



November 2, 2017

Jeanine Townsend, Clerk of the Board
Board Members
State Water Resources Control Board
1001 I Street,
Sacramento, CA 95814

Sent via e-mail: commentletters@waterboards.ca.gov

Subject: Comment Letter- Central Valley Pyrethroids Basin Plan Amendment

Dear Board Members:

The Sacramento Regional County Sanitation District (Regional San) appreciates the opportunity to provide comments on the June 8, 2017 Amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the Control of Pyrethroid Pesticides Discharges. We strongly support the Central Valley Regional Water Quality Control Board's (Regional Water Board's) use of stakeholder processes in developing Basin Plan Amendments. We believe this type of process allows the various stakeholders to work collaboratively with regulatory agencies in achieving technically and scientifically sound standards and policies. The ability to express concerns early in the basin planning process and work through issues, results in an effective Basin Plan Amendment (BPA) that meets the requirements of water code, and that can be practically and feasibly implemented to protect beneficial uses.

Regional San raised our following comments in a March 24, 2017 comment letter on the BPA, and as oral comments at the June 8, 2017 Regional Water Board meeting. Regional San is supportive of the use of the fifth percentile for establishing the criteria, the use of the bioavailable portion of pyrethroids for determining trigger exceedances, and the last minute addition of working with stakeholders to develop a Pyrethroid Research Plan (Research Plan) within two years from the Office of Administrative Law approval date of the BPA.

The Research Plan will identify and describe research and studies that can inform future versions of the source control program of the BPA. Potential topics of the Research Plan could be refinement of partition coefficients; further assessing the need to incorporate temperature effects in toxicity relationships; consideration of synergists and potential mixture effects with other commonly occurring contaminants on pyrethroid toxicity; consideration of the need for chronic toxicity values for taxa for which data are not currently available; evaluation of sublethal effects; fate and transport of particulate

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bound pyrethroids; consideration of monitoring and laboratory methods for both pyrethroid chemistry and toxicity testing and inter-laboratory comparison. Regional San commits to participating in the development of a Research Plan.

Regional San strongly supports including inter-laboratory comparison for chemistry and toxicity test method development. We also support that the Executive Officer when evaluating the toxicity test and analytical methods, considers Environmental Laboratory Accreditation Program accreditation, associated quality assurance and quality control provisions, scientifically peer reviewed methods, and results of inter-laboratory comparison studies.

Regional San also commented in our March, 24, 2017 letter that the calculation to determine whether numeric triggers are exceeded by wastewater treatment plants should be based on ambient water quality data, not effluent data. The Regional Water Board's response in General Comment No. 2, page 5, in Response to Comments states:

“Establishing this link is comparatively straightforward when applying the prohibition to the discharge as opposed to receiving waters.” and,

“Though the prohibition would legally apply at the discharge for all discharge categories, monitoring requirements to detect trigger exceedances will differ for some discharge categories based on practical considerations.”

Simply because wastewater treatment plants have a discrete sampling point and it is practical to sample should not be the reason to apply end of pipe compliance when other regulatory programs are allowed to use ambient water quality data for determining compliance. The numeric triggers are related to potential impacts to beneficial uses in receiving waters, not at the end of pipe. Therefore, the calculation of whether numeric triggers are exceeded should be based on ambient water quality data, not effluent. This is especially important for wastewater treatment plants that have mixing zones and/or dilution, such as Regional San.

Regional San appreciates this opportunity to provide comments on the Pyrethroid BPA. Regional San also supports comment letters submitted by CVCWA and CASA. We look forward to working with the Regional Water Board, and other stakeholders, in the implementation of the BPA. If you have any questions, please contact Linda Dorn, at (916) 876-6030.

Sincerely



Linda Dorn

Environmental Program Manager

Cc: Christoph Dobson, Director of Policy and Planning
Terrie Mitchell, Manager Legislative and Regulatory Affairs
Lisa Thompson, Chief Scientist