



Bay Area Clean Water Agencies  
Local Water Public Agency

Leading the Way to Protect our Bay

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July 14, 2006

Tam Doduc, Chair  
State Water Resources Control Board  
Executive Office  
1001 I Street, 24th Floor  
Sacramento, California 95814

c/o Song Her, Clerk to the Board  
*Via e-mail:* [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

Subject: Comments on the April 2006 "Draft Total Residual Chlorine and Chlorine-Produced Oxidants Policy of California"

Dear Chair Doduc:

On behalf of the undersigned associations, thank you for the opportunity to provide comments on the June 30, 2006 version of the "Draft Total Residual Chlorine and Chlorine-Produced Oxidants Policy of California" (June 2006 Draft Policy). Our associations appreciate the revisions to the proposed policy, many of which appear to be designed to address the concerns raised by the regulated community regarding the attainability of the proposed objectives and the feasibility of the accompanying implementation procedures.

Our members have followed this proposed policy since it was first released in preliminary draft form. As you are aware, this major regulatory initiative continues to be of great interest to public wastewater agencies throughout the State that use chlorine and its derivatives to disinfect effluent in order to meet public health and water quality mandates.

We continue to have serious concerns regarding the attainability and technical feasibility of the proposed continuous monitoring requirements for total residual chlorine. As stated in our previous comment letters, the required detection level, accuracy and reading frequency of on-line chlorine analyzers are not achievable. This position was supported during the June

19, 2006 hearing by representatives of both EMA, a firm that specializes in control systems, and Hach, a manufacturer of analyzers. It is not good public policy to impose requirements that are demonstrably infeasible, yet these requirements have not been substantively revised.

The revised policy does, however, provide public wastewater agencies with an alternative means of demonstrating compliance. As currently drafted, compliance may be measured using either continuous monitoring of chlorine residual or dechlorination agent residual concentrations. The availability of this alternative has alleviated some of our concerns regarding the attainability of the proposed requirements. In addition, the compliance schedule provisions have been clarified to allow time for POTWs to adequately demonstrate compliance before imposition of final effluent limitations. These changes have resulted in a more workable proposed Policy.

To supplement the proposed revisions, our associations recommend the following additional changes to the Policy prior to adoption:

- Delete the requirement that Standard Method 4500-Cl E be used. We do not think it is appropriate to mandate the use of a method is not approved for wastewater testing. (The Draft Policy specifies that the "discharger shall limit the calibration solution to no more than 0.500 ppm and verify the solution concentration by Method 4500-Cl E (Standard Methods).") Standard Method 4500-Cl E is not listed in 40 CFR 136 as an approved test method for the determination of total residual chlorine.
- Eliminate the requirement for receiving water monitoring in all situations when a single grab sample indicates the presence of chlorine above the effluent limitation.
- Reduce the frequency of required grab samples during the period that on-line analyzers are off-line from 15 minutes to 30 minutes. Many of the smaller public agencies provide day shift operations only. If a failure occurs with the analyzer outside of regular business hours, a grab sample could not be taken until the standby operator arrives at the site. Generally, 30 minutes is the acceptable time allowed for after-hours responses. Grab samples taken at 30 minute intervals would also provide the operator with more time between sampling periods to effect repairs to the system.

In addition, we are very concerned that the Economic Considerations Document (EDC) was not released until yesterday. Our members had significant comments on the previous version of this document, and while some of the key issues appear to have been addressed, our initial review of the EDC has revealed remaining inaccuracies that affect the cost estimates. A single day is simply not adequate time to review and comment on this important supporting document, and we request that the Board extend the time for comments on the EDC.

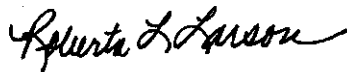
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We would prefer that the State Water Board defer the adoption of the Policy to allow a stakeholder group to work with Board staff to develop a more technically sound and attainable policy. Nonetheless, with the proposed changes, and those outlined in our comments, our concerns regarding widespread noncompliance with the implementation aspects of this policy will have been addressed in large part. It should be noted, however, that compliance with the actual objectives will still be difficult for some POTWs. Thank you for your consideration of our comments.

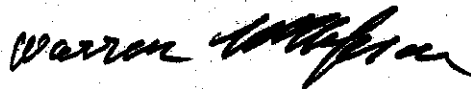
Sincerely,



Michele Pla, BACWA



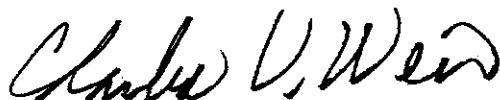
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