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August 4, 2017

Mr. Samuel Unger, Executive Officer
California Regional Water Quality Control Board
Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Subject: Comments on Tentative National Pollutant Discharge Elimination System (NPDES) and Waste Discharge Requirements (WDRs) for Groundwater Reliability Improvement Project Advanced Water Treatment Facility (GRIP-AWTF) (Order No. R4-2017-XXX, NPDES NO. CA0064645; CI-10317)

Dear Mr. Unger:

The Water Replenishment District of Southern California (District) appreciates the opportunity to provide comments on the Tentative NPDES/WDRs Permit (Tentative Permit) for the GRIP-AWTF (Project), dated July 5, 2017. The District has general, overarching comments regarding the Tentative Permit, which are summarized below, as well as detailed comments, which are provided in Attachments B (comment table) and C (chronic toxicity). For your convenience, suggested edits are provided in Attachment A, which is a red-lined version of the Tentative Permit.

The District requests that the Los Angeles Regional Water Quality Control Board (Regional Water Board) modify the Tentative Permit based on the requests contained herein, and Attachments A, B, and C. The requested modifications are fully protective of receiving water and consistent with applicable water quality regulations.

General Comments

As you know, the purpose of the GRIP-AWTF is to produce advanced treated recycled water to be used for groundwater replenishment in the Central Basin. The Tentative Permit proposes to regulate the advanced treated recycled water which, after being blended with the San Jose Creek Water Reclamation Plant's tertiary treated recycled water, will be conveyed to the unlined portions of the San Gabriel River adjacent to and down gradient from the Montebello Forebay spreading grounds. The Tentative Permit will regulate the Project's surface discharge to the San Gabriel River, while a separate Water Recycling Requirements (WRRs) will regulate the associated spreading and injection activities. The GRIP-AWTF is a timely solution to help secure a local and reliable water supply for the region, especially after witnessing the impacts of California's recent five-year drought. The District believes that the construction and operation of GRIP-AWTF is fully aligned with and supportive of the goals and directives contained in the State Water Resource Control Board's Recycled Water Policy and its amendment.

The District, however, feels that the Tentative Permit appears incongruent with the state's commitment to promote recycled water use to ensure local water supply sustainability in that it proposes terms that have a significant potential to adversely impact the use of recycled water for groundwater recharge. For instance, the Tentative Permit uses phrases such as "waste," "wastewater treatment facilities", "waste treatment and/or disposal facilities", "wastes discharged", and "wastewater" in places to characterize the highly treated and beneficial GRIP-AWTF water. The Tentative Permit's proposal to regulate the GRIP-AWTF as one that involves the disposal of "waste" will likely have a chilling effect on recycled water projects throughout the region at a time when recycled water use has the ability to substantially decrease the impact of the recent drought and improve water supply sustainability.

In addition, many requirements specifically applicable to wastewater treatment facilities or publicly owned treatment works (POTWs) are prescribed in the Tentative Permit though GRIP-AWTF is not a POTW. The District feels that the treatment of GRIP-AWTF as a POTW and its advanced treated recycled water as a waste conflicts with a variety of State laws and policies that recognize the distinction between "waste" disposal and beneficial use of "recycled water," and therefore should be modified accordingly (See, e.g., Water Code section 13050(n) (defining "recycled water" as separate and distinct from "waste," which is independently defined at Water Code section 13050(d)); State Water Board Resolution 77-1, which finds that: "The California Legislature has declared that the people of the State have a primary interest in the development of facilities to *reclaim water containing waste to supplement existing surface and underground water supplies*"; the State Water Board's Recycled Water Policy that declares that "when used in compliance with this Policy, Title 22 and all applicable state and federal water quality laws, the State Water Board finds that recycled water is safe for approved uses, and *strongly supports recycled water as a safe alternative to potable water* for such approved uses"; see also Water Code sections 13510, 13512, and 13560) (emphasis added)). Detailed examples and recommended changes appear in Attachments A and B.

The District thanks you in advance for your careful consideration of the comments contained herein and Attachments A, B, and C. Also, we would like to request an in-person meeting with you and your staff to discuss our comments on the Tentative Permit. Shortly after transmitting these written comments, we will contact your staff to schedule a meeting. If you have any questions concerning this letter or need additional clarification, please contact Mr. Ted Johnson, Chief Hydrogeologist at (562) 275-4240 or at tjohnson@wrd.org.

Very truly yours,



Robb Whitaker, PE
General Manager

Attachments

cc: [via email only]

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