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February 22, 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 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 though it is an El Nino rain season, it will still take trillions of gallons to replenish the depleted reservoirs and aquifers due to the sustained drought, 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 issues within the draft WRR that need to be further clarified or modified to streamline recycled water use.

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 until requested by

the Regional Water Board to either: (i) continue or expand coverage under existing orders; or (ii) apply for coverage under this General Order.

LADWP requests that the language be changed so that existing coverage may be maintained by Dischargers and coverage under this new order would only be necessary if recycled water operations are changed significantly from existing operations or the Discharger decides to seek coverage under this new General Order. Dischargers permitted under existing individual permits should have the option of keeping those existing permits.

2) General Provisions, Item 8, page 24

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~~ (of designee). A model MRP is provided as Attachment C. ~~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 15

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.

5) Consistent Use of Terms

The General Order identifies both California Department of Public Health (CDPH) and Division of Drinking Water (DDW). These terms should be combined and used consistently throughout the document as DDW.

In closing, LADWP also supports the comments submitted by WateReuse and the California Association of Sanitation Agencies. LADWP appreciates the opportunity to provide these comments and 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.

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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
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