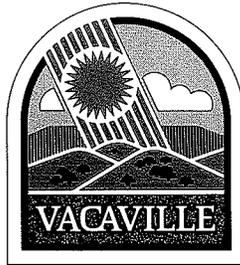


COUNCIL MEMBERS
LEN AUGUSTINE, Mayor
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PAULINE CLANCY
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RON ROWLETT



CITY OF VACAVILLE

650 MERCHANT STREET, VACAVILLE, CALIFORNIA 95688-6908

ESTABLISHED 1850

October 19, 2009

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

Submitted via email: SSOcommentletters@waterboards.ca.gov

Subject: Comments Regarding the SSO Reduction Program Review and Update

The City of Vacaville (City) owns and operates a sanitary sewer system that serves approximately 97,000 residents with over 24,000 connections. The City is enrolled in the statewide Sanitary Sewer Overflow (SSO) Reduction Program under the General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality Order No. 2006-0003-DWQ.

City staff from the Utilities and Public Works Departments attended the September 29, 2009 informal public meeting in Oakland, California to contribute comments, questions, and suggestions on behalf of the City and citizens served by our wastewater collection and treatment systems. The City appreciates the opportunity to submit comments regarding the SSO General Order and reduction program. We agree with and reiterate the comments submitted by the clean water associations and concur that changes to the SSO General Order at this time would be premature and resource intense without reciprocating public health and environmental benefit.

We would like to submit the additional comments as a follow-up to selected topics of discussion raised at the informal public meeting.

In Support of Stakeholder Process

The City supports the State and Regional Water Boards' increased use of interactive, transparent, facilitated stakeholder meetings and processes in the discussion and development of policies and regulations. Appropriate stakeholder involvement during various stages of policy development increases the underlying knowledge base, better-defines problem statements, improves the overall comprehension, quality, and impact of resulting products and increases the chances that the desired objectives will be achieved.

Focus on Assessing Impacts through Rigorous Data Analysis

While the use of number and frequency of SSOs has a purpose in the evaluation of system performance, if accurately quantified and categorized, we do not feel these data should be used to illustrate or assess imminent harm to human health or the environment. A more truthful measure of impact of an SSO would be dependent on the volume, location, and contact

with environmentally relevant surface water. The number of variables involved in the reporting of SSOs results in the need for more complex analysis, which typically means that simplistic or partial analyses can be quite misleading. Both the enrollees and the Water Boards have a direct interest in ensuring the public and other stakeholders are not misled. We support the formation of a data review committee and believe this issue would likely be resolved through this committee. If formed, a committee should be comprised of a cross-section of stakeholders and should focus on collecting meaningful data, analyzing trends, eliminating non-meaningful data, and finding ways of prioritizing SSOs by their potential impact.

Private Laterals

Currently, reporting a private lateral SSO is an optional task and it should remain so. Many municipalities specifically do not have the responsibility to maintain, nor the authority to act, or even access private laterals. Therefore, municipal staff should not be required to locate, respond, and report private lateral SSOs.

De minimus spills

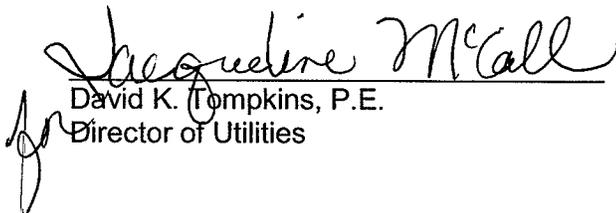
Data presented at the public meeting and published in the Annual Compliance Report shows that it may be beneficial to consider including an additional reporting category for small spills with little to no impact to public health or water quality. From data collected thus far, a volume-based threshold could be established that could allow fully mitigated small spills to be considered de minimus.

Impacts to Local Government

There have been numerous impacts to the City due to SSO-WDR compliance activities; some were positive, but some requirements provide a relatively low level of benefit at relatively high cost. This program has forced the creation of a local-level bureaucracy that dictates priorities within a resource-limited government system. At our City Council meeting where the resolution accepting the final Sewer System Management Plan (SSMP) was considered, frustration was evident. Council members recognized that the scope of the SSMP would require increases in staff while current budgetary plans included staff reductions and hiring freezes, not new hires. As an enrollee that is performing well and committed to maintaining compliance with the regulations, our resources are better spent improving other areas of service that offer a better value to our customers.

If you have any questions, or if further explanation is required, please contact Jacqueline McCall or David Tompkins at 707-469-6400.

Sincerely,


David K. Tompkins, P.E.
Director of Utilities

10/19/09
Date

pc: File 108-1
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Travis Peterson
Deb Galway
Patrick Kinney