

5/2/06 - Item 7
SSORP
deadline: 4/24/06



Via Electronic Mail

Ms. Tam Doduc, Chair and Members
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, California 95814
Attn: Song Her, Clerk to the Board

Dear Ms. Doduc and Board Members:

COMMENT LETTER - 5/3/06 BOARD HEARING - SSORP

This is written on behalf of the City of Inglewood to express continued concerns regarding the current March 24, 2006 version of the proposed Statewide General Waste Discharge Requirements (WDR) for Wastewater Collection System Agencies and the accompanying Monitoring and Reporting Program (MRP). The City of Inglewood is supportive of the goals of the State Water Resources Control Board (SWRCB) to implement the Sanitary Sewer Overflow Reduction Program to reduce the number and volume of Sanitary Sewer Overflows (SSOs) throughout the state.

However, the City of Inglewood believes the projected \$54.75 average annual cost per household for cities in our population range to implement the Statewide WDR requirements, even if the cost projection does not underestimate the true cost for our city, does represent a very significant cost increase to be borne by our ratepayers. The State should attempt to identify a source of grant funding to support these new costs rather than simply requiring the cities to enact rate increases to recover loan costs or support bond issues. Additionally, these new costs should not be magnified by fines or third party litigation due to unpreventable SSOs. The City of Inglewood is disappointed that the WDR now contains an outright prohibition on SSOs, yet does not differentiate between preventable and unpreventable SSOs. We urge the SWRCB to include a reasonable affirmative defense provision that would provide our residents with protection against the cost impact of fines and lawsuits based on SSOs that occur even after our collection system is managed, operated and maintained according to the standards and requirements established by this new regulatory program.

Additionally, the City of Inglewood believes the proposed time schedule for implementation of the electronic reporting program is too short and has concerns regarding the details of the on-line database. The City of Inglewood has not had the opportunity to review and understand the detailed features of the new database and is very concerned that the SWRCB has not dedicated adequate time for testing, troubleshooting and training of all the collection system owners that will have to use the new database. Further, the City of Inglewood strongly believes that field personnel in charge of spill responses should not have to make judgments as to whether a SSO has reached Waters of the United States or caused a public nuisance prior to reporting a spill, since these judgments may involve legal issues rather than technical or factual determinations. Therefore, we request that all questions requiring such judgments be eliminated from reporting templates to be used in the new database.

The City of Inglewood strongly urges the SWRCB not to adopt the WDR and MRP without cost support, protection for our ratepayers from potentially unfair and unreasonable regulatory fines and third party litigation, additional time for testing, troubleshooting and training programs to support the electronic reporting program and elimination of the need to make inappropriate legal judgments in the reporting process.

Very truly yours,

City Manager/Administrator
City of Inglewood

cc: Bryan Brock, SWRCB staff