



Tamara Rasberry  
Manager  
State Regulatory Affairs

925 L Street, Suite 650  
Sacramento, CA 95814

(916) 492-4252

February 22, 2016

Ms. Jeanine Townsend  
Clerk of the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

VIA E-MAIL: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

**RE: Comment Letter – General Order for Recycled Water Use**

Dear Ms. Townsend:

Southern California Gas Company (SoCalGas) and San Diego Gas and Electric Company (SDG&E), collectively the Sempra Energy Utilities (SEu) appreciate the time and effort of the State Water Resources Control Board (SWRCB) staff to discuss and consider ways to integrate SEu's program and operational requirements for recycled water use into the Draft Order, WQ 2016-00XX-DDW - Water Reclamation Requirements for Recycled Water Use (draft WRR). The State Water Resources Control Board (SWRCB) was extremely responsive and engaged SEu in 2015 as soon as we expressed an interest in finding ways to expand our use of recycled water. As discussed, SEu requires substantial annual water supplies to complete crucial construction and maintenance projects throughout our service territories. Utilizing recycled water instead of potable water, for approved construction uses wherever feasible, is supportive of the Governor's Executive Orders to conserve water while meeting an essential part of the overall plan to manage local and regional water resources.

SEu also appreciates the opportunity to provide comments on the draft WRR and supports it in general terms. However, we have outlined below several questions that remain unclear after our review of it. We request that SWRCB staff consider providing clarifications via FAQ with the final order and/or incorporating minor revisions to help ensure that our understanding of the programmatic operational benefits of the WRR are accurate.

**Clarify that One NOI May be Submitted to Cover All Uses/Projects within a Specified Use Area**

We request the SWRCB to confirm that coverage, as an approved program administrator under the WRR, could be obtained for a defined area (e.g., a utility's entire service territory, for one or multiple Regional Water Quality Control Board's) with a single Notice of Intent (NOI). We consider that the submittal of one NOI for coverage of all uses would be a more efficient approach for both the RWQCB/SWRCB and approved program administrators.

Finding 39 on page 16 recognizes the need for "centralized enrollment" under the WRR by administrators that operate in multiple RWQCB's jurisdiction. SEu's current understanding is that coverage could be obtained for all approved recycled water uses within each utility's service

territory, even though not all of the use areas would be known at the time of submitting the NOI. SEu has many potential uses of recycled water, such as construction and maintenance projects, which include both traditional footprint projects and linear projects. In any given year under enrollment in the program, recycled water could be used for temporary activities including soil compaction, dust control and hydrostatic tests on any number of projects under construction throughout the service territory, as well as permanent long-term uses like drought-tolerant substation landscaping irrigation.

However, the NOI Instructions at Section II.a.1. on page A-2 require use estimates for recycled water, and at Section II.a.2 on page A-3 require project specific information such as locations, schedule and duration of hydrotesting. Additionally, use areas are identified more specifically in Attachment D – Definitions on page 47 as “*an area of recycled water use with defined boundaries*”. SEu is unclear whether the SRWCB’s intent is to utilize one NOI for all activities, or instead require project-specific NOIs. As described above, the most efficient approach would be for the NOI to authorize a utility’s coverage of all its recycled water uses within a specified area (e.g., its service territory or one or more Regional Boards).

### **Clarify that the WRR NOA would Supersede Conflicts with Producer WDRs**

We ask the SWRCB to clarify that the WRR NOA for an approved administrator’s program would not limit recycled water application to land to specific hydrologic subunits governed within existing recycled water producer WDRs. Note that requirement C.3. on page 21 states that “Under this General Order, the Administrators program shall be implemented to accomplish compliance with Specification B.1.” Specification B.1.f. on page 20 lists “WDRs or NPDES permits for recycled water production facilities”.

SEu previously noted that many producer WDRs restrict uses and application areas, or prohibit use outside of water district boundaries. These limitations often mean SEu cannot utilize those sources to support construction of utility-scale gas and electric linear projects. Our current understanding is that SEu, as an approved program administrator under this WRR would not be limited by specific WDR discharge specifications for the recycled water producers we would source water from.

### **Confirm the Ability to Coordinate the WRR with Existing Programmatic Permits**

We ask that the SWRCB confirm that Section IV of the NOI is the intended mechanism for coordinating the WRR with any additional programmatic discharge permits that SEu may operate under. Note that Section IV – Additional Site Specific Conditions in the NOI instructions on page A-4 states that “If existing orders have additional site specific conditions and/or restrictions not covered in the General Order, they shall be described here”. Our current understanding based on this language is that SEu as the applicant should identify any additional site specific conditions in existing programmatic permits that may be utilized for a specific project or activity authorized under this WRR.

### **Confirm the Ability to Discharge Hydrotest Water to Land under the WRR**

We request the SWRCB to confirm that the WRR would authorize SEu to discharge hydrostatic test water to land. Note the draft WRR Finding 25 on page 7, Finding 30 on page 11, Finding 39 on page 16, Specification B.3. on page 20 and Section II.a.2. on p. A-2 specifically cite that recycled water use would be authorized for conducting hydrotests.

SEu's current understanding, based on discussions with SWRCB staff during the summer of 2015 is that recycled water used for hydrostatic testing of both new and existing pipe could be discharged to land, as long as that water met the conditions of the draft WRR. As previously discussed, SEu typically collects and holds the test water after hydrottest use in Baker tanks, completes analytical testing and performs any treatment that may be required prior to discharge. The final analytical test results are typically provided to the RWQCB and/or SWRCB (prior to discharge) to facilitate the discharge authorization. However, SEu is not clear after our review of the draft WRR whether the discharge to land of recycled water after its use in a hydrottest would be authorized.

Thank you for the opportunity to submit these comments.

Sincerely,

A handwritten signature in cursive script that reads "Amara Parly". The signature is written in black ink and is positioned below the "Sincerely," text.