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September 11, 2012

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



Transmitted via e-mail attachment to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

Subject: Comment Letter - General Waste Discharge Requirements for ASR Projects

Dear Ms. Townsend,

Calleguas Municipal Water District (the District) appreciates the opportunity to provide comments on the Draft General Waste Discharge Requirements for Aquifer Storage and Recovery (ASR) Projects that Inject Drinking Water into Groundwater (Draft General Order), which was issued on August 10, 2012. The District has operated the Las Posas Basin Aquifer Storage and Recovery Project (Las Posas ASR) since the 1990's. The purpose of this project is to provide a reliable source of water when imported supplies are curtailed due to scheduled maintenance shutdowns or emergencies such as earthquakes. The Las Posas ASR project is comprised of 18 wells that perforate the Fox Canyon Aquifer. Recharge is accomplished through direct injection of potable water received from the State Water Project.

The District supports the development of a statewide permit and we thank the State Water Resources Control Board (SWRCB) for moving this Draft General Order forward. The Draft General Order will provide consistency between regions and will streamline permitting for these much needed projects. In comparing the Draft General Order with the prior administrative draft, we note and support the clarifications that provide for consistency with the State's antidegradation policy, Resolution 68-16. Furthermore, the District is supportive of an approach that provides monitoring requirements to ensure protection of beneficial uses.

In reviewing the Draft General Order and associated documents, we identified some edits that we believe would improve the document by providing additional clarification. We also recommend specific provisions for *existing* ASR facilities that may be regulated under the proposed General Order, if adopted. Given our decade and a half of operational experience, we understand the challenges faced when implementing ASR projects and, therefore, provide a valuable perspective on the Draft General Order. We ask that you please carefully consider our comments provided on the following pages.

The District's comments are as follows:

Draft General Order

P. 4, ¶ 14: While the Draft Permit is correctly termed "waste discharge requirements" as required by the Porter-Cologne Water Quality Control Act, the Draft Permit should recognize throughout its text that the water the permitted ASR projects would inject into groundwater storage is water that has been treated for public consumption under drinking-water permits issued by the California Department of Public Health (CDPH). Accordingly, the third sentence in the first full paragraph on page 4 should be edited to read as follows:

The discharges will all involve similar ~~types of waste~~ water quality in that the primary ~~waste~~ constituents of concern will be disinfection byproducts generated by drinking-water treatment required by domestic water supply permits issued by the California Department of Public Health.

P. 5, ¶ 21.c.i This finding is too broad and should be edited to read as follows:

Is of a quality that will ensure compliance with ~~applicable regulations and policies~~ this Order.

P. 9, ¶ 37: To ensure that the Draft Permit clearly identifies what information a Notice of Intent must contain, the third sentence in Finding 37 should be edited to read as follows:

Coverage under this Order will not be granted unless the NOI demonstrates that the project will comply with the ~~injected w~~Water and ~~receiving water~~ Groundwater ~~l~~imitations of this Order.

P. 14, ¶ C.2: This paragraph could be interpreted to require a level of quality more stringent than drinking water standards or applicable water quality objectives. Paragraph C.2 should be modified to read as follows:

The Permittee shall design, operate, and maintain all systems and equipment ~~to minimize groundwater degradation and ensure continuous compliance with the groundwater limitations necessary to ensure continuous compliance with the requirements~~ of this Order. Such systems and equipment may include additional treatment systems as necessary.

P. 16, ¶ E.3.a: A permittee's injections should be required to comply with the maximum contaminant limits (MCLs) in effect at the time of injection. A permittee should not face enforcement action if water that it has injected under a prior MCL is still in groundwater storage when a new MCL takes effect. Accordingly, paragraph E.3.a should be edited as follows to clarify that it is a permittee's injections that will need to comply with a MCL as soon as it takes effect:

Primary or Secondary MCLs. A Permittee's injections shall comply with any new MCL on the date that the new MCL applies to the drinking water system.

Various Locations: The Draft Permit will apply only to water that has been treated as required by a drinking-water permit issued by CDPH. It is therefore important that the Draft Permit not refer to the injectate as "water that meets drinking water standards" because it is possible for water to meet such standards without being treated under a CDPH permit.

The last sentence of Finding 4 on Page 2 should be edited to read as follows:

This General Order (Order) is intended to regulate only Aquifer Storage and Recovery (ASR) projects that ~~utilize inject drinking water into groundwater~~ water treated pursuant to a CDPH-issued domestic water supply permit.

Finding 21.a on Page 5 should be edited to read as follows:

~~Treated w~~Water treated pursuant to a CDPH-issued domestic water supply permit is placed in the aquifer via one or more injection wells.

Finding 52.a on Page 13 should be edited to read as follows:

Limits applicability to ASR projects that inject water ~~that meets drinking water standards~~ treated pursuant to a CDPH-issued domestic water supply permit.

### Attachment C – Technical Report Requirements

P. 1, Item 3: In some basins, groundwater quality may be changing as a result of non-ASR related activities in the basin. The technical report should discuss regional groundwater basin conditions and groundwater quality trends that could potentially complicate future interpretation of monitoring data presented in the monitoring reports. Item 1f should be renumbered 1g and a new item 1f should be inserted as follows:

A description of regional groundwater conditions and non-ASR activities that may influence groundwater quality in the project vicinity. This description should include a discussion of groundwater quality trends that may complicate future interpretation of monitoring data presented in the monitoring reports.

P. 2, Item 8, ¶ 1: Attachment C's terminology should be consistent with the Draft Permit's terminology. The first sentence of item 8's first paragraph therefore should be edited as follows:

A demonstration that the project will not violate the Injected Water or Receiving Water and Groundwater Limitations of the General Order.

## Draft Monitoring and Reporting Program

P. 2, Tables For ASR projects that are operated intermittently, injection and extraction water quality monitoring should only be required during quarters when injection takes place.

The following footnote should be added to the first table on Page 2 and applied to the columns labeled "Sampling Frequency" and "Reporting Frequency":

No injection water quality samples are required during quarters in which there was no injection.

The following footnote should be added to the second table on Page 2 and applied to all instances of the word "Quarterly" under the columns "Sampling Frequency" and "Reporting Frequency":

No extraction water quality samples are required during quarters in which there was no extraction. If quarterly samples are not taken for this reason, then the required sampling shall be considered complete when four quarters of samples have been taken, whether or not those samples are taken in consecutive quarters.

P. 4, Sec. A: Permittees of ASR projects that have been operating for at least one year should be allowed to submit historical data with the Technical Report in lieu of the first year quarterly monitoring requirement. Accordingly, the following sentences should be added to Section A:

Permittees of existing ASR facilities that have been operational for at least one year prior to filing a NOI may utilize historical monitoring data to satisfy the first year quarterly monitoring requirement. Permittees electing to use historical data in lieu of performing the first year quarterly monitoring and reporting should incorporate the required quarterly report elements into the Technical Report.

P. 4, Sec. B, 1<sup>st</sup> ¶: This portion of the Draft Monitoring and Reporting Program would require submittal of an Annual Monitoring Report due on February 1 of each year. A required element of the Annual Monitoring Report is the "annual water quality and public health goal reports" submitted to CDPH. Because these CDPH reports are not due until July 1, the proposed annual monitoring report deadline should be no earlier than July 1. The second to last sentence of the first paragraph of Section B should be edited as follows:

The annual monitoring report shall be submitted to the Regional Water Board by ~~1 February~~ 1 July each year.

P. 5, ¶ B.4: This portion of the draft Monitoring and Reporting Program would require that an annual monitoring report discuss, among other things, how a permittee would bring a project's operations into "full compliance with . . . the applicable Basin Plan." Basin plans contain a wide variety of terms and the general permit should not create ambiguity about which of those

many terms an annual monitoring report should address. Paragraph B.4 therefore should be edited as follows:

A discussion of compliance and corrective actions taken, as well as any planned or proposed actions needed to bring the discharge into full compliance with the Order, and/or the Notice of Applicability, ~~and/or the applicable Basin Plan.~~

#### Global Comment on Terminology Referencing Groundwater in the Aquifer near the ASR

The terminology referencing groundwater in the aquifer near the ASR project should be consistent throughout the Draft General Order and associated documents. In various locations the underlying groundwater is referred to as "Receiving Water," "Area of Hydrologic Influence," "Groundwater," "Groundwater Aquifer," "Target Zone," or "Aquifer Storage Zone" – the exact intended reference(s) should be clarified and used consistently throughout (see Attachment C.7.b, Attachment C.8a, Monitoring and Reporting Plan p.3 and 4, Finding 37, Section E).

#### Closing

We appreciate the opportunity to provide these comments. Please, feel free to contact me at (805) 579-7196 or [bbondy@calleguas.com](mailto:bbondy@calleguas.com) if you have any questions or would like additional information.

Sincerely,

A handwritten signature in cursive script that reads "Bryan Bondy".

Bryan Bondy, PG, CHG  
Groundwater Manager