(9/23/14) Board Meeting
Draft Drinking Water Systems General Permit
Deadline: 8/19/14 by 12:00 noon

City of Corona
Department of Water and Power
"Protecting Public Health"

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8-18-14
SWRCB Clerk

August 15, 2014

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

Subject: Comment Letter – Draft Drinking Water Systems General Permit and Resolution

Dear Ms. Townsend,

The City of Corona Department of Water & Power (City) welcomes the opportunity to provide comments on the subject; but first we would like to extend our appreciation to staff for the additional work they have done to originate this second draft since we know it takes time and patience.

The City provides drinking water to a population of over 150,000 residents and businesses. The City currently operates under Order No. R8-2009-0003 NPDES No. CAG998001 Region 8 waste discharge requirements for discharges to the surface waters that pose insignificant (De Minimis) threat to water quality, which is sufficient to our operation. After reviewing the proposed "Statewide General NPDES Permit" (General Permit) for Community Water Systems (CWS), the City has the following concerns and comments:

Comment 1: Original Intent

The original intent for the General Permit for Drinking Water System Discharges was to protect CWS from third party lawsuits when they discharge as a result of mandatory activities to comply with CDPH drinking water regulations. The new proposed Statewide NPDES permit does not compel MS4 permit holders to accept discharges from non-MS4 dischargers who are permitted under the proposed NPDES permit. This intent was the main goal for the proposed permit, its failure puts into question why we should even have this

proposed permit, as it accomplishes nothing new except duplicating efforts.

Comment 2: Section 3. Raw Water **(Page 6)**

"...raw water is defined as untreated or partially treated surface water or groundwater dedicated for drinking water supply but is not suitable for human consumption. To be eligible for coverage under this Order, discharge of raw water may not cause or contribute to the receiving water exceeding a primary or secondary drinking water MCL, on a running annual average basis."

This statement implies that receiving surface waters have primary and secondary drinking water MCLs. Can staff be specific as to which surface or groundwater bodies they are referring to? This will help the affected CWS to decide whether or not to apply for this General Permit or seek a special permit from their Regional Board.

Comment 3: Table E-2. Discharge Monitoring **(Page E-4)**

Interpretation of this table is very confusing to CWS. Should CWS collect a sample at each location once per event and/or once per year whether or not a discharge occurs at the sampling location? The City would like a clear and thorough understanding of the monitoring CWS will be conducting.

Comment 4: Part F. Threats and Complexity of Discharge and Basis of Permit Fee. **(Page 11)**

"...the discharges covered under this Order are of low threat and low complexity and are within category 3 of the de minimis discharges that are regulated under a general NPDES Permit that require minimal or no additional treatment systems to meet limits and pose no significant threat to water quality."

With this conclusion, what threat will this proposed General Permit protect the public from? The Regional Boards work closely with the CWS and have designed regulatory programs that suit each Region under their specific De Minimis permits; duplicating these efforts simply burdens the CWS and adds no value to the water quality.

Comment 5: Best Management Practices (BMPs). **(Page C-1)**

Throughout the proposed General Permit, dischargers are required to implement BMPs to assure that their discharges comply with the Department of Public Health's (DPH) MCLs.

The City request that staff specify any known professionally written BMPs that can be used to assure discharges comply with DPH's MCLs; if such BMPs exist, they should be standardized across CWS. Without standard BMPs for all CWS, the use of BMPs is left to interpretation by each CWS. This brings back the question of why the proposed General Permit is needed when Regional permits already cover De Minimis discharges. The City recommends that any references to such BMPs be removed from the proposed General Permit.

Comment 6: Section ii. Sediment, Salt, and Mineral Control. **(Page C-1)**

"*Sediment, salt and mineral control practices shall be used to filter and trap sediment particles, salt and minerals to prevent them from reaching storm drains or receiving waters". The text goes on to provide specific BMPs that can be used.*"

There are no known field BMPs that can remove salts and minerals from discharges by CWS. The City recommends removing this requirement altogether.

Comment 7: Attachment G – Water Bodies with Total Maximum Daily Loads (TMDLs) and Waste load Allocations (WLAs) to Water Purveyors.

"*This attachment is reserved for the State Water Board to include additional permit requirements in a subsequent permit renewal to implement future TMDLs that:*

1) *address pollutants likely to be in discharges from drinking water systems, and*

2) *allocate waste loads specifically to water purveyors regulated under this Order."*

The proposed General Permit already acknowledges that "*Due to the nature of the discharges under this order, it is unlikely that these discharges contribute to the impairment of the TMDL – related water*

bodies; therefore existing TMDL – related requirements that include WLAs to general categories of discharges are not applicable."

In this case, what type of pollutants does staff have in mind that is likely to be included in Attachment G? It is possible that a CWS could have some wells whose salt content is above the primary and secondary MCLs, therefore will the State Board then issue a notice of non-compliance and force the CWS to get a second or third permit?

Comment 8: Adoption Process.

The City understands that a final version of the proposed General Permit will be posted ten (10) days prior to the date of adoption. Ten days is not a long enough period to review such a large and important document. Should the State Water Board publish a third draft, the City would like another 30 day period to review changes made to the proposed General Permit prior to its adoption.

Comment 9: Lack of cause for a Statewide General Permit.

Staff has neither indicated nor demonstrated that the existing water quality programs (permits) are insufficient to preserve and improve water quality. Furthermore, this permit as written, will not offer any additional protection to CWS.

The City recommends that the State Board not adopt this proposed General Permit.

Please don't hesitate to contact me if you wish to further discuss any aspect of our comments and concerns. I can be reached at (951) 817-5836 or by e-mail at Adoga.Kiharangwa@ci.corona.ca.us.

Sincerely,

Adoga Kiharangwa
Regulatory Supervisor