



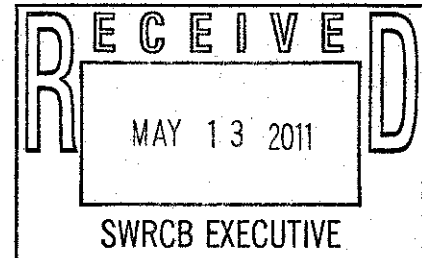
City of
SANTA CLARITA

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Public Comment
Sanitary Sewer System WDRs
Deadline: 5/13/11 by 12 noon

May 13, 2011

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



Dear Ms. Townsend:

Subject: Comment Letter – Sanitary Sewer System Waste Discharge Requirements
Review and Update

Thank you for the opportunity to comment on the draft Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (SSS WDRs).

The City of Santa Clarita (City) supports the State Water Resources Control Board's (Board) goal of uniformity in reporting the number, quantity, and causes of wastewater spills in an effort to reduce sewage spills that affect water quality and public health.

The City proposes that the prescriptive mandates of the revised SSS WDRs be scaled back to allow local agencies to implement programs appropriate to their community, which aim to reducing sewer spills that threaten public health and the environment. We believe it would be more productive for the Board to ensure compliance of all agencies with the existing permit in lieu of implementing revisions that will apply to all agencies regardless of compliance history or effectiveness of the current program.

The City offers the following comments:

Section B: Application Requirements

Item 3, page 10 of 26: Please consider eliminating this item. This requirement poses an administrative and financial burden with little benefit to public health and the environment. Most city and county governments fall under the SSS WDRs for the public sewer system serving their community, as does the City of Santa Clarita. Under this provision, our City Hall, libraries, maintenance yards, parks, and transit facilities would be required to be enrolled and covered under the SSS WDRs. Backups and overflows in such facilities is quickly identified and rectified.



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Section C: Prohibitions

Item 3, page 10 of 26: Please clarify, if the use of potable water for clean up of sewage spills is permissible as long as all the water is fully captured and returned to the sanitary sewer system.

Section D: Provisions

Item 4, page 11 of 26: The requirement for enrollees to report private lateral spills should be eliminated. This item requires additional resources of the enrollee to investigate and report spills from private laterals, and creates an unfunded state mandate.

Item 12 b (iii), page 14 of 26: The chain of communication should include notification of the impacted MS4 owner/operator for any spill that enters the storm drain system.

Item 12 d (vi), page 16 of 26: This requirement should be deleted. A public agency cannot guarantee funding beyond what has been approved by its legislative body.

Item 12 f (iii), page 17 of 26: The procedures should also include notification of the impacted Municipal Separate Storm Sewer System (MS4) owner/operator for any spill that enters the storm drain system.

Item 12 f (vi), page 17 of 26: Please consider deleting the second paragraph. A risk analysis that examines the expected consequences of each identified failure would require costly engineering studies. We suggest that the requirement be based on an industry-accepted rating system to rank and prioritize pipe rehabilitation projects.

In regard to the Board using a two-tiered "hybrid" system for regulating collection systems in which some agencies are regulated under a National Pollutant Discharge Elimination System (NPDES) permit and others under WDRs, we urge the Board not to move forward with this option. The proposed SSS WDRs expressly prohibits all discharges of wastewater from the collection system to surface waters, regardless of water quality. If a sanitary sewer system discharges without a permit, it is liable for discharging without a permit and subject to civil and criminal penalties. The NPDES permits are issued "for the discharge of any pollutant, or combination of pollutants" to waters. If a facility requests and obtains a NPDES permit, "it can discharge within certain parameters called effluent limitations." Thus, unless the proposed permit would authorize certain Sanitary Sewer Overflows to waters, a NPDES permit is not appropriate. The implications of converting a SSS WDRs to a NPDES permit are significant in that enrollees face added liability for permit violations and exposure to third party lawsuits (similar to those which have occurred against some Los Angeles County MS4 permittees).

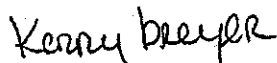
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Thank you for your time and consideration of our comments. If you have any questions or need any additional information, please feel free to contact me at (661) 255-4984 or kbreyer@santa-clarita.com.

Sincerely,



Kerry Breyer
Senior Engineer

KB:kms

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cc: Robert G. Newman, Director of Public Works
Travis Lange, Environmental Services Manager

