THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

August 19, 2014

Mr. Thomas Howard
Executive Director
State Water Resources Control Board
1001 I Street
Sacramento, California 95814

Sent Via Electronic Mail

Subject: "Comment Letter – Draft Drinking Water Systems General Permit and Resolution" – as released July 3, 2014

Dear Mr. Howard:

The Metropolitan Water District of Southern California (Metropolitan) appreciates the opportunity to provide comments on the State Water Resources Control Board's (SWRCB's) proposed Draft Drinking Water Systems General Permit and Resolution (Draft DWS Permit or Permit), as released on July 3, 2014. Metropolitan sincerely thanks SWRCB staff for the time that they provided for multiple stakeholder meetings and workshops to explain the permit provisions and receive input from affected water agencies. As the first statewide permit for drinking water systems, which will replace existing similar regional board permits, it is particularly important that SWRCB staff continue to engage water purveyors to help ensure that the final DWS Permit is clear, effective, and efficient for all permittees, as well as for SWRCB staff.

Background

Metropolitan, the largest supplier of drinking water in the United States, is a wholesale water agency that is a consortium comprised of 26 cities and water districts that provide drinking water to nearly 19 million people in parts of Los Angeles, Orange, San Diego, San Bernardino, Riverside, and Ventura counties. These agencies, in turn, sell that water to more than 300 sub-agencies or directly to consumers. Metropolitan imports water from the Colorado River and the State Water Project in Northern California and delivers an average of 1.7 billion gallons of both treated and untreated water per day to a 5,200 square-mile service area. Metropolitan maintains and operates a regional distribution system that includes hundreds of miles of pipelines, power transmission lines, and unpaved roads, and five treatment plants, 17 reservoirs, 16 hydroelectric power plants,

45 pressure control structures, thousands of pumps and valves, and hundreds of buildings, and other structures.

The mission of Metropolitan is to provide its service area with adequate and reliable supplies of high quality water to meet present and future needs in an environmentally and economically responsible way. In order to ensure the delivery of a safe and reliable water supply, Metropolitan must continually perform required inspections, testing, maintenance, repairs, and construction to its facilities. These activities may result in water discharges as a result of dewatering pipelines, hydrostatic testing, and related work activities. Metropolitan's facilities and associated discharges are currently under the jurisdiction of four regional water quality control boards, Los Angeles, Santa Ana, San Diego, and Colorado River Basin Regional Boards. These water discharges are presently covered by low threat (or de minimus) permits in two of the regions (Santa Ana and San Diego), the MS4 Permit in Los Angeles (as a categorical exception for essential public services), and are provided an exemption under the Colorado River Basin Permit for low threat discharges.

Metropolitan favors the concept and intent of a statewide permit to provide consistency and essentially a "one-stop shop" for water purveyors which avoids duplicate regulatory coverage under multiple permits. In reviewing the Draft DWS Permit, Metropolitan kept this objective at the forefront, and identified areas where clarifications are needed, and where provisions may need to be added, modified, or deleted. To identify and suggest recommended changes, Metropolitan used its familiarity and experience with some of the existing regional board permits to pull appropriate language for incorporation into the Draft DWS Permit. Metropolitan encourages SWRCB staff to look at existing low threat permits for potable water discharges that have been in place for some time and are working well, e.g., NPDES permits in San Diego and Santa Ana regions; and to consider adopting elements of those permits into the Draft DWS Permit.

Concerns

As currently written, Metropolitan would not be completely covered under this draft permit. The primary reason for this is based on the definitions and types of authorized discharges (e.g., treated and potable/raw drinking water) found in the permit. For example, Metropolitan would not be able to discharge raw water from its conveyance systems because the definition of raw water is not inclusive. In addition, many of the permit provisions (e.g., Total Maximum Daily Load [TMDLs] and monitoring requirements) are difficult to understand and it is unclear whether Metropolitan could apply for coverage under this permit. This Statewide General Permit acknowledges that drinking water system discharges are a low threat to the environment. The permit's implied nexus between drinking water discharges and TMDLs exceedances and impairment of water bodies does not seem reasonable. Therefore, the TMDL references should be re-written given this understanding (see Attachment 1).

Metropolitan's general comments are listed below.

General Comments on the Draft DWS Permit

1. **Page 1 - Table 1 - Applicability of Coverage** - The Draft DWS Permit defines "Community Drinking Water System" and "Water Purveyor" for coverage under the Permit, based on 15 connections or greater and discharges that are mandated by the federal Safe Drinking Water Act (SDWA) and California Health and Safety Code (CH&SC). The number of service connections relates to the water supplied, and does not necessarily correlate with the extent or frequency of discharges by water purveyors. Metropolitan recommends that SWRCB add a definition for "Discharger" at the beginning of the Permit, similar to that contained in other NPDES permits, and include a threshold discharge volume of planned discharges for coverage under the Permit in lieu of using the number of service connections as the basis. For example, Metropolitan, as a water wholesaler, has less than 400 active service connections, yet serves a population of 19 million and has large volume, infrequent discharges (greater than 1 acre-foot) with the size of our pipes ranging from 16 inches up to 246 inches in diameter.

   A recommended definition for "Discharger" is "water distributors (also called water purveyors), water districts, municipalities, private entities, and other persons that have been issued a water supply permit by the SWRCB's Division of Drinking Water (formerly California Department of Public Health) that discharge treated and untreated water to surface waters within the state and storm drains or other conveyances." Metropolitan also requests that the definition for "Water Purveyor" be expanded beyond those mandated discharges specifically called out in statute or code requirements. This is necessary to make sure that a water purveyor's mandatory, internal operations and maintenance procedures for protection of public health (essentially performance standards) are also captured under the permit, although they may not be enumerated under the SDWA and CH&SC. For example, in order to provide reliable delivery of high quality water, Metropolitan must conduct routine inspections and preventive and corrective maintenance, which often require dewatering of pipelines.

2. **Page 1 – Table 2 – Administrative Information** – According to Table 2, the Draft DWS Permit is slated to be adopted in September 2014, and takes effect 100 days after the adoption date of the Order which is on or around December 1, 2014. For this particular permit, which involves all new enrollees, Metropolitan suggests that SWRCB allow more time for the effective date, and for permittees to file Notices of Intent (NOI) and/or Notices of Non-Applicability (NONA). Several of SWRCB's recent permits, such as the Industrial General Permit (IGP)

and Construction General Permit (CGP) provided nearly a year after the adoption date for the permit(s) to take effect.

In the case of the Draft DWS Permit, water purveyors will need the additional time to collect information for the NOIs and NONAs, to transition from existing permits, and to budget for consultants, monitoring equipment, and permit fees, as needed. Since public agencies are typically on a fiscal year budget cycle, which starts July 1st, Metropolitan recommends that the effective date of the Permit be sometime after July 1, 2015. It may also be appropriate for SWRCB to consider some means of phasing the submittal of NOIs and NONAs by agency size or discharge volumes. This would allow smaller water purveyors, with limited resources, additional time to meet the compliance deadlines, and would also reduce the burden on SWRCB staff to review and approve numerous NOIs and NONAs simultaneously.

3. **Page 4 – Scope of the Draft DWS Permit** – Metropolitan appreciates SWRCB's inclusion of four specific criteria that excludes certain water purveyors from the requirement to enroll under this Permit. Metropolitan has determined that criterion #3 does not apply, since Metropolitan is not an MS4 permittee or co-permittee named on an MS4 permit. However, this criterion may benefit several of Metropolitan's member agencies who are both water purveyors and MS4 permittees. With respect to criteria # 1, 2, and 4, Metropolitan requests that SWRCB provide additional clarification as to when these may be applied.

   Criterion #1 provides an exemption from permit enrollment for water purveyors that have entered into a local agreement with the MS4 permittee, and criterion #2 further specifies that the corresponding Regional Water Board must provide written confirmation of this agreement. Yet, there is no definition or description of what constitutes a local agreement. Many of Metropolitan's discharges in the Los Angeles Region are into the storm drain system of the Los Angeles County Flood Control District (LACFCD), so Metropolitan is required to obtain a Flood Control Permit from the LACFCD for each discharge event, which Metropolitan refers to as a "shutdown."

   Additionally, Metropolitan must also meet the provisions for notification, monitoring, and reporting that are in the Los Angeles MS4 Permit to maintain the categorical exception. Much of the information that the LACFCD is requesting and that is required under the MS4 Permit is the same as the information that SWRCB is requiring under the Draft DWS Permit. This leads to duplicate and overlapping requirements and regulatory coverage for the same low threat discharge event or shutdown. To eliminate such duplication, SWRCB staff should coordinate with the Los Angeles Regional Board and LACFCD to obtain their concurrence on the information needed in the Draft DWS Permit for

discharges into the Los Angeles County storm drain system for those water purveyors that do not meet the other exclusion criteria.

Metropolitan addresses criterion #4 in Attachment 1, Specific Comments on the Draft DWS Permit. This criterion pertains to the need to enroll under separate regional board NPDES permits for specific discharges not included in the statewide permit, or when there are TMDL-specific permit requirements, now or in the future. Metropolitan's recommended changes are designed to avoid the need for coverage under multiple permits for the same types of discharges. Metropolitan recommends language be added to the draft DWS Permit to state that a discharger's compliance with the DWS Permit satisfies the TMDL requirements in the Basin Plans for all Regional Boards because the intermittent and short-term nature of these low threat discharges from water purveyors authorized under the DWS Permit are not contributors to the impairment of the TMDL related waterbodies.

4. **Organization of the Draft DWS Permit** – As currently written and organized, the Draft DWS Permit is difficult to follow and to locate the various compliance provisions, such as the volume thresholds that trigger specific monitoring, reporting and notification provisions. Many NPDES permits include these provisions at the beginning of the permit to make it easier for the permittee to clearly identify specific requirements, and to comply with provisions of the permit. In Attachment 2, Metropolitan has suggested an outline to reorganize the Draft DWS Permit to make it more "user friendly."

Specific Comments on the Draft DWS Permit

In addition to the above general, overarching comments, Metropolitan has provided specific comments and recommended changes by page and section of the Draft DWS Permit in Attachment 1.

Summary

It is recommended that the SWRCB revise the permit to appropriately address concerns from the drinking water community. Metropolitan must be able to discharge both treated and untreated (i.e., raw) drinking water in order to provide reliable delivery of high quality drinking water. Revisions should clarify and expand the permit provisions and definitions, and appropriately recognize the low-threat *de minimis* nature of drinking water system discharges.

According to SWRCB's current schedule, the Board hearing to consider adoption of the Permit is slated for September 23, 2014. The revised Permit will not be released until

approximately 10 days before the adoption hearing. Based on the extent of Metropolitan's comments and those anticipated from other water agencies and associations, Metropolitan strongly recommends that SWRCB staff issue another Draft Permit for public review and comments before bringing a Permit to the Board for consideration and approval.

Metropolitan wants to continue working with SWRCB staff to develop a Permit that is applicable for low-threat, *de minimus* discharges, is "user-friendly" for the covered permittees, and can easily be implemented by SWRCB staff.

Metropolitan staff will be contacting Diana Messina to set up a meeting/conference call to discuss Metropolitan's comments, and how best to address these comments and recommendations in the next iteration of the Draft DWS Permit.

If you have any immediate questions regarding Metropolitan's comment letter, please contact me at bkoch@mwdh2o.com or 213 217-5646 or Janet Bell at jbell@mwdh2o.com or 213 217-5516.

Sincerely,

Bart Koch

Bart Koch
Section Manager, Operational Safety and Environmental Services

Attachments (2)

cc: Diana Messina, SWRCB
Jonathan Bishop, SWRCB

bcc: J. Bell
B. Coffey
J. Green
B. Koch
D. Man
J. Teraoka

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
4	I. Scope of Statewide Permit - 4	Criterion #4 requires that a discharger obtain a separate Regional Board NPDES permit because: a) the discharge is not within the scope of activities covered by this Order, and/or b) a TMDL has been adopted and the Regional Water board has determined that TMDL-specific permit requirements for discharges from drinking water systems are appropriate because those discharges may contribute to the impairment of the water body.	See comments in Metropolitan's letter regarding the need for permit streamlining, and avoiding the need for multiple permits. It is recommended that SWRCB revisit the water system discharges captured under the Draft DWS Permit, and include as many as possible to avoid the need for water purveyors to obtain coverage under multiple permits. Item 4.b) should be deleted, since, according to SWRCB's narrative discussion in the Draft DWS Permit, there are no TMDL-specific permit requirements for discharges from drinking water systems. So, there would be no need to obtain a separate Regional Board NPDES permit.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
5 & 6	C. Authorized Discharges – 1. Planned Discharges a. Treated Drinking Water, and b. Potable or Raw Water	The Draft DWS Permit lists seven types of planned, treated drinking water discharges with "other" being listed in number viii. Authorized discharges are raw, potable, or treated drinking water. For treated drinking water, some of the listed categories are quite broad, such as water treatment plant discharges, and others quite narrow, such as meter testing or automated water quality analyzers. Groundwater supply well flushing and groundwater well development, installation, rehabilitation, and testing are listed under the category of potable or raw water.	The use of the terms raw, potable, and treated drinking water are confusing, and need to be modified or removed from the permit. Potable water should be defined as "water suitable for human consumption, as may be demonstrated by compliance with primary drinking water standards under the SDWA." Raw water should be defined as "water that is taken from the environment with the intent to subsequently treat or purify it to produce potable drinking water." As currently written, the Draft DWS Permit only refers to groundwater as potable or raw water; however, these terms are used for waters in reservoirs or pipelines. Metropolitan has both treated and untreated water pipelines which may require dewatering and result in discharges to land, surface waters, or to storm drains. References to meeting MCLS, as a running annual average should also be removed, since it is not applicable to discharges of raw/untreated water. Some of the discharges listed in this section are described differently in current low threat regional board permits and in the Los Angeles MS4. This makes it difficult for permittees to determine whether the state-wide permit will cover all of their discharges, or whether they will need to also retain enrollment in existing regional board permits. Such examples are: 1) the inclusion of decanted backwash filter wastewater and sludge dewatering filtrate water in the Santa Ana low threat permit, while the Draft DWS Permit refers to water treatment plant discharges, and 2) the inclusion of discharges resulting from hydrostatic testing of vessels, pipelines, tanks, etc. in the Santa Ana low threat permit, while the Draft DWS Permit broadly refers to distribution system…pressure testing. SWRCB should align the discharge descriptions to avoid the requirement for multiple permits.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
7	II A. Permit Coverage 1) and 2)	This section states that the Draft DWS Permit does not apply to discharges from other entities or individuals, such as fire departments, construction and insurance companies that test potable water systems, street cleaners, or other users of a municipal storm water system that discharge to waters of the U.S.	Water purveyors, such as Metropolitan, often coordinate with local fire departments or operation and maintenance and construction contractors, on fire systems and similar testing. For this reason, Metropolitan recommends that SWRCB remove fire departments and construction contractors from the list of exceptions. Instead, SWRCB should require the water purveyors to coordinate with the contractors and fire departments, and to notify SWRCB of these other dischargers under the Draft DWS Permit.
8	B. Application Package or Notice of Non-Application Requirements – b. Application Fee	This section refers to SWRCB's schedule for NPDES permit fees which is currently set at $2,043/year for low threat discharges. At workshops, SWRCB has indicated that this may be changed to a fee based on number of service connections, and SWRCB was slated to release a new proposed fee schedule later this month.	Since drinking water system discharges are low threat and de minimus in nature, SWRCB should retain the current fee schedule. A fee schedule based on number of service connections is not appropriate for water discharges under the Clean Water Act. The current fee schedule is consistent with those used by the regional boards for potable water discharge permits, and other low threat NPDES permits.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
8	II.B. Application Package – 1.c. Site Information	This section lists six pieces of site information that must be submitted on the site schematic with the NOI. The term, site map, was changed to site schematic in the July 3rd revised Draft DWS Permit.	It is not clear why SWRCB requires a site schematic with the level of detail that is listed in the Draft DWS Permit. Permittees do not have all of that information readily available, and it will take some time to prepare, including potential use of consultant services to do the preparation. Metropolitan recommends that SWRCB revisit the information needs for the schematic, and pare it down to only require drinking water system information that is essential to meet SWRCB's needs for discharger/permittee information and not excessively burdensome for the water purveyor to prepare. Item c. v. asks for a description of the multiple uses or beneficial reuse that the discharges service (i.e. ground water recharge, irrigation), if applicable. SWRCB has already requested this in the NOI, Section F. Multiple Water Use Options, so it should be removed from the site schematic.
9	II. B. Application Package – 1. d. – TMDLs Constituent-specific Application Package Supplement – i. Laboratory Analysis	This section asks that the water purveyor submit two representative samples of each type of drinking water system discharge, as well as the estimated minimum and maximum discharge volume per event, and the estimated (historical data) average discharge volume from the system per year.	Whenever possible, SWRCB should not require additional monitoring, and instead, should allow permittees to use existing data already collected by water purveyors for compliance with the Safe Drinking Water Act. This will avoid inconsistent or duplicative monitoring requirements. Since discharge volumes may vary considerably from year to year (based on shutdowns, dewatering, and specific operations and maintenance procedures performed in a given year), SWRCB should allow individual water purveyors the latitude to select the methodology they will use to determine their average annual discharge volume from their system.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
13	Section III. Findings - H. Total Maximum Daily Load (TMDL) Implementation	Section pertains to TMDLs in the Los Angeles and San Diego Regional Boards, applicability to drinking water system discharges, and monitoring requirements. This is further discussed on pages F-19-F-52, which also provides specific TMDLs in San Diego and Los Angeles regions.	As currently written, this section and the related section on pages F-19 and F-52 are confusing and contradictory. SWRCB staff should either delete these sections, or review and rewrite these sections to clarify the intent, and rationale for requiring monitoring. See Metropolitan's related comments on TMDLs on pages F-19-F-52 of the Draft DWS Permit.
18	VIII. Provisions - C. Special Provisions - 2. Implementation of Best Management Practices (BMPs)	This section states that the Discharger shall assure that quality assurance and quality control protocol are implemented to assure best management practices, monitoring and reporting are effective, valid and in compliance with this Order. It further states that the Discharger shall train all personnel operating the drinking water system and responding to emergency discharges to assure the quality assurance and quality control protocol is properly implemented.	This section requires that all personnel operating the system be trained, but does not specify the need and scope of the training based on the requirements of the Draft DWS Permit. This section should be written more as a performance standard that gives the permittee the discretion to assign appropriate staff to implement the requirements of this Permit, and to train them accordingly. Metropolitan suggests that the training requirement be reworded to state: "The Discharger shall be responsible for training appropriate staff on the DWS Permit to assure that applicable quality assurance and quality control procedures for sampling, monitoring, BMPs etc. are properly implemented.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
A-1 through A-4	Attachment A- Definitions	Attachment A lists the definitions that are used in the Draft DWS Permit.	SWRCB needs to revise the list of definitions to include all terms defined in the permit, and to delete or modify the definition for raw water. Definitions given in Attachment A and in the Draft DWS Permit should be consistent. It is recommended that SWRCB use the following definition for raw water that is in the San Diego low threat permit for potable water: "Water that is taken from the environment with the intent to subsequently treat or purify to produce potable water."
C-3	Attachment C- Best Management Practices – II. BMP Measures – D. Operations and Maintenance and F. Training	Both Sections D and F refer to training requirements and/or certifications for staff and contractors that operate the drinking water system. Section D. states that all personnel using, operating, and maintaining all facilities and equipment must be properly trained and appropriately certified by the Department of Public Health, as applicable. In Section F on training, it states that the Discharger's staff and/or contractors shall be properly trained.	It seems that these two training-related provisions, e.g., operator certification, were lifted directly from CDPH drinking water system permits, and are not applicable to an NPDES permit for drinking water system discharges. Typically, contractors are responsible for ensuring that their employees, assigned to projects, are trained accordingly. Metropolitan recommends that the section on CDPH certification be deleted, as well as the reference to training for contractors.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
C-3	Attachment C- Best Management Practices – II. BMP Measures – C. Copper and Zinc Management	This section pertains to requirements for those Dischargers that apply copper-based herbicides or zinc-based corrosion inhibitors to implement BMP measures. These measures include recordkeeping of the application of copper and zinc, minimizing discharges of copper, and use of less toxic materials.	Metropolitan applies copper sulfate to its reservoirs for weed and algae control, and is enrolled under SWRCB's Permit for Residual Aquatic Pesticide Discharges to Waters of the U.S. from Algae and Aquatic Weed Control Applications (Weed Permit). Under the provisions of the Weed Permit, Metropolitan prepared and submitted an Aquatic Pesticide Application Plan (APAP) which contains specific information on application, use, and mitigation measures for copper sulfate. The APAP includes information on the three example BMPs listed in this section, plus other additional information as required in the APAP. The copper BMP provision in the Draft DWS Permit is redundant with the requirements of the Weed Permit, and should be deleted. In lieu of including it in the Draft DWS Permit, SWRCB should cross reference the Weed Permit.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
E-3	Attachment E – Monitoring and Reporting Program – II. Monitoring Locations and Sampling – A. and B.	According to these sections, all direct discharges to a water of the U.S., regardless of flow must be monitored, and all other direct or non-direct discharges greater than 1 acre-foot per event must also be monitored.	Monitoring of all direct discharges for water purveyors is not needed, since many of the discharge quantities will be extremely low, and the discharges are insignificant, low threat discharges anyway. Metropolitan recommends that a minimum flow of greater than 100,000 gallons/event/day be established for monitoring and recordkeeping purposes for direct discharges to waters of the U.S., and that the 1 acre-foot remain for the other discharges. Whenever possible and feasible, SWRCB should allow water purveyors to allow use of representative monitoring from Safe Drinking Water Act requirements. Appropriate and applicable BMPs should be required for all discharges. Metropolitan recommends that SWRCB simplify and also, put some of these requirements relative to monitoring, reporting, and recordkeeping at the beginning of the permit in a table, so it is easy for permittees to quickly find the pertinent provisions for their respective discharges.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
E-4	Attachment E- Monitoring and Reporting Program – Table E-1. Discharge Sampling Frequency Requirements	Table E-1 calls out sampling frequency and number of samples for less than 20 minutes, 20 minutes to 60 minutes, and greater than 60 minutes	Dewatering of large diameter pipelines and draining of large reservoirs, although infrequent, can last for many hours. Staff may not be available to collect samples at the frequency spelled out in Table E-1, and the results of the sampling will likely not change. Metropolitan recommends that SWRCB modify this table to reflect that only one sample is required after 60 minutes, as close to the end of the discharge time period, as possible.
E-4	Attachment E- Monitoring and Reporting Program – E.	Provision E. gives SWRCB or the Regional Board the authority to increase monitoring frequency at any time to ensure the protection of the beneficial uses of the receiving water.	Inclusion of this provision could result in arbitrary increases in monitoring requirements, and lead to inconsistencies between the Draft DWS Permit and regional board requirements. This is contrary to the overall objective of the statewide permit which is to provide consistent permit coverage for drinking water system discharges that are insignificant and low threat. The provision, as currently written, does not establish a standard or criteria for increasing the monitoring. It is recommended that this provision be removed from this section of the permit and perhaps, included as rationale for re-opening the permit at some future date, if that is absolutely necessary.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
E-4	III. Discharge Constituent Monitoring Requirements – Table E-2. Discharge Monitoring	The table includes chlorine, flow, pH, and turbidity and indicates the minimum sampling frequency of 1/event or 1/year.	It is not clear when 1/event is required, and/or when 1/year is required. SWRCB needs to clarify when these frequencies apply.
E-4	III. Discharge Constituent Monitoring Requirements – Table E-2. Discharge Monitoring and Footnote #3.	The table requires monitoring for pH and turbidity at certain frequencies. Footnote #3, with respect to turbidity, says to monitor for turbidity, downstream of management practices, if feasible.	Whenever possible, SWRCB should allow water purveyors to utilize existing monitoring data that is used for compliance with the SDWA to avoid the need for redundant monitoring. With respect to turbidity, the permit does not specifically state whether monitoring for turbidity is a requirement for all drinking water discharges or solely for groundwater/well monitoring. During the workshops, a reference was made to well monitoring only, but that is not apparent from reading the MRP requirements. SWRCB should also clarify what is feasible means in Footnote #3 and what downstream of management practices means.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
E-4	III. Discharge Constituent Monitoring Requirements – Table E-2. Discharge Constituent Monitoring Requirements – Footnote #1	Footnote #1 requires the use of handheld field meters for chlorine and turbidity, and maintenance of a calibration and maintenance log for each meter in accordance with manufacturer's instructions.	SWRCB needs to clarify the turbidity monitoring requirements and detection limits of the required meters. See previous comments on turbidity.
E-5	IV. Receiving Water Monitoring Requirements during Non-Compliance with this Order	This section requires that water purveyors monitor the receiving waters for all direct discharges out of compliance with this Order. According to the provision, receiving water monitoring shall be conducted during the same sampling event of actual discharges. It further states that visual monitoring shall be conducted using telephoto lenses and binoculars, digital photographs, and documentation of effects on the receiving water.	The provision for receiving water monitoring appears to go beyond the monitoring requirements for low threat drinking water discharges and discharge events that are in the Draft DWS Permit; and should not be the responsibility of water purveyors. The actual water quality monitoring of the discharges and observation of the discharges should be sufficient. Metropolitan is concerned that requiring receiving water monitoring would affect the ability to respond to and stop any non-compliant discharges, that may occur.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
E-5 and E-6	Attachment E. - Monitoring and Reporting Program – Section V. Post Notification of Emergency Discharges or Non-Compliant Discharges that Adverse (Note: should be Adversely) Effect (Note: should be Affects) or Impacts on Beneficial Uses of Receiving Water	This section requires post-notification (within 24 hours) to Cal-OES for any discharges, system failures, or emergencies that may adversely affect beneficial uses of a receiving water body. The Discharger shall also confirm this notification in writing to the corresponding Regional Water Quality Control within five days, and the notification shall include six elements.	It is Metropolitan's understanding that notification to Cal-OES and the CUPA agency is for spill and release reporting of chemical and hazardous material discharges, and is not for discharges that may have an impact to beneficial uses of receiving water. Page E-6 of the Draft DWS Permit refers to such discharges that shall be reported to CalOES as "catastrophic." Metropolitan believes that reporting to CalOES, as described on page E-5 of the Draft DWS Permit, would lead to considerable over-reporting with no commensurate benefit. It is recommended that the requirement to notify CalOES be removed, and that the requirement to notify the Regional Board within five days be retained. SWRCB should also resolve the discrepancies between the reporting provisions on pages E-5 and E-6 of the Draft DWS Permit.
F-4	Attachment F – Fact Sheet – II. Discharge Description – A. discharge Definitions	The first paragraph refers to water altered by algaecides, but meets CDPH MCLs. Definitions are provided for what constitutes treated drinking water, potable water, and raw water.	The reference to algaecides should be deleted, since this is covered under the Weed and Algae Permit. The definitions of drinking water, potable, and raw water on this page need to be clarified and revised or deleted, per Metropolitan's related comments.

Attachment 1 - Metropolitan's Specific Comments - SWRCB Draft Drinking Water Systems General Permit

Page	Section	Issue/Provision	Comments and Recommendations
F-5	Attachment F – Fact Sheet – II. B. 3. Super-chlorination	This section describes super-chlorination has having a total chlorine residual greater than 4.0 mg/l, and the concentration is typically closer to 200mg/l. It further states that super-chlorination is necessary when disinfecting new facilities, when returning facilities to services after taking them offline, and when contamination is detected.	SWRCB staff should ensure that the definition and description of super-chlorinated water is consistent with AWWA standards for disinfection.
F-19 through F-52	Attachment F – Fact Sheet – Section K. Summaries of Applicable TMDLs with Waste Load Allocations to Water Purveyors	Section K provides summaries of applicable Total Maximum Daily Loads (TMDLs) with Waste Load Allocations (WLAs). Additionally, it states that as of the adoption date of this Order, only the Los Angeles Regional Water Board and the San Diego Regional Water Board have TMDLs. It further states that none of these TMDLs established WLAs that apply exclusively to discharges from drinking water systems, instead, the WLAs apply to general categories of discharges that include discharges from drinking water systems. However, the drinking water discharges are not significant sources of the TMDL pollutants.	The language in Section K on TMDLs is confusing as currently written, and seems to contradict itself. Although drinking water system discharges are low threat and not significant sources of TMDL pollutants, the Draft DWS Permit still requires sampling of discharges in the identified watersheds as part of the application for coverage. This monitoring goes beyond what should be required. Instead, SWRCB should allow permit applicants to use their existing drinking water quality monitoring data, and conduct a Reasonable Potential Analysis (RPA) to demonstrate that the TMDLs are not applicable and that WLAs and TMDL-specific permit requirements are not necessary.

Attachment 2 - Suggested Organization for SWRCB Draft Drinking Water Systems General Permit

I. **Discharger Information** - those authorized to discharge under this Order with descriptions of the dischargers and a list of the types of discharges

II. **Permit Information and Notification Requirements**

- A. **General Permit Application and Coverage**
  - 1. **Notice of Intent or Notice of Non-Applicability**
  - 2. **Sampling requirements**
  - 3. **Proposed approach to comply**
  - 4. **Best Management Practices**
  - 5. **Categorical Exceptions for Priority Pollutant Criteria and Objectives**
  - 6. **Filing Fees**
- B. **Eligibility Requirements and Criteria**
- C. **Exclusion of Coverage**
- D. **Termination of Discharges**

III. **Findings**

- A. **Background**
- B. **Discharge Description**
- C. **Legal Authorities**
- D. **Background and Rationale for Requirements**
- E. **California Environmental Quality Act**
- F. **Technology-Based Effluent Limitations (TBELs)**
- G. **Water Quality-Based Effluent Limitations (WQBELs)**
- H. **Water Quality Control Plan**
- I. **National Toxics Rule (NTR) and California Toxics Rule (CTR)**
- J. **State Implementation Policy**

- K. California Ocean Plan
- L. Stringency of Requirements for Individual Pollutants
- M. Antidegradation Policy
- N. Anti-Backsliding Requirements
- O. Monitoring and Reporting
- P. Standard and Special Provisions
- Q. Provisions and Requirements Implementing State Law
- R. Notification of Interested Parties
- S. Consideration of Public Comments

IV. **Discharge Prohibitions** – discharges not authorized under this order

V. Effluent Limits and Discharge Specifications

- A. Effluent Limits and Discharge Specification
- B. Land Discharge Specification – N/A
- C. Reclamation Specifications – N/A

VI. Receiving Water Limits

- A. Applies to all dischargers under the permit
- B. Applies to specific water bodies
- C. Applies to groundwater – N/A

VII. Provisions

- A. Standard
- B. Monitoring and Reporting Program Requirements
- C. Special Provisions
  - 1. Reopener

2. Special studies, technical reports, and additional monitoring requirements, if applicable

3. Best management Practices and Pollution Prevention

4. Construction, operation, and maintenance specifications, if applicable

5. Other special provisions

6. Required submittals and reports

VIII. Compliance Determination