



Town of Windsor
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Warin Parker

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Steve Allen
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January 23, 2006

Attn: Selica Potter, Acting Clerk to the Board
Tam Doduc, Chair, and Members
State Water Resources Control Board, Executive Office
1001 I Street, 24th Floor
Sacramento, CA 95814



SSO Hearing: 2/8/06

Emailed to: commentletters@waterboards.ca.gov; followed by U.S. Mail

Subject: Draft General Waste Discharge Requirements for Wastewater Collection System Agencies

Dear Ms. Doduc:

This letter summarizes the comments of the Town of Windsor regarding the current proposal of the State Water Resources Control Board (SWRCB) set forth in "Statewide General Waste Discharge Requirements for Wastewater Collection System Agencies," December 5, 2005 (Statewide General WDR).

The Town of Windsor is a city of approximately 25,000 residents, located in Sonoma County. The Town operates a wastewater collection system within the Russian River Basin, and therefore has a direct interest in the Statewide General WDR that will be implemented by the SWRCB.

Our comments are as follows:

- The Town of Windsor supports the goals of the SWRCB to implement the Sanitary Sewer Overflow Reduction Program to reduce the number and volume of Sanitary Sewer Overflows (SSOs) throughout the state.
- In general, we think the proposed time schedule for implementation is too short and overly prescriptive. For example, an agency with a population between 10,000 and 100,000, such as is our case, must develop and implement a comprehensive Overflow Emergency Response Program within 12 months. Implementation of such a program will require new equipment, personnel, and training. This would be very difficult for the Town to achieve in the proposed timeframe.
- It is essential that the Statewide General WDR strongly differentiate between preventable and unavoidable SSOs and that cities and their residents are provided 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.
- We have grave concerns about the potential impacts of fines or third party litigation. Limited funding available for implementation should not be reduced by fines or third party litigation due to SSOs that occur even after full Sewer

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System Management Program (SSMP) implementation and full compliance with WDR and Monitoring and Reporting Program (MRP) requirements. Protection against fines and third party litigation should be provided for agencies who have in good faith developed, implemented, and complied with their SSMPs.

- The projected \$72 annual cost per household to implement the Statewide General WDR that is shown in the Fact Sheet may underestimate the true cost for small towns and 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.
- We strongly urge the SWRCB not to adopt the Statewide General WDR and MRP unless protection for agency 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.
- Clarification should be provided that small spills (e.g., < 5 gallons from maintenance equipment during extraction of equipment from the sewer) do not constitute an SSO.

We appreciate your consideration of our comments in preparing the Final Statewide General WDR. If you have any questions or would like to discuss the issues raised in this letter, please feel free to call me at (707) 838-5343 or Bill Daida at (707) 838-5344.

Sincerely,



Richard W. Burt

Public Works Director/Town Engineer

cc: Bill Daida, Matt Mullan, Town of Windsor

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