two-tiered WDR and NPDES permit. Under a two-tiered WDR and NPDES permit system enrollees who have had at one SSO that has reached waters of the United States would be required to seek coverage under the NPDES permit. Enrollees who never had an SSO that reached waters of the United States would be required to seek coverage only under the SSO WDR. When an enrollee covered under a WDR has a sewer spill that enters waters of the United States they would be required to switch coverage from the WDR to a NPDES permit. The NPDES permit would include a prohibition against all SSO's to waters of the United States. Enrolling in a NPDES permit would subject TSD to potential increased cost with the potential for greater monetary penalties for violations. In addition violations of the spill notification procedure, reporting, and SSMP development provisions in the WDR would be open to third party lawsuits that are not allowed under the current WDR permit. With difficult

economic times and the public's low toleration for rate increases TSD is not in support of the two tier program which includes the NPDES Permit.

The proposed SSS WDR requires the reporting of Private Lateral Sewage Discharges (PLSD). In your staff report it states that based on data from the San Diego Regional Water Board and from a study of Orange County PLSD's occurring between 2002 through 2006 the total volume of sewage from PSL is about 5% of the total volume of sewage from SSOs. The cost and resources required to implement the PSL reporting requirement for such a relatively low volume of sewage spills from PSLs in TSD's opinion is not the best use of limited public funds.

The proposed SSS WDR prohibits the discharge of potable water with a chlorine residual for use in the clean-up of wastewater spills to any surface water body. TSD's current practice utilizes municipal potable water to wash down and cleanup SSOs on paved surfaces. When a sewage spill occurs the goal is to protect public health and the environment which requires clean-up of a wastewater spill as quickly as practical. Taking the time to dechlorinate potable water adds an additional step prolonging clean-up efforts. The chlorine residual contained in potable water is extremely low and quickly consumed when in contact with both wastewater and the atmosphere. TSD recommends language clarification to the SSS WDR to allow the use of potable water for cleaning efforts so long as efforts are taken to prevent the water from entering a surface water body.

TSD supports the streamlining of the spill notification requirements. Streamlining would be beneficial in allowing our staff to focus our efforts on stopping and the cleanup of SSO's instead of notifying several regulatory agencies.

Thank you for your consideration of our comments. TSD recognizes the challenges of developing a permit to regulate Sanitary Sewer Systems.

Please contact me at (805) 658-4602 for any additional information or if you have any questions,



DOUG ANDERS – DISTRICT MANAGER



Linda S. Adams
Acting Secretary for
Environmental Protection

State Water Resources Control Board

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Edmund G. Brown Jr.
Governor

REVISED

NOTICE OF OPPORTUNITY TO COMMENT

DRAFT WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

On March 24, 2011, the State Water Resources Control Board (State Water Board) issued a Notice of Opportunity to Comment on Draft Waste Discharge Requirements for Sanitary Sewer Systems (March 24, 2011 Notice). The comment period has been extended until 12:00 noon on Friday, May 13, 2011. All other provisions of the March 24, 2011 Notice remain in effect.

NOTICE IS HEREBY GIVEN THAT the State Water Resources Control Board (State Water Board) will accept comments on the draft statewide Sanitary Sewer Systems Waste Discharge Requirements (SSS WDRs). The State Water Board will separately publish a notice of the meeting at which it will consider adoption of the SSS WDRs.

BACKGROUND

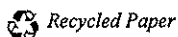
The State Water Board adopted statewide general waste discharge requirements (WDRs) for sanitary sewer systems in May 2006 as Water Quality Order No. 2006-0003-DWQ. In 2008, the monitoring and reporting program (MRP) portion of the WDRs was revised as Order No. 2008-0002-EXEC. Water Quality Orders No. 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 the volume of wastewater spilled in the state.

The current SSS WDRs apply to public agencies that own sanitary sewer systems with over one mile in length of pipe. The SSS WDRs require 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 funding, management, operation 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.

State Water Board staff initiated the review and update of the SSS WDRs 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 and on September 29, 2009 in the City of Oakland. Comment letters were also 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

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the SSS 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. In all, 341 comments were received from the two staff public meetings, the workshop with Regional Water Board staff, the coordination meeting with Cal EMA staff, the comment letters, and the survey of local health department staff.

Proposed revisions presented in the draft SSS WDRs include modifying applicability criteria to include a flow threshold in addition to the pipe mileage threshold, expanding coverage of the SSS 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 Sewer System Management Plan 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 draft SSS WDRs that accompany this Notice.

AVAILABILITY OF DOCUMENTS

The draft SSS WDRs and Staff Report 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 Russell Norman at (916) 323-5598.

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 SSS WDRs. Specifically, comments are being solicited on whether the SSS 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 who 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 who have never had any SSO that has reached waters of the United States would be required to seek coverage only 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 be required 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.

Written comments must be received by 12:00 noon on Friday, May 13, 2011, rather than on April 29, 2011, as required in the March 24, 2011 Notice., 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 – SSS WDRs Review & Update"**

Hand and special deliveries should also be addressed to Ms. Townsend at the address above. Couriers delivering comments must check in with lobby security and have them contact Ms. Townsend at (916) 341-5600.

Please direct questions about this notice to Russell Norman, Division of Water Quality, at (916) 323-5598 (rnorman@waterboards.ca.gov).

April 22, 2011
Date



Jeanine Townsend
Clerk to the Board