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State Water Resources Control Board

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Edmund G. Brown Jr.
Governor

NOTICE OF OPPORTUNITY TO COMMENT

DRAFT WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

NOTICE IS HEREBY GIVEN THAT the State Water Resources Control Board (State Water Board) will accept comments on the draft statewide Sanitary Sewer Systems Waste Discharge Requirements (SSS WDRs). The State Water Board will separately publish a notice of the meeting at which it will consider adoption of the SSS WDRs.

BACKGROUND

The State Water Board adopted statewide general waste discharge requirements (WDRs) for sanitary sewer systems in May 2006 as [Water Quality Order No. 2006-0003-DWQ](#). In 2008, the monitoring and reporting program (MRP) portion of the WDRs was revised as [Order No. 2008-0002-EXEC](#). Water Quality Orders No. 2006-0003-DWQ and 2008-0002-EXEC are referred to as the Sanitary Sewer System Waste Discharge Requirements (SSS WDRs).

The purpose of the SSS WDRs was to provide consistent statewide requirements for quantifying and reducing the number of wastewater spills and the volume of wastewater spilled in the state.

The current SSS WDRs apply to public agencies that own sanitary sewer systems with over one mile in length of pipe. The SSS WDRs require public agencies to enroll for coverage; provide notifications to Regional Water Boards, health departments, and the California Emergency Management Agency (Cal EMA) when high threat spills occur; provide monthly reporting of spills or a No-Spill certification; and develop and implement a Sewer System Management Plan that addresses proper funding, management, operation and maintenance of the sanitary sewer collection system. The 2008 revisions to the MRP changed spill notification timelines, added additional agencies to be notified, and included a requirement to certify that spill notification was made in accordance with the MRP requirements.

State Water Board staff initiated the review and update of the SSS WDRs in September 2009. State Water Board staff solicited stakeholder input for the SSS WDRs review and update in two informal public meetings on September 15, 2009 in Orange County and on September 29, 2009 in the City of Oakland. Comment letters were also solicited. Thirty-eight comment letters were received from the public and four comment letters were provided by Regional Water Quality Control Boards (Regional Water Boards). To capture additional Regional Water Board input on the SSS WDRs Review and Update, a workshop was conducted on January 19, 2010 with participating Regional Water Board staff from the North Coast, San Francisco Bay, Central Coast, Central Valley and San Diego Regional Water Boards. In addition, comments and information were solicited from Cal EMA staff during a meeting with them on March 4, 2010 and from local health department staff via a survey form distributed through the California Conference of Directors of Environmental Health, Land Use Committee. In all, 341 comments were received from the two staff public meetings, the workshop with Regional Water Board staff,

the coordination meeting with Cal EMA staff, the comment letters, and the survey of local health department staff.

Proposed revisions presented in the draft SSS WDRs include modifying applicability criteria to include a flow threshold in addition to the pipe mileage threshold, expanding coverage of the SSS WDRs to private collection systems meeting the pipe mileage and proposed flow thresholds, mandating the reporting of private lateral spills by enrollees when they become aware of the spills, revisions to streamline spill notification points of contact, changing the prohibition against spills to “waters of the United States” to a prohibition against spills to “surface waters of the state,” revisions to the Sewer System Management Plan requirements, audit schedules, and re-certification schedules, and other changes as noted in the Staff Report for the SSS WDRs review and update.

The Staff Report addresses in detail the issues raised in the comments received and provides supporting information for the staff recommendations incorporated in the draft SSS WDRs that accompany this Notice.

AVAILABILITY OF DOCUMENTS

The draft SSS WDRs and Staff Report are available to view or download on the State Water Board’s website at:

http://www.waterboards.ca.gov/water_issues/programs/sso/review_update.shtml

Alternatively, you may receive a paper copy in the mail by contacting Russell Norman at (916) 323-5598.

For information regarding future public notices or status of the draft revisions to the SSS WDR, please sign up for the “Sanitary Sewer Overflow (SSO) Reduction Program Order Review” electronic mailing list at the State Water Board’s Lyris List website:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

SUBMISSION OF WRITTEN COMMENTS

The State Water Board is interested in receiving comments regarding all aspects of the draft SSS WDRs. Specifically, comments are being solicited on whether the SSS WDRs should be revised to be a two-tiered WDRs and National Pollutant Discharge Elimination System (NPDES) permit. Under the two-tiered WDRs and NPDES permit: (1) enrollees who have had at least one SSO that has reached waters of the United States would be required to seek coverage under the NPDES permit; (2) enrollees who have never had any SSO that has reached waters of the United States would be required to seek coverage only under the WDRs; and (3) when an Enrollee covered under the WDRs reports an SSO that has reached waters of the United States, the Enrollee would be required to switch coverage from the WDRs to the NPDES permit. The NPDES permit would include a prohibition against all SSOs to waters of the United States.

Written comments must be received by **12:00 noon on Friday, April 29, 2011**, and addressed to:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Comment letters may be submitted to the Clerk to the Board via email at: commentletters@waterboards.ca.gov (if less than 15 megabytes in total size) or by fax at (916) 341-5620.

Please indicate in the subject line: **“Comment Letter – SSS WDRs Review & Update”**

Hand and special deliveries should also be addressed to Ms. Townsend at the address above. Couriers delivering comments must check in with lobby security and have them contact Ms. Townsend at (916) 341-5600.

Please direct questions about this notice to Russell Norman, Division of Water Quality, at (916) 323-5598 (rnorman@waterboards.ca.gov).

Date March 24, 2011

Jeanine Townsend
Jeanine Townsend
Clerk to the Board