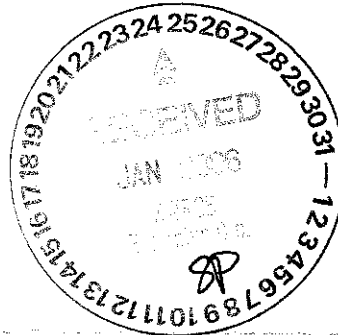




CITY OF  
*Palos Verdes Estates*

SSO Hearing: 2/8/06

Tam Doduc, Chair, and Members  
State Water Resources Control Board  
Executive Office  
1001 I Street, 24th Floor  
Sacramento, California 95814  
Attn: Selica Potter, Acting Clerk to the Board



Dear Chairwoman Doduc and Members:

Regarding: Proposed WDR and MRP

This is written on behalf of the City of Palos Verdes Estates to express concerns with the Statewide General Waste Discharge Requirements (WDR) for Wastewater Collection System Agencies and the accompanying Monitoring and Reporting Program (MRP) in their current form. The City of Palos Verdes Estates is supportive of the goals of the State Water Resources Control Board (SWRCB) to implement the Sanitary Sewer Overflow Reduction Program to reduce the number and volume of Sanitary Sewer Overflows (SSOs) throughout the state.

However, the City of Palos Verdes Estates is significantly concerned with the possibility of fines or third party litigation due to SSOs that occur even after full SSMP implementation and full compliance with WDR and MRP requirements. The WDR must strongly differentiate between negligent and non-negligent SSOs, and must provide our residents with protection against the cost impact of fines and lawsuits based on SSOs that occur even after our collection system is managed, operated and maintained according to t

Factors outside the control of the City may cause the overflow of a sewer. Overflows can be caused by illegal dumping into the sewer, offsets caused by ground movement, roots pushed into the main sewer by the cleaning of laterals, and the crushing of the sewer caused by illegal construction by residents in sewer easements. I have personally witnessed each of these during my career and do not believe punishing the city would have been appropriate or effective as the city could not have practically prevented the resulting overflows.

The City of Palos Verdes Estates strongly urges the SWRCB not to adopt the WDR and MRP without protection for our ratepayers from potentially unfair and unreasonable regulatory fines and third party litigation.

Sincerely,

Allan Rigg, PE  
Public Works Director/City Engineer