6/21/06 BdMtg Item ___
Chlorine Policy
Deadline: June 5, 2006

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Ms. Song Her, Clerk to the Board
State Water Resources Control Board
Executive Office
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Comments of Total Chlorine and Chlorine-Produced Oxidants Policy of California, April 2006, Division of Water Quality, State Water Resources Control Board, California EPA

Dear Ms. Song Her:

Disneyland Resort thanks you for the opportunity to submit comments on the Draft Policy for Residual Chlorine and Chlorine- Produced Oxidants (Draft Policy). Located in Anaheim, California, the Disneyland Resort provides guests from around the world with thrills, fun and unique immersive experiences. Disneyland Resort is a 500-acre resort destination featuring two renowned Disney theme parks (with over 100 adventures and attractions), three hotel properties and a dining and retail area known as the Downtown Disney District. As operators of the number one family resort destination in the western United States, we are as deeply committed to environmental health as we are to the safety of our employees and our guests. Based on our review, we have the following comments on the proposed policy.

Background

Chlorine is used at the Resort for maintaining water features and water-based attractions. The discharge of this water is subject to a chlorine residual limit of 100 ppb in the Resort's NPDES permit. The Resort treats the water from features and attractions prior to discharge to comply with the 100 ppb limit. The Resort will be able to comply with the proposed 19 ppb chlorine residual limit with the same treatment process.

The Resort also uses municipal source water for routine cleaning of the Resort grounds. No chlorine or other chemicals are added to this water prior to its use. After its use, this water is discharged to the storm drain.

The proposed 19 ppb chlorine residual limit is significantly lower than the chlorine concentration of the incoming municipal source water used for Resort cleaning

Recent data indicate that chlorine concentrations in incoming municipal source water can be as high as 200 - 600 ppb depending upon the location of the specific sample location within our potable water infrastructure. The proposed blanket state-wide19 ppb limit therefore prohibits the Resort from discharging this grounds washing without treatment, even though the Resort has no control over the chlorine concentration in the incoming water. We believe this poses an unnecessary and undue hardship on the Resort, especially considering that routine grounds washing is necessary for maintaining proper cleanliness and hygiene at the Resort.

Exemptions from the proposed state-wide 19 ppb standard must be permitted when compliance is beyond the reasonable control of the discharger. Clearly the pass-through use of municipal water for grounds washing at the Resort should be subject to such an exemption. We recommend that the State Policy for Residual Chlorine allow for such exceptions, and that they be granted by the Regional Water Quality Control Boards on a case-by-case basis, taking into account region-specific and facility-specific conditions.

The Resort should be exempt from chlorine monitoring requirements with respect to the discharge of grounds washing

The Draft Policy states that the Regional Water Quality Control Boards "shall require continuous monitoring of chlorine residual and/or dechlorination agent residual concentrations for all facilities unless an exemption is granted." We believe the Resort should be exempted from chlorine monitoring requirements with respect to the discharge of the municipal water used for grounds washing for the following reasons:

First of all, the grounds washing discharge is an intermittent discharge which occurs between midnight and 9:00 am. In our view this makes monitoring impractical. More importantly, the Resort does not add any chlorine to the wash water used for grounds washing, so the Resort should not be asked to monitor for a pollutant which it is not introducing into the discharge. Finally, since the incoming municipal water contains chlorine, the Resort should not be required to monitor for the concentration of a pollutant over which it has no control.

Compliance Monitoring Difficulties with Continuous Monitoring Equipment

With respect to the discharge of chlorine-containing water from Resort water features and water-based attractions, we are concerned with the frequency of the proposed sampling requirements, which will necessitate reliance on on-line monitoring systems to demonstrate compliance with the proposed 1-hour and 4-day average limits for continuous discharges and intermittent discharges longer than 2 hours. The sensitivity and reliability of current technology is questionable at the proposed compliance limits. Continuous instrumentation for residual chlorine does not have established minimum detection levels (MDLs) or reporting levels (RLs). Furthermore there are no EPA 40 CFR Part 136 approved methods that are specific to on-line continuous monitors. Measurement of RLs and MDLs are a necessary and important element to ensure confidence in analytical data used in compliance and enforcement.

Attainment of manufacturer-specified detection limits is often difficult under routine applications of the technology in 'real world' settings, resulting in generation of 'false positives'. It is essential that the policy provide guidance on how on-line system MDLs and RLs can be derived under conditions of varying water quality and how the resultant values are to be used in compliance determination.

We recommend that the State Board assess the reliability of continuous monitoring chlorine systems under field conditions representative of those found in the State before it mandates their use in the policy. Additionally, the policy should include provisions for determining residual chlorine levels in effluent through mass balance calculations or other means in situations where on-line monitoring systems operating at or below their MDLs and RLs show possible exceedances of the policy limits.

Burdensome Back-up System For Compliance Monitoring

We feel that the back-up system proposal outlined in the policy is inappropriate for Resort discharges and potentially very costly to implement. The proposed method is to conduct hand-monitoring every 15 minutes. While this approach may be feasible for potable or wastewater systems with well defined, accessible, and proximate sample locations, monitoring of diffuse source locations in a stormwater-based infrastructure with this approach would be overly burdensome.

Exemption from proposed chlorine residual standard for facilities that implement Best Management Practices (BMPs) to reduce chlorine discharge

It is our understanding that the State Board will be proposing that dischargers that implement BMPs for reducing chlorine discharge will be exempt from the proposed 19 ppb chlorine residual limit. We believe this would be a very positive development and

encourage the Board to adopt such an exemption. In addition, we recommend that the State Board establish written policy guidelines on the establishment and effectiveness of appropriate BMPs for reducing chlorine discharge.

We appreciate that the Board has given stakeholders an opportunity to comment at an early stage of policy development. This process will ultimately result in scientifically defensible and practicable standards that will protect both the aquatic environment and business interests.

If you have any questions or require additional information, please do not hesitate to contact me at 714-781-4344 or Janina Jarvis 714-781-3563.

Sincerely,

Frank DelaVara

Frank Dela Vara
Technical Director
Disneyland Resort Environmental Affairs