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

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8-19-14
SWRCB Clerk

SOUTH COAST WATER DISTRICT

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August 19, 2014

VIA EMAIL (commentletters@waterboards.ca.gov)

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

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

Dear Ms. Townsend:

South Coast Water District ("SCWD") hereby provides the following comments on the Draft Drinking Water Systems General Permit ("Draft SWP").

SCWD is a public retail water agency organized and existing as a County Water District under California Water Code Section 30000 *et seq*. SCWD serves approximately 12,500 water accounts with an estimated winter population of 40,000 in the South Laguna and Dana Point areas. Tourism adds an additional 2 million visitors to the SCWD service area on an annual basis. SCWD's service area encompasses approximately 8 sq. miles, and SCWD delivers approximately 6400 acre feet of potable water annually. SCWD maintains approximately 48 million gallons of water storage in 14 area reservoirs (an approximately 8 day supply) in the event of a disruption in water supply.

SCWD hereby joins in the comments made by Pasadena Water and Power dated on or about August 19, 2014. In addition, SCWD provides the following comments.

1. General Comments

During the workshop on July 23, 2014 hosted by Metropolitan Water District of Southern California ("MWD"), many parties raised the fact that the Draft Permit was quite different from prior drafts and that the accelerated time frame (adoption of the final permit is scheduled on September 23, 2014) does not give stakeholders enough time to process the new draft and to work through issues with the language. This point was further highlighted by State Board

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staff's acknowledgement that in some instances, the language of the Draft SWP did not reflect the State Board's intent.

Staff even raised new issues that are not included in the current draft. For example, staff indicated that it was considering adding filter backwash to the categories of discharge regulated by the General Permit. We strenuously object to adding new categories at this stage. If the State Board chooses to make significant changes to the existing draft, it must recirculate the new draft and allow stakeholders to comment.

Staff also indicated that the intent of the Draft SWP is to allow CWSs to use existing data gathered pursuant to the Safe Drinking Water Act and not to impose onerous additional monitoring requirements. If this is the case, the State Board should clarify the language of the SWP to allow this and limit the monitoring over and above the Safe Drinking Water Act requirements.

Finally, Pasadena Water and Power ("PWP") repeatedly indicated that given the regulatory framework in place (i.e., MS4 permit program and other local programs), it is unclear why this SWP is necessary. Indeed, it is difficult to see a significant risk of contaminants entering waters of the U.S. via the discharge of drinking water. We agree with PWP that the MS4 Permits that are currently in place already require Community Drinking Water Systems ("CWS") to dechlorinate and control sediments which are the objectives cited by State Water Quality Control Board ("State Board") staff in developing the Draft SWP. As such, we do not believe that the SWP is necessary. If some CWSs are requesting the SWP, we would suggest that this Draft SWP be modified to become a form NPDES permit for those individual CWSs to obtain on a individual basis.

2. NPDES Authorized Discharges (p. 4, Section I.4.)

   Modify as follows:

   The water purveyor is regulated under a separate NPDES permit issued by the Regional Water Board because (a) the discharge is within the operations covered by the NPDES permit~~not within the scope of activities covered by this Order~~, and/or (b) a Total Maximum Daily Load (TMDL) has been adopted and the Regional Water Board has determined that TMDL-specific permit requirements for discharges from drinking water systems are appropriate because those discharges may contribute to the impairment of the waterbody. If a water purveyor has some discharges that are covered by an NPDES permit, those discharges shall not be regulated by this permit.

SCWD conducts groundwater supply well flushing that is covered by its NPDES permit for its groundwater recovery facility. While groundwater supply well flushing is "within the scope of activities covered by this Order," it is already regulated by the NPDES permit. As such, for this portion of SCWD's discharges, the NPDES permit, and not the SWP, should govern.

3. Monitoring Locations and Sampling (p. E-3, Section II.A. and B.)

   Modify as follows:

   A. The Discharger shall monitor ~~the following:~~
      ~~1)~~ ~~D~~direct or non-direct (traveling via a storm drain or other conveyance system) discharges to a water of the U.S. greater than 325,850 gallons per event
      ~~2) direct or non-direct discharges that are greater than 325,850 gallons per event.~~
   B. The Discharge shall monitor all other direct and non-direct discharges (traveling via a storm drain or other conveyance system) based on representative monitoring, as specified below.

      1. . . .
      2. The Discharger shall monitor all labeled representative monitoring location on its site plan by sampling at least one time per calendar year, in accordance with all discharge monitoring and reporting requirements . . .

As staff indicated during the workshop, as written, every event under 325,850 gallons that involves a direct discharge (e.g., a routine fire hydrant flushing) is required to be monitored. Staff did not intend this, as it would be unduly burdensome for CWS to monitor, for example, every fire hydrant flushing if it results in a direct discharge to waters of the U.S. The above language clarifies that all discharges under 325,850 gallons per event may be monitored via representative sampling.

4. Monitoring Locations and Sampling (p. E-3, Section II.C.)

   Modify as follows:

   C. Monitoring samples of the discharge are required as described ~~below~~ above and in Table E-1. Table E-1 shall apply only to large planned discharges greater than one acre-foot pursuant to Section VI.

It seems that a CWS could only sample pursuant to the Table E-1 protocol only if the discharge is planned. Otherwise, a CWS could not anticipate when the discharge would begin or end in order to, for example, sample within the first ten minutes or last ten minutes of the discharge.

Should you have any questions, please feel free to contact us.

Sincerely,

Andrew Brunhart
General Manager
South Coast Water District