



CITY OF ORANGE

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December 7, 2015

Adam Fischer
California Regional Water Quality Control Board
Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501-3348

Subject: Third Draft MS4 NPDES Permit Order No. R8-2015-0001

Dear Mr. Fischer:

Thank you for the opportunity to comment on the proposed Third Draft of MS4 Permit Order No. R8-2015-0001. The City of Orange previously commented on the first two drafts and appreciates the changes made to improve the previous Order. New comments are limited to the redline changes in the new Draft Order. The City would also like to acknowledge its support of the County of Orange's comment letter that addresses a number of important issues that will not be repeated here. Other issues of importance to the City are discussed below.

Attachment A – State Drinking Water Permit Provisions

Attachment A has been added to address non-storm discharges from permittee owned facilities. A significant change to non-storm water discharges is the addition of language that allows municipal drinking water dischargers to obtain coverage under the MS4 permit instead of the new State Drinking Water System Discharges Permit (State Permit). While the addition of this language is welcomed, interspersed provisions from the State Permit among the provisions for regular non-storm water discharges causes confusion because some provisions identified in Attachment A may be misconstrued to apply equally to potable drinking water discharges. In some provisions additional clarification is required. Examples are noted below.

1. Section III identifies effluent limitations for non-storm water discharges. Provisions A, B, C and H appear to apply to all discharges yet Provisions D, E, F and G apply only to potable water discharges from drinking water facilities. Please also note that compliance with provision E, which requires chlorine not to exceed 0.019mg/L, is a field meter reading not to exceed 0.1 mg/l as stated in State Permit Sections IV.B.1.b, IV.B.2.b and IV.B.3.b.

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This clarification is important because field meters cannot accurately measure to the sensitivity noted.

2. Section V Monitoring Requirements states that the permittees must implement a monitoring and reporting program consistent with the requirements in Attachment B, which is the monitoring program for the MS4 system. However, Section VII contains the effluent monitoring program for drinking water systems, which identifies only a few parameter to be monitored (volume, pH, chlorine and turbidity) and seems consistent with the State Permit. Section 1.B of Attachment E of the State Permit also makes clear that chemical analysis of parameters that require laboratory testing are not required by the State Order with the exemption of monitoring to meet TMDL requirements imposed on a drinking water discharger.

Recommendations: Revise the sections in Attachment A where all of the provisions for the State Permit are identified in a single paragraph similar to Section I.A.

- a. Revise Section III so that provisions for the State Permit are identified in single paragraph. Provisions that apply to all discharges should be noted as applying to all discharges including drinking water systems.
- b. Revise the first paragraph in Section V to note that Section VII identifies the monitoring requirements for effluent discharges for drinking water system discharges and other provisions noted are not applicable. Provisions that apply to drinking water system such as V.C may also be included in Section VII.

These revisions would make it easier to understand the provisions that apply to all non-storm discharges and the provisions that apply to drinking water system discharges. The clarifications for meeting chlorine requirements and the need for laboratory monitoring as noted above should also be included.

Questions regarding these comments may be directed to Gene Estrada at 714-744-5547.

Sincerely,



Joe DeFrancesco
Public Works Director

cc: Rick Otto, City Manager
Frank Sun, Deputy Director/City Engineer
Chris Crompton, Manager, Public Works Environmental Resources
Hope Smythe, Santa Ana Region Water Quality Control Board