

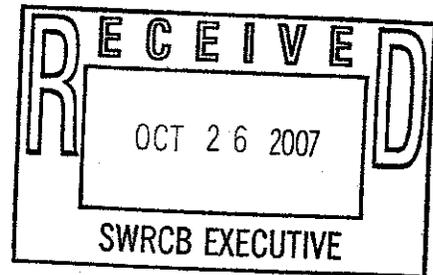


South Orange County Wastewater Authority

12/4/07 Bd. Mtg.
Water Recycling Policy
Deadline: 10/26/07 Noon

October 15, 2007

Jeanine Townsend
Acting Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento CA 95812-0200



Re: Comment Letter – proposed Recycled Water Policy

The South Orange County Wastewater Authority (SOCWA) would like to thank the Board for the opportunity to provide written comments to the State Water Resources Control Board (SWRCB) on the proposed Water Recycling Policy. For over forty years SOCWA member agencies have successfully produced and purveyed recycled water in the southern portion of Orange County. As we understand the progression of the proposed Recycled Water Policy, the original purpose of the Policy was to promote the expansion of recycled water use and improve the consistent application of the recycled water regulations. SOCWA believes that, as proposed, this Policy will have the opposite effect on both the expansion of recycled water use and the consistent application of regulation.

We agree with the need to protect the beneficial uses of groundwater from salt and nutrient related degradation. The SOCWA service area has very little underlying potable quality groundwater. The groundwater is naturally salty not because of previous agriculture activity but due to geology and proximity to the ocean. Our region is heavily dependent on imported water from the Metropolitan Water District of Southern California. SOCWA's successful use of recycled water has been driven in part by the lack of potable quality groundwater, and the desire to be less dependent on imported water. Currently five of the nine SOCWA recycled water facilities would not be able to comply with the 300 mg/L Total Dissolved Solids (TDS) incremental increase provisions in the proposed Policy. Combined, these facilities produce approximately 41,000 acre feet of recycled water annually.

Past evaluations and/or studies have determined that neither self regenerative water softeners nor industrial sources significantly impact the salt content in our recycled water. This area is known for high mineral content groundwater and in some locations the groundwater TDS exceeds 10,000 mg/L. A salt management plan based on restricting self-regenerative water softeners and industrial sources of salts, as suggested in the draft Policy, would be an unnecessary financial burden for the recycled water producers in our service area. It is our opinion that this type of measure would not produce any significant reduction to the salt levels in our recycled water.

The Board's Staff Report discusses six possible options for regulating salt build-up in the State's waters and recommends using the 300 mg/L incremental increase option without identifying the current methodology. SOCWA operates under the San Diego Region Basin Plan, which was developed based on models that take into account the quality and quantity of recycled water applied, the hydrologic sub basin, beneficial uses, underlying groundwater

quality, precipitation, evapotranspiration and other factors. If the basin plan models are not effective at protecting water quality it is understandable that the Board would consider a more effective approach. However, where basin plan models have proven to be effective in protecting the water quality objectives the models should remain in place and the incremental increase limit should serve only as guidance. Based on our experience we would argue that the allowable incremental increase should be 500 mg/L for Total Dissolved Solids.

The use of Nutrient Management Plans would be impractical since our member agencies have over three thousand individual recycled water use sites. Requiring each use site to estimate nutrient needs and track the amount of nitrogen applied to their sites would be an unnecessary cost burden having little to no impact on water quality. Again there is little municipal groundwater supply in our service area due to the high salinity in the basin. Therefore the impact of recycled water application in the region has little consequence from a water quality perspective.

The liability provisions included in the proposed Policy seem to suggest that recycled water purveyors would have future liability for discharging recycled water containing unregulated compounds. We believe the liability provisions included in the Policy are unclear and may conflict with existing Water Code.

While we understand and agree with the need for regulatory consistency with respect to recycled water regulations and the assurance that the beneficial uses of the waters of the State will be protected, we do not believe the Policy as drafted is the soundest approach towards this effort. We believe a single standardized approach that does not take local conditions into consideration is a misstep in terms of scientific and technically sound regulation. While we cannot support the Policy as currently drafted, we do stand ready to support and work with the State on a Water Recycling Policy. We will support a Policy that is more representative of regional conditions and effective in protecting the beneficial uses of the local water basins and the waters of the State. Thank you for the opportunity to provide these comments. If you require additional information please contact Brennon Flahive at (949) 234-5419.

Very truly yours,

South Orange County Wastewater Authority



Tom Rosales
General Manager

TR/bf