



May 13, 2016

State Water Resources Control Board
commentletters@waterboards.ca.gov

Subject: Proposed General Order for Recycled Water Use

To State Water Resources Control Board:

The Bay Area Clean Water Agencies (BACWA) appreciates the opportunity to provide comments on the proposed General Order for Recycled Water Use (General Order), which provides for water reclamation requirements (WRR) for recycled water use.

BACWA is a joint powers authority, comprised of public utilities providing sanitary sewer services to 6.5 million people in the nine county Bay Area. BACWA is dedicated to working with our member agencies, the state and federal governments, as well as non-governmental organizations to deliver the best information about the water quality and enhancement of the San Francisco Bay (see <http://bacwa.org/members/> for a list of BACWA member agencies). BACWA encourages the SWRCB to consider all comments that promote and facilitate the implementation of recycled water projects while protecting public health and the environment.

1. BACWA does not support incorporating Finding 34 into the General Order

For the past twenty years in Region 2, the San Francisco Regional Water Quality Control Board (Regional Water Board) has had a well-functioning system for permitting recycled water projects. By requiring all permittees to enroll in the General Order, the Board will add to the administrative burden of many long-established Region 2 water reuse programs, raising the cost of water reuse without contributing to the overall goal of the Recycled Water Policy of increasing the development of recycled water resources.

BACWA supports the SWRCB goal of increased use of recycled water in California, as required by the Statewide Recycled Water Policy. For this reason we recommend that the SWRCB not incorporate the proposed Finding 34, which would have the effect of discouraging recycled water use.

2. The comment deadline should be extended, and opened to other provisions in the General Order beyond Finding 34.

Earlier versions of the proposed General Order did not require existing recycled water permittees to enroll under the General Order. Therefore, many recycled water permittees did not give the proposed General Order the close review they would have had they known that enrollment would be mandatory and impact their current programs. Given that the proposed revision including Finding 34 was released on April 22nd, these agencies should be given more time to comment, and allowed to comment on the entire proposed General Order.

3. If Finding 34 is incorporated into the State General Order, BACWA recommends the following changes to the General Order to reduce unnecessary burdens on permittees.

Notwithstanding our objection to mandatory enrollment in the General Order, if Finding 34 is incorporated into the State General Order BACWA strongly urges the SWRCB to include two provisions that might mitigate its negative impact on permittees. Specifically, we request the addition of the following stipulations:

- **At the expiration of the “grace period” (three years according to the current text), existing permittees shall be deemed as enrolled into the General Order.** This will eliminate the administrative burden of State General Order that would otherwise occur if ongoing programs were required to reapply for a permit, including resubmitting Engineering Reports and revising established practices in the regular submittal of self-monitoring reports that are working effectively.

The requirement to provide new Engineering Reports and O&M Plans is in opposition to the Recycled Water Policy’s intent to streamline permitting for recycled water projects. Existing permittees should not be required to develop new Engineering Reports and Operations and Management (O&M) Plans to obtain coverage under the proposed General Order. Under the permission and monitoring of the Regional Water Board and the Division of Drinking Water, existing permittees have established standard operating procedures for production and delivery of recycled water; end users have long accepted service expectations and monitoring requirements from existing recycled water producers and distributors. Existing permittees work satisfactorily with and provide annual reports to the Regional Water Board. Developing new Engineering Reports and O&M Plans are an unnecessary burden to existing permittees and the State.

- **Regional Water Quality Control Boards shall be given discretion to require or waive the priority pollutant monitoring requirements in the WRR as appropriate.** As a result, unless specifically required by their respective Regional Boards, permittees shall not be required to monitor for all priority pollutants when there is no reason to suspect the presence of such pollutants and no plan to utilize the accumulated data.

As an example of the importance of this second provision, in Region 2 the Regional Water Board has just recently adopted an alternative monitoring plan that specifically reduces the routine monitoring of priority pollutants in order to transfer the savings to our Regional Monitoring Program (RMP). In March 2016, the San Francisco Bay Regional Water Board adopted Alternate Monitoring Plan R2-2016-0008 that allows municipal dischargers to reduce monitoring frequencies for the following tests:

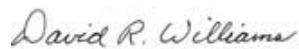
- EPA Method 608 (PCBs as arochlors, and chlorinated pesticides)
- EPA Method 624 (volatile organic compounds)
- EPA Method 625 (base neutral acids)
- EPA Method 1613 (dioxins)

While the constituents monitored by these methods may have been cause for concern decades ago when they were incorporated into the California Toxics Rule, in recent years they have

been detected here rarely and at levels lower than would pose an active threat to water quality. The concept behind the Alternate Monitoring Plan is that POTW funds are much better used to support emerging contaminants research through the RMP than continuing routine monitoring of historical pollutants in effluent. The General Order undermines this effort by reinstating monitoring requirements that were just removed by R2-2016-0008. Recycled water generally has lower pollutant concentrations than wastewater effluent, and should not be subject to additional monitoring requirements where Regional Water Boards determine that the data is of little value.

Thank you for your consideration. Should you have any questions about these comments, please feel free to contact David Williams at dwilliams@bacwa.org.

Sincerely,

A handwritten signature in cursive script that reads "David R. Williams".

David R. Williams, P.E.
Executive Director

Cc: BACWA Board
Dyan Whyte, San Francisco Regional Water Board
Tom Mumley, San Francisco Regional Water Board
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