



746 3th Street P.O. Box 190 Wasco, California 93280

Fax (661) 758-5411

SSO Hearing - 2/8/06

January 17, 2006

Mr. Tom Doduc, Chair, and Members
State Water Resources Control Board
Executive Office
1001 I Street, 24th Floor
Sacramento, California 95814
Attn: Ms. Selica Potter, Clerk to the Board

**RE: Statewide General Waste Discharge Requirements (WDR) fro Wastewater
Collection System Agencies and the accompanying Monitoring and Reporting
Program (MRP)**

Dear Chairman Doduc and members;

The City of Wasco supports the goals of the State Water Resources Control Board (SWRCB) to implement the Sanitary Sewer Overflow Reduction Program to reduce the number and volume of Sanitary Sewer Overflows (SSOs) throughout the state.

However, the City of Wasco has some valid concerns about the implementation process outlined in your proposal.

The City of Wasco requests your consideration of the following points:

- ◆ The City of Wasco strongly urges the SWRCB **not** to adopt the WDR and MRP unless and until state funding (in the form of grants and/or loans) is provided, protection for our ratepayers from potentially unfair and unreasonable regulatory fines and third party litigation is added, and additional time for program implementation is built into the compliance schedule.
- ◆ The projected \$72 annual cost per household to implement the Statewide WDR that is shown in the Fact Sheet may underestimate the true cost for cities such as ours. Even if the cost projection proves accurate, it does represent a very significant cost increase to be borne by our ratepayers. This is especially true in our community, which has been designated as a Hardship Community by the State.

— The City with a rosy future —

Engineering	Building	Planning & Zoning	Police Services	Public Works	City Administration	City Clerk Personnel	Animal Control	Dial-a-Ride	Finance	Utilities
758-7208	758-7250	758-7210	758-7268	758-7270	758-7200	758-7215	758-7240	758-7222	758-7235	758-7230

- ◆ The State should identify a source of funding to support these new costs rather than simply requiring the cities to enact rate increases to cover the costs.
- ◆ The City of Wasco has grave concerns about potential impacts of fines and/or third party litigation. The program costs should not be further impacted by fines or third party litigation due to SSOs that occur even after full SSMP implementation and full compliance with WDR and MRP requirements.
- ◆ The WDR must strongly differentiate between "Preventable" and "Unavoidable" SSOs, and must provide cities and their residents with protection against the cost impact of fines and lawsuits based on SSOs that occur even after our collection system is managed, operated and maintained according to the standards and requirements established by this new regulatory program.
- ◆ The proposed time schedule for implementation of the various program elements is too short and overly prescriptive. For example, an agency with a population falling between 10,000 and 100,000 people must develop and implement a comprehensive Overflow Emergency Response Program within 12 months, which will require new equipment, personnel and training. This would be very difficult to achieve.
- ◆ Additional time should be provided and separate deadlines for individual program elements should be eliminated.

Thank you for your kind consideration in this matter.

Sincerely,



Larry F. Pennell
City Manager

cc: Bryan Brock SWRCB staff
Executive Director Chris McKenzie, League of California Cities