



August 1, 2014

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814
commentletters@waterboards.ca.gov

RE: Comment Letter- Draft Utility Vaults Permit (Water Quality Order 206-0008-DWQ)

Dear Mrs. Townsend,

The City of Santa Rosa appreciates the opportunity to comment on the Draft Utility Vaults Permit. Discharges from routine vault dewatering are of significance to the City because these discharges, as well as any associated water quality impacts, become the City's responsibility once they enter the MS4. Under the City's Phase I NPDES MS4 Storm Water Permit, these discharges are prohibited non-storm water discharges. It is clear that efforts have been made in this draft to resolve this regulatory conflict and align vault discharges and MS4 permits (Page 6, Item E), however this intent needs to be specifically supported in all aspects of this Order.

Specific items of concern include the following:

- While detailed Receiving Water Limitations are stipulated (Page 9, Item A), sampling is required to occur "...at the point of discharge from the utility vault or underground structure (e.g., house)...and prior to commingling with waters from other sources of the receiving water" (Page C-3, Item III. B). These two water quality objectives appear to be at odds with one another and would put the burden of determining whether or not an in-stream exceedance was caused by a particular vault discharge on the MS4 operator.

It is requested that language be added that specifically state that it is Discharger's responsibility to conduct adequate sampling to demonstrate that no Receiving Water Limitations are violated and that "The discharge shall not cause, have a reasonable potential to cause, or contribute to an in-stream exclusion above any applicable criterion promulgated by U.S. EPA pursuant to section 303 of the CWA or water quality objective adopted by the State Water Board or Regional Water Boards" (Page 9, Item IV, D).

- Specific Numeric Action Limits (NALs) are stipulated for a variety of constituents (Page 18, Table 3), but his list does not address all of the impacts identified in the Receiving Water Limitations (Page 9, Item A).

In order to demonstrate that none of the Surface Water Limitations are violated, it is requested that the vault discharge be analyzed for all associated constituents.

A number of these provisions pose enforcement challenges to the MS4 operator. Specifically:

- Requiring water quality testing at only 5 representative vaults per year per region (Page C-2, Item II. A) provides very limited information to City staff in the field to determine the potential impact from a specific vault dewatering discharge.

It is requested that field testing be carried out at all sites that are adjacent to locations of known contamination and/or evidence of pollution is noted.

- Not requiring that Dischargers identify all discharge locations (Page 11, Item A, 2, a) makes it difficult for City field staff to identify if the vault is adjacent to a location of known contamination (via GeoTracker).

It is requested that the locations of all vaults, and their proximity to known pollution sources, be provided to the State and made available to the MS4 operator.

- Requiring only certain personnel to be familiar with the Best Management Plan (Page 11, Item A, 2, c) and not requiring that all personnel discharging have a copy of the Plan (Page 11, Item A, 2, b) limits the City's ability to verify that the proper procedures are being followed.

It is requested that all field personnel be trained on the Plan and carry a copy of the Plan with them.

- While it is required in the Plan that "Each Discharger shall develop and use a checklist or series of procedures to evaluate the quality of the water..." (Page 15, Item iii), each field staff is not required to be trained on or have a copy of the Plan.

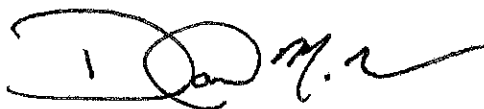
It is requested that all Discharger field staff be trained on the Plan and have a copy of the checklist and/or procedures at all times.

- While additional procedure and BMPs are required to be developed in the Plan and implemented in "Instances may arise where utility personnel determine that a utility vault or underground structure discharge may have a reasonable potential to cause or contribute to an exceedance of water quality objectives..." (Page 17, Item c), it is not identified how this field determination would be made.

It is requested that criteria be provided to determine when a discharge may cause or contribute to an exceedance, that all field staff be trained on that procedure, and documentation is completed of that field determination.

The City of Santa Rosa would like to thank State Board staff for the opportunity to provide comment on this draft order. If you have any questions or need any further information, please contact Heaven Moore at (707) 543-4530.

Sincerely,



David Guhin
Utilities Director