



***May 14, 2015***

**California Water Association Spring Conference**

**New Statewide Permit  
for  
Drinking Water System Discharges  
To Surface Waters**

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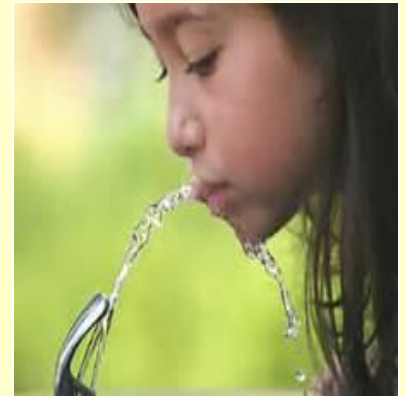
# Intent of Presentation

- **Higher-level discussion**
  - **Why do we need another permit?**
  - **Overview and highlights of new permit**
  - **How to make new permit serve your needs**
  - **Opportunities for further collaboration among local utilities**

# Regulatory Compliance for Drinking Water Facilities Familiar to Water Purveyors



*Compliance with*  
**Safe Drinking Water Act**  
*Implemented through the*  
*Division of Drinking Water Permits*



*The subject of regulation is the system water  
served to customers for drinking water and other  
uses*

# What is this New Permit?



## *Compliance with* **Clean Water Act**

*Implemented through  
National Pollutant Discharge Elimination System  
(NPDES) Permits*



*Administered by the Division of Water Quality  
and  
the Regional Water Quality Control Boards*

*The subject of regulation is the system water  
that leaves your system and enters waters of the  
United States*

# Basic Water Quality Concerns from Drinking Water System Discharges

## 1. Toxicity – chlorine, metals and ambient pH



## 2. Solids - sediment, turbidity, sand and trash



# Basic Water Quality Concerns from Drinking Water System Discharges

## 3. Erosion, scour and hydro-modification



# Overview of New Permit

- **Provides Clean Water Act regulatory coverage**
- **Acknowledges permitted storm water systems and discharges to land**
- **Provides Regulatory Exception to California Toxic Rule (not to Clean Water Act)**
- **Regulates through Best Management Practice Implementation**
- **Acknowledges Small Systems**

# Clean Water Act Regulatory Coverage

**Water purveyor enrollment under an NPDES Permit provides water purveyor with required Clean Water Act regulatory coverage for mandated discharges and emergency discharges**

# Clean Water Act Regulatory Coverage

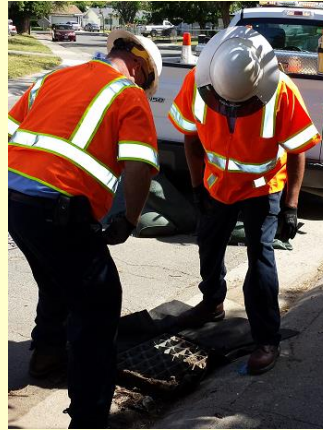
- **This permit establishes:**
  - Chlorine limits for discharges that immediately discharge into waters of the U.S.
  - Requires system-specific and site-specific management practices
  - Field monitoring only
  - Annual reporting
  - Event notification
- **This NPDES Permit does not:**
  - Interfere with local storm water authority (this is not a permit to discharge into a local storm drain)
  - Set water quality requirements for discharges into storm drains

# Types of Discharges Regulated Under Permit

- **Planned discharges that allow management practices to be put in place**
  - Direct to surface waters
  - Routed to storm drain systems
- **Emergency discharges**



# Best Management Practice-focused Permit



# Existing Management Practices

(distribution system flushing)



# Existing Management Practices

(ground water supply wells)



# Regulatory Exception to California Toxic Rule (CTR)

- **State Water Board grants water purveyors an exception to CTR**
  - An exception to strict criteria for priority pollutants including chlorine byproducts
- **To obtain regulatory exception:**
  - Water system must have regulatory coverage under an NPDES Permit
  - Exception does not apply to discharge of commingled storm water

# Coverage Under Existing NPDES Storm Water Permits

**State Water Board not requiring the following to enroll in statewide permit:**

- **Water purveyors that are also municipal storm water permittees**
- **Water purveyors that have an established local agreement with MS4 permittee** (regional board concurrence needed)
- **Water purveyors whose discharges do not enter waters of the U.S.**

# Small Systems

- **Acknowledges Difficulties Encountered by Small Drinking Water Systems**
- **State Water Board requires transmission facilities and systems of 1,000 connections or more to enroll**
- **Encourages systems less than 1,000 connections to enroll and obtain mandated Clean Water Act regulatory coverage**

# Addressing Application Costs and Permit Fees

- Simplified Application Form
- Application fee specific to community drinking water systems

<u>Service Connections</u>	<u>Application Fee Only</u>	<u>Application &amp; Annual Fee</u>
<u>15-999</u>	<u>\$100</u>	
<u>1,000-9,999</u>		<u>\$500</u>
<u>10,000+</u>		<u>\$2,062</u>
<u>Transmission Only</u>		<u>\$2,062</u>

- Simplified site map requirements

Application Due Date is September 1, 2015

# Promoting Multiple Uses of Good Quality Water Prior to Discharge



- **Groundwater recharge**



- **Discharge to low impact development or reuse**



- **Incentive**

- Coverage serves as waste discharge requirements
- No monitoring for portions of discharges that do not discharge to surface waters (waters of the U.S.)

# For Further Information

## Contact

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# Additional Background Information

For Additional Information Only

# TMDL Implementation

- Section K of Fact Sheet summarizes existing TMDLs that apply to water purveyors
- Los Angeles and San Diego Regional Water Board TMDLs directly and indirectly reference waste load allocations to water purveyors exclusively
- Permit Fact Sheet concludes that water purveyors are not a source of the pollutant impairment
  - Additional application monitoring to be evaluated

# Why an NPDES\* Permit?

*\*National Pollutant Discharge Elimination System*

- Clean Water Act requires pollutant source discharges to waters of the U.S. (fishable and swimmable waters) to obtain an NPDES permit
- In California, the State and Regional Water Boards issue NPDES permits
- Many water purveyors have local agreements with storm water NPDES permittees for regulatory coverage
- Others do not, or storm water permittees requiring separate permit

# Clean Water Act Requirements

- Section 122.44(d)(1)(i) states NPDES permits shall include appropriate effluent limitations:

*Limitations must control all pollutants parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines **are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality***

- For drinking water system discharges, pollutants of concern include chlorine, chlorine byproducts, pH, solids

# Toxicity Standards

Toxicity (i.e. chlorine, byproducts, metals)

- Regional Board Basin Plans contain narrative toxicity objectives which generally state:

*“all waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life;”*

- Specific language varies among Basin Plans.
- Federal regulations require effluent limits when a discharge has a reasonable potential\*

\* *causes, has the reasonable potential to cause, or contributes to an in-stream excursion above a numeric or narrative objective within an applicable State water quality standard (40 Code of Federal Regulations 122.44(d)).*