

# **Appendix E**

## **Comment Letters Received**

**by**

**April 28, 2014**

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# TABLE OF CONTENTS

<b>Comment Letters Received</b>	<b>Page No.</b>
<b>San Francisco Public Utilities Commission</b>	<b>E-1</b>
<b>Robert Feinbaum, private citizen</b>	<b>E-7</b>
<b>Solano County Department of Resource Management</b>	<b>E-9</b>

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# San Francisco Water Power Sewer

Services of the San Francisco Public Utilities Commission

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April 28, 2014

## BY EMAIL AND U.S. MAIL

Richard Looker  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland CA 94612  
[Richard.Looker@waterboards.ca.gov](mailto:Richard.Looker@waterboards.ca.gov)

RE: City and County of San Francisco's comments on the Basin  
Plan Amendment

Dear Mr. Looker,

Thank you for the opportunity to comment on the proposed amendments to the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) noticed on March 28, 2014 (Basin Plan Amendment). In general, the San Francisco Public Utilities Commission (SFPUC) supports the Regional Water Quality Control Board (Water Board) staff recommendations for improvements to the Basin Plan provisions regarding wet weather overflows. The SFPUC requests additional non-regulatory modifications to Basin Plan section 4.11.1, to address that section's outdated description of San Francisco's infrastructure and incomplete description of the City and County of San Francisco's approach to compliance with the federal Combined Sewer Overflow (CSO) Policy.

The SFPUC provides sanitary sewer, storm sewer, water and power services to the City and County of San Francisco (San Francisco). San Francisco is served almost entirely by a combined sewer system (CSS), meaning that its infrastructure captures and treats both wastewater and stormwater. Accordingly, the system was designed and constructed with several features unique to combined sewer systems. First, the system has a peak wet weather treatment capacity significantly in excess of dry weather flows. For example, the combined primary treatment capacity of the City's three plants – the Southeast Water Pollution Control Plant, the Oceanside Water Pollution Control Plant, and the North Point Wet Weather Facility – is 465 million gallons per day (MGD), which is more than six times the plants' combined average dry weather flow.<sup>1</sup>

The system also includes more than 200 MG of wet weather storage, primarily in the form of the large moat-like transport-storage structures (T/S structures) that surround much of San Francisco. These T/S structures provide storage for most wet weather flows until they can be routed to the treatment plants. Only during large storms that generate flows in excess of the system's enormous

Edwin M. Lee  
Mayor

Vince Courtney  
President

Ann Moller Caen  
Vice President

Francesca Vietor  
Commissioner

Anson Moran  
Commissioner

Art Torres  
Commissioner

Harlan L. Kelly, Jr.  
General Manager



<sup>1</sup> The system also has secondary treatment capacity equal to almost twice the average daily flow.

treatment and storage capacity are wet weather flows, consisting mostly of stormwater, discharged through one of thirty-six permitted combined sewer discharge (CSD) outfalls. The T/S structures connecting to CSD outfalls were designed to provide treatment to discharge in the form of weirs to hold back solids and baffles to reduce discharges of floating debris. San Francisco's hydraulic model, which is calibrated and validated with data from rain gauges and almost 100 flow meters distributed throughout the City, indicates that the system collects, transports, and treats approximately 26,000 MG of wastewater and 10,000 MG of stormwater in a typical year<sup>2</sup>, and that less than five percent of these flows are discharged through combined sewer discharge outfalls.

The current configuration of San Francisco's infrastructure results from a series of master and facility planning efforts initiated by San Francisco's 1971 Master Plan and a 1974 Environmental Impact Report and Statement jointly issued by the United States Environmental Protection Agency (USEPA) and San Francisco. Collectively, these documents describe an integrated system of treatment, collection, and storage to provide full secondary treatment to all dry weather flows, substantially reduce combined sewer overflows, and control solids and floatables in the remaining overflows. The details of the system ultimately built are slightly different from those contemplated in the original planning documents,<sup>3</sup> but the general performance objectives of secondary treatment and extensive wet weather flow control have been achieved. The final CSD performance targets were mandated by Water Board Order Nos. 79-12 and 79-67 and resulted in the construction of infrastructure, including the T/S boxes, with sufficient capacity to achieve a long-term annual CSD frequency of one for the Southeast, ten for the Central Bayside, four for the North Shore, and eight for the Oceanside. These levels of control were based on studies evaluating the relative costs and water quality benefits of different levels of control, and findings that the mandated levels of wet weather control would protect beneficial uses.

Construction of the current wet weather controls to achieve the objectives of the Master Plan and Water Board orders was three years from completion at the time the federal CSO Control Policy was promulgated in 1994. The CSO Control Policy explicitly recognized ongoing efforts by providing that "[a]ny permittee that, on the date of publication of this final Policy, has completed or substantially completed construction of CSO control facilities that are designed to meet WQS and protect designated uses...is not covered by the initial planning and construction provisions in this Policy."<sup>4</sup> Accordingly, since 1997, the Water Board has issued permits to San Francisco that require compliance with the provisions of the CSO Control Policy that apply post-construction of CSO controls: maintenance and operation of the wet weather facilities to ensure

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<sup>2</sup> A "typical year" is used in hydraulic modeling to represent the expected long term average performance of a system. It is a compromise between running the model over the full historical rainfall record (which consumes a large amount of processing time) and using just a single "design storm" event (which fails to capture a meaningful range of storm magnitudes, durations and antecedent conditions). San Francisco's typical year is based on an analysis of more than 70 years of rainfall data.

<sup>3</sup> For example, the EIR/EIS described a preferred alternative that included construction of a tunnel across the City that would carry flows from the Southeast Water Pollution Control Plant to an ocean outfall. While the ocean outfall ultimately built includes sufficient capacity for these flows, the cross-town tunnel was determined to be unnecessary. Similarly, the EIR/EIS preferred alternative contemplated storage basins distributed throughout the City, but this storage was consolidated in the form of the T/S structures.

<sup>4</sup> CSO Control Policy section I.C.1.

continued maximization of storage and treatment; continued implementation of the Nine Minimum Controls, which constitute the permit wet weather technology-based requirements; post-construction monitoring to confirm the system's performance; and re-evaluation of the feasibility of reducing or eliminating discharges to designated sensitive areas, such as public beaches.

The current Basin Plan section 4.11.1 was drafted and incorporated prior to the 1997 completion of all major wet weather controls and the language is consequently outdated. This proposed amendment is an opportunity to make minor modifications to reflect the San Francisco's current wet weather infrastructure and performance, and the Water Board's approach to implementing the CSO Control Policy. Accordingly, we ask that this section be modified and updated as shown in the attachment. These changes eliminate dated references, and more accurately describe the current system and the CSO Policy approach to establishing permit requirements post-construction of required overflow controls.

Thank you for considering this request; please contact Laura Pagano ([LPagano@sflower.org](mailto:LPagano@sflower.org)) with any questions.

Sincerely,



Tommy T. Moala

*Boz* Assistant General Manager

San Francisco Public Utilities Commission, Wastewater Enterprise

**ATTACHMENT: REQUESTED CHANGES [section 4.11.1]**

The City and County of San Francisco owns and operates the only combined sewer system in the San Francisco Bay Region. collects the wastewater in a San Francisco's combined sewer system. That is, the domestic sewage, industrial wastewater, and stormwater runoff are all collected in the same pipes and treated at one of two all-weather secondary treatment plants – the Southeast Water Pollution Control Plant and the Oceanside Water Pollution Control Plant – or at the North Point Wet Weather Facility. (combined sewer). Such system is subject to overloading during severe storms. Most other communities in California have a separated sewer system: one set of pipes for domestic sewage and industrial wastes and another set for stormwater. The system was designed and constructed with several features unique to combined sewer systems. First, the system has a peak wet weather treatment capacity significantly in excess of dry weather flows. Second, the system includes more than 200 million gallons of wet weather storage in large transport/storage (T/S) structures that surround the City. These T/S structures hold back the wet weather flows generated by most storms until they can be routed to the treatment plants. Only during large storms are wet weather flows, consisting mostly of stormwater, discharged through one of thirty - six permitted combined sewer discharge (CSD) outfalls. The T/S structures also include baffles and weirs to hold back solids and floating debris prior to discharge through a CSD outfall. Discharges from CSD outfalls represent less than five percent of San Francisco's total annual combined flows in a typical year.

San Francisco was one of the first municipalities in the nation to complete construction of comprehensive combined sewer overflow controls is near completion of the primary components of its wastewater facilities master plan. This construction program began in 1974 with the publication of the Master Plan Environmental Impact Statement and Report, jointly issued by San Francisco and EPA, which described an. The integrated wastewater control system established by the master plan has been designed to provide control and treatment for both dry weather sewage and wet weather storm flows, and to achieve long-term average CSD frequencies mandated by the Water Board in Order Nos. 79-12 (Oceanside) and 79-67 (Bayside) to protect beneficial uses. All dry weather flows currently receive secondary level treatment. At program completion in 1996, all wet weather flows including stormwater runoff will be captured and will receive a specified level of treatment depending on the size of the storm. Pollutant removal from stormwater will be approximately 60 percent system-wide (measured as reduction in total suspended solids). San Francisco is one of the first municipalities in the nation to complete a comprehensive control program for a combined sewer system. The program was fully implemented in 1997 at a cost of approximately \$2 billion. The expenditures for completing the wastewater master plan is about \$1.45 billion.

The Water Board applies the federal CSO Policy to wet weather discharges from San Francisco's combined sewer system. The CSO Policy requires the initial implementation of Nine Minimum Controls followed by the development and implementation of a long-term control plan for combined sewer overflow control to achieve water quality standards. San Francisco substantially constructed wet weather control facilities prior to adoption of the CSO Control Policy. Accordingly, since construction was completed in 1997, the Water Board has issued San Francisco permits that require compliance with the provisions of the CSO Control Policy that apply to post-construction of CSO controls: maintenance of the wet weather facilities to ensure

continued maximization of storage and treatment; continued implementation of the Nine Minimum Controls, which constitute the permit wet weather technology-based requirements; post-construction monitoring to confirm the system's performance; and re-evaluation of the feasibility of reducing or eliminating discharges to sensitive areas.

The Southeast Water Pollution Control Plant is a major component of San Francisco's wastewater treatment system. The plant provides secondary level treatment for all dry weather domestic and industrial wastewater from the Bayside drainage area in San Francisco (approximately 75 percent of the total citywide flow). The Oceanside plant provides similar treatment on the Westside. The storage/transport around the periphery of the city store combined sewage for treatment after the storms subside. Additionally, northeast zone storm flows receive treatment at the Northpoint wet weather treatment plant.

**CLEAN VERSION OF ATTACHMENT: REQUESTED CHANGES**  
**[section 4.11.1]**

The City and County of San Francisco owns and operates the only combined sewer system in the San Francisco Bay Region. In San Francisco's combined sewer system domestic sewage, industrial wastewater, and stormwater runoff are collected in the same pipes and treated at one of two all-weather secondary treatment plants – the Southeast Water Pollution Control Plant and the Oceanside Water Pollution Control Plant – or at the North Point Wet Weather Facility. The system was designed and constructed with several features unique to combined sewer systems. First, the system has a peak wet weather treatment capacity significantly in excess of dry weather flows. Second, the system includes more than 200 million gallons of wet weather storage in large transport/storage (T/S) structures that surround the City. These T/S structures hold back the wet weather flows generated by most storms until they can be routed to the treatment plants. Only during large storms are wet weather flows, consisting mostly of stormwater, discharged through one of thirty-six permitted combined sewer discharge (CSD) outfalls. The T/S structures also include baffles and weirs to hold back solids and floating debris prior to discharge through a CSD outfall. Discharges from CSD outfalls represent less than five percent of San Francisco's total annual combined flows in a typical year.

San Francisco was one of the first municipalities in the nation to complete construction of comprehensive combined sewer overflow controls. This construction program began in 1974 with the publication of the Master Plan Environmental Impact Statement and Report, jointly issued by San Francisco and EPA, which described an integrated wastewater control system designed to provide control and treatment for both dry weather sewage and wet weather storm flows, and to achieve long-term average CSD frequencies mandated by the Water Board in Order Nos. 79-12 (Oceanside) and 79-67 (Bayside) to protect beneficial uses. The program was fully implemented in 1997 at a cost of approximately \$2 billion

The Water Board applies the federal CSO Policy to wet weather discharges from San Francisco's combined sewer system. The CSO Policy requires the initial implementation of Nine Minimum Controls followed by the development and implementation of a long-term control plan for combined sewer overflow control to achieve water quality standards. San Francisco substantially constructed wet weather control facilities prior to adoption of the CSO Control Policy. Accordingly, since construction was completed in 1997, the Water Board has issued San Francisco permits that require compliance with the provisions of the CSO Control Policy that apply to post-construction of CSO controls: maintenance of the wet weather facilities to ensure continued maximization of storage and treatment; continued implementation of the Nine Minimum Controls, which constitute the permit wet weather technology-based requirements; post-construction monitoring to confirm the system's performance; and re-evaluation of the feasibility of reducing or eliminating discharges to sensitive areas.

April 24, 2014

To: San Francisco Bay Area Water Quality Control Board  
From: Robert Feinbaum  
Re: On-site regulations

I was a member of the Stakeholders group which participated in the lengthy development of the state-wide on-site wastewater regulations. As such I followed the discussion of Operating Permits for advanced treatment systems closely. After much deliberation, the state board decided not to impose a requirement for Operating Permits throughout California.

I understand that regional boards and counties are free to adopt more stringent regulations than the state required. However I believe that Operating Permits for advanced treatment systems are an unwise and unfair means for dealing with water quality issues.

To my knowledge most counties in the Bay Region have followed Sonoma County in requiring Operating Permits. However this has been done without scientific studies showing that advanced treatment systems are contributing to water pollution, and certainly without any evidence that such systems are compromising the health or the water quality of any community in the Bay Area.

Operating permits were imposed on advanced systems because of a "feeling" or due to "experience" of local and regional officials at a time when they had little knowledge about such systems. These officials should be free to express their "feelings" or their "experience" to Dr. Phil. But regulations that impose costs on select property owners should be based on rigorous studies that show that there exists a problem that needs to be addressed.

In fact we know that the greatest problem with on-site systems comes from old systems that were badly designed and are now failing. Nationwide studies place the rate of failure from older systems at 10 to 30%. From a water quality, as well as an equity, standpoint, it makes little sense to require permits for the safest systems, and ignore the most obvious potential source of water contamination.

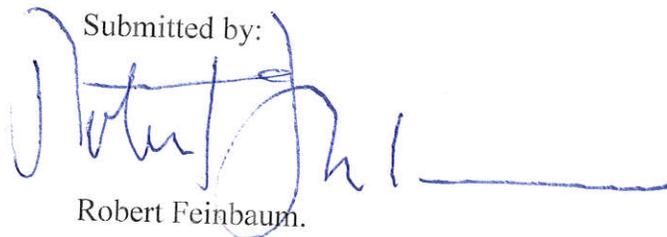
Therefore I suggest that the current draft of the on-site regulations that you are considering should be amended as follows:

- 1) Require studies that show that on-site systems are causing water quality problems in a specific area before considering the imposition of Operating Permits for advanced systems. A listing by a state or federal agency that contamination from on-site systems is degrading water quality would also suffice
- 2) Recommend that on-site system owners hold a maintenance contract for their system or become certified to maintain their own system through attendance at a training class. (The latter has proven quite successful in other states).
- 3) Eliminate Operating Permits from the requirements for approval of an advanced

Page (2)

system, and require County health departments that wish to re-instate such permits, to show through well conducted studies, that contamination of a specific water body, or of the groundwater, is occurring due to on-site systems in the local area.

Submitted by:

A handwritten signature in blue ink, appearing to read "Robert Feinbaum", followed by a horizontal line.

Robert Feinbaum.

Contact: [bobf@att.net](mailto:bobf@att.net)



**SOLANO COUNTY**  
**Department of Resource Management**

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Bill Emlen, Director  
Clifford K. Covey, Assistant Director

Richard Looker  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

April 28, 2014

RE: Incorporating New Onsite Wastewater Treatment System (OWTS) Policy into Basin Plan

Dear Mr. Looker:

Thank you for providing the opportunity to comment on incorporation of the new OWTS policy into the Basin Plan. Based on review of the staff report and interaction with constituents, I have the following comment:

The San Francisco Bay Regional Water Quality Control Board needs to act expeditiously to develop a general WDR or Order, including an Order for a Conditional Waiver, for small "boutique" wineries and small food processors to facilitate approval of their waste discharge.

It has been ongoing practice for Solano County Environmental Health to work closely with staff from the San Francisco Bay Regional Water Quality Control Board to permit waste discharge from small wineries and small food processors. Based on the state's OWTS policy, Solano County Environmental Health no longer has authority over high strength wastes, meaning that the San Francisco Bay Regional Water Quality Control Board will have sole authority over approval of their discharge. While it is important to ensure that the discharge occurs in a protective manner, it is likely that the risk from boutiques wineries and small food processors will pose limited risk. It is recommended that you evaluate the Central Valley Regional Water Quality Control Board's, Order #R5-2009-0097 as a potential model to follow.

Thank you for your consideration. If you have question, feel free to contact me at 707-784-3308.

Sincerely,

A handwritten signature in blue ink, appearing to read "Terry Schmidtbauer".

Terry Schmidtbauer, Environmental Health Manager

Building & Safety  
David Cliche  
Building Official

Planning Services  
Mike Yankovich  
Program Manager

Environmental  
Health  
Terry Schmidtbauer  
Program Manager

Administrative  
Services  
Suganthi Krishnan  
Sr. Staff Analyst

Public Works-  
Engineering  
Matt Tuggle  
Engineering Manager

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Wayne Spencer  
Operations Manager