



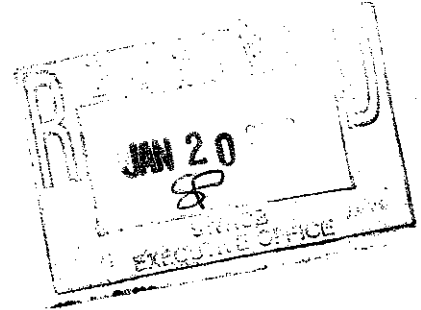
## CITY OF BRISBANE

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SSO Hearing: 2/8/06

January 17, 2006

Tam Doduc, Chair, and Members  
State Water Resources Control Board  
Executive Office  
P.O. Box 100  
Sacramento, California 95812  
Attn: Selica Potter, Clerk to the Board



### STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS (WDR) FOR WASTEWATER COLLECTION SYSTEM AGENCIES AND ACCOMPANYING MONITORING AND REPORTING PROGRAM (MRP)

Ms. Doduc:

The City of Brisbane reviewed the above-referenced draft WDR and MRP and offers the following comments:

- The City strongly supports 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.
- The City is already under directive by the San Francisco Bay Regional Water Quality Control Board to prepare a Sanitary Sewer Management Plan and provide SSO reporting through its online system. We believe any statewide WDR should replace requirements of individual Regional Boards, so that we are not required to comply with two different sets of requirements and report to two different entities.
- We strongly urge the SWRCB **not** to adopt the WDR and MRP unless and until state funding (in the form of grants and/or loans) is provided, protection for our ratepayers from potentially unfair and unreasonable regulatory fines and third party litigation is added, and additional time for program implementation is built into the compliance schedule.
- We are concerned the Fact Sheet's projected \$72 annual cost per household to implement the Statewide WDR may underestimate the true cost for small cities such as ours. The requirements for short- and long-term rehabilitation programs, including regular TV inspection of sewer lines can represent a significant cost to a small municipality. Even if the cost projection proves accurate, it does represent a significant cost increase to be borne by our ratepayers.
- We believe the State should identify a source of funding to support these new costs rather than simply requiring the cities to enact rate increases to cover the costs.
- We have significant concerns regarding potential impacts of fines or third party litigation. Program costs should not be further impacted by fines or third party litigation due to SSOs that occur even after full Sanitary Sewer Management Plan implementation and full compliance with WDR and MRP requirements.
- The City believes the proposed WDR should clearly differentiate between preventable and unavoidable SSOs, and provide cities and their residents protection against the cost impact of fines and lawsuits based on SSOs that occur even after collection systems are managed, operated,

and maintained according to the standards and requirements established by this new regulatory program.

- We recommend additional time be provided for compliance and separate deadlines for individual program elements be eliminated.
- Permit coverage is indicated to be in effect upon approval of a complete application package. In order to minimize administrative burdens on both our staffs, we recommend the application package be as streamlined as possible.

Thank you for the opportunity to provide input on the draft WDR and MRP. Should you have any questions regarding this matter, please contact Mr. Matt Fabry in our Public Works Department at 415-508-2134 or by email at [mfabry@ci.brisbane.ca.us](mailto:mfabry@ci.brisbane.ca.us).

Sincerely,



Cyril G. "Cy" Bologoff  
Mayor

M/Rb

Cc: Bryan Brock, State Water Resources Control Board, PO Box 100, Sacramento, CA 95812