



February 19, 2016

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State Water Resources Control Board  
Clerk to the Board

Subject: Comment Letter – General Order for Recycled Water Use

To Whom It May Concern:

The Bay Area Clean Water Agencies (BACWA) appreciates the opportunity to comment on the January 2016 Draft General Order for Recycled Water Use. BACWA is a joint powers authority, comprised of public utilities providing sanitary sewer services to 6.5 million people in the nine county Bay Area. BACWA is dedicated to working with our member agencies, the state and federal governments, as well as non-governmental organizations to deliver the best information about the water quality and enhancement of the San Francisco Bay (see <http://bacwa.org/members/> for a list of BACWA agencies). An important element of BACWA's work includes providing a regional forum to share recycled water information and expertise to support and advance Bay Area recycled water projects and programs. BACWA encourages the State Water Resources Control Board (SWRCB) to consider all comments that promote and facilitate the implementation of recycled water projects while protecting public health and the environment.

BACWA has reviewed the Draft General Order and has the following comment:

**Finding 34, Purpose and Applicability, Page 15**

Water recycling agencies in the Bay Area are provided coverage under existing Water Reuse General Order No. 96-011 and would like the option to remain with the proven and effective Order No. 96-011 for existing, expanded and new projects; including the option to "opt in" to the proposed statewide general permit should they elect to do so. The Notice of Public Hearing for the proposed General Order states that it will be used "to streamline permitting" of recycled water use. In the San Francisco Bay Region, the most effective way to streamline permitting of recycled water use, and thereby encourage greater recycled water use is to allow for continued use of Order No. 96-011 for current and new recycled water projects. To do otherwise would create a confusing and complex two tier permitting

system where some recycled water projects may be regulated under one general permit and others under another general permit, all within the same Region.

To avoid this potential outcome, BACWA proposes that Finding 34 of the proposed General Order be revised to state *“Existing as well as future dischargers that are currently or could be covered under other existing orders (e.g. water reclamation requirements, master reclamation permits, general or individual waste discharge requirements, or waivers of waste discharge requirements) may: (i) continue to operate their projects under that authority as well as seek coverage under that authority for expansion of projects and/or for any new projects or; (ii) apply for coverage under this General Order.”*

Bay Area agencies have a long history of operating under GO 96-011 issued by Region 2 (San Francisco Bay Regional Water Quality Control Board) and worked cooperatively with Region 2 staff on drafting the document which has significantly expanded the use of recycled water in the Bay Area. Presenting additional hurdles for new water recycling projects, which are urgently needed especially during severe drought periods, is not in the best interest of recycling agencies, the state, or the public.

BACWA appreciates your consideration of our comment on the Draft General Order for Recycled Water Use and urges the SWRCB to consider additional revisions to the draft. If you have any questions regarding our comments, please contact me at [dwilliams@bacwa.org](mailto:dwilliams@bacwa.org).

Sincerely,



David R. Williams  
Executive Director

cc: BACWA Executive Board  
Rhodora Biagtan, BACWA Recycled Water Committee Co-Chair  
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Lorien Fono, BACWA Regulatory Program Manager  
Steve Moore, Board Member, State Water Resources Control Board  
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