

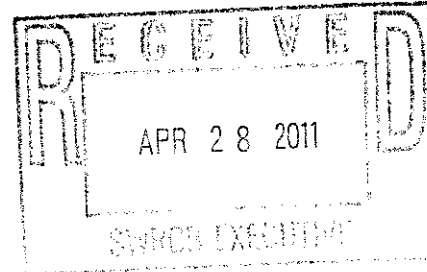
Monterey Regional Pollution Control Agency

*"Dedicated to meeting the wastewater and reclamation needs
of our member agencies, while protecting the environment."*

Treatment Facility and Water Recycling Project:
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April 26, 2011

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



Re: Comment Letter - SSS WDR's Review & Update

Dear Ms. Townsend,

This letter is in response to the State Water Resources Control Board's request for comments regarding the proposed Sanitary Sewer Systems WDR (SSS-WDR). The Monterey Regional Water Pollution Control Agency (MRWPCA) is a regional sewer agency that serves a population base of 250,000 people in North Monterey County, California and is made up of twelve (12) member entities that include local Cities, the County of Monterey and several special districts. While the various sewage collection systems are owned and operated by these member entities, the MRWPCA has over thirty (30) miles of major sewage transmission pipelines that include both force main and gravity pipes. These main trunk lines convey the sanitary sewage through a series of regional pump stations and ultimately to the Regional Treatment Plant, all of which are owned and operated by the MRWPCA.

While the MRWPCA will not be affected to the extent of our member entities by these proposed regulations, we will most certainly be impacted due to having greater than one (1) mile of pipeline and therefore wanted to comment on the proposed regulations. The following points are ones in which the MRWPCA feels are not advantageous or in the best interest of the stakeholders:

- The proposed SSS WDR would move away from the approach developed by the Stakeholder SSO Guidance Committee in 2005-2006, which focused on reporting of SSOs and reducing SSOs with the potential to affect water quality or public health, to a very prescriptive and onerous order that seeks to dictate decisions regarding the way local sewer system programs are managed and implemented. Compliance with the revised SSS WDR would require far greater staff and resources for permit enrollees, at a time when public agency budgets are shrinking. Furthermore, it is unclear how the additional information that must be generated will be used by the Water Board or that the efforts required under the revised permit will produce corresponding environmental or public health benefits.

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- The proposed SSS WDR would include a new prohibition on the use of chlorine during spill cleanups, including any potential chlorine residual in potable water, thus making it very difficult to wash down and fully clean up and disinfect SSOs on roads, gutters, and in storm drains or ditches.
- The proposed SSS WDR regulations include a new two-tiered approach to regulation of sanitary sewer systems which includes both the SSS WDR and NPDES regulatory vehicles. This approach would unnecessarily increase the complexity of the regulations, and since the SSS WDR does not authorize any SSOs into waters of the United States, there is no need for an NPDES permit. The result of such a change would be to subject local public agencies to additional citizen group lawsuits and higher administrative penalties with no demonstration that this would improve water quality or reduce SSOs.

There are also several positive aspects of the proposed SSS WDR as written that the MRWPCA would like to comment on:

- The revisions to streamline the spill notification points of contact will prove very helpful to all parties concerned.
- Expanding the coverage of the SSS WDRs to private collection systems meeting the pipe mileage and proposed flow thresholds will ultimately produce a more level playing field between public and private systems and will increase the responsiveness of those not currently covered by this level of environmental regulation. This will in effect prove to be a very positive step toward the protection of the environment.
- Providing information that SSOs to land areas are not the focus of the SSS WDR will clarify this important point to all parties concerned.

These comments are respectfully submitted by the MRWPCA and are based on the March 22, 2011 Draft Order. If you have any questions or wish to discuss any aspect of this matter, you can reach me at (831) 883-1118.

Sincerely,



Brad Hageman, P.E.
MRWPCA Assistant General Manager