

**SSO ORDER REVIEW PUBLIC MEETING ORAL COMMENTS
SEPTEMBER 15, 2009 FOUNTAIN VALLEY MEETING**

TOPIC	ORGANIZATION	COMMENTS
Applicability/Enrollment	Eastern Municipal Water District	Private lateral sewage discharges (PLSDs) or spills should only be reported to Water Boards as a voluntarily measure, without the requirement to certify these reports online in the California Integrated Water Quality System (CIWQS) by program enrollees.
Applicability/Enrollment	Orange County Sanitation	PLSDs or spills often overlap other jurisdictions. If reporting PLSDs is made mandatory, who will have the responsibility to report the actual spills will need further clarification. Recommendation is to only report PLSDs on a voluntary, not mandatory basis.
Applicability/Enrollment	City of Glendale	The reporting of PLSD sewage spills should be made to local health department and not logged into the CIWQS online data system. The mandate for requiring PLSDs to be reported should come from local health department agencies.
Applicability/Enrollment	Causey Consulting	The language pertaining to applicability of the SSO General Order for public entities that "own or operate" sanitary sewer systems greater than one mile in length needs to be clarified and is unclear in the existing Order.
Applicability/Enrollment	Orange County Sanitation	Private sewage spill impacts to local beaches have been studied at length by the Orange County Sanitation District.
Applicability/Enrollment	City of Los Angeles	Commented that this agency already reports PLSDs to local health departments in southern California and this information may be found with these agencies. Does not recommend mandatory reporting of PLSDs.
Applicability/Enrollment	(not recorded)	Related to low use/threat facility exemptions: How would facilities that meet this category (i.e., are low threat/seasonal use) be handled if these facilities own or operate sewage pump/lift stations?
Applicability/Enrollment	El Toro Water District	PLSD spill reporting should be mandatory. Experienced contractors who continuously cause spills do not report this information. Asked if there is any existing education/outreach done to plumbers to better educate them about Sanitary Sewer Overflows (SSOs) and procedures to handle them?
Applicability/Enrollment	City of Downey	Mandatory reporting of PLSDs is not needed since existing Stormwater (MS4) permits already require this. Local law enforcement agencies can also enforce. Many local agencies already have enforcement capability but may not implement SSO response activities under existing regulations. Mandatory reporting requirements for PLSDs will not help for most cities. Suggest that exemption criteria for low threat or low use facilities needs to be better defined and addressed if implemented.

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Applicability/Enrollment	EEC	PLSDs are already being reported to local health departments. Questions how much communication has taken place between Water Boards and local health departments and asked if the state is tracking this information. Suggests there should be more interaction with local health departments. The CIWQS online data system reporting should not become more important or a higher priority than responding to and mitigating sewage spills. State should also consider more outreach and education to notify the public that private sewage spills should be reported to local health departments.
Applicability/Enrollment	(not recorded)	Questions how the Water Boards will enforce mandatory PLSD reporting. Asked if there is a way to prevent local public agencies who are reporting PLSD data into CIWQS from being sued for reporting this information.
Applicability/Enrollment	Valley Sanitary District	If PLSDs are required to be reported, criteria should be developed establishing minimum thresholds for private spill reporting. Small volume spills should not be required to be reported so limited agency resources can be focused on reporting the larger private spills.
Applicability/Enrollment	Water Board (Region 8)	Questions the Water Board's legal authority to require/mandate reporting of PLSDs. Asked if we have a legal opinion on this topic.
Applicability/Enrollment	S Cal. Alliance of POTWs	Doesn't see any incentive for private sewage collection owners/operators to work to reduce their sewage spill rates unless clear enforcement action will be implemented. Only requiring mandatory reporting of these spills will not take care of these problems. Asked what kind of incentives or enforcement actions would be undertaken to address private sewage spills.
Applicability/Enrollment	City of Downey	Further outreach and education is needed to enrollees to help them better understand what constitutes an SSO versus a PLSD spill.
Applicability/Enrollment	Elsinore Valley Water District	Questions why local code enforcement agencies can't implement their authority to address private spills since this regulatory structure is already in place in many communities throughout the state.
Applicability/Enrollment	Water Board (Region 8)	Doesn't believe that the Water Boards have collected enough data to justify the mandatory reporting of private sewage spills. Suggests we should try to focus regulatory efforts only on the largest sewage spills causing the greatest impacts.
Applicability/Enrollment	City of Belflower	Their agency currently reports PLSDs in their Municipal Stormwater operating permit to local county officials; believes SSO General Order requirements should keep reporting voluntary for PLSDs.

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Applicability/Enrollment	City of Downey	Has had numerous conversations with private property owners who have the mindsets that local agencies should help them out for free when sewage spills occur, which will be even a greater challenge to address if mandatory private spill reporting is implemented.
Applicability/Enrollment	EEC	Voluntary private spill reporting should not be left the way it is currently in the SSO General Order (voluntary) since it makes agencies that report them look like they are not operating their systems as well as those agencies that do not report them.
Applicability/Enrollment	(not recorded)	Additional enforcement resources are needed if private spill reporting becomes mandatory; this reporting should only be mandatory if spills reach or impact waters of the state. Asked if local agencies will still be granted the right to issue "no spill" certifications even if reporting private sewage spills into CIWQS.
Applicability/Enrollment	(not recorded)	The option for voluntarily reporting of PLSDs should be removed from the SSO General Order if no new requirements for mandatory reporting are added.
Applicability/Enrollment		Public health officers should be surveyed to see if they have the tools in place necessary to address private sewage spills and this should be considered before requiring mandatory private sewage spill reporting in the SSO General Order. Questions whether agencies have sufficient mechanisms in place to curb this problem and avoid overlapping reporting mechanisms.
Applicability/Enrollment	Water Board (Region 8)	Questions how much volume of sewage is coming from private spills and unsure of whether the Water Boards should be focusing efforts on these types of spills. Most private laterals do not have the ability to spill more than 1,000 gallons per day. Water Boards should consider focusing regulatory efforts on sewage collection systems/piping only with the potential of spilling more than 1,000 gallons per day", rather than on "greater than 1 mile of pipe" criteria, now required under the existing SSO General Order.
Notification/Reporting	Tri-Tac	Disparity exists between agencies that do and those that don't take responsibility for lower lateral portions of their collection systems. For simplification, consider making reporting of PLSDs separate in the data system so these spills will not affect the online data reports. Cut-offs should be established for low sewage spill volumes that do not affect water quality and these spills should not be reported to the public to minimize fear and false perceptions. Large disparity exists for minimum threshold for reporting, for example, some enrollees are reporting spills from cleaning equipment and others are not reporting this information.

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Notification/Reporting	(not recorded)	Disagrees additional notification to Regional Water Boards is overburden and CIWQS should be the main source to submit this information statewide.
Notification/Reporting	City of Downey	Current online CIWQS reporting system requires items that should be eliminated like OES phone number, FAX numbers, spill start time, etc, since much of this information may not be known. Commented that the report printing formats should be changed to more accurately reflect what was submitted into the CIWQS online data system.
Notification/Reporting	City of Glendale	Asked if CIWQS is capable of handling mandatory 2 hour notification information needed for health agencies and regional water boards. Suggested that reducing phone calls would be a beneficial goal/target.
Notification/Reporting	Cossy Consulting	California Emergency Management Agency complains when small volume sewage spills are called-in for meeting notification requirements. State should develop minimum de-minimis spill volume for notification. Suggested this threshold should be greater than 1,000 gallons of sewage spilled.
Notification/Reporting	City of Upland	Agencies often respond to spills from private parties which often take a significant amount of staff time to address.
Notification/Reporting	City of Los Angeles	When single blockages result in multiple sewage spill overflow points, the CIWQS online data system should allow for the option of entering this information in one spill report versus multiple reports since this skews the spill data and the resulting spill metrics do not reflect how well agencies are maintaining collection systems.
Notification/Reporting	(not recorded)	A minimum sewage spill volume threshold should be established for triggering notification requirements for CalEMA. Suggested the environmental impact would be the same without small volume spill notification requirements.
Notification/Reporting	City of Downey	Commented that typically less than 1 out of 100 sewage spills flag the attention of local health officer who will address the spill with public health warnings/notices. Believes most local health officers are not responding to spill notifications.
Notification/Reporting	Eastern Municipal Water District	The existing online "Amend" option in CIWQS is too complicated since it requires re-certification by the LRO and should be modified to allow more streamlined reporting.
Notification/Reporting	City of Glendale	Asked if any analysis has been done to compare sewage collection system spill performance versus operator training certification.
Notification/Reporting	Elsinore Valley Water District	Commented that the existing 2 hour notification requirements are too tight due to resource constraints. Recommends increasing this time requirement to 4 or 5 hours.

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Notification/Reporting	EEC	Asked if a discussion on minimum volume/threshold for sewage spill reporting was brought-up during original adoption process of the SSO General Order. Asked what volume must currently be reported, for example "any drop" of sewage. Asked if this could be clarified now that the SSO General Order has been in place for over three years.
Notification/Reporting	City of Downey	State Board should look carefully at what can be enforced in the SSO General Order before adding any new requirements to the Order.
Notification/Reporting	(not recorded)	Asked if it would be possible for enrollee to have ability to export all detailed spill data from SSO CIWQS public report website.
Sewer Sys. Mgmt. Plans	Tri-Tac	Commented that Orange County Health Department agency's annual report data shows significant reductions in SSOs and beach closures including reduced volumes of sewage spilled. Suggested Water Boards should wait to give the SSMP requirements a chance to work before making major changes to them since full SSMP implementation statewide is not due until mid 2010. Water Boards should continue to focus efforts on enrolling everyone in the statewide program and ensuring full implementation of the SSO General Order. Indicated they are not against making specific changes, but nothing significant until we have a chance to let the current SSO General Order do its job.
Sewer Sys. Mgmt. Plans	Elsinore Valley Water District	Asked if Water Boards would be willing and available to visit local agencies to do cursory checks/reviews of SSMP before formal audits begin. Asked if State Water Board will be providing guidance on what criteria will be needed to satisfy contractor training requirements in SSMP.
Sewer Sys. Mgmt. Plans	City of Downey	Asked if State Water Board plans to publish the Regional Water Board SSO program contacts throughout the state so enrollees can learn who their contacts are within their service areas.
Compliance	City of Los Angeles	Asked what is currently happening with enforcement action plans and what work activities will be undertaken in the near term.
Compliance	City of Downey	Suggested staff should spend more time doing communication and outreach to dischargers before kicking-off hard compliance activities. Suggested developing a FAQ document (without identifying specific agencies) to outline where problems are to help everyone understand program requirements.
Compliance	Tri-Tac	Suggested Water Boards should focus enforcement attention on the larger spills and not on the smaller spills. Email automation will help keep enrollees informed. Often, agency staff turnover results in new staff not being informed of program requirements.

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Compliance	SCAP	Asked what government agencies are currently exempted from the SSO General Order.
Compliance		Asked how CIWQS can be modified to show who owns, operates or maintains sewage collection systems enrolled in the program.
Compliance	City of Newport Beach	Compliance should be addressed statewide to get everyone operating on the "same page" before evaluating the need to implement new changes to the SSO General Order. State needs to give things more time to work before making substantial changes.
Interpretation	EEC	FOG section in existing SSO General Order is vague and difficult to interpret. CALFOG will submit list of recommend changes to sections in SSO General Order/SSMP section. Also suggests looking further at CIWQS data collected to date to evaluate SSO impacts more carefully.
Interpretation	Causey Consulting	Commented that state needs to look carefully at spill causes since smaller and larger spill causes differ.
Interpretation	City of Lomita	Lateral problems/spills can often be hard to address since many problems are caused by pipes not owned by local sewer agencies.
Interpretation	(not recorded)	Commented that the SSO Reduction Program is not set-up to specifically dictate how sewer agencies should run their individual programs and this information could be best addressed with working through the California Water Environment Association (CWEA).
Interpretation	Los Angeles County DPW	Asked if current regulations require reporting of any sewage spills from joints or cracks in pipes that never reach surface waters.
Interpretation	S Cal. Alliance of POTWs	Commented that an exfiltration study done in southern California determined that exfiltration was never really an issue. Report will be sent to State Water Board for review.
Other Issues	Elsinore Valley Water District	Suggested that the SSO General Order should require collection system operator certification or some other form of training/verification. Indicated that NPDES permits may already cover regulation of private collection systems and does not see the need to require coverage of these systems under the SSO General Order.
Other Issues	Eastern Municipal Water District	NPDES permit for treatment plants often already covers collection systems.
Other Issues	Los Angeles County DPW	Commented that operator certification program for collection systems is not necessary. Suggests local collection systems have their own specific issues/problems best dealt with hands-on training.

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Other Issues	S Cal. Alliance of POTWs	A minimum threshold for reporting sewage spills from municipal treatment plants is needed to address handling sewage discharged onsite from pumps, as a result of maintenance, etc.
Other Issues	Causey Consulting	Commented that collection system training or operator certification issues will need to be addressed with consideration of timelines and union bargaining agreements which may need modifications (i.e., pay raises) . This may be problematic given current economic times. Suggests requiring collection system operator certification only if spill data shows this helps reduce spill rates/volumes.
Other Issues	City of Glendale	Commented that bargaining issues are significant if operator certification will be required for collection system operators. His agency has seen significant improvements and SSO reductions with the addition of recommended staff certification levels. However, difficult to address compensation and job description/changes if mandatory certification is implemented statewide.
Other Issues	(not recorded)	District requires Grade I certification within first year of employment. The training/certification incentive has made staff more well-rounded and complete, with the ability to handle multi-tasking work in all areas of operation and maintenance.
Other Issues	Yorba Linda Water District	Mandatory collection system certification could be implemented, similar to requirements done for drinking water certification program.
Other Issues		District sees major benefit from certified operators on the job. However, sees benefit to have collection systems training/cert at the community college level.
Other Issues	City of Glendale	Office of Water Program resources are excellent, however, "system-specific" training must be done in combination with other sources to address training specific to agencies collection system.
Other Issues	(not recorded)	Has done training with CWEA, utilizing vendors at their facility, which are easy to run. Most operators have Grade I certification, however, problems arise when more operators are employed above Grade II since there is not much training at higher grade levels available. This must be addressed in long-range planning if mandatory collection system certification is required.
Other Issues	City of Newport Beach	Concerned about current status of economy and adding additional requirements, including mandatory collection system certifications. State Board should consider regulatory trade-offs in the program.

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Other Issues	EEC	Commented that when original SSO General Order was developed, the economy was strong and it was easier to raise sewer rates. However, times are different and this must be considered at this point in time if changes are proposed to be made to the existing SSO General Order requirements.
Other Issues	City of Lomita	Suggested that local City licensed engineers should be given the authority to oversee and operate collection systems and would not be required to obtain additional certification for operation of sewage collection systems. Notes that the California Drinking Water Certification Program failed to recognize this issue.
Other Issues	(not recorded)	Asked if collection system operator certification could be developed by local agencies "in-house" and customized or made to be equivalent to externally provided certification programs.
Other Issues	(not recorded)	Suggested enforcement actions and audits should be focused on agencies not performing or participating very well in the program. State Board should allow good agencies to not pay as high of fines for spills if they are doing the right things and participating in the program. This will provide incentives and will help focus attention in the program where it is needed the most.