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State Water Resources Control Board

TO: Gerald W. Bowes, Ph.D.
Manager, Cal/EPA Scientific Peer Review Program
OFFICE OF RESEARCH, PLANNING AND PERFORMANCE

FROM: Todd Thompson, P.E.,
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DIVISION OF WATER QUALITY

DATE: March 8, 2012

SUBJECT: REQUEST FOR EXTERNAL PEER REVIEWERS: PROPOSED POLICY
FOR ONSITE WASTEWATER TREATMENT SYSTEMS

The Division of Water Quality requests that external peer reviewers be identified to provide external scientific peer review of the attached proposed Policy for onsite wastewater treatment systems (OWTS).

The proposed Policy is required by statute adopted in the year 2000. While approximately 1.2 million OWTS exist in the state, the state has never imposed a statewide management program to protect water quality, unlike 48 other states. This draft Policy is intended to provide a level of protection through coordinated OWTS management that does not otherwise currently exist.

The development of the current proposal and other unsuccessful attempts for regulations have been controversial, resulting in many different draft approaches. A previous external scientific peer review was performed on a Spring 2007 draft. This draft and the four external reviews can be viewed at:

http://www.waterboards.ca.gov/water_issues/programs/peer_review/2007_draft_septic_tank_policy.shtml

The result of past work is a proposed Policy that is flexible in the manner that OWTS management is carried out, including a global exemption for OWTS managed or overseen through other regulatory means. The upcoming peer review includes revisiting some of those topics covered by the 2007 peer review.

The proposed Policy stipulates a management regime for the regulation of OWTS. The regime includes four possible tiers, depending upon the condition and location of the OWTS and the level of involvement of the local agency. It is important to note that the management requirements contained in the proposed Policy for the permitting,

monitoring, and operation of OWTS included in the Policy are not the sole management options that would be available to OWTS in the State. For example, the Policy is not applicable to OWTS subject to waste discharge requirements, individual waivers, and OWTS in prohibited areas.

We recommend identification of peer reviewers with expertise in soil-based treatment of wastewater, onsite wastewater management, and fate and transport of wastewater pollutants.

Additional background is provided in Attachment 1. The 21 assumptions, findings, and conclusions listed in Attachment 2 provide focus for the scientific peer review. Individuals involved in the development of the proposed Policy are identified in Attachment 3. The Draft Policy is Attachment 4.

The staff contact for these regulations is Todd Thompson, P.E. who can be reached at (916) 341-5518 or via email at Tthompson@waterboards.ca.gov. Please feel free to call me if you have any questions about this request, and thank you for your assistance.

Attachment 1: Background for Proposed Regulations

Attachment 2: Focus of Review: Assumptions, Findings, and Conclusions

Attachment 3: Individuals Involved in Proposed Policy Development

Attachment 4: Draft Policy

cc: Vicky Whitney, DWQ
Philip Wyels, OCC
Jonathan Bishop, Exec.

