



**CVCWA**  
**Central Valley Clean Water Association**  
*Representing Over Fifty Wastewater Agencies*



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**MICHAEL RIDDELL – Chair, City of Riverbank**  
**CASEY WICHERT – Secretary, City of Brentwood**

**TERRIE MITCHELL – Vice Chair, Sacramento Regional CSD**  
**TONY PIRONDINI – Treasurer, City of Vacaville**

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May 27, 2014

*Via Electronic Mail*

Ms. Felicia Marcus, Chair  
c/o Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814  
[commentletters@waterboard.ca.gov](mailto:commentletters@waterboard.ca.gov)

**SUBJECT:       Comments on Draft General Waste Discharge Requirements for Recycled  
Water Use**

Dear Ms. Marcus:

The Central Valley Clean Water Association (CVCWA) appreciates the opportunity to submit comments on the Draft General Waste Discharge Requirements for Recycled Water Use (Draft Order). CVCWA is a non-profit association of public agencies located within the Central Valley region that provide wastewater collection, treatment, and water recycling services to millions of Central Valley residents and businesses. We approach these matters with the perspective of balancing environmental and economic interests consistent with state and federal law. In this spirit, we provide the following comments on the Draft Order. CVCWA also supports the comments submitted by WaterReuse California, and have endeavored, for the most part, to not repeat those comments. CVCWA's comments here reflect those comments that are different or in addition to those included in the letter submitted by WaterReuse California.

**I. General Comments:**

Like WaterReuse, we urge the State Water Resources Control Board (State Water Board) to adopt this permit as water recycling requirements (WRRs) rather than waste discharge requirements (WDRs). Recycled water is not a waste, but a resource, and should be regulated as such. CVCWA understands that the State Water Board is seeking legislative clarification in its authority to issue general WRRs. CVCWA recommends that this order be adopted preferably as WRRs, or in such a way that the permit automatically transfers to WRRs once the issue of authority to issue general WRRs is resolved. With this second option, we envision that all enrolled under the Draft Order WDRs would automatically transfer to WRRs once it becomes available.

This Draft Order is being issued under Directive No. 10 of the Governor's Executive Order, which directs the State Water Board to adopt statewide general WDRs to facilitate the use of treated wastewater that meets standards set by the Department of Public Health, in order to reduce demand on potable water supplies. Additionally, as set forth in the notice, Directive No. 19 of the Executive Order provides that the California Environmental Quality Act requirement to conduct an environmental review is suspended to allow the State Water Board to adopt this Draft Order as quickly as possible. CVCWA is concerned that the terms or applicability of this Draft Order could change if the drought ends. Permitting certainty is important for our members and for those that would utilize recycle water. CVCWA requests clarification on this issue.

CVCWA is unclear from the Draft Order language how current recyclers under Master Reclamation Permits (MRPs) or with recycling provisions, those with individual WDRs for their recycling projects, and those with recycling provisions within their National Discharge Pollutant Elimination System (NPDES) permits or WDRs for their treatment facility would or could transition to this general permit. In general, CVCWA supports that water recyclers have the choice to remain under their current permits or transition to this general permit, or potentially, have coverage for different projects under separate permits. CVCWA requests clarification of this issue, including what process would be followed in transferring from another permit to this permit.

CVCWA request clarification on how this permit will be administered. For example, will the permit be issued and administered by Regional Water Quality Control Boards (Regional Water Board), or is the process different? What authorities do the Regional Water Boards have in modifying or adding to this general permit?

As a preliminary matter, concerning the permit, we recommend that the findings in the Draft Order be reorganized to fall under general categories or headings. By reorganizing the findings under certain specified headings, it should assist in making the Draft Order easier to follow and will help to avoid duplication of findings. Examples of such general categories could

include: Basin Plans, Beneficial Uses, and Water Quality Objectives; Antidegradation Considerations; Treatment and Control Practices; Water Recycling Regulatory Considerations; and, California Environmental Quality Act.

Further, we recommend that the Draft Order consistently refer to recycled water as recycled water rather than as a discharge of a waste. We understand and recognize that application of recycled water under this Draft Order is regulated through general WDRs. Regardless of the regulatory mechanism, however, recycled water is a valuable resource and not a “waste” per se.

We are also concerned that the Draft Order is written in a way that encourages landscape irrigation but does not fully incorporate provisions to encourage the use of recycled water for agricultural irrigation. To ensure that the Draft Order does in fact encourage the use of recycled water for both, we have made a number of recommendations to help facilitate use of the Draft Order in the broadest and most efficient manner possible.

Our specific comments are provided here and are organized in order of the provisions as they appear in the Draft Order for the sake of efficiency.

## II. Comments on Findings

Finding 3: To ensure that Finding 3 properly reflects the potential beneficial impact of recycled water, we recommend that it be revised as follows:

“Recycled water” means water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur and is therefore considered a valuable resource. (Wat. Code, § 13050(n).) Coverage under these General Waste Discharge Requirements (WDRs) for Recycled Water Use (General Order) is limited to treated municipal wastewater for non-potable uses. An estimated 1.85 to 2.25 million acre-feet of water supply could be realized annually through recycling by the year 2030.<sup>1</sup> Of this total amount, an An estimated 0.9 million to 1.4 million acre-feet of “new water” could be realized by 2030 through recycling of municipal wastewater that is discharged into the ocean or saline bays. Because discharges to the ocean or brackish water bodies support few, if any, downstream beneficial uses, such discharges are excellent sources of wastewater for future recycling efforts.<sup>2</sup>

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<sup>1</sup> California Department of Water Resources, Bulletin 160-2009, p. 11-9.

<sup>2</sup> California Department of Water Resources, Bulletin 160-2009, p. 11-7.

Additionally, CVCWA does not believe this finding as currently written gives the complete message of water recycling. Recycled water has equally important benefits when discharging to an inland fresh water streams.

Finding 4: Use of recycled water can also benefit surface water supply and storage when it replaces surface water that would normally be diverted. Reducing the need for diversions can allow more water in rivers and streams or to remain in reservoirs.

Finding 7: As proposed, this Finding is focused on municipal uses of recycled water. To fully capture the intent of promoting the use of recycled water for agricultural irrigation purposes, we recommend that the last sentence of finding 7 be revised as follows:

These projects will provide water supply and municipal wastewater disposal benefits for communities, and will provide water supply benefits to California agriculture.

Finding 9: Finding 9 suggests that uses of recycled water under the Draft Order must be in compliance with the State Water Board's Recycled Water Policy. Such a statement may be appropriate for use of recycled for landscape irrigation purposes. However, to the extent that the recycled water use will be for agricultural irrigation, the State Water Board's Recycled Water Policy does not apply. Thus, we recommend that reference to the State Water Board's Recycled Water Policy be deleted to avoid confusion.

Finding 10.c: The term "animal water supply" as used in the Draft Order is fairly broad and is not consistent with the intent of title 22 of the California Code of Regulations (Title 22), which does not specifically provide for use of recycled water for livestock watering. Although not specifically mentioned in Title 22, many other uses of recycled water can be allowed by California Department of Public Health (CDPH) pursuant to California Water Code (CWC) section 13523(b). In fact, CWC section 10633(d) and CWC section 13511 both mention several types of water recycling that is encouraged, but is not specifically called out in Title 22. In such cases, CDPH would approve the use during its approval of the Title 22 engineering report. To ensure consistency with title 22 and maximize its potential use, we recommend that reference to "animal water supply" be deleted, or at minimum, be changed to "livestock watering."

Finding 15: We understand that monitoring for certain constituents is necessary to ensure protection of public health and the environment. However, the amount of monitoring contemplated by statements in Finding 15 are excessive and unnecessary, and could act as a deterrent to encouraging use of recycled water, especially for agricultural irrigation, small communities, seasonal dischargers, and land dischargers that are not required to do this monitoring under NPDES permits. Accordingly, we recommend that finding 15 be revised to better clarify the level of monitoring that is actually necessary to protect public health and the environment for the uses that will be covered under this permit, taking into account the

conditions of this permit; for example, that recycled water be applied at agronomic rates. Further, although such monitoring may be required for landscape irrigation projects that are permitted under the streamline permitting provision in the State Water Board Recycled Water Policy, no such monitoring is applicable to recycled water use of agricultural irrigation or other non-landscape irrigation uses that will be covered by this permit, and no such monitoring should be mandated through this Draft Order.

Findings 16 through 22: These findings are identified under the general heading of "Regulatory Issues." While this is generally true, we recommend that the heading be broadened to reflect the nature of the findings, which includes both statutory and regulatory requirements. Thus, recommend the section be broadened to "Statutory and Regulatory Requirements." Further, with this broader heading, it may be appropriate to include other findings in this section. We will identify such findings accordingly in our comments below.

- Finding 18: This finding is particular to WDRs and conveys the wrong message about recycled water. CVCWA recommends this finding be deleted.
- Finding 19: We are unsure as to the purpose of Finding 19. Discharges of wastewater are controlled and regulated by the State Water Board, and the nine Regional Water Board. Other entities, such as those listed in Finding 19, do not have the authority to regulate such discharges, except as applicable through land use restrictions and conditional use permits. We request that the State Water Board revise Finding 19 to clarify the intent and purpose for which it exists.
- Finding 20: For the sake of clarity, we recommend that Finding 20 be revised as follows:

The General Order is applicable to recycled water projects where recycled water for non-potable use is used or transported. ~~and is not intended to~~ The General Order does not regulate the treatment of wastewater.

Finding 23: To ensure compliance with the provisions of the antidegradation policy, we recommend that finding 23 be revised as follows:

~~This General Order regulates~~ authorizes the use of recycled water that may result in discharges to waters of the State. discharges to numerous water bodies, each with its own chemical characteristics. There is not sufficient data to determine which receiving waters are high quality waters for the various constituents that may be associated with recycled water. To the extent use of recycled water results in a discharge to a water of the state covered under this General Order may be that is considered to be a high quality waters, this General Order is consistent with the authorizes degradation to the water of the state in a manner

that is consistent with the Antidegradation Policy as described in the findings below. Further, Salt and Nutrient Management Plans prepared in accordance with the Recycled Water Policy as described in Finding 13 above, will require analysis on an ongoing basis to evaluate inputs to the basin, the salt and nutrient mass balance, and the available assimilative capacity.

Finding 24: Based on our reading of Finding 24, it appears that its primary intent is to state that the Best Practical Treatment or Control (BPTC) is being required by this Draft Order because any recycled water use must be consistent with Title 22. We agree with that general premise and accordingly, support the first paragraph of Finding 24. However, we do not support the subsections (a through c) as currently proposed as being necessary for ensuring that BPTC is being required. Rather than including the items specified in subsections a through c, we recommend that subsections a through c be deleted and a new finding be added after Finding 24 that states as follows:

This General Order further results in BPTC of the discharge necessary to assure that pollution or nuisance will not occur. Such requirements include, but are not limited to, the following:

- a. Application of recycled water is limited to agronomic rates;
- b. Application of recycled water for agricultural irrigation purposes shall be controlled to the extent practical to prevent runoff from application areas;
- c. Application of recycled water for non-agricultural purposes shall be controlled to prevent recycled water from discharging into waters of the United States; and,
- d. Compliance with title 22 prevents nuisance from odors and other nuisance conditions.

Finding 25: We agree that the use of recycled water is to the maximum benefit to the people of the state, and that Finding 25 is intended to make such a statement accordingly. However, there are some statements in Finding 25 that are not supported on their face that should be deleted. One such sentence is found in the middle of the first paragraph, and we recommend that the sentence be modified as indicated here.

The use of recycled water in place of both raw and potable water supplies for the non-potable uses allowed under this order improves water supply availability and helps to ensure that higher quality water will continue to be available for higher-level human uses and for instream uses for fish and wildlife, which have been negatively impacted as a result of over-appropriation of surface water supplies and of environmental impacts associated with construction and operation of dams and other water diversion works.

Next, the second paragraph of Finding 25 makes reference to treatment technologies being required “include primary, secondary, and/or tertiary treatment, and disinfection for pathogen removal.” To our knowledge, there are no approved Title 22 uses that can occur with primary treatment of wastewater. Thus, reference to primary treatment should be removed.

With respect to the last paragraph of Finding 25, it appears to be a restatement of the general premise that compliance with Title 22 assures that BPTC is provided. As indicated previously, this general premise is covered by Finding 24, and through the new finding proposed above. Accordingly, this paragraph is unnecessary and creates confusion.

Finding 26: Reference to Regional Water Board discretion is not an appropriate statement within the context of this finding. To the extent that the Regional Water Boards have certain discretionary actions associated with implementation of the Draft Order, such discretion should be clearly specified in the operative provisions of the Draft Order, not in a finding regarding specific constituents of concern. Thus, reference to Regional Water Board discretion should be deleted. Further, we recommend that the opening paragraph of Finding 26 be further revised as follows:

Constituents of concern associated with recycled water that have the potential to degrade waters of the state groundwater include salinity, nutrients, pathogens (represented by coliform bacteria), and disinfection by-products. The Regional Water Board has discretion in enrolling Dischargers under this General Order. If the use of recycled water will result in a discharge that unreasonably affects beneficial uses, or results in water quality that is less than that prescribed in applicable policies, the producer of recycled water Discharger may elect to improve treatment, or the producer of recycled water may seek coverage for recycled water use through an individual order prepared by the applicable Regional Water Board. a site-specific order can be prepared. The State Board finds that the use of recycled water permitted under this General Order will not unreasonably affect beneficial uses or result in water quality that is less than that prescribed in applicable policies because of the following characteristics and requirements associated with each of the recycled water constituents of concern. Each of the recycled water constituents of concern are discussed below:

Another general comment with respect to Finding 26, where the term groundwater is used, we recommend that it be substituted with the term “water of the state.”

Finding 26.a: Some Regional Water Boards refer to salinity in terms of Electrical Conductivity rather than total dissolved solids. To account for variability in how salinity is referred to, we recommend that this provision be revised as follows:

Salinity is a measured in water through various different measurements, including but not limited to, ~~of~~ total dissolved solids (TDS), electrical conductivity and fixed dissolved solids. ~~in water.~~ Excessive salinity can ~~reduce~~ impair the beneficial uses of water. Salinity levels in the receiving water can be affected by the use of recycled water if the recycled water has elevated concentrations of salinity. ~~with elevated concentrations of TDS.~~ However, it is anticipated that in ~~many~~ most cases, the use of recycled water for irrigation will consist of a portion of the total applied irrigation water. . . . The ~~B~~ blending of sources of irrigation water overtime will generally reduce concentrations of, and/or loading rates of, salinity constituents. As a result, salinity increases are unlikely to impair an existing and/or potential beneficial use of ~~a water of the state.~~ groundwater.

Finding 26.d: Unlike subsections a through c of this finding, the finding in subsection d is inappropriate in that it promotes a treatment technology rather than expresses how Title 22 or this Draft Order will protect beneficial uses from disinfection byproducts (DBPs) reaching a level of concern in receiving waters (if it even occurs) due to recycled water use. For example, this permit is not for direct groundwater recharge, and therefore is not covering the pathway to where DBPs may enter groundwater supplies. In addition, this permit limits land application to agronomic rates. CVCWA recommends this finding be deleted or modified to reflect the permit and Title 22 protections, rather than describe a treatment technology.

Finding 27: This finding appears to be a restatement of the law with respect to Water Code section 1211. As such, it is not relevant to antidegradation issues and thus should not be in this section of the Draft Order. Additionally, this law is not applicable to all recycled water uses and should not read as such nor should a confirmation be required. CVCWA recommends this section be modified.

Finding 28: This finding appears to be associated with supporting the antidegradation analyses by stating that a certain use of recycled water under this Draft Order could unreasonably affect beneficial uses (which is the definition of pollution at Water Code section 13050(l)), then the Regional Water Board may find it necessary to regulate the recycled water use under an individual order that has different or more restrictive requirements than those here that are necessary to ensure compliance with the law. However, the finding repeatedly uses the term “unacceptable,” which is a new terms that does not exist in law of the State’s antidegradation policy. To clarify the intent of this finding, we recommend that Finding 28 be replaced in its entirety with the following:

This General Order authorizes specified uses of recycled water statewide. However, if the use of recycled water under this General Order would unreasonably affect beneficial uses or result in water quality less than that



described in applicable policies, than the Regional Water Board's Executive Officer might find it necessary to permit the use of recycled water under an existing order already adopted by the Regional Water Board, or under a new site-specific order. Before permitting the recycled water use separately rather than allowing it to be covered by this General Order, the Regional Water Board's Executive Officer must find at least one of the following in the notice of intent response letter:

- a. The proposed use of recycled water will result in a discharge that unreasonably affects beneficial uses;
- b. The proposed use of recycled water will result in a discharge that causes the receiving water to have water quality less than that described in applicable policies;
- c. The proposed use of recycled water will otherwise result in a discharge that fails to comply with the applicable Basin Plan or State Water Board plans or policies.
- d. The proposed use of recycled water will result in a discharge that is not consistent with a Salt and Nutrient Management Plan prepared pursuant to the Recycled Water Policy and as approved by the Regional Water Board.

Finding 30: This finding references an application fee. However, CVCWA and its members are uncertain as to what the fee would be and what it would be used for. Clarification on this issue would be appreciated.

Finding 31: We understand the intent of Finding 31 is to state that if the use of recycled water results in a discharge of a pollutant from a point source to a water of the United States that a NPDES permit may be required. However, as currently proposed, Finding 31 inadvertently suggests that irrigation ditches that have a connection to waters of the United States are themselves subject to NPDES permit requirements. This is not necessarily true. Further, to the extent that there are irrigation ditches available that could be used for the conveyance of recycled water, and such ditches are not waters of the United States, no NPDES permit should be required and their use should be encouraged. We also believe that with respect to the application of NPDES permit requirements, that the finding should be revised to indicate that this Draft Order does not authorize discharges of pollutants from point sources to waters of the United States, and to clarify that agricultural irrigation return flow that may result from recycled water use is not subject to NPDES permit requirements. Accordingly, we recommend that Finding 31 be replaced in its entirety with the following:

This General Order does not authorize discharges of pollutants from point sources to waters of the United States, thus the use of recycled water allowed pursuant to the terms of this General Order are not subject to National Pollutant Discharge

Elimination System (NPDES) permits. To the extent that this General Order results in agricultural irrigation return flows entering waters of the United States, such return flows are not subject to NPDES permits (33 U.S.C., §1342(l)(1)) but may be subject to waste discharge requirements or conditional waivers as adopted by Regional Water Boards. Where such waste discharge requirements or conditional waivers exist, this General Order requires that users of recycled water comply with their provisions.

Finding 32: Rather than trying to summarize the various beneficial uses that may or may not apply, we recommend that Finding 32 be revised to include only the first sentence. Otherwise, the summary table creates confusion.

### **III. Comments on Operative Provisions**

Prohibition A.2. – This prohibition is unnecessary. Specification B.2 requires that a user consider the soil condition prior to application of recycled water use. Thus, it is unnecessary to include this as a prohibition.

Prohibition A.3. – This prohibition may be appropriate for uses of recycled water for landscape irrigation, however, it is not appropriate for the use of recycled water for agricultural irrigation purposes. Some agricultural irrigation uses may result in irrigation return flows, which at that point, such return flows are subject to waste discharge requirements and conditional waivers as adopted by Regional Water Boards. To clarify the applicability of this prohibition, we recommend that it be revised as follows:

Recycled water used for landscape irrigation shall not be allowed to escape from the use area(s) as surface flow that would either pond and/or enter surface waters, except as otherwise allowed under Prohibition A.7.

Prohibition A.4 – There is no basis in Title 22 for this prohibition. Thus, it should be deleted from the Draft Order.

Prohibition A.5 – CVCWA is concerned that that the last sentence of this prohibition may be interpreted differently than the restrictions that Title 22 places on the use. CVCWA recommends the sentence be modified as follows:

If the recycled water is undisinfected or secondary-23 quality then spray or runoff shall not enter any place where ~~the~~ public access is not restricted ~~may be present~~ during irrigation.

Prohibition A.7 – Prohibition A.7 needs to be revised to take into consideration that some waste discharge requirements and conditional waivers for irrigated agriculture include time schedules for meeting applicable water quality objectives in receiving waters. In order to avoid confusion, and avoid conflict between applicable orders, we recommend that Prohibition A.7 be revised as follows:

The incidental discharge of recycled water to surface waters (unless otherwise authorized through time schedule provisions in waste discharge requirements or conditional waivers for discharges from irrigated agriculture) shall not unreasonably affect present and anticipated beneficial uses of water, and not result in water quality less than that prescribed in water quality control plans or policies.

Prohibition A.9 – This prohibition should be revised in accordance with our comments above.

Specification B.1 – To provide clarity, we recommend that the introductory sentence be revised as follows:

Recycled water production, distribution, and use permitted under this General Order shall be in compliance with all of the following requirements:

Additionally, we recommend B.1.a specific “applicable” Title 22 requirements, as some requirements are for specific uses or levels of treatment.

Specification B.2 – As stated previously, the State Water Board Recycled Water Policy applies to landscape irrigation and does not pertain directly to agricultural irrigation. Accordingly, it is inappropriate to link all use requirements to requirements of consistency with the State Water Board Recycled Water Policy. To clarify that the State Water Board Recycled Water Policy applies to landscape irrigation, we recommend Specification B.2 be revised as follows:

Application of recycled water to the use area for landscape irrigation shall be at agronomic rates and shall consider, soil, climate, and nutrient demand, consistent with applicable provisions of the Recycled Water Policy.

To then account for the fact that recycled water may be used for agricultural irrigation purposes, we recommend addition of a new specification.

Application of recycled water to the use area for agricultural irrigation shall be at agronomic rates and shall consider, soil, climate, and nutrient demand.

Specification B.3 – We appreciate the fact that for some agencies, use of wastewater as recycled water will be subject to Water Code section 1211 and that approval must be obtained accordingly. However, it is important to note that there are many wastewater agencies that currently apply wastewater to land and that wastewater may be better used as recycled water under the terms of this Draft Order. This is particularly true in the Central Valley. For those entities that are not surface water dischargers, and therefore not subject to Water Code section 1211, it is inappropriate and inefficient to require them to contact the State Water Board’s Deputy Director of Water Rights for such a determination. Thus, Specification B.3 should be revised to clarify that such a requirement applies for wastewater that is currently discharged to a watercourse - not wastewater that is currently being disposed of to land.

Specification B.4 – Pursuant to our comment above for Finding 31, we recommend that this specification be deleted.

Specification C.5 – This section requires the administrator to submit to CDPH documentation of installation and maintenance two different criteria. This requirement to submit, as written, rather than maintain as required by title 27 of the California Code of Regulations, may be very burdensome to the administrator and CDPH. CVCWA recommends the specification be revised to mirror California Code of Regulations, title 17, Chapter 5, Group 4, Article 2, section 7605(f) which requires “Reports of testing and maintenance [of backflow devices] shall be maintained by the water supplier for a minimum of three years” and allow the administrator to designate the maintenance of this to the supplier.

Specification C.12 – This provision should be modified to allow the administrator to provide a link or other methodology to access the water recycling permit, rather than to provide actual copies.

Specification D.3 – We agree with the intent of this statement, however, it appears to be more appropriate as finding rather than as a general provision.

Specification D.4 – As written, Specification D.4 appears to promote the development of individual Salt and Nutrient Management Plans rather than encouraging participation in region-wide or basin-wide planning efforts. The preparation of individual plans is contrary to the intent and purpose of Salt and Nutrient Management Planning as required by the State Water Board Recycled Water Policy. To better capture the intent of Salt and Nutrient Management Planning, we recommend that the provision be replaced in its entirety as follows:

The Administrator shall participate in Regional Water Board planning efforts for the development of Salt and Nutrient Management Plans unless otherwise directed by the Regional Water Board.

Specification D.6.c – The Draft Order authorizes the use of recycled water, not “water recycling.” Accordingly, the term “water recycling” should be changed to “use of recycled water.”

Specification D.7 – This specification does not make sense and should be clarified as to its meaning.

Specification D.10 - Users of recycled water that are agricultural users may have requirements that pertain to discharges of waste from irrigated lands. To the extent that such requirements apply, this Draft Order needs to recognize their application. However, as currently worded, this provision is too broad and creates confusion. To clarify this requirement, we recommend the following:

Users of recycled water that are agricultural irrigation shall comply with all requirements of applicable WDRs or waivers of WDRs, including without limitation WDRs or waivers regulating agricultural discharges to from irrigated lands.

#### **IV. Comments on Attachments**

Attachment A, Notice of Intent, Section II, Provision b.2 – estimating water use from each user of recycled water is burdensome when many connections are involved. General use amounts for types of use should suffice. CVCWA recommends only retaining the requirement for “An estimated amount of recycled water used at Use Area(s) and removing the rest of the requirement.

Attachment A, Notice of Intent, Section III, Provision d – See comment below on Priority Pollutants.

Attachment B Monitoring and Reporting Program, Provision B.3.a. – CVCWA is very concerned with the requirement for priority pollutant monitoring. Such monitoring is expensive, and largely does not apply to constituents of concern associated with recycled water. For small wastewater agencies, such as those in the Central Valley, this additional expense may act as a significant deterrent to transferring wastewater from a land disposal application to a recycled water use. Accordingly, CVCWA recommends that this requirement be deleted, or at the very least, not apply to agencies that have a design production flow of one million gallons per day or less. Additionally, we recommend that if maintained, the permit allow for samples taken during periods when recycled water is not used but is representative of the treatment that recycled water receives, to be used in lieu of the actual recycled water. This would reduce monitoring for

NPDES permit holders with seasonal discharges that must sample when discharging but not when recycling.

Attachment B Monitoring and Reporting Program, Provision B.3.b.i. – As proposed, standard observation i. is more appropriate and applies to landscape irrigation projects. For agricultural irrigation, runoff is subject to requirements of waste discharge requirements and conditional waivers. Thus, evidence of such runoff does not mean that the use of recycled water is in violation of this Draft Order. To distinguish between the two, we recommend that i. be revised as follows:

Evidence of runoff of recycled water from a landscape irrigation the site (show affected area on a sketch, estimate volume).

Attachment B Monitoring and Reporting Program, Table B-1: Priority Pollutants – In addition to the comments above, this requirement is for a grab sample. In the Central Valley, most of our NPDES permits require a portion of the priority pollutants to be collect by composite sample and a portion by grab. Should this requirement remain, CVCWA recommends allowing composite samples to be substituted by grab samples if otherwise required by the treatment plant's permit.

In conclusion, CVCWA supports the State Water Board's efforts to adopt a General Permit for Recycled Water Use, and appreciates that the State Water Board is adopting the Draft Order quickly in order to facilitate recycled water use as soon as possible considering the drought conditions in California. However, while we appreciate the need for expediency, CVCWA supports the May 19, 2014, request by WateReuse California for additional time to ensure that the State Water Board has sufficient time to review and consider all of the comments submitted.

Sincerely,



Debbie Webster,  
Executive Officer