

Los Angeles  Department of Water & Power

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May 13, 2016

Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, California 95814

Dear Ms. Townsend:

Subject: Comment Letter – General Order for Recycled Water Use

The Los Angeles Department of Water and Power appreciates the opportunity to provide comments on the revised proposed Water Reclamation Requirements (WRR) for Recycled Water Use (Order No. WQ 2016-00XX-DDW). Recycled water is a critical element of LADWP's local water supply, and as such, has increased its goal of recycled water use up to 59,000 Acre-Feet per year (AFY) by 2035. LADWP has always recognized the value of water reuse and has been promoting and investing in the recycled water infrastructure to expand distribution and the number of users for years. LADWP completed its Recycled Water Master Plan in 2012 through active stakeholder involvement which included reaching out and presenting the value of recycled water to community groups and neighborhood councils through public forums and elected official briefings. Even with the El Nino rain season, the Southern California region did not receive enough rain or snow pack for a viable water year, and therefore, the use of recycled water is even more critical and of utmost importance in providing a sustainable water supply. LADWP believes that this proposed permit will encourage recycled water usage by providing a more efficient and simplified permitting process. However, there are a few items LADWP would like to be further clarified or modified to support a more streamlined and efficient permitting process.

LADWP has the following comments on the proposed general WRR.

1) Purpose and Applicability of the new General Permit, Finding 34, page 15

The proposed General Order indicates that discharges covered under other existing orders may continue to operate under that authority for a period not to

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exceed three years from the adoption of this new permit. All existing recycled water permits will be transferred to this new permit during this transition period.

LADWP supports this change in the permit language, however, LADWP also believes there should be options for those permittees who would like to keep coverage under their existing permit. LADWP suggests the transfer of coverage to the new permit be as seamless as possible for existing users which have already submitted the necessary information for coverage under the new permit.

There were several comments submitted by LADWP during the earlier comment period that were not addressed in this revised draft. LADWP resubmits the following comments for further consideration.

2) General Provisions, Item 8, page 25

Item 8 of the General Provisions section appears to allow the Regional Water Board or State Water Board to modify the Monitoring and Reporting Program (MRP) as necessary. These changes to permittees would create a situation where the "general" aspect of the order would no longer hold true with different MRPs in effect throughout the state for the permittees. By allowing such changes to occur on the local level, permittees will be subjected to differing requirements. A statewide permit should allow for consistency of regulation.

LADWP requests that the modification of the MRP be limited to the State Board reopening the permit for cause in order to revise MRP requirements. We request the Item 8 be revised as follows:

8. The Administrators shall comply with the MRP issued with the NOA, and any future revisions, as specified by the ~~Regional Water Board's Executive Officer~~ or State Water Board's Executive Director (or designee). A model MRP is provided as Attachment B. ~~However, the Regional Water Board's Executive Officer or State Water Board's Executive Director (or designee) may modify or replace the MRP when deemed necessary.~~

3) Purpose and Applicability, Item 35c, page 16

The opportunity of recycled water users to further distribute and administer programs should be constrained so that recycled water use does not conflict with local programs, jurisdictions or city charters.

LADWP requests that Item 35c be modified to read as follows:

c. Users of recycled water: Users take physical possession of the recycled water from Producers and/or Distributors for an approved beneficial recycled water use consistent with Uniform Statewide Recycling Criteria. A User that takes physical possession of recycled water may act as an Administrator and distribute to other Users so long as this additional distribution is not in conflict with any local City Charter directing recycled water use and oversight. Users of recycled water may also use the recycled water under a Water Recycling Use Permit from another Administrator.

4) Definitions – Recycled Water, page D-4

The definition of recycled water should not be constrained to only direct beneficial uses as indicated in the definition.

LADWP requests that the definition of recycled water be revised as follows:

Recycled Water: Means water which, as a result of treatment of wastewater, is suitable for a ~~direct~~ beneficial use or a controlled use that would not otherwise occur therefore considered a valuable resource. (Wat. Code § 13050(n).) Coverage under these Water Reclamation Requirements for Recycled Water Use (General Order) is limited to treated municipal wastewater for non-potable uses.

This change is consistent with the wording of Finding 14 on page 3 where the General Order authorizes beneficial, non-potable recycled water use. The definition should be consistent with the intent of the Order and not limit the use to “direct” beneficial use. There are multiple uses of recycled water that may not be considered direct, but would still provide beneficial uses of recycled water to the community.

Ms. Jeanine Townsend
May 13, 2016
Page 4

In closing, LADWP looks forward to working with the State Board staff in developing a general WRR for the use of recycled water that will support the expanded use of this valuable resource. For questions or additional information, please contact Mr. Michael Hanson of my staff at 213-367-0634.

Sincerely,



Katherine Rubin
Manager, Wastewater Quality and Compliance

- c: Felicia Marcus, Chair, State Water Resources Control Board
- Frances Spivy-Weber, Vice Chair, State Water Resources Control Board
- Tam Doduc, State Water Resources Control Board
- Dorene D'Adamo, State Water Resources Control Board
- Steven Moore, State Water Resources Control Board
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