



San Diego County Water Authority

4677 Overland Avenue • San Diego, California 92123-1233
(858) 522-6600 FAX (858) 522-6568 www.sdcwa.org

SAN DIEGO REGIONAL
WATER QUALITY
CONTROL BOARD

2009 AUG 10 A 8:42

August 5, 2009

Item No. 13
Supporting Document No. 11

MEMBER AGENCIES

Carlsbad
Municipal Water District

City of Del Mar

City of Escondido

City of National City

City of Oceanside

City of Poway

City of San Diego

Fallbrook
Public Utility District

Helix Water District

Lakeside Water District

Olivenhain
Municipal Water District

Otay Water District

Padre Dam
Municipal Water District

Camp Pendleton
Marine Corps Base

Rainbow
Municipal Water District

Ramona
Municipal Water District

Rincon del Diabolo
Municipal Water District

San Dieguito Water District

Santa Fe Irrigation District

South Bay Irrigation District

Vallecitos Water District

Valley Center
Municipal Water District

Vista Irrigation District

Yuima
Municipal Water District

OTHER REPRESENTATIVE

County of San Diego

Mr. John Robertus
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4353

Re: Draft Tentative Order No. R9-2009-0094 NPDES Permit No. CAG679001

Dear Mr. Robertus:

Since July 20, 2009, a Technical Advisory Committee (TAC), made up of representatives of potable water purveyors in San Diego County, has been meeting with staff from the Regional Water Quality Control Board (RWQCB) on the tentative order cited above. Meetings between our staff have been cooperative in nature and there has been progress made; however, because of the multitude of issues they are working on, there is still a great deal of work that must be done.

There were six major items of concern cited in a letter to Board staff on July 17, 2009. These items are shown below:

- Adoption of the order is scheduled for August 12, 2009, with written comments due on August 5, 2009, and an effective date of September 1, 2009. This does not allow adequate time to resolve issues with respect to the changes from the prior permit.
- The Draft Tentative Order eliminates the current minimum reporting level for discharges of 500,000 gallons/day or more. The current draft tentative order will add thousands of discharges under 500,000 gallons/day that need to be reported and approved. This will overwhelm administrative and compliance capability, and will increase the cost of service.
- The Notice of Intent (NOI) contains open-ended requirements for certification of alternate methods of disposal or re-use. Potable water systems are already required to operate under strict Best Management Practices (BMP's) to limit water loss due to leakage and maintenance discharges. No additional regulation is needed.
- The requirement to obtain approval from each MS4 operator, prior to every discharge, places unreasonable burden on water agencies. The added complexity and cost is not

A public agency providing a safe and reliable water supply to the San Diego region

justified for such low risk discharges, and the process could jeopardize projects that require dewatering operations.

- Hydrostatic testing of new oil and gas facilities and reclaimed water systems have been included in this permit. This adds unrelated groups with the potential of higher risk discharges to the permit.
- Discharge of water into water conveyance systems is no longer exempt under the new proposal. Water discharged into a potable water source poses no risk to the public or environment.

The only major item that has been resolved is the elimination of mandatory approval of the MS4 operator prior to allowing a drain to occur. We appreciate the Board's removal of this item; however, it appears it will not be possible to resolve the remaining issues prior to the action to adopt at the August 12, 2009, RWQCB meeting. TAC members have asked on numerous occasions for RWQCB staff to recommend delaying the action to adopt the tentative order until all issues can be resolved. Adoption of the Order, prior to resolution of these matters, will have severe impacts on the water agencies' ability to operate and maintain their treatment and distribution systems.

The Water Authority requests delaying adoption of the Draft Tentative Order until the TAC and RWQCB staff can craft mutually acceptable solutions. If you have any questions, please contact Gary Eaton, Director of O&M at (760) 233-3237 or Joe Wegand, Operations and Maintenance Manager, at (760) 233-3264.

Sincerely,



Maureen A. Stapleton
General Manager

MAS:JNW:sdw

cc: Joe Wegand, O&M Manager, Water Authority
Frank Belock, Deputy General Manager, Water Authority
Ken Weinberg, Director of Water Resources, Water Authority
Gary Eaton, Director of Operations and Maintenance, Water Authority