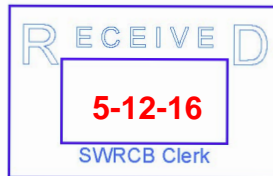




May 12, 2016

State Water Resources Control Board
commentletters@waterboards.ca.gov



Subject: Proposed General Order for Recycled Water Use

Dublin San Ramon Services District (DSRSD) appreciates the opportunity to provide comments on the proposed General Order for Recycled Water Use (General Order), which provides for water reclamation requirements (WRR) for recycled water use.

DSRSD provides sanitary sewer services to 148,000 people in Dublin, southern San Ramon, and Pleasanton and partners with East Bay Municipal Utility District and Pleasanton in producing tertiary treated recycled water for landscape irrigation. DSRSD is the first agency that implemented a Residential Recycled Water Fill Station Program under General Water Reuse Order 96-011. DSRSD's former general manager, Bert Michalczyk, served on the stakeholder group that drafted the current Statewide Recycled Water Policy. DSRSD also is active in the two joint powers authorities, Bay Area Clean Water Agencies and WaterReuse California, which have been working with State Water Resources Control Board (SWRCB) staff on developing the General Order.

DSRSD encourages the SWRCB to consider all comments that promote and facilitate the implementation of recycled water projects while protecting public health and the environment. DSRSD supports the comment letter from the Bay Area Clean Water Agencies (BACWA) regarding the proposed General Order.

1. DSRSD does not support incorporating Finding 34 into the General Order.

As stated in the BACWA comment letter, the San Francisco Regional Water Quality Control Board (Regional Water Board) has had a well-functioning system for permitting recycled water projects. By requiring all permittees to enroll in the General Order, the Board will add to the administrative burden of many long-established water reuse programs, raising the cost of water reuse without contributing to increasing the development of recycled water resources, a goal of the Statewide Recycled Water Policy. DSRSD supports the SWRCB goal of increased recycled water use in California, as required by the Statewide Recycled Water Policy. For this reason we recommend that the SWRCB not incorporate the proposed Finding 34, which would have the effect of providing more regulatory barriers for recycled water use expansion.

2. The comment deadline should be extended and opened to other provisions in the General Order beyond Finding 34.

Earlier versions of the proposed General Order did not require existing recycled water permittees to enroll under the General Order. Therefore, DSRSD did not give the proposed General Order the close review DSRSD would have, had it known that enrollment would be mandatory and impact its current program. Given that the proposed revision including Finding 34 was released on April 22nd, DSRSD and agencies in a similar position should be given more time to comment, and allowed to comment on the entire proposed General Order.

3. If Finding 34 is incorporated into the State General Order, DSRSD recommends the following changes to the General Order to reduce unnecessary burdens on permittees.

Notwithstanding our objection to mandatory enrollment in the General Order, if Finding 34 is incorporated into the State General Order, DSRSD strongly urges the SWRCB to include the following three provisions that might mitigate its negative impact on permittees:

- **At the expiration of the “grace period” (three years according to the current text), existing permittees shall be deemed as enrolled into the General Order.** This will eliminate the administrative burden of the State General Order that would otherwise occur if ongoing programs were required to reapply for a permit, including resubmitting Engineering Reports and revising established practices in the regular submittal of self-monitoring reports that are working effectively.

The requirement to provide new Engineering Reports and Operations and Management (O&M) Plans is in opposition to the Recycled Water Policy’s intent to streamline permitting for recycled water projects. Existing permittees like us should not be required to develop new Engineering Reports and O&M Plans to obtain coverage under the proposed General Order. Under the permission and monitoring of the Regional Water Board and the Division of Drinking Water. DSRSD has established its standard operating procedures for production and delivery of recycled water; its customers have long-accepted service expectations and monitoring requirements from DSRSD. DSRSD works satisfactorily with, and provides annual reports to, the Regional Water Board. Developing new Engineering Reports and O&M Plans are an unnecessary burden to DSRSD and the State.

- **Regional Water Quality Control Boards shall be given discretion to require or waive the priority pollutant monitoring requirements in the WRR as appropriate.** As a result, unless specifically required by their respective Regional Boards, permittees shall not be required to monitor for all priority pollutants when there is no reason to suspect the presence of such pollutants and no plan to utilize the accumulated data.

An example of the importance of this second provision is discussed in the BACWA letter. In Region 2, the Regional Water Board has only recently adopted an alternative monitoring plan that specifically reduces the routine monitoring of priority pollutants in order to transfer the savings to our Regional Monitoring Program (RMP). In March 2016, the San Francisco Bay Regional Water Board adopted Alternate Monitoring Plan R2-2016-0008.

While the constituents monitored may have been cause for concern decades ago when they were incorporated into the California Toxics Rule, in recent years they have been detected in the Bay Area rarely and at levels lower than would pose an active threat to water quality. The concept behind the Alternate Monitoring Plan is that Publicly Owned Treatment Works (POTW) funds are much better used to support emerging contaminants research through the RMP than continuing routine monitoring of historical pollutants in effluent.

The General Order undermines this effort by reinstating monitoring requirements that were just removed by R2-2016-0008. Recycled water generally has lower pollutant concentrations than

wastewater effluent and should not be subject to additional monitoring requirements where Regional Water Boards determine that the data is of little value.

- **DSRSD requests clarification for Finding 29.b.ii. “Recycled water shall not create nuisance conditions....Application of recycled water is controlled to prevent airborne spray.”**

The primary use of tertiary treated recycled water in DSRSD’s service area is for landscape irrigation. On over 300 sites in our service area, recycled water is applied by spray over turf grass and other landscaping in parks, schools, commercial campuses, and streetscapes at times when those areas are not in use by the general public. Recycled water has also replaced potable water use for surface washing and dust control, where recycled water application is by spray.

This requirement is not possible to achieve while also encouraging recycled water use for non-potable purposes. DSRSD recommends the following language to clarify this finding: “Application of recycled water is controlled to minimize airborne spray when the general public is present in recycled water use areas.”

Thank you for your consideration. Should you have any questions about these comments, please feel free to contact me at mcintyre@dsrsd.com, or Rhodora Biagtan at biagtan@dsrsd.com.

Sincerely,



Daniel McIntyre
General Manager

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