



**CONTRA COSTA
WATER DISTRICT**

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November 8, 2006

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Mr. Dale Bowyer
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Subject: Comments on Draft Municipal Regional Permit

Dear Mr. Bowyer:

Contra Costa Water District (CCWD) appreciates this opportunity to submit these comments on the Draft Municipal Regional Permit (MRP). CCWD is a Special District that provides water to over 500,000 people in a wide service area that covers central and eastern Contra Costa County. Of these persons, about 245,000 receive treated water directly from CCWD. Our treated water distribution system consists of nearly 800 miles of pipelines, 31 pump stations, and over 40 treated water reservoirs.

The remaining persons in our service area receive treated water from treatment plants and distribution systems operated by four municipalities and one privately owned company. These parties are CCWD customers who receive untreated water from our conveyance and storage system, which consists of the Contra Costa Canal (canal) and four untreated water storage reservoirs. The canal totals about 55 miles in length, originates in eastern Contra Costa County at the San Joaquin Delta, and traverses through central Contra Costa County to a terminal reservoir in Martinez.

Our entire treated water system, as well as a significant portion of our untreated water system, would be subject to the MRP requirements. The affected cities whom we serve within this area include: Bay Point, Clayton, Clyde, Concord, Martinez, Pacheco, Pittsburg, Pleasant Hill, Port Costa, and Walnut Creek.

Over the years CCWD has worked closely with the members of the Contra Costa Clean Water Program (CCCWP) to develop and implement performance measures to mitigate and prevent pollutant discharges from planned and unplanned potable water supply discharges. The intent of our efforts has been to assure the CCCWP members that our activities warrant the conditional exemption status of the National Pollutant Discharge Elimination System Municipal Stormwater Permit (NPDES Permit No. CAS0029912). In particular, those conditional exemptions which apply to planned and unplanned discharges from potable water sources, and water line and hydrant flushing activities.

During potable water supply discharges and line and flushing activities, CCWD implements industry-recognized Best Management Practices (BMPs) to prevent and mitigate the discharge of pollutants. We communicate directly and openly with the CCCWP members, and inform them of our BMPs including the most recent versions of the BMPs. The most recent version of the BMPs is found in a manual was developed by the California-Nevada Section of the American Water Works Association in October 2005.

CCWD has always been responsive in addressing CCCWP members' issues and inquires regarding our discharges and activities. We believe that our current working relationship with the CCCWP members and our BMPs program effectively combine to ensure that pollutant discharges are prevented and mitigated during our activities. Furthermore, that the proposed applicable MRP provisions will create unnecessary administrative burdens, require questionable mitigation and sampling practices, and not improve upon or reduce pollutant discharges.

Our specific comments on the MRP are presented in the attached table. Of these comments, we wish to highlight and discuss the proposed reporting requirement for unauthorized and/or unplanned discharges. This requirement calls for the immediate notification and reporting of all unauthorized and/or unplanned discharges to local municipalities and the Water Board within 24 hours after the incident. This report is to include a, "...full assessment of the incident and corrective actions taken to abate and mitigate the problem."

CCWD estimates that there are between 400 and 1,000 unplanned discharges that occur annually. These unplanned discharge sources include, but are not limited to: broken water mains, leaking water meters, leaking back flow prevention devices, and sheared fire hydrants. In light of the sheer number of unplanned discharges that we experience, to require a "full assessment" within 24 hours after the incident is an unreasonable administrative burden. As currently written, CCWD does not know that it can comply with the reporting requirement. And we do not understand either the reason or intent of this reporting requirement.

If the intent of this reporting requirement is to ensure that pollutant discharges are properly mitigated, then CCWD believes there are better ways to achieve this end. Rather than present this discussion at this time, CCWD strongly believes that a stakeholders group on potable water suppliers should be convened to discuss the reporting as well as other applicable aspects of the MRP. We believe that this group offers the best vehicle to openly discuss the issues and concerns, and produce collaborative results.

CCWD actively participated in a past stakeholders group during the development of the Region Wide General NPDES Permit for Discharges from Water Treatment Facilities for Potable Water (NPDES Permit CAG No. 382001). We found this

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working environment to be extremely productive in meeting the requirements of the NPDES Permit Program. We strongly believe that a similar group for MRP is necessary and would produce similar results.

Thank you for this opportunity to submit these comments. Should you have any questions or comments, please contact me at (925) 688-8023.

Sincerely,



David A. Omoto
Environmental Compliance Officer

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Attachment

CONTRA COSTA WATER DISTRICT
Comments on Municipal Regional Permit
Exempt and Conditionally Exempt Discharges
November 8, 2006

No.	Reference	Page	Comments
1	d. Planned and Unplanned Discharges Task Description Item ii.	111	<p>Delete references to specific pollutant measure control measures (dechlorination, and dechloramination) and pollutants (chlorine and chloramines). Identifying specific pollutants and control measures limits the task to those specific pollutants, and does not take into account that BMPs exist to address other pollutants. Additionally the phrase, "Best Management Practices", identifies pollutants and control measures as they become available and allows more flexibility to control pollutants in the future. We suggest the following edits in strikethrough format:</p> <p>ii. Dischargers shall implement appropriate dechlorination and dechloramination-BMPs to minimize direct and indirect impacts associated with such discharges to waters of the State, and render chlorine and chloramines pollutant concentrations below aquatic toxicity levels.</p>
2	d. Planned and Unplanned Discharges Level of Implementation Item ii.	111	<p>Clean out of storm drain inlets and catch basins on property other than that of Discharger may not be allowed and/or present unsafe and unknown working conditions. Cleaning of these facilities should only be required within the Dischargers' property boundaries. We suggest the following edits in bold underline format:</p> <p>ii. Dischargers shall clean out storm drain inlets/catch basins <u>within the Dischargers' property boundaries</u> where discharges may enter.</p>
3	d. Planned and Unplanned Discharges Level of Implementation Item iv.	111	<p>Delete the reference to the specific reference to "diffusers" and "tablets". This language does not consider that other BMPs may exist which are more appropriate for a specific discharge situation. We suggest the following edits in strikethrough and bold underline format:</p> <p>iv. Discharges shall install flushing diffusers with <u>implement appropriate BMPs</u> dechlorination <u>tablets-measures</u> so that discharges meet water quality standards.</p>

No.	Reference	Page	Comments
4	d. Planned and Unplanned Discharges Recording/Reporting Item i.	111	This is an unnecessary reporting requirement. Special discharge permits are required to discharge through a sanitary sewer to a POTW. These permits serve as a purpose far greater than mere reporting. The entire requirement language should be eliminated.
5	d. Planned and Unplanned Discharges Recording/Reporting Item ii.	111 & 112	This reporting requirement will be an administrative burden. It fails to take consideration the sheer numbers of unplanned discharges that would result in reporting. Additionally, the reporting requirements are too vague. It is not clear how the report is to be submitted, and what is meant a "full assessment of the incident..." Finally, the requirement fails to take into consideration that 24 hours reporting may not be practical as the requested information may not be available.
6	d. Planned and Unplanned Discharges Task Description Item iii.	112	See comments 4 & 5 above.
7	d. Planned and Unplanned Discharges Level of Implementation Item vii.	112	The proper implementation of accepted and recognized BMPs should be sufficient to mitigate and prevent pollutant discharges. Rather than monitor for specific constituents, the emphasis should be placed on the documenting of BMPs implementation. As such, we believe that the monitoring of constituents and demonstration of such monitoring are unnecessary requirements, and should not be required.