



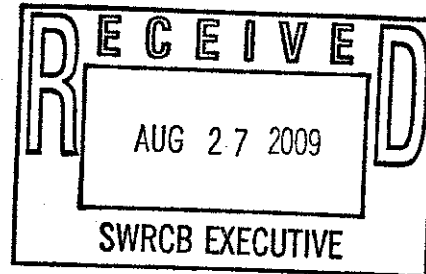
SAN FRANCISCO PUBLIC UTILITIES COMMISSION

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August 27, 2009

Jeanine Townsend, Clerk to the Board
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Comments submitted electronically to: commentletters@waterboards.ca.gov

Subject: Comment Letter - California Ocean Plan Amendments

The City and County of San Francisco Public Utilities Commission appreciates the opportunity to review and comment on the proposed non-substantive changes to the Ocean Plan. We strongly support adding proposed amendment 5. b. to Appendix VII, the exception established for the City and County of San Francisco combined sewer discharges in Resolution WQ 79-16 that was inadvertently left out of the 2005 California Ocean Plan.

We suggest the following edit in order to accurately reflect the requirements of the U.S. EPA Combined Sewer Overflow Control Policy:

Item: 5.

"Update the list of exceptions in Appendix VII in order to include:

...
b. the 1979 conditional exception for untreated wet weather discharges from the City and County of San Francisco's combined storm and wastewater collection system, which was inadvertently omitted from the 2005 Ocean Plan; and"

The California Ocean Plan (COP) prohibits the discharge or by-pass of wastewater to the ocean that does not conform to the standards of the Ocean Plan. Such discharges require an exception to the Ocean Plan. WQ 79-16 was adopted to address San Francisco's combined wastewater and storm water flows under wet weather conditions.

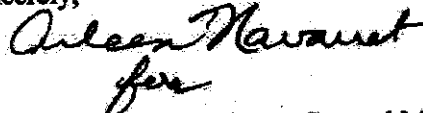
While the COP does not include a specific definition for 'by-passing', EPA regulations generally define the term as the discharge of waste to receiving waters prior to treatment at a publicly owned treatment works (POTWs). The COP also provides that "[n]otwithstanding any other provisions in this plan, discharges from the City of San Francisco's combined sewer system are subject to the U.S. EPA's Combined Sewer Overflow Policy." The U.S. EPA Combined Sewer Overflow Control Policy (CSO Control Policy) states that under wet weather conditions, wastewater treatment from a combined sewer system is not subject to secondary treatment standards; facilities are not considered POTWs, but operate as wet weather facilities subject to requirements of the CSO Control Policy.

Order No. WQ 79-16¹ clearly explains the environmental benefits provided by San Francisco's long term control plan, which, was completed in 1997 and is operated consistent with the CSO Control Policy and with the requirements of WQ 79-16. The storage/transport structures that collect the combined sewer flows of wastewater and storm water are designed to provide flow through treatment with both settling for solids and skimming for floatable materials. These control features achieve the equivalent of wet weather primary treatment, and exceed the requirements of the CSO Control Policy in that all combined wastewater and storm water flows receive flow through treatment prior to discharge to receiving waters.

We greatly appreciate your efforts to correct this oversight in the 2005 COP. We suggest the above-mentioned change for the sake of clarity. Use of the term "untreated" in Order WQ 79-16 was likely intended to refer to discharges that did not receive secondary treatment. The Order also states that the City's storage/transport structures must be built with sufficient capacity to allow solids settling and with a baffling system to reduce the discharge of floatable materials. As we have learned over the years, the results of this type of "treatment" are roughly equivalent to the results of primary treatment. We suggest that greater clarity is created by simply deleting "untreated" from the amendment.

We hope this is helpful. Please contact Arleen Navarret, Regulatory Manager, of my staff at anavarret@sfwater.org if you have any questions or would like additional information.

Sincerely,



Tommy T. Moala, Assistant General Manager
Wastewater Enterprise

¹ State of California, State Water Resources Control Board: "In the Matter of the Request for An Exception to the 1978 Water Quality Control Plan for Ocean Waters of California by the City and County of San Francisco for the Richmond Sunset Sewerage Zone Wet Weather Diversion Structures. Order No. WQ 79-16 (http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/1979/wq1979_16.pdf).