

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

MEMO

TO: Jim Fischer, P.E.
Water Resources Control Engineer
Statewide SSO Program
State Water Resources Control Board

FROM: Jeremy Haas, Senior Environmental Scientist
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Compliance Assurance Unit

DATE: September 9, 2009

SUBJECT: Preliminary Comments for Suggested Revisions to the Monitoring
and Reporting Program No. 2006-0003-DWQ

Summary

In response to the State Water Board's Sanitary Sewer Overflow Reduction Program Review and Update, included herein are suggestions for improvements to the Monitoring and Reporting Program (MRP) No. 2006-0003-DWQ (Order). These comments include three general comments and a redline-strikeout of the current MRP.

The San Diego Water Board intends to provide formal comments for the State Water Board's consideration following the public workshops on this issue. The San Diego Water Board will likely suggest modifications to the Order to make it consistent with Regional Board Order No. R9-2007-0005, *Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region*.

I. General Comments

1. The Order should better define "drainage channel" as used in the amendment, WQ 2008-0002-EXEC. For instance, it is unclear whether all Cat 1 SSOs need to be reported within two hours. It is unclear whether a discharger must report within two hours a spill reaches a "storm drain", but not "surface waters" or "drainage channel."
2. The Order should clarify whether the two-hour notification applies to Private Lateral Sewage Dischargers or only to Public SSOs.
3. Notification No. 2 of WQ 2008-0002-EXEC should be eliminated.

II. Suggested Modifications to MRP No. 2006-0003-DWQ

Monitoring and Reporting Program No. 2006-0003-DWQ

This Monitoring and Reporting Program (MRP) establishes monitoring, record keeping, reporting and public notification requirements for Order No. 2006-2003-DWQ, "Statewide General Waste Discharge Requirements for Sanitary Sewer Systems." Revisions to this MRP may be made at any time by the Executive Director, and may include a reduction or increase in the monitoring and reporting.

A. SANITARY SEWER OVERFLOW REPORTING

Private Lateral Sewage Discharges

1. Private Lateral Sewage Discharges (PLSD)– Sewage discharges that are caused by blockages or other problems within a privately owned lateral.

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Public SSO and PLSD Categories

2. Category 1 - All discharges of sewage resulting from a failure in the Enrollee's sanitary sewer system that:
 - A. Equal or exceed 1000 gallons, or
 - B. Result in a discharge to a drainage channel and/or surface water; or
 - C. Discharge to a storm drainpipe that was not fully captured and returned to the sanitary sewer system.

Comment [J1]: Distinguish between SSOs and PLSDs

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3. Category 2 – All other discharges of sewage resulting from a failure in the Enrollee's sanitary sewer system.

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Comment [J2]:
The term "SSO" is defined on page 5 of the Order as a public spill. Thus, PLSD should not be defined under the heading "SSO Categories"

Some dischargers have been confused when a PLSD was labeled Cat 1 or Cat 2 in CIWQS. We should clarify that Cat 1 and Cat 2 apply to PLSDs, as well as SSOs.

SSO Reporting Timeframes

4. Category 1 **Public** SSOs – All **Public** SSOs that meet the above criteria for Category 1 SSOs must be reported as soon as: (1) the Enrollee has knowledge of the discharge, (2) reporting is possible, and (3) reporting can be provided without substantially impeding cleanup or other emergency measures. Initial reporting of Category 1 **Public** SSOs must be reported to the Online SSO System as soon as possible but no later than 3 business days after the Enrollee is made aware of the **Public** SSO. Minimum information that must be contained in the 3-day report must include all information identified in section 9 below, except for item 9.K. A final certified report must be completed through the Online SSO System, within 15 calendar days of the conclusion of **the Public** SSO response and remediation. Additional information may be added to the certified report, in the form of an attachment, at any time.

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3. Private Lateral Sewage Discharges – Sewage discharges that are caused by blockages or other problems within a privately owned lateral. ¶

The above reporting requirements do not preclude other emergency notification requirements and timeframes mandated by other regulatory agencies (local Monitoring and Reporting Program No. 2006-0003-DWQ Page 2 of 5 Statewide General WDRs for Sanitary Sewer Systems 5/2/2006 County Health Officers, local Director of Environmental Health, Regional Water Boards, or Office of Emergency Services (OES)) or State law.

5. Category 2 Public SSOs – For all Public SSOs that meet the above criteria for Category 2 SSOs, a final certified report must be completed through the Online SSO System, within 30 days after the end of the calendar month in which the SSO occurs (e.g. all Public SSOs occurring in the month of January must be certified in the database by March 1st).

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Comment [J3]: In order to make all the public SSO reports available to the public, we should require the Discharger to certify the Cat 2 SSOs.

6. Category 1 and 2 Private Lateral Sewage Discharges – All sewage discharges that meet the above criteria for Private Lateral sewage discharges may be reported to the Online SSO Database based upon the Enrollee's discretion. If a Private Lateral sewage discharge is recorded in the SSO Database, the Enrollee must identify the sewage discharge as occurring and caused by a private lateral, and a responsible party (other than the Enrollee) should be identified, if known.

7. If there are no public SSOs during the calendar month, the Enrollee will provide, within 30 days after the end of each calendar month, a statement through the Online SSO Database certifying that there were no public SSOs for the designated month. A No-Spill Certification may be submitted if there were PLSD, but no SSOs.

Comment [J4]: For uniformity, we should specify what a "No-spill Certificate" means (no public SSOs).

8. In the event that the SSO Online Database is not available, the enrollee must fax all required information to the appropriate Regional Water Board office in accordance with the time schedules identified above. In such event, the Enrollee must also enter all required information into the Online SSO Database as soon as practical.

Mandatory Information to be Included in SSO Online Reporting

All Enrollees must obtain SSO Database accounts and receive a "Username" and "Password" by registering through the California Integrated Water Quality System (CIWQS). These accounts will allow controlled and secure entry into the SSO Database. Additionally, within thirty (30) days of receiving an account and prior to recording SSOs into the SSO Database, all Enrollees must complete the "Collection System Questionnaire", which collects pertinent information regarding an Enrollee's collection system. The "Collection System Questionnaire" must be updated at least every 12 months.

At a minimum, the following mandatory information must be included prior to finalizing and certifying an SSO report for each category of SSO:

9. Category 2 SSOs:

- A. Location of SSO by entering GPS coordinates;
- B. Applicable Regional Water Board, i.e. identify the region in which the SSO occurred;
- C. County where SSO occurred;
- D. Whether or not the SSO entered a drainage channel and/or surface water;

- E. Whether or not the SSO was discharged to a storm drain pipe that was not fully captured and returned to the sanitary sewer system;
- F. Estimated SSO volume in gallons;
- G. SSO source (manhole, cleanout, etc.);
- H. SSO cause (mainline blockage, roots, etc.);
- I. Time of SSO notification or discovery;
- J. Estimated operator arrival time;
- K. SSO destination;
- L. Estimated SSO end time; and
- M. SSO Certification. Upon SSO Certification, the SSO Database will issue a Final SSO Identification (ID) Number.

10. Private Lateral Sewage Discharges:

- A. All information listed above (if applicable and known), as well as;
- B. Identification of sewage discharge as a private lateral sewage discharge; and
- C. Responsible party contact information (if known).

11. Category 1 SSOs:

- A. All information listed for Category 2 SSOs, as well as;
- B. Estimated SSO volume that reached surface water, drainage channel, or not recovered from a storm drain;
- C. Estimated SSO amount recovered;
- D. Response and corrective action taken;
- E. If samples were taken, identify the following (If no samples were taken, NA must be selected.):
 - i. Regulatory agency or organization who conducted the sampling
 - ii. Parameters analyzed
 - iii. Regulatory agencies that received sample results (if applicable).
- F. If samples were taken, attach the analytical results to the Online Report as they become available;
- G. Identification of whether or not health warnings were posted;
- H. Beaches impacted (if applicable). If no beach was impacted, NA must be selected;
- I. Whether or not there is an ongoing investigation;
- J. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;
- K. OES control number (if applicable);
- L. Date OES was called (if applicable);
- M. Time OES was called (if applicable);
- N. Identification of whether or not County Health Officers were called;
- O. Date County Health Officer was called (if applicable); and
- P. Time County Health Officer was called (if applicable).

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Comment [J5]:

We should know who is being proactive on sampling or just relying on another agencies to do the sampling.

We should require them to attach the results.

Also, the attachments should be made available on the public reports.

Reporting to Other Regulatory Agencies

These reporting requirements do not preclude an Enrollee from reporting SSOs to other regulatory agencies pursuant to California state law. These reporting requirements do not replace other Regional Water Board telephone reporting requirements for SSOs.

1. The Enrollee shall report SSOs to OES, in accordance with California Water Code Section 13271.

Office of Emergency Services
Phone (800) 852-7550

2. The Enrollee shall report SSOs to County Health officials in accordance with California Health and Safety Code Section 5410 et seq.
3. The SSO database will automatically generate an e-mail notification with customized information about the SSO upon initial reporting of the SSO and final certification for all Category 1 SSOs. E-mails will be sent to the appropriate County Health Officer and/or Environmental Health Department if the county desires this information, and the appropriate Regional Water Board.

B. Record Keeping

1. Individual SSO records shall be maintained by the Enrollee for a minimum of five years from the date of the SSO. This period may be extended when requested by a Regional Water Board Executive Officer.
3. All records shall be made available for review upon State or Regional Water Board staff's request.
4. All monitoring instruments and devices that are used by the Enrollee to fulfill the prescribed monitoring and reporting program shall be properly maintained and calibrated as necessary to ensure their continued accuracy;
5. The Enrollee shall retain records of all SSOs, such as, but not limited to and when applicable:
 - a. Record of Certified report, as submitted to the online SSO database;
 - b. All original recordings for continuous monitoring instrumentation;
 - c. Service call records and complaint logs of calls received by the Enrollee;
 - d. SSO calls;
 - e. SSO records;
 - f. Steps that have been and will be taken to prevent the SSO from recurring and a schedule to implement those steps.
 - g. Work orders, work completed, and any other maintenance records from the previous 5 years which are associated with responses and investigations of system problems related to SSOs;
 - h. A list and description of complaints from customers or others from the previous 5 years; and
 - i. Documentation of performance and implementation measures for the previous 5 years.

6. If water quality samples are required by an environmental or health regulatory agency or State law, or if voluntary monitoring is conducted by the Enrollee or its agent(s), as a result of any SSO, records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical technique or method used; and,
- f. The results of such analyses.

C. Certification

1. All final reports must be certified by an authorized person as required by Provision J of the Order.
2. Registration of authorized individuals, who may certify reports, will be in accordance with the CIWQS' protocols for reporting.

Monitoring and Reporting Program No. 2006-0003 will become effective on the date of adoption by the State Water Board.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on May 2, 2006.