



June 26, 2018

Felicia Marcus, Chair
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

commentletters@waterboards.ca.gov

Subject: Comment Letter – Proposed Recycled Water Policy Amendment

Dear Ms. Marcus,

The Santa Clara Valley Water District (District) appreciates the opportunity to comment on the State Water Resources Control Board's (Water Board) proposed Amendment to the Policy for Water Quality Control for Recycled Water (Amendment). As the primary water resources agency for Silicon Valley, the District supplies clean, reliable water to people and businesses of Santa Clara County. In addition, the District works to protect the quality of groundwater and surface water, while ensuring our water supply meets future needs.

These efforts include operating the Silicon Valley Advanced Water Purification Center (SVAWPC), the largest purification facility in northern California. The District supports ongoing potable reuse research at SVAWPC, including a reverse osmosis concentrate management study in partnership with the Bay Area Clean Water Agencies, San Francisco Estuary Institute, Stanford University, and University of California Berkeley. The District's future plans include the development of potable reuse in the county by potentially constructing additional advanced water purification facilities in partnership with recycled water producers in the County.

The District appreciates the efforts of the Water Board to prepare the draft Amendment in the interest of improving public and environmental safety and standardizing the State's regulation of recycled water. The District is generally supportive of the overall intent of the Amendment and views it as a positive step towards expanding water recycling and potable reuse in California. The District offers the following comments and recommendations for the Water Board's consideration:

1. The District supports the goals identified in Section 3.1 of the proposed Amendment, which promote increased use of recycled water in California and strive to minimize discharges to coastal waters while maintaining beneficial uses. This goal supports the 1972 Clean Water Act to restore and maintain the chemical, physical and biological integrity of the Nation's waters and eliminate discharge of pollutants to navigable waters.
2. The District commends the Water Board for proposing to improve the management of recycled and potable water facility monitoring data by creating a unified reporting system and database. A centralized database could eliminate duplicative efforts, standardize reporting, and easily share information for the benefit of water utilities, industry, and the public at large. To streamline analysis and optimize data requests, the collected information should be easily accessible.



3. Under Attachment A amendments, Recycled Water Project Proponents (RWPP) are required to monitor for constituents of emerging concern (CEC). For most CECs listed in Attachment A there are no lists of approved methods nor of accredited laboratories. The District is concerned about identifying cost-effective means to conduct tests and validate results under the guidelines laid out in the Amendment. In the interest of consistency, the District promotes alignment with ELAP, rather than The NELAC Institute (TNI) standards, including exceptions included in Attachment A, and the exception in ELAP's preliminary draft regulations which relaxes the laboratory proficiency testing requirement from twice per year to once per year.
4. CEC monitoring will be an evolving challenge into the future, and bioanalytical assays are a potentially invaluable tool for protecting public health due to their ability to capture the multiplicative biological effects of mixtures of CECs, and various un-monitored contaminants and disinfection byproducts. The District supports implementing bioanalytical screening tools but considers it premature to establish action levels and response actions based upon the results of these tests at this time. Bio-analytical tools are still in the initial stages of development, and do not yet have certifiable or standardized protocols. The District promotes a phased adoption of bioanalytical assays where preliminary phases would include establishing testing protocols and lab certification requirements as recommended by the Science Advisory Panel for Recycled Water's report on *Monitoring Strategies for CECs in Recycled Water*.
5. The District appreciates the Amendment's recognition of the potential overlap between Salt and Nutrient Management Plan and Sustainable Groundwater Management Act requirements. Similarly, we recommend that the Amendment align with related components of the Division of Drinking Water Indirect Potable Reuse (IPR) regulations or allow for functional equivalence. For example, the Amendment requires groundwater monitoring at the 30-day travel time, but the IPR regulations are more flexible in allowing the monitoring point to be located between 2 weeks and 6 months travel time.

In addition, Table 8 in Attachment A identifies monitoring response actions that are not well-aligned with Division of Drinking Water notification and response levels. For example, CECs like NDMA and 1-4 dioxane could be detected in groundwater far above DDW notification and response levels before consultation with the Regional Water Board and State Board is required under response action (E). The District recommends that response actions in the Amendment be better aligned with DDW response levels to adequately protect the beneficial uses of groundwater.

6. The District is concerned with the proposed removal of priority pollutant monitoring requirements for recycled water that is used for landscape irrigation projects. The rationale for removing this requirement is based on risk to human health and aquatic life through direct exposure to recycled water, but it does not consider potential impacts to groundwater. The District has detected priority pollutants including NDMA, perfluorinated compounds, and other priority pollutants in recycled water and groundwater near recycled water irrigation sites. Because of the importance of understanding the prevalence, fate, and transport of these compounds, the District recommends retaining the priority pollutant monitoring requirements in the Amendment.

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The District acknowledges the Water Board for its tremendous work in developing the regulations necessary to establish safe and effective regulations for recycled water and potable reuse. The District believes recycled and reused water is a safe, reliable, locally-controlled water supply that protects the environment, sustains economic growth, and provides resiliency for water resources made more uncertain by climate change. If you have any questions, please contact Ms. Nina Hawk, Chief Operating Officer, at (408) 630-2736.

Sincerely,



Norma J. Camacho
Chief Executive Officer

cc: N. Hawk, G. Hall, C. Hakes, J. Scott, V. De La Piedra, A. Alfaro, R. Callender,
H. Ashktorab, M. Sinaki