

Tyler, Courtney@Waterboards

From: John Moore <jmoore052@gmail.com>
Sent: Wednesday, June 20, 2018 7:48 AM
To: commentletters.
Subject: Fwd: "Comment Letter-Proposed Recycled Water Amendment"
Attachments: Scan_0110.pdf



This is an Addendum to my Comment Letter dated June 11, 2018. It adds a letter that I sent to the Seaside Basin Watermaster(an adjudicated Basin) re-stating its technical adviser that the PWM is in fact a DPR into a drinking water repository. I have also added Scan 110, a back and forth between WRAMP a party to the CPUC case dealing with PWM and with PWM wherein PWM confesses to several important issues: First, it agrees that recycled agriculture wastewater has never before been successfully recycled for potable purpose; and Second, agriculture wastewater has never before been mixed with sewage waste for potable purposes. Then, PWM does not add any health tests. We are an experiment. One could only imagine the testing that would be required by the FDA, or recommended by a true expert about these issues(like the SAP group).

My point is that the proposed regs. do not require verifications by the DDW or its Engineering Dept. PWM says it is a IPR, w/o any evidence, hires a environmental consultant with zero expertise in health issues, and the Engineer, DDW and the Regional Waterboard buys into it. Other districts will mimic this flawed process. John M. Moore

----- Forwarded message -----

From: <jmoore052@gmail.com>
Date: Sun, Jun 17, 2018 at 1:26 PM
Subject: Fwd: "Comment Letter-Proposed Recycled Water Amendment"
To: boj83@comcast.net

Sent from my iPhone

Begin forwarded message:

From: John Moore <jmoore052@gmail.com>
Date: June 17, 2018 at 11:30:04 AM PDT
To: snyders2@email.arizona.edu
Subject: Re: "Comment Letter-Proposed Recycled Water Amendment"

On Sun, Jun 17, 2018 at 10:30 AM, John Moore <jmoore052@gmail.com> wrote:

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From: **John Moore** <jmoore052@gmail.com>
Date: Sat, Jun 16, 2018 at 7:23 PM
Subject: Fwd: "Comment Letter-Proposed Recycled Water Amendment"

To: RMcGlothlin, Your client Seaside Groundwater Basin Watermaster:

I refer you to my "Comment Letter" to the State Water Board set forth above. The reason for this e-mail is to convince you to take the issue of the PWM water quality to be injected into the Basin to the

judge, to determine whether the injected water is safe drinking water (like the other water in the Basin), or, whether it has the probability of contaminating the Basin. Your firm probably has a conflict because most, if not all, of the members (litigants) favor the PWM project and were active in the process that led to a permit for a project that threatens the purity of the Basin. A Special Counsel should be appointed to present the evidence that PWM water will probably contaminate the Seaside Basin. The court has the constitutional authority to assure that water that comes from the Basin is fairly distributed, but also, to assure that water injected into the Basin is not likely to contaminate the other waters in the Basin.

As set forth in my comment letter, my interest is that I believe that the evidence (as opposed to my opinion) proves my point.

The method utilized by PWM to obtain a permit for the project utilized two main strategies: First, they were careful not to hire any qualified experts concerning the dangers of recycled water to be included in the EIR that led to the permit, and, second, they convinced the DDW and the Regional Water Board that the project was/is an Indirect Potable Reuse (IPR), when in fact it was/is a Direct Potable Reuse (DPR). Importantly, the State Water Board has not determined regulations that allow a DPR, that is what the Comment process is about, but per the proposed regulations, the PWM project could never qualify as a IDR. I assume that the proposed regulations will be adopted. Then the DDW will arrive at safety tests and methods to assure that DPR water is safe for a given project. Before PWM is allowed to inject water into the Basin, it must meet tests to be developed by the DDW.

Proof! I refer you to attachment 101 to my Comment Letter. It is a letter to the EIR for the project by Bob Jaques, technical expert for the Watermaster group. At para. 8, he made it clear that the PWM project would "directly" inject water into the Basin and that the Basin "serves as a potable water supply to the public."

Your client may be concerned that my suggestion will delay the project, but that is not so: If Cal Am and PWM truly believe that the project water is not a threat to public health, that can inject the water directly into Cal Am wells as they do for Carmel River Water. The public may become diseased and die, but the Basin will be saved.

My comment letter contains the facts that show the unique dangerous aspects of the PWM project. For example, there has never been even an IDP in Ca. that recycled toxic agricultural waste waters, let alone one that mixes the water with human waste (per the experts, mixing could have fatal consequences).

Except for Mr. Jaques, no true unbiased expert has been allowed to comment directly about the health dangers of this specific project, but all such experts would require tests like in vivo Bioassay to identify unknown pathogens. I attach a cv for Dr. Shane Snyder as an example of the type of experts that have made the safety of recycled water their life work. (Scan 108). There are numerous others, but Special Counsel should hire a comparable expert. BTW, there are several DPR projects outside of Ca. that utilize in vivo Bioassay testing to assure potability. In the proposed regs. they say it is experimental, but that is untrue.

The PWM claims that time in the Basin qualifies the project as an IDR because it allows at least two months for extra testing. The problem with that claim is that the new test would be applied to mixed water and not identify the source of contaminants, but more importantly PWM water must be tested as a DPR and those tests have not been determined by DDW for this project. DPR tests must be applied before the PWM water is injected into the Basin, otherwise it is not potable water.

I am a licensed but retired Ca. lawyer. My interest in assuring the safety of the Basin is to prevent a Flint like disaster. I am younger than Warren Buffett, but I am subject to criticism by Ageists.

Respectfully submitted, John M. Moore

----- Forwarded message -----

From: **John Moore** <jmoore052@gmail.com>

Date: Mon, Jun 11, 2018 at 6:26 PM

Subject: "Comment Letter-Proposed Recycled Water Amendment"

To: commentletters@waterboards.ca.gov

Attn: Jeanine Townsend, Clerk to the Board:

My name is John M. Moore. I reside at 836 2d st. Pacific Grove Ca. I am a resident within the California American Water Co, a customer and resident within the agencies that comprise Pure Water Monterey(PWM), a recycling project approved and under construction. A description of the project is attached as Scan 102. PWM is in the process of initiating an EIR for an expansion in the size of the project.

I have reviewed the Proposed Recycled Water Amendment in detail and have several criticisms:

1. The proposal is unrelated to the politics that demonize the characterization of a real Ca. Recycling project and it does not require verification of the truthfulness of the sponsoring agencies. As a result, PWM, for just one example represented to the Regional Board and the Dept. of Drinking Water(DDW), that the PWM project was/is an Indirect Potable Reuse (IPR), but nothing could be further from the truth.

The only evidence about whether the project was/is an IDP or a Direct Potable Reuse (DPR) is Letter M from the EIR, attachment 101, a letter by the Technical Program Manager of the Seaside Basin Watermaster (an adjudicated basin). He is in charge of the day to day operations of the basin in accepting drinking water into the basin and permitting owners of the water to extract their share. The letter proves that the PWM project is a DPR project and it did not qualify for a permit as an IDP.

So what was the misrepresentation by PWM? It claimed that because the water was required to sit in the Basin for two months, that constituted a Barrier that qualified the project as IDP; in short, per PWM the final delivery of the treated water to a well or basin is also a barrier . While the water does obtain minimal dilution in the basin, there is no leeching thru sands, several aquifers, extreme dilution etc. for five years, like the Orange Water District IDP project. PWM says, well the two months will allow it to test the water for that time. But if it is not a barrier, the required tests are for a DPR, and those tests are a part of this process, i. e., under development.

In Exhibit M, the Technical operator, Bob Jaques, made some telling points: First, In para 1. he notes that all water injected into the basin will be extracted shortly thereafter. So it is not a cleansing barrier that could qualify as an IDP. Second, he noted in para. 8 that two of the new water sources, Blanco Drain and the Reclamation Ditch both have a high level of contamination, a broad spectrum of pesticides, as well as metals and bacterial organisms. He then said: "The design of the GWR Project Treatment Facilities should address this in order to ensure that the plant is reliably able to produce water of suitable quality for 'direct injection'(emphasis mine) into the SGWB, 'which serves as a potable water supply to the public'(emphasis mine)." But, there are no DPR tests; that is what this process is about. Mr. Jaques has just informed me that the tests required before treated water may be injected into the basin by PWM will be dictated by the DDW. But of course, as set forth above, PWM expects to apply the current tests for an IDR.

I note that the proposed definition of a Barrier set forth in the proposed regulations would prohibit the PWM project from qualifying as an IDR.

2. The proposed Regulations do not deal with a PWM situation where two highly toxic but different water sources are mixed before treatment (human sewage from the city of Salinas and highly toxic agriculture waste). There is not even an IDR example of the recycling of agriculture waste for potable purposes, anywhere, let alone mixing it with sewage without any examination by trained toxicologists about the toxic effects of that mixing. Because PWM claims IDR status, there are no specific tests for this unique mix after treatment and before injection into the water supply. But there are several additional reasons (below) that comprehensive testing must be required before treated water from severely toxic sources (like PWM) is mixed with other drinking water.

3. Another criticism is that the proposed regulations imply that the Experts Report concluded that DPR can now be allowed on a case by case basis pursuant to the proposed regulations. A careful reading of that report implies that significant research and development must be concluded before DPR is permitted. The caveats by the experts are many and well founded.

4. If you are still reading this, you may be thinking, "yes, in fairness, the PWM project is quite challenging." Let me add to the drama and additional reasons that the project is unsafe. The Seaside Basin, the repository of the treated drinking water is located in Fort Ord a sandy, former U.S. Army base. The Basin sits below a Super Fund Toxic site that has decades of Infantry, tank and Artillery training, going back to pre WWII. I attach a few pages from Letter S (Scan 106) to the project EIR that details the toxic sources. After heavy rains, water on the two Ft. Ord golf courses disappears within a few hours. Where does it go?

The Basin is located in several earthquake faults, including the San Andreas fault. Because of the sandy soils, liquifaction of water-laden sediments (the soil turns into liquid) in the vadose zone (the soil from the basin to ground level) could contaminate the basin with Fort Ord debris, chemicals and whatnot. There is no alternate source of water.

I refer you to attachment 104, from the proposed regs. 5.2.4.8. "Peak Attenuation of Short Term Pulses of Chemicals Likely to Persist Through Advanced Treatment." The section has to do with unexpected events, like an industrial spill and questions how this might (or not) work. It concludes with: "How this would Work is a research Question?" In the case of the PWM DPR project, we bloody well better get on that, or babies will die!

5. I refer you to attachment 100. It is a 2016 comment letter from the three toxicology scientist that were on the 2010 Science Advisory Panel (SAP). The comment was because the proposed regs. did not adopt Bioassays as part of the safety tests for DPR and as set forth in the letter they made compelling arguments that in vivo bioassay testing is critical if DPR is to produce safe drinking water. In vivo is expensive, because it involves assaying live organisms from live animals. It actually assays a cell and identifies discrete parts for pathogens (in vitro tests dead samples and is not as helpful). Now that you have been exposed to real life, the PWM project, you should reconsider the omission of in vivo bioassay tests. Could any sane adult allow treated wastewater from the PWM project to be injected into the drinking water of the Seaside Basin w/o in vivo bioassay testing? I am a rate payer and I say, get those tests. We will pay for them. BTW, the credentials of the three SAP members are very impressive. Listen to them.

6. I refer you to attachment 105. It is the face page of the DDW acceptance of the Final Engineering Report for the PWM project. para, 1. confirms that approval was granted on the assumption that the project was in fact an IPR project in fact, not one just based on a trick, claiming that a repository of treated drinking water was an IPR qualifying barrier.

7. The wealth of opinions from the experts that study the Toxicology of recycled wastewater is that neither IPR nor DPR is safe. I could attach dozens of examples, but will limit it to Scan 107, which is typical. Can you imagine how such experts would react to the PWM project. But of course the agencies

pursuing such dangerous projects never hire honest qualified experts. The safety expert for the PWM EIR prepared a written report that based her opinion on asserted examples of projects and studies that she argued showed that the PWM process was safe. Not a single existing project had source water as toxic as the PWM sources. As for studies, she cited the Rand study which showed a 73% increase in liver cancer by those that drank recycled water as an article positive to the PWM project. I checked her company out in Dun and Bradstreet: at the time of her EIR report she had two employees, she and her mother.

8. There is a very critical factor missing from the proposed regs. The standards in the Regs must be so secure about the recycled water's safety for potable purposes that forced users like me do not need to worry about the safety of the water. They are not close. At this time very few of the forced users of the PWM mix are even faintly aware of the dangerous PWM project. Cal Am has informed me that there will not be a source of water free from the PWM mix. There was no vote and when the true nature of the project becomes public, chaos should result. What adds to the insult is the the human waste and agriculture wastewater sources come from areas out side the Cal Am water district, so their residents will not be forced to drink the worrisome mix. WE ARE ENTITLED TO KNOW THAT OUR DRINKING WATER IS SAFE !

As Dr. Oppenheimer stated, it may be years before the toxicity is discovered. A recent report about the Michigan contamination of the seventies, indicates that even three generations after actual exposure to the public in the seventies, the toxic effects continue to show in the subsequent generations, tho they were not actually exposed to the contaminants.

I have had this home for about twenty years. Unless the PWM project is made safe, I will be forced to move. John M. Moore

John Moore Add keywords



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From Sort



This week

John Moore Jun 18
Fwd: Comparable
Hi: I asked Ron W. to re

John, me 8 Jun 17
"Comment Lette...
Sent from my iPhc

Last week

John, me 8 Jun 16

From: John Moore <jmoore052@gmail.com>
Date: Tue, Apr 18, 2017 at 2:49 PM
Subject: Re: Comparable
To: Ron Weitzman <ronweitzman@redshift.com>
Cc: Mike McCullough <MikeM@mrwpca.com>, Paul Sciuto <Paul@mrwpca.com>, Jean Getchell <jeanagetchell@gmail.com>, john.robertson@waterboards.ca.gov, waterplus@redshift.com, pwnaction@lists.riseup.net, health@co.monterey.ca.us, Jane Parker <district4@co.monterey.ca.us>, Mary Adams <district5@co.monterey.ca.us>, Dorene D'Adamo <ddadamo@waterboards.ca.gov>, Felicia Marcus <felicia.marcus@waterboards.ca.gov>, Frances Spiy-Weber <frances.spiy-weber@waterboards.ca.gov>, Steven Moore <smoore@waterboards.ca.gov>, Tam Doduc <tdoduc@waterboards.ca.gov>, Tom Howard <thoward@waterboards.ca.gov>, Assemblymember.Stone@outreach.assembly.ca.gov, Bill.Monning@sen.ca.gov

At Last, an honest answer to our concerns. Now let's check to see whether the true cost of the treatment was included in the estimate given to the state for financing, including the cost of the many processes that are now being touted.

My concern is that it may or may not be possible to remove all toxic solubles from the wastewater, but if the cost is prohibitive, that should be revealed now, before it is too late. Everything that I have read about Advanced Oxidation is that it becomes very expensive and that is why it has not been tried to the extent now proposed. John M. Moore, Esq.

On Tue, Apr 18, 2017 at 2:19 PM, Ron Weitzman <ronweitzman@redshift.com> wrote:

Thank you for your reply, Mr. McCullough. Neither are we aware of

any advanced treatment of agricultural runoff water to make it potable, nor are we aware of any peer-reviewed scientific studies evaluating the effectiveness of the process on the mix of that source water with sewer water. We are concerned that the Title 22 requirements you attempt to meet do not include any standards or testing regimens for pesticides and other toxins known to exist in the agricultural runoff sites you are tapping for part of your source water. That concern has grown out of our knowledge of peer-reviewed scientific studies showing dangerous amounts of DDT, diazinon, chlorpyrifos, and other pesticides and toxins in the Blanco Drain and Reclamation Ditch from which you plan to withdraw source water. We recognize the pressure you are under because of the SWRCB's milestones or deadlines. That is unfortunate for both your agency and, even more so, for us who would have to drink



john i
jmooref
(831) 23

This is you.

Photos

Documents

- Scan_0108.pdf
Fwd: "Comment L...
- Scan_0100.pdf
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John Moore Add keywords



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 - OIB Finance 999+
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 - OIB News 999+
 - OIB Real Estate 220
 - OIB Shopping 999+
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 - OIB Travel 245
 - OIB Unsubscribe 1
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- From Sort
- This week**
- John Moore Jun 18
Fwd: Comparable
Hi: I asked Ron W. to re
 - John, me 8 Jun 17
"Comment Lette...
Sent from my iPhc
- Last week**
- John 3 Jun 15

Blanco Drain and Reclamation Ditch from which you plan to withdraw source water. We recognize the pressure you are under because of the SWRCB's milestones or deadlines. That is unfortunate for both your agency and, even more so, for us who would have to drink incompletely tested water. All that said, WRAMP has high regard for your agency and what it is attempting to do. I personally wish that other local public agencies had your drive and commitment to public service, particularly in relation to our ongoing Monterey Peninsula water shortage and its threat to public health and the environment. Still, for the sake of all of us, we need time to resolve this issue. —Ron Weitzman, for WRAMP

From: Mike McCullough [mailto:MikeM@mrwpc.com]
Sent: Tuesday, April 18, 2017 12:30 PM
To: ronweitzman@redshift.com
Cc: Paul Sciuto
Subject: Comparable

Mr. Weitzman,

We are not aware of any other cases where agricultural wastewater is being treated and used for indirect potable reuse.

Agricultural lands or infrastructure to take the agricultural wastewater to regional wastewater treatment plants is not typically seen in areas where existing Indirect Potable Reuse projects are operating. A project in Chino Basin uses agricultural processing water (wash water) that is conveyed as one of the sources for its Indirect Potable Reuse project.

It should be noted that the majority of the water being sent to the Advanced Water Purification Facility is from its existing municipal wastewater entities. The other water sources or "new" water sources will also be mixed with the existing municipal wastewater at the Regional Treatment Plant. All of those wastewaters will receive primary and secondary treatment. The water that is sent to the Advanced Water Purification Facility

will be subjected to four additional treatment processes.

MRWPCA is also the only Indirect Potable Reuse project proposing to use pre-ozonation in addition to the full advanced treatment requirement which addresses the removal of organic chemicals.

Thanks,



john i
jmoorel
(831) 23

This is you.

Photos

Documents

- Scan_0108.pdf
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- Scan_0100.pdf
"Comment Letter-
- Scan_0101.pdf
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