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November 8, 2006

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To Mr. Dale Bowyer:

Comments – Stormwater Municipal Regional Permit:

Comments In Advance Of November 15, 2006 Public Meeting to Discuss Draft Stormwater Municipal Regional Permit

The Alameda County Water District (ACWD) appreciates this opportunity to submit comments on the San Francisco Bay Regional Water Quality Control Board's (RWQCB) Draft Municipal Regional Urban Runoff Phase I NPDES Stormwater Permit. ACWD is a Special District which supplies drinking water to approximately 320,000 customers within the service area of Fremont, Newark, and Union City. In providing this service, ACWD operates a distribution system throughout our service area which includes more than 840 miles of water mains ranging in size from <4" to 48" in diameter, approximately 87,000 customer service line connections accounting for more than 500 miles of smaller water lines, and more than 9,400 fire hydrants.

ACWD places great emphasis on the protection of the environment as a key element within all operational activities and prides itself as an active leader in the drinking water community in regard to promoting Best Management Practices (BMPs) for stormwater and non-stormwater discharge management. Although ACWD is not a direct Permittee under the existing Alameda Countywide NPDES Municipal Stormwater Permit (Order R2-2003-0021, NPDES Permit No. CAS0029831), we actively comply with this permit and manage all District-related discharges which occur throughout our service area according to its provisions. However, we were only recently made aware of the RWQCB effort to draft the Municipal Regional Permit (MRP) which upon adoption will presumably replace the existing Alameda County MS4 permit. ACWD has

now reviewed the October 13, 2006 draft MRP and we have some serious concerns related to the language addressing Exempt and Conditionally Exempt Non-Stormwater Discharges (Section 14, pages 108-114 of the draft document).

Specifically, the language listed under Part d. of this section (page 111 of 116) addresses the requirements to conditionally exempt “Planned and Unplanned Discharges from Potable Water Sources Including but not Limited to Water Conveyance Systems and Hydrant Flushing.” We are concerned with several areas of the draft language in this section and strongly feel that a clearer understanding of the typical operations of a drinking water system need to be considered before this permit language is adopted. To best achieve this, we would encourage the assembly of a drinking water utility stakeholder workgroup to work directly with the RWQCB on this section. In looking at each of the sections of language which need further review and water utility stakeholder input, we cite the following:

Under “Task Description,” – item ii., the draft language includes: “...shall implement appropriate dechlorination and dechloramination BMPs to minimize direct and indirect impacts...”

We feel the issue of requiring dechloramination of drinking water needs to be further examined before such language is adopted. In most all cases, when chloraminated potable water is released, the levels of residual ammonia present after such water is properly dechlorinated is below the water quality objective for un-ionized ammonia in surface water (considering temperature and pH).

Under “Task Description,” – item iii., the draft language states: “Dischargers shall report discharge incidents and implemented BMPs to municipalities and the Water Board.”

We address the draft reporting language below.

Under “Level of Implementation,” – item(s) vi., and vii., the language references releases greater than 50,000 gallons in volume and states provisions to consider discharge to sanitary sewer after approval of POTWs.

While ACWD understands the intent behind this provision, the practical reality is that very few (if any) of the releases with this volume would be available for discharge into a POTW system. Several factors would have to be considered such as rate of flow, entry into the sanitary system, etc. This provision needs closer review and evaluation from both the drinking water utility stakeholders, and a representative group from regional POTW agencies.

Under “Recording/Reporting,” – item i., the draft language states “Discharger shall report either to local POTWs if discharged to sanitary sewer...”

See note above. The issue of POTW discharges and related reporting of such requires further evaluation for feasibility of occurrence from both drinking water and POTW stakeholders.

Under "Recording/Reporting," – item ii., the draft language states "All unauthorized and/or unplanned discharges shall be immediately notified and reported to local municipalities and Water Board within 24 hours after the incident. The report shall include full assessment of the incident and corrective actions taken to abate and mitigate the problem."

This section of draft language poses the greatest area of concern. As explained below, due to the nature of operating a drinking water utility, the mandatory reporting of all releases as detailed in this draft language would be extremely difficult (if not impossible) to comply with. In addition, the number of reports generated under a mandatory 24 hour rule would seemingly be unmanageable to a point likely of negating the intent behind rules aimed at release reporting. ACWD strongly recommends a stakeholder group be assembled to discuss this language before moving forward with the MRP. See supporting information below.

ACWD is mandated to operate its system with the objective to ensure compliance with all health and safety standards and regulations set forth within the Safe Drinking Water Act (SDWA). In doing this, the unavoidable nature of daily business activities associated with the operation and maintenance of such a public drinking water system involves the occurrence of many planned and unplanned releases of potable water. These releases occur frequently (at least on a daily basis) and as stated above, are currently managed by ACWD to comply with the existing Alameda County MS4 permit (BMPs include dechlorination, silt/solids controls, erosion control, etc.). These releases may result from planned water quality assurance based operations (hydrant flushing, tank and reservoir cleaning, etc.), unplanned failures (leaks) of pipelines and other system appurtenances, or as a result of collisions of vehicles with fire hydrants throughout the system. The following illustrates historical practices or occurrences and should provide a sense of the frequency of such unavoidable potable water releases.

Planned Water Quality Assurance Related Releases

Operation	Frequency of Occurrence
Tank and Reservoir draining/cleaning	1 – 3 times per year
Hydrant and Main Line blow-off flushing	3,000 per year (est.)

Unplanned Distribution System Releases

Water Leaks	Frequency of Occurrence
Main lines and service line connections	377 per year (3 yr. average) 500 per year (10 yr. average)

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Other system appurtenances 500 – 1000 per year (est.)
(meters, air valves, backflow devices, etc)

Hydrants sheared by vehicles 50 per year (est.)

As seen above, the sheer number of unavoidable planned and unplanned releases which occur daily within a drinking water system such as ACWD's will make it extremely onerous (if not impossible) to ensure compliance with the mandatory 24-hour release reporting language as it is currently drafted within the MRP. What's more, ACWD represents only one public drinking water agency throughout the San Francisco Bay Region. All drinking water utilities within the region have planned and/or unplanned releases on a scale similar to that outlined above. Considering this, we believe the number of potable water release reports required as currently drafted in the MRP would be so great that the municipalities and the RWQCB would be hard pressed to respond and manage this volume of information relative to the intent of the reporting requirement.

Please feel free to contact me at (510) 668-6530 with any questions related to this submission of comments. I would be more than happy to play an active role in the assembly and participation of regional drinking water utility stakeholder group charged to further refine these issues so as to meet the intent of this permit effort.

Sincerely,



Marian J. Gonzalez
for

Steve Dennis
Environmental Compliance Officer

mjg
By e-mail