

#23



Dear Comments Clerk,

Coachella Valley Water District (CVWD) submits the following comments for the subject permit proposal:

Regulating Raw Water

- 23.1 It is inappropriate to use the subject permit to regulate untreated raw water entering receiving waters from Public Water Systems (PWSs). Many PWS facilities are designed to use receiving waters as part of conveyance systems for raw water. There is no evidence indicating raw water from PWS's is a source of receiving water impairments and would require regulation. In addition, the federal Water Transfer
- 23.2 Rules exempts these PWS uses of receiving waters from needing to obtain NPDES permit coverage. Please delete raw water from the list of discharges covered by the proposed permit.

Prohibiting PWS Discharges that do not meet Drinking Water MCLs

- 23.3 The Draft Permit includes a requirement that all discharges must comply with both primary and secondary MCLs in order to be eligible for coverage. This prohibition would prevent regular activities needed to properly operate a PWS and protect public health, including the regular flushing of groundwater wells during startup operations. There is no evidence indicating these flushing activities impair the beneficial uses of receiving waters. Requiring PWS discharges to meet all drinking water MCLs sets a higher bar than what is allowed under California's "Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California" (or State Implementation Policy, SIP). The SIP allows mixing zones and dilution credits to ensure the receiving water meets the water quality objectives (MCL's for waters with MUNI beneficial uses) even if the discharge does not. So, the proposed permit would essentially set a more stringent requirement for PWS discharges than for discharges from wastewater treatment facilities with no evidence to support this higher level of regulation. The new drinking water MCL for chromium-6 recently adopted by your office presents specific challenges that would be magnified by the proposed permit that would prohibit the flushing of raw, unpolluted groundwater from wells with naturally occurring Cr6 above the drinking water MCL to receiving waters. Flushing these wells will become even more important once ion-exchange treatment systems are installed because these filters are harmed by particulates that usually occur in wells each time they start-up. Please remove this prohibition from the subject proposed permit.

Applying MCLs to All Receiving Waters

- 23.3 cont. The proposed permit would prohibit PWS's discharges above a drinking water MCL to all receiving waters without regard to the beneficial uses applicable to a specific receiving water. There are many receiving waters in the State that do not have a Municipal beneficial use identified in the Region Basin Plans and therefore are not subject to water quality objectives based on drinking water MCLs. This is another reason the "MCL prohibition" is unreasonable and needs to be removed from the subject proposed permit.

BMPs to Control Salt and Minerals

- 23.4 The proposed permit would require PWS's implement Best Management Practices to control salt and minerals in discharges water. CVWD knows of no feasible BMPs for controlling salt and minerals. Please remove this requirement from the proposed permit.

23.5 Monitoring Direct Discharges

The subject permit would require PWS's monitor each direct discharge event. This is wholly infeasible. Many PWS's sources operate automatically based on water system pressure changes that change constantly and can't be predicted or scheduled. A single groundwater well can be called to run multiple times during a 24-hour period and each time the well starts to operate a short flushing period of about 1-2 minutes occurs to limit sediments from entering the distribution system. Please replace this provision with a provision that allows the PWS to submit a representative monitoring plan for direct discharges similar to the approach used for non-direct discharges.

23.6 Controlling and Monitoring pH

There is no feasible method to control pH in PWS discharges beyond what is already performed to meet drinking water quality goals. There is no evidence indicating PWS discharges are a source of receiving water impairments for pH. Controlling and monitoring pH in PWS discharges is unwarranted. Please remove this monitoring requirement for pH.

Permit Fee

23.7

The annual fee is high, \$20,000 for the largest water system category which includes CVWD. The fee schedule is based on water system connections rather than the number of customers served within that portion of a water systems' service area that is not already covered by another NPDES Permit. It would be unreasonable for CVWD to pay a \$20,000 annual permit fee to cover the small portion of our water systems' service area serving several thousand customers in a rural area. This high fee and the State's failure to address this concern will penalize large water systems that have consolidated small water systems that usually occur in rural areas, outside urban areas covered by existing MS4 permits. Water system consolidation has been a high priority for the State's drinking water program and the proposed fee structure could act to discourage these water system consolidations in the future. The fee structure should be revised to encourage future water system consolidations by exempting this new fee for PWS's that already have the majority of their PWS covered by an existing NPDES permit.

Your consideration of these comments is appreciated.

Sincerely,

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