

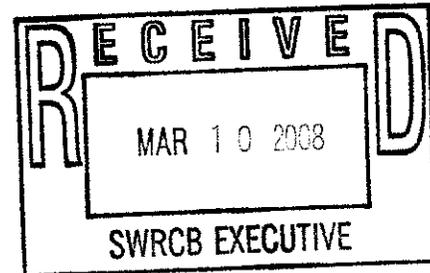


DAVID R. WILLIAMS
DIRECTOR OF WASTEWATER

March 10, 2008

Via E-mail & U.S. Mail

Jeanine Townsend
Clerk to the Board, Executive Office
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100



commentletters@waterboards.ca.gov

RE: Comment Letter – Proposed Water Recycling Policy

Dear Members of the State Water Board:

East Bay Municipal Utility District (EBMUD) appreciates another opportunity to provide comments on the revised draft Water Recycling Policy (Policy). EBMUD has an extensive existing recycled water program and also has a number of new recycled water projects planned. To date, we have invested over \$100M in our recycled water program. Recycled water is a critical component of our overall water supply future and also a vital resource for our regional economy.

We thank the State Water Board for its leadership in developing the Policy. We support the development of a Policy that recognizes and treats recycled water as a resource rather than a waste. While we had hoped that the revised Policy would help achieve the State's goal of removing barriers to use recycled water, we regrettably find the Policy, as written, does not accomplish this goal.

EBMUD continues to have serious concerns regarding the revised total dissolved solids (TDS) provisions of the draft Policy. The requirement that TDS in the recycled water would be no more stringent than the source water TDS plus 550 mg/L is problematic for EBMUD. For example, if the level for our projects was set at 550 mg/L, it makes recycling unachievable in parts of our system. EBMUD's high quality source water contains less than 100 mg/L of TDS. It is unrealistic and unnecessary to restrict our recycled water to less than 650 mg/L of TDS every month. The TDS in our source water and recycled water can fluctuate and we could exceed the 550 mg/L increment at times. The TDS in our recycled water is affected by the TDS of our wastewater. The TDS in our wastewater is impacted by high tide conditions in the San Francisco Bay and also high groundwater levels, as infiltration can occur into the sewer collection system. The groundwater basin along the East Bay has very saline aquifers due to Bay water intrusion. Therefore, this impacts the recycled water TDS on a seasonal basis. We question the need to limit the TDS in the recycled water when the TDS level in the groundwater basin is already high due to Bay water intrusion.

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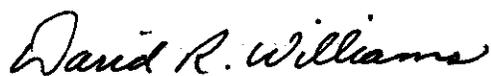
Such a limitation would significantly reduce EBMUD's ability to provide recycled water in our service area. In fact, two of EBMUD's currently operating recycled water facilities which are partially funded by State grants and low-interest loans could be immediately noncompliant with this requirement.

In this revised Policy, the State is proposing that the Regional Water Boards determine if groundwater basin water quality objectives are being violated and to make a finding, if justified, and adopt salt managements plans. In the interim, the Policy states that the Regional Water Boards shall not impose more stringent requirements, including limiting the TDS concentration in the recycled water to no more than the source water TDS plus 550 mg/L on a monthly basis. This rigid rule may not address different site conditions and seasonal variances. In order to provide more flexibility for varying site conditions and seasonal variances, we request that the TDS increment be changed to a "not to exceed" TDS of 1,100 mg/L for recycled water. Experiences from current practices indicate that landscaping tolerance for TDS in the irrigation water is around 1,100 mg/L. It is unlikely that irrigation customers will agree to use recycled water if the TDS is over 1,100 mg/L.

EBMUD is a member of the WaterReuse Association, the California Association of Sanitation Agencies, and the Association of California Water Agencies who will also be submitting comments regarding the Policy. We support the request that the State Water Board postpone adoption of the Policy and convene a stakeholder group to assist in developing a policy that will remove unnecessary regulatory barriers to the use of recycled water, while protecting surface and groundwater supplies.

Thank you for considering our comments. If you have any questions, please contact me at (510) 287-1496.

Sincerely,



DAVID R. WILLIAMS
Director of Wastewater

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