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Councilmember

CITY OF WALNUT

January 23, 2006

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:

Re: Comment Letter – February 8, 2006 Public Hearing
For Sanitary Sewer Overflows and Waste Discharge Requirements

The City of Walnut opposes 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 Walnut 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 Walnut believes the projected \$72 annual cost per household to implement the Statewide WDR may underestimate the true cost for smaller cities such as ours. Even if the cost projection proves accurate, it does represent a very significant cost increase to be borne by our ratepayers. The State should attempt to identify a source of funding to support these new costs rather than simply requiring the cities to enact rate increases to cover the costs. Most importantly, these additional costs should not be further increased by fines or third part 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 the standards and requirements established by this new regulatory program.

Additionally, the City of Walnut believes the proposed time schedule for implementation of the various program elements is too short and overly prescriptive. In particular, for our city, with a

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population of only 31,900, development and implementation of a comprehensive Overflow Emergency Response Program within 12 months, which will require new equipment, personnel and training, would be difficult. The City of Walnut believes more time should be afforded and separate deadlines for individual program elements should be eliminated.

The City of Walnut strongly urges the SWRCB not to adopt the WDR and MRP without cost support, protection for our ratepayers from potentially unfair and unreasonable regulatory fines and third party litigation, and additional time for program implementation.

Respectfully submitted,



Christine F. Londo
Interim City Manager
City of Walnut

Cc: City Council