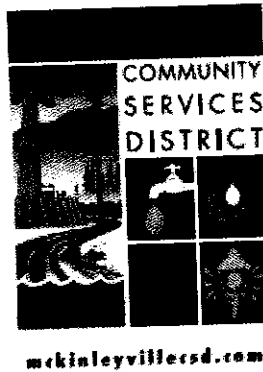


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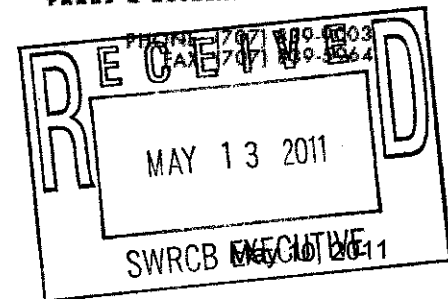
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Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Public Comment Draft Waste Discharge Requirements For Sanitary Sewer Systems (SSS WDR)

Dear Jeanine Townsend:

The proposed revisions represent a major departure from the program that has been successfully implemented under the SSO WDR. The McKinleyville Community Services District is requesting that the State Water Board significantly scale back the proposed SSS WDR and allow the programs and progress begun under the existing SSO WDR to be fully implemented, since many of these programs involve capital improvements that will take time to be put in place. Below are some of our specific concerns:

- The SSS WDR would move away from the approach developed by the Stakeholder SSO Guidance Committee in 2005-2006, which focused on reporting of SSOs and reducing SSOs with the potential to affect water quality or public health, to a very prescriptive and onerous order that seeks to dictate decisions regarding the way local sewer system programs are managed and implemented.
- Compliance with the revised SSS WDR would require far greater staff and resources for permit enrollees, at a time when our budget is shrinking. Furthermore, it is unclear how the additional information that must be generated will be used by the Water Boards or that the efforts required under the revised permit will produce corresponding environmental or public health benefits.
- The SSS WDR would expand liability for SSOs by including all spills to surface water as prohibited SSOs subject to enforcement, instead of only those reaching a "water of the United States."
- The proposed SSS WDR would transform the existing enforcement discretion language, which expresses a clear statement of the State Water Board's intent regarding enforcement priorities and responses, into a purely advisory provision, which individual regional boards are free to follow or ignore as they choose.
- The SSS WDR is overly focused on private sewer laterals ("PSL"), requiring reporting of PSL spills by enrollees who have no authority over the privately owned laterals and requiring detailed information regarding local lateral programs.
- The SSS WDR would include a new prohibition on the use of chlorine during spill cleanups, including any potential chlorine residual in potable water, thus making it very difficult to wash down, fully clean up, and disinfect SSOs on roads and gutters, and in storm drains or ditches.

May 10, 2011

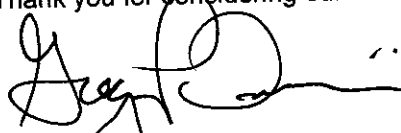
We understand that the State Water Board is also seeking comment on whether to adopt a "hybrid" two-tiered approach to regulation of sanitary sewer systems. We oppose this alternative.

Under the two-tiered WDRs and NPDES permit: (1) enrollees who have had at least one SSO that has reached waters of the United States would be required to seek coverage under the NPDES permit; (2) enrollees who have never had any SSO that has reached waters of the United States would be required to seek coverage only under the WDRs; and (3) when an Enrollee covered under the WDRs reports an SSO that has reached waters of the United States, the Enrollee would be required to switch coverage from the WDRs to the NPDES permit. The NPDES permit (as does the SSO WDR) would include a prohibition against all SSOs to waters of the United States. As the SSS WDR does not authorize any SSOs to waters of the United States, there is no need for an NPDES permit.

The result of such a change would be to subject local public agencies to additional citizen group lawsuits and higher administrative penalties with absolutely no demonstration that this would improve water quality or reduce SSOs.

This alternative would also require additional Water Board staff resources to track and implement the different permit tiers.

Thank you for considering our comments.



Gregory P. Orsini
Operations Director