



THE CITY OF SAN DIEGO



August 19, 2014

VIA ELECTRONIC MAIL [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

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

Dear Ms. Townsend:

Subject: Comments on the Draft Statewide National Pollutant Discharge Elimination System (NPDES) Permit for Drinking Water System Discharges to Surface Waters

The City of San Diego's Public Utilities Department (Public Utilities Department) respectfully submits to the State Water Resources Control Board (SWRCB) comments on the *Statewide National Pollutant Discharge Elimination System (NPDES) Permit for Drinking Water System Discharges to Surface Waters*. The Public Utilities Department appreciates the opportunity to work with the staff of the SWRCB and other water purveyors in developing this permit, including participation in multiple workshops in Southern California. The SWRCB's stated goal of ultimately developing an industry-specific permit to promote statewide regulatory consistency and streamlined efforts is much appreciated.

The Public Utilities Department operates a complex water supply system with nine storage reservoirs that provide drinking water to 1.3 million people in the City of San Diego and neighboring communities through more than 280,000 metered connections. The Public Utilities Department also maintains and operates more than 3,302 miles of water lines, 49 water pump plants, 90-plus pressure zones, and over 200 million gallons of potable water storage capacity in 32 standpipes, elevated tanks, and concrete and steel reservoirs. Thus, the ability to discharge potable water due to planned or unplanned maintenance of this system is imperative for the successful uninterrupted delivery of water to customers and for the preservation of public health.

Currently, the Public Utilities Department drinking water system discharge activities, including unplanned and routine maintenance discharges, are covered under the San Diego Regional Water Quality Control Board (Regional Board) issued NPDES permit NO. CAG679001. This permit, titled *General Waste Discharge Requirements for Discharges of*



*Hydrostatic Test Water and Potable Water to Surface Water and Storm Drains or other Conveyance Systems within the San Diego Region*, was adopted under Order No R9-2010-0003 on September 8, 2010, and is set to expire on October 31, 2015. The Public Utilities Department has successfully implemented several internal procedural controls in order to comply with this existing Regional Board permit.

Because the newly proposed state-wide permit will supersede the Regional Board permit under which the Public Utilities Department activities are currently covered, ensuring that the provisions in the proposed state-wide permit are clear and fully implementable is critical to the ability to remain in full compliance with all prospective regulatory requirements. The issues that the City has identified with the draft permit are as follows: (1) the clarity of monitoring; (2) best management practice controls; and (3) regulatory applicability so that the Public Utilities Department may appropriately adjust to prepare for eventual compliance with this prospective permit. Specifically, the Public Utilities Department requests that SWRCB focus on the following areas:

1. The Total Maximum Daily Loads (TMDL) contained in Enclosure F, Section K: TMDLs have no defined category for Drinking Water Discharges  
The permit language in Enclosure F, Section K, as currently written, effectively establishes a prohibition on drinking water discharges in the San Diego Region by making specific references to TMDLs with no defined waste load allocations for drinking water systems. The language in this section does identify an “other” waste load category of unidentified sources, but this classification should not be confused with *de minimis* drinking water discharges. If waste load allocations are to be assigned to drinking water system discharges, this should be specifically addressed as part of a Basin Plan amendment for the San Diego Region. The Public Utilities Department requests that references to TMDLs and compliance needs for drinking water discharges be removed from the permit, and be addressed in the Basin Plan as updates to current or future TMDLs.
2. Clarity is needed on effluent limitations and discharge specifications in the draft permit  
The Public Utilities Department has concerns with regard to compliance where the chlorine effluent limits are effectively set at levels lower than the detection limits of field monitoring equipment in the permit. Page 20, Section IX.B attempts to provide clarity for compliance for this specific occurrence by noting that chlorine concentrations greater than 0.10 mg/L are the threshold where a permittee is deemed out of compliance. However, this clarifying language does not make clear that there is a range of tolerance and leaves the issue of compliance open for interpretation. The Public Utilities Department has provided proposed revised language in the comments attached to this letter.

The Public Utilities Department understands that this proposed permit is still in the draft and review stage, and it hopes that the SWRCB will take into consideration the uniqueness of individual regions and local municipality agency needs before delivering a final draft.

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The Public Utilities Department respectfully submits its full comments as an enclosure to this letter. If you have any further questions please contact Mr. Peter Martin, Senior Water Resources Specialist at (619) 533-4157 or [pmartin@sandiego.gov](mailto:pmartin@sandiego.gov).

Sincerely,



Marie Wright-Travis  
Assistant Public Utilities Director  
Business Support Branch

PM/slc

Enclosure: 1. City of San Diego Comment Table for Tentative Order No. 2014-XXXX-DWQ

cc: Bob Mulvey, Assistant Public Utilities Director, Water Quality Branch  
Peter Martin, Senior Water Resources Specialist

Attachment: City of San Diego Comment Table for Tentative Order No. 2014-XXXX-DWQ/NPDES No. CAGXXXXXX  
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#	Page	Section	Topic	Comments
1	3	Table of Contents	Table of Contents:Water Definitions “Raw Water”	The page number where the “Raw Water” definition resides is incorrectly listed as page 5, it resides on page 6  <b>Recommendation:</b> Change the page number in the table of contents from page 5 to 6
2	-	General	References to CDPH	The transition of the California Department of Public Health’s Drinking Water Program to the State Water Resources Control Board is complete.  <b>Recommendation:</b> Please change all references to the California Department of Public Health (CDPH) to State Water Resources Control Board Division of Drinking Water (SWRCB DDW).
3	-	General	References to “water purveyors”	The references pertaining to water purveyors, dischargers, and community drinking water systems throughout the permit language are inconsistent and could cause confusion for implementing parties. This is especially important because water purveyors may have third party contractors operating their systems or initiating discharges.  <b>Recommendation:</b> Outside of general descriptions and fact findings, when referring to actionable items or implementation measures the SWRCB should refer to the above as “permittee(s)” for consistency.

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4	5	Section I	Submittal Deadline for Notice of Intent/ Notice of Non-Applicability	<p>This section sets a date to submit an application for coverage under the permit of December 1, 2014. This gives 46 working days from the proposed adoption date to submit an NOI, which is an inadequate time frame. The permit is not effective until 100 days after adoption or December 21, 2014. It is not clear why these are two different dates.</p> <p><b>Recommendation: Provide a minimum of 120 working days from adoption to submit an NOI as follows:</b></p> <p><i>(page 5, Paragraph 3)</i> All water purveyors in California who discharge potable water or raw water, as described in Section I.B. below pursuant to the activities specified within this Order must submit an application package in accordance with section II.A.1. or a Notice of Non-Applicability in accordance with section II.A.2. of this Order by <del>December 1, 2014</del> <u>within 120 working days from the effective date of this Order</u>. Water purveyors described in items 1 through 4 above that are not requesting coverage under this Order must submit a Notice of Non-Applicability form (see Attachment B-2) to the State Water Board in accordance with Section II.B.2. of this Order.</p>

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5	6	I.B.2 Definitions	Water Definitions  Remove references to “Treated Drinking Water” and “Raw Water” from this permit	<p>The discharge definitions section remains confusing and requires some additional clarity as to the subset of discharges allowed. We recommend only permitting potable water discharges and raw water discharges to the extent they are subject to NPDES requirements.</p> <p>For instance, it stands to reason that “potable” water could be used interchangeably with “treated drinking water” or vice-versa outside of the definitions provided in this permit. Ultimately, having all of these specific categories is confusing and ambiguous when it comes to the thousands of water systems that are expected to be covered under this permit and does not provide a more consistent and streamline regulation.</p> <p>Additionally, most “raw water” discharges (as defined in the permit) from community water systems are excluded from NPDES permitting under the “NPDES Water Transfers Rule”. The “NPDES Water Transfers Rule” added additional exclusions under 40 CFR Part 122.3 for “an activity that conveys waters of the United States to another water of the United States without subjecting the water to intervening industrial, municipal, or commercial use.” .</p> <p>Requiring receiving waters to meet primary and secondary drinking water standards is not always consistent with basin plan objectives. Furthermore, the requirement for additional monitoring to determine compliance with drinking water standards is redundant and unnecessary.</p> <p><b>Recommendation:</b> For general simplicity and clarity, the permit should apply to potable and raw discharges, but exclude raw water discharges that are exempt under the NPDES Water Transfers Rule.</p>

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6	7	II.A.2) Permit Coverage	Permit Coverage  “Exceptions”	<p>This section excepts coverage for activities in which water purveyors regularly participate. For example, water purveyors often coordinate with their local fire department on combined flushing and fire flow testing.</p> <p>In addition, it is not clear what “construction” is not covered. When water systems construct or replace water lines they must conduct hydrostatic testing, flushing, and disinfection of the lines. Adding construction as it appears here is confusing given that in the previous paragraph coverage is granted to “work conducted by contractors on behalf of the water purveyor.”</p> <p><b>Recommendation:</b> Remove Fire Departments and Construction from the list of exceptions as long as they are coordinated with a local water purveyor as follows:</p> <p>2) From other entities or individuals <del>such as fire departments, construction and insurance companies</del> that test potable water systems, street cleaners, or other users of a municipal storm water system that discharge to waters of the U.S. <u>unless coordinated with the local water purveyor or regulated entity.</u></p> <p><b>Alternatively, specify which construction activities are not covered (i.e. dust control).</b></p>

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7	8	B.1.c., i.-vi.	Site Information	<p>It is not clear what specific details are included in an “undetailed” layout of system facilities and alignment of receiving water means. Furthermore, it is unclear what format the SWRCB would like this information submitted.</p> <p>We recommend that the site map requirement be limited to a map of the system boundaries for the following reasons:</p> <ol style="list-style-type: none"> <li>1.) It could be costly for some agencies to prepare a map of all facilities and receiving waters.</li> <li>2.) Providing system layouts and alignments could result in potential security issues.</li> <li>3.) Small water systems may not have the capacity to provide this information to the SWRCB.</li> <li>4.) Subsection v: This subsection should be removed because this information is already requested in NOI Section F.</li> <li>5.) Subsection vi: Compliance will be difficult to determine for this subsection because the scale of a one-page map or schematic will not provide sufficient resolution to delineate a 300-ft discharge conveyance distance from the receiving waters.</li> </ol> <p>In addition, clarification of the the receiving waters to be mapped is necessary, particularly because most streams in Southern California are ephemeral. The State Board may want to consider identifying receiving waters as the blue line streams (as shown on the USGS topographical maps) as receiving waters, an non-blue line streams as not being receiving waters under this order. Alternatively, the SWRCB or Regional Boards could provide GIS map layers identifying the Waters of the U.S., hydrologic units, and/or hydrologic areas. This information will also help water agencies identify impaired water bodies. Finally, consideration should be given to allow drinking water to be discharged, with proper BMPs, into dry Waters of the U.S as long as it percolates prior to reaching a receiving water.</p> <p><b>Recommendation: Require water suppliers to provide a map that delineates their service area. Maps of the receiving waters should be provided to the extent that they are reasonably available.</b></p>

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8	9	II B 1. d	TMDL Monitoring	<p>When applicable this section should require submittal of existing data already collected by water suppliers for compliance with the Safe Drinking Water Act to avoid establishing inconsistent or redundant monitoring requirements. The proposed test methodology under 40 CFR 136 is consistent with methods applied to wastewater. Since these are drinking water supplies, water suppliers use methods that are more appropriately applied to drinking water supplies.</p> <p>The analyses in this section apply to all TMDLs listed in the Section K fact sheet even though the drinking water discharges are not significant as stated on page 13, Section III H. The SWRCB should consider whether monitoring requirements for Section K discharges are necessary and describe the intended purpose.</p> <p><b>Recommendation:</b> Where TMDL monitoring is applicable, the permit should allow for use of existing data collected under the Safe Drinking Water Act and the use of approved test methods for drinking water. Delete Section K monitoring requirements or define the intended purpose.</p>
9	10	II.B.d.ii	TMDL Constituent- Specific Best Management Practices	<p><b>Recommendation:</b> Delete provisions contained in Section II.B.dII</p> <p>Before establishing site specific controls, the SWRCB should ensure that reasonable Best Management Practices (BMPs) are available to address concentrations required in Attachment G. Many of the TMDL specific constituents in Attachment G do not have available BMPs for drinking water discharges.</p>

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10	10	II.D.1	Termination of Existing Permits	<p>Water Purveyors should be allowed to continue operating under current Regional Board permits until they expire.</p> <p>The State Water Board does not have the authority to terminate current permits made in agreement with Regional Boards as stated. The existing Regional Board permits require that a permittee file a “Notice of Termination” before they can be released from a regional permit. The permit does not include clear direction on these authorities.</p> <p>Additionally, these permittees would unfairly have to pay additional permitting fees prior to their current permits having fully ended their tenure. Allowing for the phase out of existing permits would allow for better timing and management of SWRCB staff resources required for permitting thousands of water purveyors throughout the state.</p> <p><b>Recommendation:</b> The effective date for a water supplier to act under the SWRCB Drinking Water Discharge Permit shall be the expiration date of their current discharge permit or the date of SWRCB’s Notice of Applicability, whichever is later:</p> <p><b>C. Termination of Existing Coverage Under Similar Regional Water Board Orders.</b> The State Water Board’s intention in the issuance of this statewide NPDES Permit is to provide consistent and efficient regulation of discharges from drinking water systems statewide. To provide such consistency <u>while utilizing staff resources efficiently, this Order terminates permittees will be expected to apply for coverage at the time the existing regulatory coverage under an existing Regional Water Board NPDES permit for discharges as described in section I and II expires, or upon issuance of the Notice of Applicability to a water purveyor per the terms of this Order, or one year after the Adoption Date of this Order, whichever is sooner later.</u></p>

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11	18	VIII.C.2.b.	Operating Personnel Training	<p>The statement to train all personnel operating the system is broad. While training is important, the need and scope of training should be left to the agency.</p> <p><b>Recommendation:</b> Remove reference <u>all personnel</u> as follows:</p> <p><b>b.</b> The Discharger shall assure that quality assurance and quality control protocol are implemented to assure best management practices, monitoring and reporting are effective, valid and in compliance with this Order. The Discharger shall <u>be responsible for training all appropriate personnel</u> <del>operating the drinking water system and responding to emergency discharges</del> to assure the quality assurance and quality control protocol are properly implemented.</p>
12	18	VIII.C.2.c	BMPs for planned discharges	<p>The BMPs requested here are somewhat unclear and could lead to confusion as to implementation since many planned discharges from permittees are ongoing.</p> <p><b>Recommendation:</b> We suggest the following clarifying language:                      For planned discharges, the BMPs shall be implemented prior to and during any discharge. For planned but unscheduled or automated discharges from pressure relief valves, unchlorinated pump-to-waste wells, or <u>automatic continuous analyzers</u>, BMPs shall be implemented unless infeasible (e.g. inaccessible, inadequate space) <u>or unnecessary to protect water quality</u>. For emergency discharges, the BMPs shall be implemented as soon as feasible following assurance that <u>public health and safety</u>, property and infrastructure are protected.</p>
13	19	VIII.C.2.e	TMDL BMP implementation	<p>In the event that the State specifically allocated TMDL waste loads to a permittee, the appropriate BMPs for TMDL waste load allocations would be assigned to a permittee. The impetus should not be placed on the permittee to determine the appropriate BMPs for the TMDL; there also may be no such BMP available.</p> <p><b>Recommendation:</b> Delete the provisions in section VIII.C.2.e</p>

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14	20	IX.B	Compliance Determination for Total Residual Chlorine	<p>The Public Utilities Department has concerns with regard to compliance where the effluent limits are set at levels lower than the Maximum Detection Limit (MDL) in the permit. This section attempts to provide clarity for compliance for this specific occurrence. However, we feel it leaves a permittee exposed to being out of compliance regardless of the good intent of staff to clarify this existing potential for excursion from effluent limits.</p> <p><b>Recommendation:</b> Provide compliance clarification in section IX.B as follows:</p> <p><b>B. Total Residual Chlorine</b>                      Handheld chlorine measuring devices that are U.S. EPA-approved are appropriate to measure residual chlorine in the field for compliance determination. The MDL of a hand-held chlorine meter used to determine compliance with the total chlorine residual effluent limitations is 0.10 mg/L or lower. <u>In some instances, effluent limitations in this permit are recognized to be lower than the the available field equipment MDLs and permittees are not expected to demonstrate compliance with levels below the MDLs. Therefore, for total residual chlorine compliance determinations where the effluent limitations are set below the MDLs of available field equipment MDLs, the exceedance of maximum concentration limit would be a discharge monitoring result with a total residual chlorine concentration greater or equal to 0.10 mg/L shall be deemed out of compliance with a chlorine effluent limitation.</u> Due to other possible interferences of these handheld devices, if readings are false positives, these will not be evaluated for compliance if explanation of cause is provided.</p>
15	A-2	Section A	“Method Detection Limit (MDL)” Definition	<p><b>Recommendation:</b> Spell out acronym C.F.R.:</p> <p><b>Method Detection Limit (MDL)</b>                      Minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in 40 <u>Code of Federal Regulations (C.F.R.)</u> part 136, Attachment B, revised as of July 3, 1999.</p>

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16	A-3	Section A	NPDES Definition	<p><b>Recommendation:</b> Spell out Clean Water Act:</p> <p><b>National Pollutant Discharge Elimination System (NPDES)</b>                      The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under <u>Clean Water Act (CWA)</u> Sections §307, 402, 318, and 405.</p>
17	B-2	Section B, Page B-2	Storm Water alignment mapping	<p>The Notice of Intent requests mapping information on stormwater alignments. The mapping requested should be limited to the Permittee’s system since most Community Water Systems do not operate an MS4.</p> <p><b>Recommendation:</b> Please remove this requirement as follows:</p> <p>Distribution and discharge area (Provide general information (including site schematic) showing boundaries of distribution system and identifying the receiving waters. <del>Include alignment of storm water collection system, if applicable.</del>)</p>

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18	C-2	Section C, II. A.iii.	Erosion Controls	<p>...”Such controls shall minimize the energy of discharges by managing flow velocities and volumes, and shall be appropriately designed so that the <b>discharge does not exceed the hydraulic capacity of the receiving water (emphasis added)</b> at the point of discharge and areas downstream of the discharge point.</p> <p>This statement is confusing and arbitrary. The statement does not clearly define how a permittee would best design erosion control measures.</p> <p><b>Recommendation:</b> Remove reference to exceeding the hydraulic capacity of the receiving water as follows:</p> <p>Such controls shall minimize the energy of discharges by managing flow velocities and volumes, <del>and shall be appropriately designed so that the discharge does not exceed the hydraulic capacity of</del> <u>to</u> the receiving water at the point of discharge and areas downstream of the discharge point.</p>

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19	C-3	II.C	BMP Measures  Copper and Zinc Management	<p>Copper is typically applied to raw waters in response to algal blooms and would be regulated under the SWRCB’s <i>Permit for Residual Aquatic Pesticide Discharges to Waters of the United States from Algae and Aquatic Weed Control Applications</i>. Due to the intermittent nature of this treatment, the addition of copper does not result in significant increases in copper concentrations in the treated water distribution system. The draft permit appears to try and address a problem that does not exist. Further regulation under this permit is not necessary. Copper is not added to the treated water system.</p> <p><b>Recommendation:</b> The reference to copper should be deleted from this section as follows:</p> <p><b>C. <del>Copper and Zinc</del> Management</b>                      A Discharger that applies <del>copper-based herbicides or zinc-based corrosion inhibitors</del> to its water must implement BMP measures to eliminate or reduce <del>copper and zinc</del> concentrations in its discharges to the extent feasible, including but not limited to the following</p> <ul style="list-style-type: none"> <li>i. Record keeping of where, when and how much zinc <del>or copper</del> is used to treat water that has the potential to be discharged to a surface water.</li> <li>ii. Implementation of BMPs that eliminate planned discharges and minimize emergency discharges to surface water bodies from occurring within 48 hours of applying <del>copper-based herbicides or zinc-based corrosion inhibitors</del>.</li> <li>iii. Implementation of BMPs to eliminate or reduce to the extent feasible the use of <del>copper-based herbicides or zinc-based corrosion inhibitors</del> by using less toxic agents or other methods in place of <del>copper-based herbicides or zinc-based corrosion inhibitors</del>.</li> </ul>

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20	C-3	F	Training and certification	<p>The training requirement and certification requirements lack clarity. Operator certification is required and regulated under the Safe Drinking Water Act and should not be regulated as a discharge requirement.</p> <p>Contractors are typically required through their contract to comply with the terms of the permit. It is up to the contractor to ensure that their employees are trained. Water agencies will have inspectors on site to ensure conformance with the contract</p> <p><b>Recommendation:</b> Delete reference to certification requirements and limit training requirements to agency personnel only in this section as follows:</p> <p><b>F. Training</b>                      The Discharger's <u>applicable</u> staff <del>and/or contractors</del> shall be properly trained for facility inspections and maintenance, <del>and</del> monitoring and reporting, <del>and for the proper use and maintenance of the drinking water system,</del> and comprehension of permit compliance needs.</p>

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21	D-1	D, Section I.B.	Standard Provisions  “Need to Halt or Reduce Activity not a defense”	<p>The statement as written is not compatible and is actually counter to the referenced 40 Code of Federal Regulations Part 122.41(c) which is as follows:</p> <p>“c)Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.”</p> <p><b>Recommendation:</b> Revise language to be consistent with 40 CFR 122.41(c):</p> <p><b>B. Need to Halt or Reduce Activity Not a Defense</b>  <del>It shall not be a violation of this Order for a Discharger in noncompliance to immediately halt or reduce the permitted activity.</del> <u>It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity</u> in order to maintain compliance with the conditions of this Order (40 CFR 122.41(c).).</p>
22	E-4	III, Table E-2	Monitoring frequency	<p>The reference to 1/event or 1/year is undefined and confusing. These could be identified as vastly different monitoring timeframes. Please provide clarity.</p> <p><b>Recommendation:</b> Clarify when 1/event monitoring is required and when 1/year monitoring is required</p>
23	E-4	III, Table E-2	pH and Turbidity Monitoring	<p>The permit should take advantage of existing monitoring for compliance with the Safe Drinking Water Act and avoid duplicate monitoring.</p> <p><b>Recommendation:</b> Add a footnote to Table E-2 that would allow water systems the option of using existing WTP effluent monitoring data in lieu performing field measurements for pH and turbidity for situations where the pH is not expected to be changed significantly by the dechlorination agent or when field measurements for turbidity are not feasible or practical.</p>
24	E-4	III, Table E-2, Footnote 3	Turbidity Monitoring	<p>For footnote 3, please clarify what “feasible” means in the context of monitoring for turbidity.</p>

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25	E-4	III, Table E-2, Footnote 4	Monitoring Frequency	<p>The statement “Each discharge event that requires monitoring shall be monitored once per year” appears redundant and unnecessary. A discharge event that requires monitoring would by default be monitored.</p> <p><b>Recommendation:</b> Delete or clarify the statement “Each discharge event that requires monitoring shall be monitored once per year”.</p>
26	E-5-6	IV	Visual documentation of receiving water conditions	<p>It is not clear what would be gained by using telephoto lenses and binoculars or if this approach would be practical in the field.</p> <p>In addition operators may be challenged to complete the necessary repairs and at the same time stop their work to take photographs. The actual water quality data and documentation of observations should be adequate. This level of documentation is excessive considering that the discharge is associated with drinking water and is considered <i>de minimis</i>.</p> <p><b>Recommendation:</b> Please strike this requirement as follows:                      The receiving water shall be monitored for all direct discharges that are out of compliance with this Order. Receiving water monitoring shall be conducted during the same sampling event of non-compliant discharges monitored in Section II above. The Discharger shall monitor the point of confluence of the discharge and the receiving water, <u>where feasible</u>. If the receiving water presents hazards to the monitoring personnel, visual monitoring shall be conducted <del>using telephoto lenses and binoculars</del> <u>to the extent practicable</u>. If further hazards exist beyond such measures, monitoring shall not be required, and the hazards must be documented in the corresponding monitoring report.</p>
27	E-4	III, Footnote 1	Monitoring equipment	<p>Handheld field meters that are calibrated and maintained in accordance with manufacturer’s instructions are required. Small water systems will not have the resources to purchase and maintain this type of equipment. The permit should allow the use of simplified monitoring approaches such as color wheels that are more cost effective and field friendly for small water systems.</p>

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28	E-5	IV	Documentation of receiving water conditions	It is not clear what would be gained by using telephoto lenses and binoculars or if this approach would be practical. In addition operators may be challenged to complete the necessary repairs and at the same time stop their work to take photographs. The actual water quality data and documentation of observations should be adequate. This level of documentation is excessive considering that the discharge is considered <i>de minimis</i>
29	E-5	V	Notification	This section requires post-notification of the Office of Emergency Services (OES) for any discharge that <b>may</b> adversely impact beneficial uses. The notification of OES should be reserved for serious emergencies which require follow-up action and should be limited to any discharge that has an <u>actual immediate impact on beneficial uses</u> . <u>This notification is described on page E-6, Section VII</u> <b>Recommendation:</b> Delete requirement to notify OES for any violation that may impact beneficial uses. Retain the requirement to notify the Regional Board within five days.
30	F-4	II.A	Discharge Definitions	Algaecides for water systems are regulated under the SWRCB's <i>Permit for Residual Aquatic Pesticide Discharges to Waters of the United States from Algae and Aquatic Weed Control Applications</i> .  <b>Recommendation:</b> Delete reference to algaecides since this is covered under a separate permit as follows:  ...”This Order serves as a general NPDES permit for the discharge to waters of the U.S. of water that is altered by chlorine or corrosion inhibiting agents, <del>or algaecides</del> but meets California Department of Public Health Maximum Contaminant Levels.”
31	F-9	Table F-1	Discharge categories  Monitoring Well Sampling	Monitoring wells are not generally defined as part of a public water system since they have no connectivity. Flows for water quality sampling are often less than 1 gpm. These low flow discharges are <i>de minimis</i> and should not be a part of this permit  <b>Recommendation:</b> Delete reference to monitoring wells since these are not a part of a public water system.

Attachment: City of San Diego Comment Table for Tentative Order No. 2014-XXXX-DWQ/NPDES No. CAGXXXXXX  
 Statewide general NPDES Permit for Drinking Water System Discharges

#	Page	Section	Topic	Comments
31	F-19-52	Section K of Fact Sheet	Applicability of TMDLs	<p>Due to the intermittent and unplanned nature of drinking water systems discharges, quantifying a contribution, assigning a wasteload allocation and the associated margin of safety would be nearly impossible. Assignment of a zero wasteload allocation is effectively a prohibition on all drinking water discharges and will interfere with the water suppliers' ability to manage their systems and protect public health. Presence of coliform in raw water or in water flushed from the distribution system during a water quality emergency is not controllable to a zero WLA. In addition, there are no effective field BMPs for removal of copper, zinc, lead and nitrogen in drinking water discharges. In order to assign and enforce a WLA of zero to drinking water discharges, the TMDL must be reopened for reconsideration.</p> <p>The fact sheet in the permit details the nature of these discharges as such on page F-19, of the Fact Sheet, section K, paragraph 2:</p> <p><i>“Based on the data that is currently available, and due to the high quality and intermittent and short-term nature of the discharges from drinking water systems authorized under this Order, it is unlikely that these discharges contribute to the impairment of the TMDL-related water bodies. Therefore, it is consistent with the assumptions and requirements of the WLAs in these TMDLs for this Order to not include any TMDL-specific requirements.”</i></p> <p>Therefore, where appropriate the TMDL descriptions in this permit should clearly state that drinking water discharges do not contribute significantly to the impairment of the TMDL listed body, that drinking water discharges cannot reasonably be controlled to meet a zero discharge or the designated WLA. Furthermore, it should be stated that by complying with this permit the agencies are in compliance with the TMDL</p> <p><b>Recommendation: Revise Section K of the Fact sheet</b></p>