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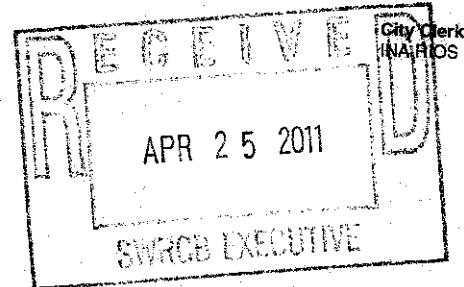
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DAN COLEMAN

**Director of Parks  
and Recreation**  
THERESA BRUNS

April 22, 2011

Ms. Jeanine Townsend, Clerk of the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, Ca 95814

Sent via email: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)



Dear Ms. Townsend:

**COMMENT LETTER- STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR  
SANITARY SEWER SYSTEMS REVIEW AND "HYBRID" TWO-TIERED APPROACH TO  
REGULATION**

*Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (SSS WDR)*

Thank you for inviting comments on the draft SSS WDR, which would replace the existing SSO WDR Order WQ 2006-003. We support the State Water Resources Control Board's (SWRCB) goal of providing uniformity in reporting on the number of wastewater spills, volumes, and causes in our state. However, we feel that the proposed revisions represent a major departure from the current program and does not allow for completion of programs established as part of our SSMP in compliance with the 2006 order.

Our small city has invested significant funding and staff resources in proper maintenance of our collection system and as part of the Consolidated Sewer Maintenance District (CSMD), we have worked closely with LA County Public Works to ensure compliance and reduction of SSOs entering surface waters. In these constricted financial times, we are greatly concerned that our efforts will be for naught and will be forced to cut other vital programs in order to comply with the proposed revisions to the SSO WDR.

As a CSMD member, we have reviewed the County of Los Angeles letter on this issue from Ms. Gail Farber, the County's Director of Public Works and agree with their comments regarding specific elements in the draft document. The proposed SSS WDR moves away from the Stakeholder approach of reporting and reducing SSOs to a prescriptive and onerous order that seeks to dictate decisions regarding the way local sewer systems programs are managed and implemented. The increase in staff and resources would be extremely difficult to manage with our ever shrinking budget, and these additional requirements do not appear to provide corresponding environmental or public health benefits.

The proposed SSS WDR would expand liability for SSOs by including all spills to surface water as prohibited SSOs subject to enforcement, instead of only those reaching "Waters of the US". This could create a significant budgetary challenge for our City.

The proposed SSS WDR would transform the existing enforcement discretion language, which would take away the clearly stated intent of the State Board into an advisory provision, leaving regional boards to follow or ignore as they please.

The proposed SSR WDR is overly focused on private sewer laterals ("PSL"), requiring reporting of PSL spills by enrollees who have no authority over the PSLs and requiring detailed information regarding local lateral programs.

The proposed SSR WDR includes a new prohibition on the use of chlorine during spill cleanups, including any potential chlorine residual in potable water, which makes it very difficult to wash down and fully clean up and disinfect SSOs on roads and gutters, and in storm drains or ditches.

Several positive aspects of the proposed SSR WDR are appreciated, including revisions to streamline spill notification points of contact; modifying applicability criteria to include a flow threshold and a pipe mileage threshold; expanding coverage of the SSS WDR to private collection systems meeting the pipe mileage and proposed flow thresholds; and clarifying that SSOs to land are not the focus of the SSS WDR.

"Hybrid" Two-tiered Approach to Regulation of Sanitary Sewer Systems

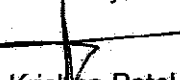
We oppose this proposed alternative for the following reasons:

- 1) Owner/operators who have had at least one SSO that has reached Waters of the US would be required to seek coverage under the NPDES permit
- 2) Owner/operators who have never had any SSO that has reached Waters of the US would be required to seek coverage only under the WDRs.
- 3) When an owner/operator covered under the WDRs reports an SSO that has reached Waters of the US, the Enrollee would be required to switch coverage from the WDRs to the NPDES permit. The NPDES permit (as does the SSO WDR) would include a prohibition against all SSOs to Waters of the US.

Since the WDR does not authorize any SSOs to Waters of the US, there is no need for an NPDES permit for this instance. ***The result of such a change would be to subject the City of San Dimas and other local public agencies to additional citizen group lawsuits and higher administrative penalties with absolutely no demonstration that this would improve water quality or reduce SSOs.*** This alternative would also require additional Water Board staff resources to track and implement different permit tiers.

Thank you for the opportunity to comment on the proposed SSO WDRs. If you have questions on these comments, please feel free to contact me at (909) 394-6245 or [kpatel@ci.san-dimas.ca.us](mailto:kpatel@ci.san-dimas.ca.us).

Sincerely,



Krishna Patel  
Director of Public Works

cc. Blaine Michealis, City Manager  
04-11-21kplm