



City of Anaheim
PUBLIC UTILITIES DEPARTMENT
Environmental Services



August 18, 2014

State Water Resources Control Board
1001 I Street, 15th Floor
Sacramento, CA 95814

Subject: Comments on Draft General Permit for Discharges from Drinking Water Systems

Thank you for the opportunity to comment on the Draft General Permit for Discharges from Drinking Water Systems that was issued June 6, 2014. The City of Anaheim operates a community water system with over 60,000 meters and a population of approximately 350,000. We have complied with discharge requirements through our MS4 permit and prior to that through the Regional Board's De-minimus permit. The proposed Drinking Water System Permit has the potential to simplify compliance if a few important changes are made. If the permit were adopted in its present form, it would be virtually impossible to meet all of the requirements and we would need to continue compliance through our MS4.

Anaheim Public Utilities offers the following suggestions for improving the General Permit:

1. The SWRCB should work cooperatively with water providers to develop a permit that is viable for all parties. This permit will affect thousands of water utilities and should be designed to result in the least financial hardship while protecting our resources. It was evident at the Los Angeles workshop held on July 23, 2014 that water utilities will request numerous improvements to the permit and they should be provided ample opportunity to review the SWRCB's revisions prior to the permit adoption hearing.

Specific Recommendation: Following revisions to the permit after the comment period closes August 19, 2014, another 60 day period for public review and comment should be provided. Additional workshops or meetings with water utilities should also be planned.

2. There are only two types of water systems discharges that have the potential to cause significant impacts to receiving waters. Those are discharges from well development and high-volume direct discharges to sensitive receiving waters. The monitoring and testing requirements imposed by this permit should focus on those two types of discharges only. The suggestions made in the following sections of this letter address these concerns.
3. Water systems with less than 200 service connections should be exempt from the permitting requirement. These small water systems are unlikely to discharge more than 1,000 gallons per day on average and its discharges are very unlikely to have any impact on receiving waters. This exemption will also relieve the SWRCB of the administration burden for thousands of

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unnecessary permits, the savings from which should allow a reduction in the permit fees for larger water systems. The proposed fee structure suggests that the larger water systems are subsidizing the permit fees of the small water systems.

Specific Recommendations:

- a. Exempt water systems with less than 200 service connections from obtaining the proposed permit.
 - b. Reduce the proposed permit fees for larger utilities by the amount saved by eliminating thousands of unnecessary permits for the small water systems.
4. The most important change to make to the permit is to allow representative monitoring for direct discharges to receiving waters for groundwater production wells. Many existing wells discharge-to-waste directly to a receiving water for a couple of minutes on start-up and shut-down. Well start-up and shut-down are based upon system demands and cannot be scheduled with any certainty, therefore it would be extremely difficult to sample each of these discharges. These discharges, from many different wells, are essentially identical – they all draw from the same groundwater basin, they all meet drinking water standards, and none of them are chlorinated. Therefore, there is virtually no risk to the receiving waters from these discharges. This change to the permit is absolutely critical to make compliance feasible.

Specific Recommendation: Section II.A.1 should provide an allowance for representative monitoring for discharges associated with routine well start-up and shut-down.

5. The effluent limit of 10 NTU is unrealistic for any discharge that flows down the street and/or gutter prior to entering a catch basin. Even with BMPs, 10 NTU may not be achieved. Although the water discharged from the water system will undoubtedly meet the turbidity limit, dirt present in the street will become entrained in the discharge and may cause an exceedance of the 10 NTU turbidity limit. Other SWRCB permits have turbidity limits much higher than the 10 NTU proposed in this draft permit. For example, the General Order for stormwater from construction sites has a numeric action level of 250 NTU. Also, Regional Board permits often require that discharges not cause an increase in the turbidity level of the receiving water by a certain amount – either as a percentage increase or a specific numeric increase. Water system flushing is a very minor contributor to overall receiving water turbidity and should be regulated using BMPs, not numeric standards. This is the accepted practice of the MS4 and De-minimus permits and should be incorporated into this permit as well. If a numeric standard is mandated, then the limits for discharges to storm drains should be equivalent to the stormwater standard of 250 NTU.

Specific Recommendations:

- a. Section V.C.1 (page 16) should be deleted or revised to delete the phrase, “or via a storm drain.”
 - b. Section I.D in Attachment C - delete the references to 10 NTUs. The requirements to include BMPs such as settling and filtering, are acceptable. If numeric limits are mandated, they should be equivalent to the stormwater numeric action level of 250 NTU.
 - c. Table E-2 in Attachment E - delete the requirement for monitoring turbidity.
6. There should be no need to test for pH in water system discharges. Drinking water systems control pH within a range acceptable to all receiving waters and it would be highly unlikely for a water system discharge to cause a pH impairment under any circumstances. If there is a specific circumstance that the State believes a water system discharge could cause a pH issue, they should identify the specific type of problematic discharge and require monitoring for that only that specific action.

Specific Recommendation: Table E-2 in Attachment E - delete the requirement for monitoring pH.

7. The permit should provide a definition for “receiving water.” The application for coverage under the permit (page B-3) requires the applicant to identify the receiving waters into which they discharge and whether they are on the 303d list. The definition of a receiving water should make clear that it is the specific reach of a channel, or other water body, into which the water is being discharged. This change is needed to prevent the erroneous conclusion that a water system discharge into an unimpaired receiving water may impact an impairment further downstream.

Specific Recommendation: Include a definition for receiving water in Attachment A.

8. Any chlorine detected in a discharge that is below 0.1 mg/l should be considered “non-detect” for the purposes of this permit. Those “detections” are not reliable and should be reported as non-detect.

Specific Recommendation: Table E-2 in Attachment E - should add the phrase, “Any detection below 0.10 mg/L should be reported as non-detect.” to Footnote #2.

9. On Page E-3, dischargers are required to include monitoring locations on their site plan. This is the only location in the permit where a site plan is mentioned and its purpose is unclear. Is it to be submitted with the annual report?

Specific Recommendation: Clarify if a site plan is to be submitted with the annual report.

10. There should be no need to notify CalOES for non-compliance with this permit (page E-5). The only time water system discharges should be reported to OES is when they meet the standard requirements for OES notification.

Specific Recommendation: Section V in Attachment E should be deleted. The OES notification requirements are adequately covered by other regulations.

11. We concur with the concept discussed at the July 23, 2014 workshop to include a volume threshold for discharges.

Specific Recommendation: Attachment E should include a provision that discharges of less than 10,000 gallons do not require monitoring.

If you have any questions, please feel free to contact me via phone (714-765-4277) or email (dwilson@anaheim.net).

Sincerely,



Richard Wilson
Environmental Services Manager