

A Public Agency



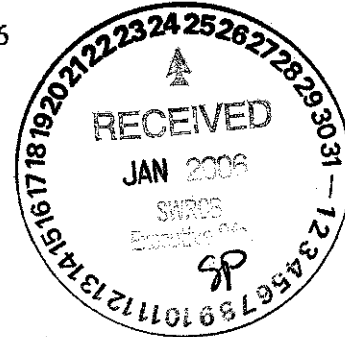
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SSO Hearing: 2/8/06

January 23, 2006

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



Re: Comment Letter – 2/08/06 Public Hearing for SSORP

Dear Ms. Doduc and Ms. Potter:

The Amador Water Agency provides wastewater services to small communities in Amador County. Our written comments on the proposed SSORP are as follows:

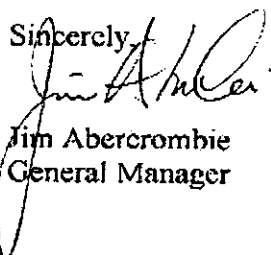
- The RWQCB must consider the economic costs of compliance with wastewater discharge permit restrictions. The cost of wastewater is exceeding \$75/month for rural communities without these additional regulations. There has been no evidence that the benefits with these WDRs have protected public health or improved water quality. These regulations only produce reports that verify that there are no adverse impacts.
- The WDRs require local agencies to undertake an extensive and expensive new program without providing adequate protection from enforcement of unavoidable SSOs: a "zero SSO standard" is not attainable, because spills can be caused by factors beyond the control of the system owner/operator.
- Unless amended, the WDRs will subject some agencies to duplicative or conflicting requirements: the WDRs specify that Regional Boards may impose more stringent or more prescriptive requirements than those set forth in the WDRs, which subjects collection systems to a moving target and is directly contrary to the goal of a unified statewide program. The WDRs should specify that once a collection system operator has been approved for coverage under the WDRs, the regional boards may not impose different or more stringent requirements except where legally required. A similar problem is presented with regard to existing permits that include collection system requirements.

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- The costs of compliance with the WDRs will be disproportionately higher for small rural agencies. The State Water Board's estimate of approximately \$6.00 per month per household is based upon average per capita costs for urban agencies in Orange and Los Angeles Counties. These estimates do not reflect the higher cost per capita for sewer systems in less dense rural areas and therefore do not represent the true cost impact for many communities. Again, our average wastewater bill is \$75/month with existing regulations.
- The State Water Board has not disclosed the level of resources required for its oversight for the WDRs: The staff report does not provide information regarding the number of state Water Board and regional Water Board staff that will be required to review SSMPs, analyze reporting information, and enforce the WDRs. The State Water Board has not disclosed its cost to implement this major new regulatory program and the fees that will be assessed enrollees to cover those costs.
- The water quality and public health benefits of the WDRs have not been demonstrated. The WDRs are founded upon an assumption that reducing SSOs statewide will improve water quality and protect public health. This premise is taken from the experience of some coastal communities with regard to beach closures, yet the benefits in other regions, particularly inland, desert and rural areas, have not been articulated by the State Water Board.
- 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 to fund Federal and State mandates, 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.

Thank you for the opportunity to comment.

Sincerely,


Jim Abercrombie
General Manager

cc: AWA Board of Directors
Bobbie Larsen, CASA

12800 Ridge Road
Sutter Creek, CA 95685
209-257-6234

Amador Water Agency

Fax

To: Selica Potter **From:** Jim Abercrombie

Fax: 916.341.5620 **Pages:** 3 (including cover page)

Phone: **Date:** 1/24/2006

Re: **CC:**

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