



Delta Diablo Sanitation District

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November 5, 2009

VIA ELECTRONIC MAIL (SSOcommentletters@waterboards.ca.gov) & U.S. MAIL

Waste Discharge Requirements Unit
State Water Resources Control Board
1001 I Street, 15th Floor
Sacramento, CA 95814

SUBJECT: COMMENT LETTER – SSO REDUCTION PROGRAM REVIEW AND
UPDATE

To Whom It May Concern:

Delta Diablo Sanitation District (the District) appreciates the opportunity to provide comments to the State Water Resources Control Board (Water Board) regarding possible revisions to the Waste Discharge Requirements (WDR) Order 2006-0003 related to Sanitary Sewer Overflows (SSOs). The District's purpose is to safeguard and enhance the environment of the communities we serve and the District has been and continues to be committed to reducing SSOs in our collection system.

The District works with the requirements of the WDR on a daily basis and has concerns with regards to changing the WDR at this time. It is premature to judge the effectiveness of the WDR as many agencies are still not enrolled in the program nor given the time to fully implement or even submit their Sewer System Management Plans (SSMPs). With sufficient time for implementation, the District believes that requirements set forth in SSMPs will go a long way toward protecting water quality. Several other items were raised in the Water Board's September workshops on the WDR that are also of concern to the District. These concerns are discussed below. We appreciate your serious consideration of these issues as we believe that some of the discussed revisions will jeopardize the efficient protection of water quality. By reference, we also support all comments made by the joint letter from the clean water associations that was submitted on October 19, 2009.

There was discussion at the September workshops about changing the WDR to a National Pollutant Discharge Elimination System (NPDES) permit with mandatory minimum penalties (MMPs) for SSOs. The District strongly opposes such a change because it may unfairly punish a discharger for SSOs beyond its control. Two of the District's largest SSO events in the past six years have resulted from circumstances outside of the District's control. In August of 2003, a contractor for a residential development drilled a hole into a District forcemain during the installation of fence posts. The overflow was approximately 30,000 gallons and a majority was contained and pumped back into the sewer system. In January of 2004, a 30,000 gallon overflow resulted from a long length of rope (possibly as long as 1000 feet) that entered the collection system through unknown means and eventually plugged the 18-inch diameter line. Again, the overflow was contained and no sewage reached waters of the state. The fines associated with MMPs for these SSO events would unfairly burden the District on top of response, overtime, and reporting costs already incurred with the SSO response.

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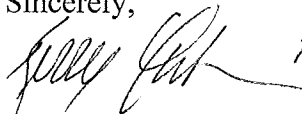
The September workshops also brought about a lot of discussion on private sewer laterals. The District has no authority over these private lines, and often has no knowledge of the occurrences of such events.

State Water Board staff has indicated that nearly 40 percent of agencies are not reporting on a regular basis, 15 percent have yet to complete the California Integrated Water Quality System questionnaire, and only half of the agencies have certified completion of their SSMPs. Although the District has always prided itself in our management of the collection system, the development of an SSMP, as required by the WDR, has led to improvements and efficiencies. The District partnered with our satellite collection agencies (the cities of Antioch and Pittsburg) to develop our SSMPs, and as a result, all three agencies are better coordinated and equipped to efficiently manage our systems and respond to overflows. The development of the SSMPs has led to cross-training on overflow emergency response between staff members of all three collection agencies as well as audits of each agency by the other agencies. Rather than implementing changes to the WDR, resources would be better spent making sure that all agencies comply with existing requirements. Given the opportunity, other collection system agencies, can further decrease the number of SSOs in the state over those reductions already realized in the past several years under the WDR.

In summary, the District believes that changes to the SSO WDR at this time would be premature and we believe it would not be in the public interest to spend resources making changes at this early stage of the program.

Thank you again for the opportunity to comment and we look forward to continuing to work with the Water Board to make this program increasingly efficient and effective.

Sincerely,

 *FOR G.W. DARLING*

Gary W. Darling
General Manager

AWR/GWD:bjm

cc: CORP.15.03-CORRES-40
Chron File