

**Department of Water
Resources**
Keith DeVore, Director

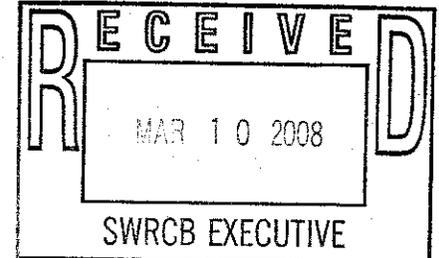


3/18/08 Bd, Mtg. Item 13
Recycle Water Policy
Deadline: 3/10/08 by 12 p.m.

Including service to the cities of
Elk Grove and Rancho Cordova

SACRAMENTO COUNTY
WATER AGENCY

March 10, 2008



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

Subject: Comment Letter – Proposed Recycled Water Policy

Dear Ms. Townsend:

Thank you the opportunity to review the revised Proposed Recycled Water Policy (Policy) dated February 15, 2008. The Sacramento County Water Agency (SCWA) has reviewed the proposed Policy and has the following comments:

1. Page 3. The proposed Policy would exempt landscape irrigation projects from any groundwater monitoring requirement based on Findings #13 that "it is usually unreasonable to require groundwater monitoring for landscape irrigation projects using recycled water because these projects generally pose a threat to water quality similar to landscape irrigation projects using surface water or groundwater, for which groundwater monitoring is not required." The term landscape irrigation projects refer to the projects that irrigate non-crop areas; i.e., parks and playground, golf courses, cemeteries ... etc.

Comment: Findings # 13 needs to be clarified. As specified in the draft Policy that "recycled water has the potential to contain constituents not typically found in surface water or groundwater, because it is usually produced from sewage" (Findings #16), therefore, a landscape irrigation projects using surface water or groundwater should typically pose less or no risk, at least in the Sacramento area.

The State Board needs to establish a better rationale to exempt landscape irrigation projects using recycled water from groundwater monitoring requirements.

"Managing Tomorrow's Water Today"

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2. Page 5. Findings #26. The last sentence in this paragraph "Therefore, any lowering of water quality will be consistent with maximum benefit to the people of the State" should be deleted.

This sentence was added in the revised version and is misleading. It leaves out other facts and the conditional clauses made throughout the proposed Policy that "recycled water-irrigation projects and groundwater recharge reuse projects provide benefits to the people of the state. These benefits outweigh the costs associated with lowering of water quality, provided that lowering does not cause a violation of a water quality objective."

3. Page 6. Definition on "Irrigation projects." SCWA suggests that the definition be revised as follows:

"Irrigation Projects" are projects that use recycled water primarily to meet a irrigation water supply need, not just a disposal need.

4. Page 9. "Narrative Toxicity Objectives." In absence of a MCL or recommended limit by the State Department of Public Health, the proposed Policy would allow the Regional Board to establish an effluent limitation for a specified constituent of concern found in the treated effluent if the following conditions are met: (a) the constituent is likely to be persistent in groundwater in the recharge or irrigated area; (b) adequate information is available to characterize the toxicity of the constituent and establish an effluent limitation; and (c) approved analytical methods are available to measure the concentration of the constituent.

Comment: The proposed Policy would allow the treated municipal wastewater to be used for recycling if one of the three listed conditions does not exist and is not appropriate. The proposed Policy must provide some forms of pollution prevention measures for the protection of public health and the environment.

In addition, the State Board should be aware that a chemical that is persistent in the environment may be a hazardous waste when improperly disposed of, as specified in the California Health and Safety Code Section 25141 (b). The State Board needs also to take into account of the hazardous chemical listings shown in section 66261.24 of title 22 of the California Code of Regulations. Table 1 of section 66261.24(a)(1)(B) specifies, a waste or wastewater contains any of these listed chemicals at the corresponding levels shall be managed as a hazardous waste. Section 66261.24(a)(8) goes even farther regarding the definition of "hazardous waste". It specifies that if the waste or wastewater contains a chemical that has been shown through experience or testing to pose a hazard to human health or environment because of its carcinogenicity, acute toxicity, chronic toxicity, bioaccumulative properties or persistence in the environment, then the waste or wastewater should be managed as a hazardous waste because it exhibits the characteristic of toxicity.

If so, then the State Board and the nine Regional Boards should have no choice but to prohibit this water from being used for recycling purpose.

Conclusions

The revised proposed Policy has shown a substantial improvement than the first drafted version. SCWA believes that it is essential to develop a Recycled Water Policy and appreciates the effort conducted by the State Board. SCWA looks forward to seeing the final version of the Recycled Water Policy. If you have any questions, please contact me at (916) 874-7172.

Sincerely,



Jean Young, P.E.,
Associate Civil Engineer
Water Supply Planning
Department of Water Resources
County of Sacramento

cc: John Coppola, Darrell Eck, Dave Underwood
Gary Yamamoto, State Department of Public Health