

UPDATE

PROPOSED STATEWIDE SANITARY SEWER SYSTEMS

GENERAL ORDER REISSUANCE

Presenter:

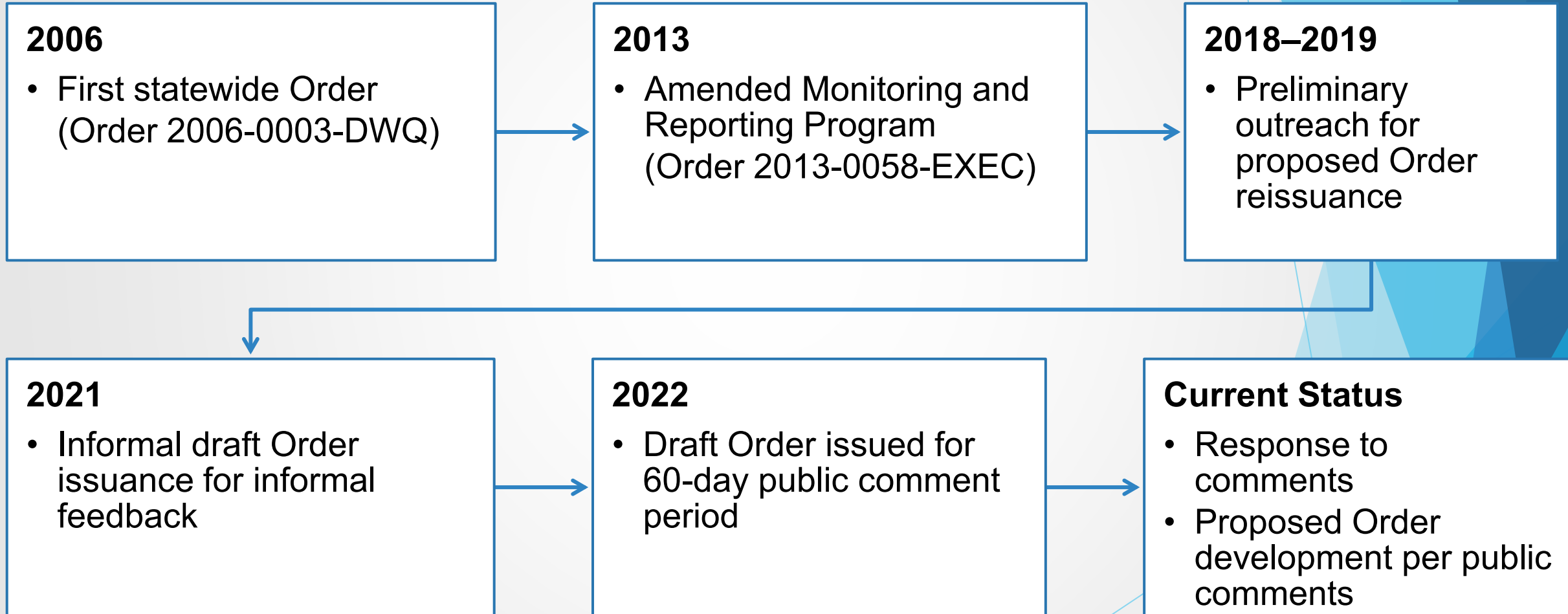
Afroz Farsimadan, P.E.

Statewide NPDES Wastewater Program Manager

2022 Sewer and Stormwater Summit
October 12, 2022



Proposed Order Development Timeline



Next Steps

1

October 28, 2022

Issue Proposed Order
&
Response to
Comments Document

2

November 14, 2022

Staff-level
Public Workshop

3

December 6, 2022

State Water Board
Consideration of
Proposed Order
Adoption

4

May 5, 2023

Order Effective Date
(proposed)

Proposed Order: Dates to Remember



Proposed Order & Response to Public Comments

Tentative Issuance Date: October 28, 2022

- ▶ 30 days before Board Meeting, staff will issue:
 - ▶ Public Notice announcing staff-level public workshop and Board meeting dates
 - ▶ Proposed Order
 - ▶ Response to Public Comments document

For updates, subscribe to the State Water Board's Lyris email at:

https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html

Staff-level Public Workshop

Tentative Date and Time: Monday, November 14, 2022, 9:00 am – 1:30 pm

- ▶ Staff will provide an overview of the proposed Order and answer questions
- ▶ Options for participation:
 - ▶ Zoom Meeting Participation to ask questions:
 - Advance registration required
 - Registration instructions will be provided in the Public Notice
 - ▶ CalEPA webcast to view only:
 - <https://video.calepa.ca.gov/>

State Water Board Consideration of Adoption

Tentative Board Meeting Date: December 6, 2022

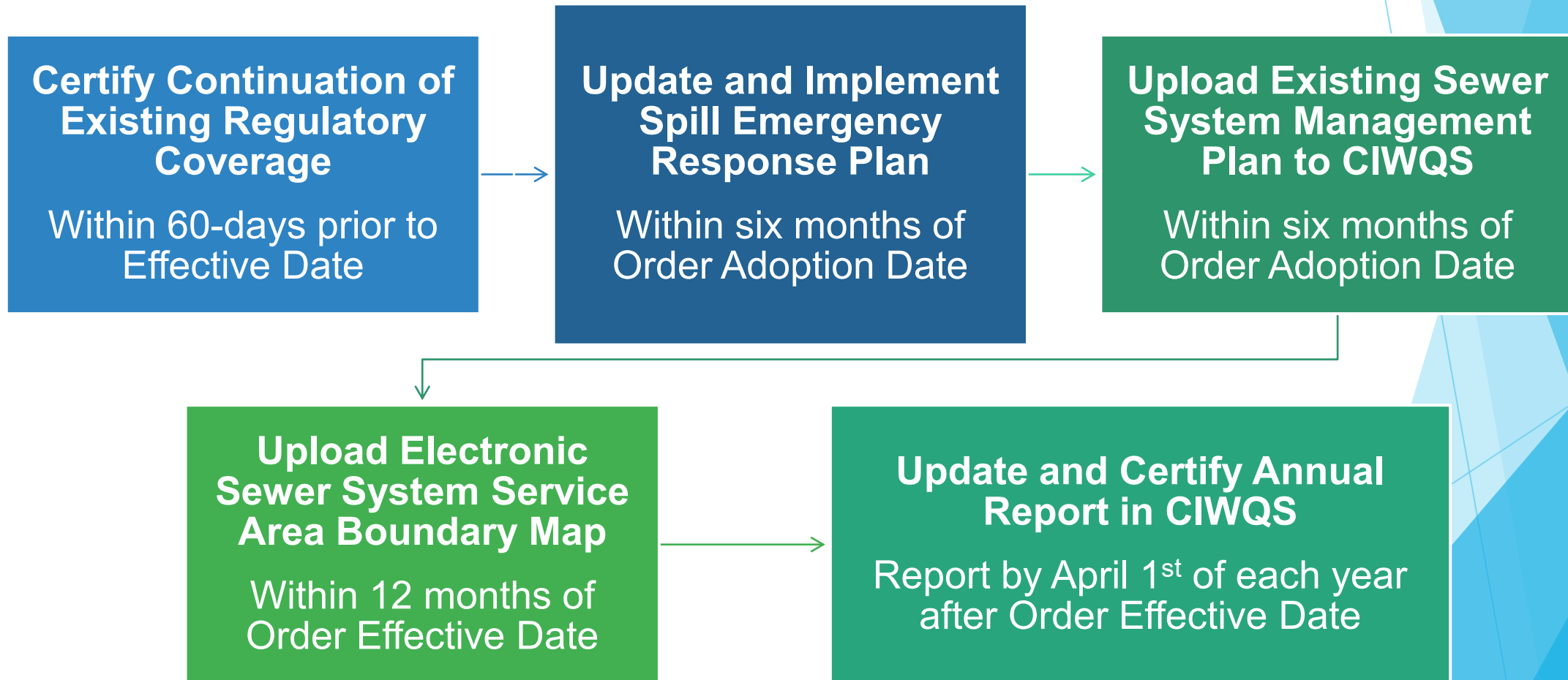
- ▶ Staff presentation to the State Water Board
- ▶ Interested-party opportunity to provide oral comments to the Board
- ▶ State Water Board consideration of adoption

- ▶ Options for participation as instructed in Public Notice
 - ▶ In person at the CalEPA building, Sacramento
 - ▶ Zoom meeting for remote participation
 - ▶ CalEPA Webcast for view only: <https://video.calepa.ca.gov/>

Proposed Compliance Actions for Existing Enrollees After Order Adoption



Existing Enrollees - Required Submittals After Order Adoption



Continuation of Existing Regulatory Coverage



- Proposed Order Effective Date: 150 days after adoption
- Regulatory coverage under Order 2006-0003-DWQ will cease on Effective Date of this Order



Existing enrollees must certify for continued regulatory coverage in CIWQS within 60-days prior to Effective Date

Continuation of Existing Regulatory Coverage

Sanitary Sewer System Database - Menu

Regional Water Board:

Agency:

Sanitary Sewer System:

WDID:

[Collection System Annual Report](#) 

Pertinent information regarding your collection system.

▪ [Sewer System Management Plan Certification](#) 

Certify Sewer System Management Plan completion

▪ [Reporting New Spill](#) 

Submit Individual Spill Reports.

▪ [Reporting New Private Lateral Sewage Discharge](#) 

Submit Individual Private Lateral Sewage Discharge Reports.

▪ [Batch Upload of Category 3 spill Reports](#) 

Submit Multiple Category 3 spill Reports at Once.

▪ [Modifying Existing Report](#) 

View/Modify existing spill or private lateral sewage discharge report.

▪ [Generate No Spill Certification](#) 

Certify that no spills occurred within a certain time period.

[Continuation of Existing Regulatory Coverage Certification](#)

(Must be completed by: XX/XX/XXXX)

Legally Responsible Official, please click on the above link to certify the enrollee's intent to continue regulatory coverage from previous Order 2006-0003-DWQ to the new Order 2022-XXXX-DWQ

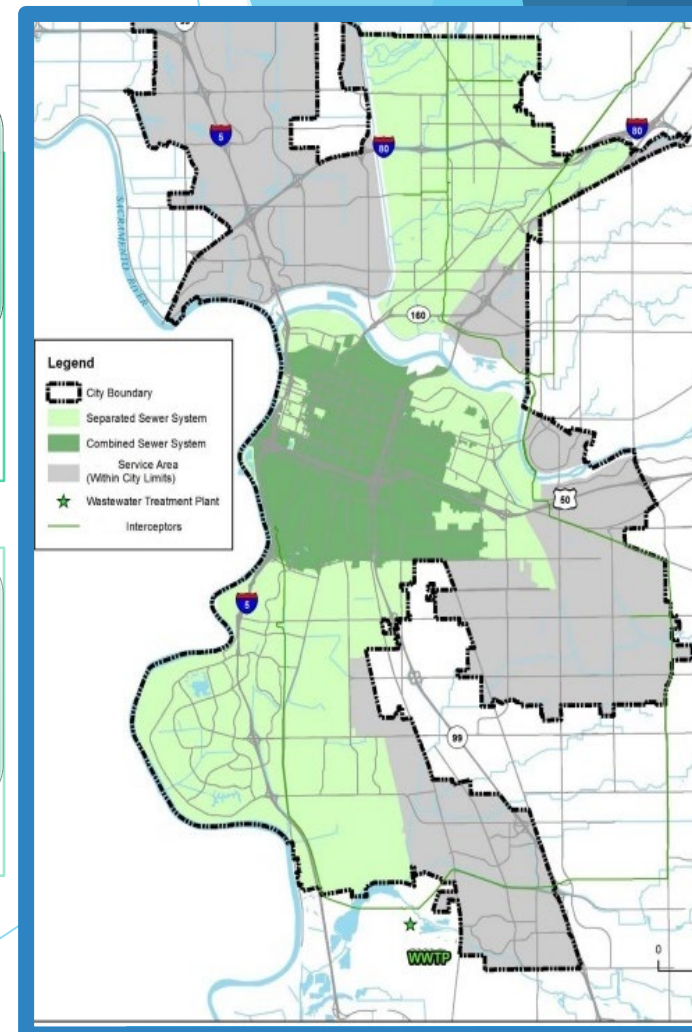
Continuation of Existing Regulatory Coverage

Name:	SSS Demo			
Title:	Legally Responsible Official			
Email:	ciwqs@waterboards.ca.gov			
<input type="checkbox"/>	As the designated Legally Responsible Official, I certify under penalty of perjury under the laws of the State of California that to the best of my knowledge and belief: 1) the sanitary sewer system I officially represent, listed above, is continuing regulatory coverage under statewide General Order 2006-0003-DWQ to 2022-XXXX-DWQ, and 2) the information submitted in this Continuation of Existing Regulatory Coverage Form is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.			
What was your childhood phone number, including area code? (e.g. xxx-xxx-xxxx)	<input type="text"/>			
Please enter your password:	<input type="password"/>			
<u>Manage Active Data Submitter Accounts</u>				
Data Submitter Name(s)	Email Address	Phone Number	Agency	Sanitary Sewer System Name
No records found.				
Last Sewer System Management Plan Required Update Due Date	2019-08-02	Last Annual Report (previously called Collection System Questionnaire) Updated	2022-09-30	
Next Sewer System Management Plan Update Due Date	2025-08-02	Next Annual Report Due Date	April 1, 2024	
<input type="button" value="Certify"/>				

Electronic Sewer System Service Area Boundary Map

**For Existing Enrollees:
Due within 12 months of Order Effective Date**

One-time submittal into CIWQS



Annual Report

Due April 1st of each year after Order Effective Date

For Existing Enrollees:

Update and certify the previous calendar year report

Include System Performance Analysis Graphs



Generated by CIWQS

<p>Graph1: Total spill volume per Category per year</p>	<p>Graph 2: Total number of spills per Category per year</p>	<p>Enrollee is required to analyze and submit both graphs</p>
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Sewer System Management Plan Due Dates

Population	Original Required Plan Due Date	Required Plan Update Due Date	Required Plan Update Due Date	Proposed Order Plan Update Due Date
> 100,000	5/2/2009	5/2/2014	5/2/2019	5/2/2025
100,000 to 10,000	8/2/2009	8/2/2014	8/2/2019	8/2/2025
10,000 to 2,500	5/2/2010	5/2/2015	5/2/2020	5/2/2026
< 2,500	8/2/2010	8/2/2015	8/2/2020	8/2/2026

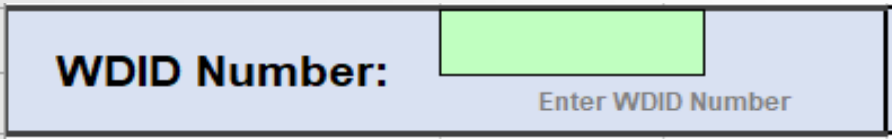
Audit Due Dates

Population	Required Audit Due Dates per 2006 Order *						Proposed Order 3-Year Audit Period Date **
> 100,000	5/2/2011	5/2/2013	5/2/2015	5/2/2017	5/2/2019	5/2/2021	5/2/2024
100,000 to 10,000	8/2/2011	8/2/2013	8/2/2015	8/2/2017	8/2/2019	8/2/2021	8/2/2024
10,000 to 2,500	5/2/2012	5/2/2014	5/2/2016	5/2/2018	5/2/2020	5/2/2022	5/2/2025
< 2,500	8/2/2012	8/2/2014	8/2/2016	8/2/2018	8/2/2020	8/2/2022	8/2/2025

* Audits are required every two years per Order 2006-0003-DWQ

** Proposed Audit Reports due within 6-months after the 3-year audit period

Look-Up Tool: Sewer System Management Plan & Audit Due Dates

1. Go to the Sanitary Sewer Overflow Reduction Program Webpage:
https://www.waterboards.ca.gov/water_issues/programs/ssol/
2. Click the red hyperlink, underneath the “Quick Links” section, titled:
“New! Sewer System Management Plan and Program Audit Due Dates Look Up (search by WDID number)”
3. Enter the system WDID number:

4. The tool will auto-generate Plan and Audit due date history and future due dates for enrolled systems

Look-Up Tool: Sewer System Management Plan & Audit Due Dates

Sewer System Management Plan and Program Audit Due Dates Look Up Transition from General Order 2006-0003-DWQ to Proposed General Order Reissuance								
WDID Number:		<input type="text"/>	Enter your Waste Discharge Identification (WDID) number in the search field to retrieve the required Sewer System Management Plan update and Audit due dates for your system.					
Enter WDID Number								
Sewer System Management Plan and Subsequent Update Due Dates								
System Name	WDID Number	Original Required Plan Due Date	Required Plan Update Due Date	Required Plan Update Due Date	Required Plan Update Due Date (per proposed Order)			
No Match Found - Please enter WDID in search								
Program Audit Due Dates								
System Name	WDID Number	Original Required Audit Due Date	Required Audit Due Date	Required Audit Due Date	Required Audit Due Date	Required Audit Due Date	Required Audit Due Date	Required Audit Due Date (per proposed Order)
No Match Found - Please enter WDID in search								

Look-Up Tool: Sewer System management Plan & Audit Due Dates

Sewer System Management Plan and Program Audit Due Dates Look Up Transition from General Order 2006-0003-DWQ to Proposed General Order Reissuance								
WDID Number:		<input type="text"/>	Enter your Waste Discharge Identification (WDID) number in the search field to retrieve the required Sewer System Management Plan update and Audit due dates for your system.					
		Enter WDID Number						
Sewer System Management Plan and Subsequent Update Due Dates								
System Name	WDID Number	Original Required Plan Due Date	Required Plan Update Due Date	Required Plan Update Due Date	Required Plan Update Due Date	Required Plan Update Due Date (per proposed Order)		
		5/2/2010	5/2/2015	5/2/2020	5/2/2026			
Program Audit Due Dates								
System Name	WDID Number	Original Required Audit Due Date	Required Audit Due Date	Required Audit Due Date	Required Audit Due Date	Required Audit Due Date	Required Audit Due Date	Required Audit Due Date (per proposed Order)
		5/2/2012	5/2/2014	5/2/2016	5/2/2018	5/2/2020	5/2/2022	5/2/2025

Summary of Major Public Comments on January 2022 Draft Order



Summary of Public Comments



**31 PUBLIC COMMENT
LETTERS**



537 COMMENTS



**24 COMMENT
CATEGORIES**

NPDES Permit vs Waste Discharge Requirements Order (WDRs)

California Coastkeeper Alliance Comment

Reissue the General Order as a hybrid NPDES permit/waste discharge requirements, to regulate spills into waters of the United States

Sanitation Agency Representatives Comments

- Continue regulating sewer systems with waste discharge requirements.
- Enrollees in violation of NPDES permit requirements are subject to third party lawsuits.

Proposed Order Effective Date



Proposed Effective Date: 120 days after adoption



Public Comments: Extend the Effective Date to 180 days to allow additional time for compliance

Order Effective Date is not the due date of required submittals:

- ▶ Individual due dates for updated Spill Emergency Response Plan, Sewer System Management Plan updates, and other requirements will be clarified.

Proposed New Prohibition 4.1.

Section 4.1. Discharge of Sewage from a Sanitary Sewer System

Draft Order Language:

Any discharge from a sanitary sewer system that has the potential to discharge to waters of the State is prohibited unless it is promptly cleaned up and reported as required in this General Order.

Public Comments:

- ▶ Remove the proposed new prohibition.
- ▶ The terms “potential to discharge”, “promptly” and “cleaned up” are not defined.
- ▶ The prohibition triggers third-party lawsuit for a discharge that may not occur.



Sewer System Management Plan Certification

Section 5.3. Certification of Sewer System Management Plan and Plan Updates

Draft Order Language:

If a Legally Responsible Official is not a Grade II (or higher) certified operator or a professional engineer, then a second Plan certification is required by:

Grade II Certified Collection System Operator; or

Grade II Certified Wastewater Treatment Plant Operator (employed at treatment plant serving collection system); or

Professional Engineer registered through the California Department of Consumer Affairs.

Public Comments:

- Remove the requirement for Plan certification by a Class II certified operator or professional engineer.
- Require operator input during Plan audits.

Category 1 Spill Definition

Section 5.13.1. Individual Spill Notification, Monitoring and Reporting

2006 Order Definition: Discharges of untreated or partially treated wastewater of any volume resulting from an enrollee's sanitary sewer system failure or flow condition that:

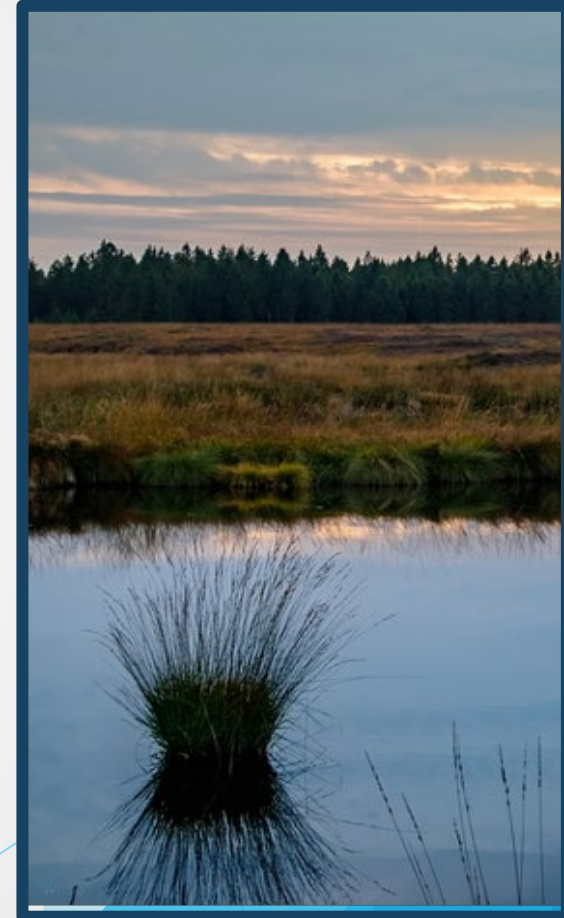
- ▶ Reach surface waters

Proposed Definition: A spill of any volume of sewage from or caused by a sanitary sewer system that results in a discharge to:

- ▶ Waters of the United States

Public Comments:

- ▶ Change the definition to include all spills to surface waters.
- ▶ Clarify that spills to drainage conveyance systems that are fully cleaned up are not Category 1 spills.



Reduced Reporting for Category 4 Spills (Less than 50-gallons)

Section 5.18. System-Specific Reduced Reporting

Draft Order Language:

Qualified enrollees may receive system-specific reduced reporting for Category 4 spills by maintaining onsite recordkeeping, in place of public reporting into CIWQS.

Public Comments:

- ▶ Strengthen definition of Category 4 spills, to ensure small spills do not threaten surface waters
- ▶ Allow all agencies to report less than 50-gallon spills in the Annual Report



Receiving Water Quality Sampling Timeframe

for spills of >50,000 Gallons to Waters of the U.S.

Section E1-2.3.3. Receiving Water – Water Quality Sampling and Analysis

Draft Order Language:

The enrollee shall conduct receiving water quality sampling and analysis, as soon, as possible, but not later than 12 hours after the enrollee's knowledge of potential discharge to a water of the United States.

Public Comments:

- ▶ Maintain existing Order requirement of 48-hours
 - 12 hours not enough for lab analysis for bacterial indicators



Receiving Water Field Testing Requirement

Section E1-2.3.2. Receiving Water Field Sampling

Draft Order Language:

For spills to surface waters, conduct receiving water field sampling for: pH, turbidity, temperature, and dissolved oxygen.

Public Comments:

- ▶ Remove field testing requirement
 - High compliance cost
 - Procurement of new field-testing equipment
 - Costly training on instruments calibration and use
 - No established timeline for testing
 - Delayed spill response and cleanup efforts



Thank you!

**Important
Dates to
Remember**

Tentative: October 28, 2022

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December 6, 2022

State Water Board consideration of Order adoption

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Information available at:

https://www.waterboards.ca.gov/water_issues/programs/sso/

Subscribe to Lyris email for updated email notifications:

https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html