



NORTH SAN MATEO COUNTY SANITATION DISTRICT

a subsidiary of the City of Daly City

OPERATION OFFICES

153 Lake Merced Blvd., Daly City, California 94015
(650) 991-8200
(650) 991-8220 (Fax)

11/1/11 Bd. Hearing
Ocean Plan Amendment
Deadline: 10/24/11 by 12:00 noon



October 24, 2011

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

SUBJECT: Comment Letter – California Ocean Plan Amendments

Dear Ms. Townsend:



The North San Mateo County Sanitation District (District) appreciates the opportunity to comment on the State Water Board proposed changes to the California Ocean Plan (Ocean Plan) and appreciate the effort required to update the Ocean Plan. In particular, we would like to draw your attention to our comments regarding the proposed changes to Appendix III – Standard Monitoring Procedures. For ease of reviewing, comment page references are based on Exhibit A's "Proposed Amendments to the 2009 Ocean Plan" – dated August 2011 and are presented in the order that they appear in this document.

Also, please note that many of the comments the District is presenting were also raised in previous comment letters submitted (letters dated September 1, 2006; July 27, 2007; May 29, 2009 and September 7, 2010). However, the District believes that these comments were not suitably addressed in the Response to Comments provided.

Additionally, the District concurs with the comments submitted by CASQA and respectfully requests that the proposed Model Monitoring amendments be withdrawn, and that the State Water Board instead convene an expert panel to review monitoring requirements statewide, and recommend a coherent, integrated approach to efficiently address the various needs for water quality monitoring in California.

Nevertheless, the District respectfully requests that the State Water Board reconsider these comments and provide additional responses to address these concerns.

Comments Regarding the Proposed Changes to Ocean Plan Appendix III: Standard Monitoring Procedures

1. SWAMP comparable quality assurance is not appropriate for effluent monitoring.

This proposed amendment would require all monitoring to be comparable with the Quality Assurance requirements of the Surface Water Ambient Monitoring Program (SWAMP). We are concerned that this provision inappropriately applies ambient monitoring protocols to effluent monitoring programs. We suggested that this provision be limited in its application to receiving water (i.e. ambient monitoring) and not apply to effluent monitoring. This comment was also addressed in a letter from the District dated September 1, 2006, however it appears that this concern was only marginally addressed in the current proposal or accompanying SEP. The District is requesting that a more detailed response be provided addressing this issue.

2. Indicator bacteria monitoring of point sources should remain at the discretion of the Regional Water Boards. Page 39.

As currently proposed, this new provision would require all POTWs to monitor all indicator bacteria at least **five days per month (changed from five per week)** in the effluent. We are concerned that this provision reduces the Regional Water Board's discretion to establish effluent monitoring requirements for bacteria that they believe are appropriate to each individual discharger and each individual discharger's permit requirements. Furthermore, sampling of the effluent does not take into account the dilution that occurs after discharge nor does it provide useful information to determine if a POTW is meeting applicable water quality objectives or impacting applicable beneficial uses. For example, NSMCS D discharges through a submerged outfall away from the shoreline and is considered to have at least a 70 to 1 dilution. Sampling of NSMCS D's effluent before it receives dilution will not take these factors into consideration. Thus, the cost associated with this additional and prescriptive monitoring requirement may not be proportional to the Regional Water Board's data needs for determining compliance with water quality objectives.

In addition, the language as currently proposed is inconsistent with the new provisions that would allow the Regional Board to allow the substitution of *E. coli* for fecal coliform. The District requests that clarifying language be included to resolve this inconsistency.

3. Mass discharge monitoring must have a flexible approach. Page 40-41

Mass loadings are specified in permits over different seasons, or have other different methods for calculation. A simple indication of annual mass limits does not capture the range of conditions that are encountered in permits. The NSMCS D requests revising language as follows:

5.1 Point Sources:

Primary questions addressed:

1. Does the effluent meet permit effluent limits thereby ensuring that water quality standards are achieved in the receiving water?
2. What is the mass of the constituents that are discharged ~~annually~~?
3. Is the effluent concentration or mass changing overtime?
4. What is the fate of the discharge plume?

4. Acute and chronic toxicity monitoring requirements should remain the same as the 2009 Ocean Plan. Page 43

The proposed amendments contain brand new, greatly expanded monitoring program for acute and chronic toxicity testing for POTWs. In addition, the proposed changes contain statements that the District believes are incorrect. The significantly expanded monitoring would increase costs to local governments, moving away from a program that was just adopted in recent years, and does not adequately address the potential water quality impacts associated with the range in conditions for various discharges.

The presumption that compliance with toxicity limits “ensures” achievement of water quality standards appears to be inaccurate. Toxicity results do not provide a direct link to the achievement of water quality standards due to many factors, including dilution, whether or not multiple sources of pollutants are occurring in the same vicinity, the species being tested, and the conditions of the test in the laboratory, to name a few examples. Additionally, it is inappropriate to so closely link these two concepts – toxicity and water quality standards, because toxicity is only an indicator of potential pollutants in a non-specific sense, and oftentimes the source of any toxicity is not even identified before it is no longer observed. Moreover, it appears it is inaccurate to extrapolate the effects of toxicity to test organisms to the universe of aquatic life automatically. It is more accurate to indicate what is actually being measured – which is whether toxicity is being observed in test organisms.

Lastly, the current Ocean Plan does not require acute toxicity testing for discharges that are <100 mgd. Adding this new requirement adds yet another increase in monitoring costs.

For these reasons, language should be revised as follows:

Toxicity tests are another method used to assess risk to aquatic life. These tests assess the overall toxicity of the effluent, including the toxicity of unmeasured constituents and/or synergistic effects of multiple constituents.

7.1 Point Sources

1. Does the effluent ~~exhibit meet permit effluent limits~~ for toxicity thereby ensuring that water quality standards are achieved in the receiving water to test organisms?

2. If not:

Are unmeasured pollutants causing ~~risk toxicity to aquatic life~~ test organisms?

Are pollutants in combinations causing ~~risk toxicity to aquatic life~~ test organisms?

~~Core monitoring for Table 1 Water Column toxicity shall be required periodically a~~
~~As indicated in the Ocean Plan. For discharges less than 10 MGD, the monitoring~~
~~frequency for acute and chronic toxicity of the effluent should be at least annually.~~
~~For discharges greater than 10 MGD, the monitoring frequency for acute and~~
~~chronic toxicity of the effluent should be at least semiannually. If and an~~ exceedance
is detected; six additional toxicity tests are required within a 12-week period. If an
additional exceedance is detected within the 12-week period, a toxicity reduction
evaluation (TRE) is required, consistent with Section III.C.10. requires a TRE if a
discharge consistency exceeds an effluent limitation based on a toxicity objective in
Table 1.

Core monitoring for acute sediment toxicity, when required, will utilize alternative amphipod species (*Eohaustorius estuarius*, *Leptocheirus plumulosus*, *Rhepoxynius abronius*) at a minimum once per year.

5. The District seeks clarification on what water quality standards are being expected to be achieved by Question 1 under Section 7.2: “Does the runoff meet toxicity standards in the receiving water?” Page 43.

It is fundamentally inappropriate to link water quality standards to stormwater discharges when the regulatory scheme is based upon adherence to best management practices aimed at eliminating pollutants. The implications of this linkage are significant both from the aspect of long term success as well as financial impacts associated with the construction of new or greatly expanded treatment plants, assuming space is available.

6. Bioaccumulation point source monitoring is unnecessary as no objectives have been adopted. Pages 43-44.

Like the benthic community monitoring discussed below, the State Water Board has not justified an appropriate need for mussel watch monitoring. Bioaccumulation monitoring in the absence of adopted objectives is an extra expense to the District’s rate-payers that provides no useful information to determine compliance with the goals and objectives of the California Ocean Plan. Also, discharges <10 should not be required as those discharges are not as significant and requiring a TRE would be fiscally challenging to the smaller agencies. At the very least the District would ask for the following changes.

- e a. if the permitted discharge is in excess of 10 million gallons per day (MGD);
- and,
- a b. within one nautical mile of shore, or
- b c. within one nautical mile of a commercial shellfish bed. ~~or~~

7. Benthic community health monitoring is unnecessary as no sediment quality objectives have been adopted. Page 44.

The District is uncertain as to the purpose of requiring benthic community monitoring for non-stormwater dischargers. The Ocean Plan does not currently contain sediment quality objectives for bio-accumulative pollutants. Thus, the State and Regional Boards will be unable to evaluate the results of the benthic community monitoring to determine if Ocean Plan objectives are being met. Of concern is the proposed monitoring requirement that will increase POTW monitoring costs without providing pertinent information. The proposed benthic community monitoring requirement should be removed until the State Water Board can justify its need for determining compliance with adopted Ocean Plan objectives. At the very least the District would ask for the following changes.

- e a. if the permitted discharge is in excess of 10 million gallons per day (MGD);
- and,
- a b. within one nautical mile of shore, or
- b c. within one nautical mile of a commercial shellfish bed. ~~or~~

8. General Comments on the Proposed Amendments

- a. The requirement for public agencies, regardless of size, to greatly increase receiving water monitoring is too burdensome, costly and more importantly a safety issue. Page 39

The proposed amendments to the 2009 Ocean Plan indicate that additional “core monitoring” for indicator bacteria should be required. The District acknowledges that participation in a regional monitoring effort can be substituted for core monitoring. (Page 37 through 40 – Draft SED for Ocean Plan Amendments – August 24, 2011) and agrees with CASQA’s proposal.

In the event that the State Water Board does not intend on convening an expert panel, this additional monitoring is overly burdensome and the District is concerned that this provisions inappropriately reduces the Regional Water Board’s discretion to establish effluent monitoring requirements that they feel are appropriate to each individual discharger and each individual discharger’s permit requirements. Furthermore, sampling of the effluent for all dischargers does not take into account the dilution that occurs after discharge nor does it provide useful information to determine if a POTW is meeting applicable water quality objectives or impacting applicable beneficial uses (many San Mateo County beaches have extremely limited and potentially dangerous access due to cliff areas). For example, the District’s discharge is considered to have at least a 70 to 1 dilution. The cost associated with this additional and prescriptive monitoring requirement may not be proportional to the Regional Water Board’s data needs for determining permit compliance.

In addition, the District suggests there needs to be some discretion in the Ocean Plan requirements for sampling that takes into account such factors as staff safety and availability, boat availability and/or beach access. The coastline along the City of Daly City is a State owned 135 foot eroding bluff. There is limited beach access and at high tide there is no beach to access. It is also challenging to schedule a boat to take samples due to rough seas. The District is concerned about its ability to comply with this requirement as well as the safety of its employees. We are also concerned that a boat captain will not agree to sampling during rough sea events.

Additionally, if the sampling frequency is retained at 5 times/month it would increase annual monitoring costs by **\$175,200** as detailed below:

- Boat rental. $\$1,500 \times 5 \text{ samples/week} \times 60 \text{ samples a year} = \underline{\$90,000}$
- Receiving water sampling. $4 \text{ sites} \times 3 \text{ bacteria indicator tests} = 12 \times 60 \text{ samples/year} \times \$35/\text{sample} = \underline{\$25,200}$
- Staff costs. Minimum of two staff positions, lab and operator (for safety and QA/QC purposes), for a 10 hour day = $20 \text{ hours/sampling event} \times 60 \text{ events (1,200 hrs.)} \times \$50/\text{hr.} = \underline{\$60,000}$ (Does not include overtime, but expect overtime costs due to staff limitations and frequency of monitoring).

To address this concern, the District requests that the following language (contained on page 39) be as follows:

“To answer these questions, core monitoring shall be conducted in receiving water for the indicator bacteria at a minimum five times per month for any point sources discharging treated sewage effluent:

- e a. if the permitted discharge is in excess of 10 million gallons per day (MGD);
- and,
- a b. within one nautical mile of shore, or
- b c. within one nautical mile of a commercial shellfish bed.” ~~or~~

- b. The proposed changes create jurisdictional confusion regarding beach monitoring. Page 40.

The District is concerned about the applicability of the proposed changes because the monitoring of public beaches is the responsibility of local health officers, as specified in AB 411. The language in Section 1(d) of AB 411 is as follows:

(d) The local health officer shall be responsible for testing the waters adjacent to, and coordinating the testing of, all public beaches within his or her jurisdiction.

The Ocean Plan creates new requirements for parties other than local health officers to monitor public beaches, which is inconsistent with the law passed by the California legislature. These new requirements will create confusion, at a minimum, regarding which agencies or other entities are supposed to be monitoring under what conditions. The agencies request leaving the responsibility for monitoring of public beaches with the local health officers, and not with other entities, as codified in AB 411.

The District submitted a similar comment in the letter dated July 27, 2007; however, it appears that this comment has been appropriately addressed. The District requests that the State Water Board staff provide additional information specifically addressing this comment.

- c. The option for participation in a regional monitoring program must also allow for sufficient time and infrastructure to develop a regional monitoring program over a reasonable period of time.

If new requirements are being imposed, and are expected to be met through a regional monitoring program, the proposed Ocean Plan amendment must also provide sufficient time and infrastructure to develop a regional monitoring program over a reasonable period of time.

CASQA comment letter respectfully requests that the proposed Model Monitoring amendments be withdrawn, and that the State Water Board instead convene an expert panel to review monitoring requirements statewide, and recommend a coherent, integrated approach to efficiently address the various needs for water quality monitoring in California. The District agrees with CASQA's request.

- d. Since golf courses are listed for additional monitoring, have these entities been contacted regarding these new requirements?

The District is concerned that these entities, especially to the degree that their discharges are tributary to municipal discharges, are not aware of the significant additional monitoring being proposed.

Request for Further Clarification Regarding Comments Previously Submitted

The District has submitted many comment letters in recent years; however, some responses provided have not been thoroughly addressed by State Water Board Staff. The following are comments of particular interest to the District, for which it is respectfully requesting additional justification be provided.

1. **The District provided the following comments in a letter dated July 27, 2007 and respectfully requests additional responses:**

- a. **A provision should be made to address the conditions under which a discharge can occur to the Pacific Ocean without disinfection. Page 12**

It is recognized that chlorine is a toxic chemical and the use should be minimized in our society. The 2009 Ocean Plan recognizes this with the following language:

“Waste that contains pathogenic organisms or viruses should be discharged a sufficient distance from shell fishing and water-contact sports areas to maintain applicable bacterial standards without disinfection. Where conditions are such that an adequate distance cannot be attained, reliable disinfection in conjunction with a reasonable separation of the discharge point from the area of use must be provided. Disinfection procedures that do not increase effluent toxicity and that constitute the least environmental and human hazard should be used.”

However, the reasons behind whether or not to require disinfection are not standard and the decisions around which discharges are required to disinfect appear inconsistent in application. Some point discharges are required to disinfect while others are not. The District requests that additional guidance be provided for decision-making regarding when disinfection is appropriate. When and where this applies should be determined so long term chronic problems are not created. The District contends there is value to vetting out this discussion now.

2. **The District provided the following comments in a letter dated September 7, 2010. The District acknowledges that the State Water Board did provide a response to some of these comments; however, the responses did not suitably address concerns raised, nor conveyed the intentions of the State Water Board in detail. The District therefore respectfully requests additional responses:**

a. **Comments on Ocean Plan**

A. Change Water Quality Objectives for Tetra Chloro Dibenzo- p-Dioxin (TCDD) Equivalents to Include Bioaccumulation Equivalency Factors (BEFs) – Pages 29-30:

The District encourages the State Water Board to amend the Ocean Plan with respect to the definition of TCDD equivalents. Specifically, the District recommends that the Ocean Plan be amended to be consistent with the approach taken by the San Francisco Regional Water Quality Control Board (San Francisco Regional Board) in Order R2-2010-0054 (Amendment of Waste Discharge Requirements for Municipal and Industrial Dischargers). In Order R2-2010-0054, the San Francisco Regional Board revised its method for calculating dioxin-Toxic Equivalent (TEQ) to incorporate BEFs. The equation used by the San Francisco Regional Board is as follows:

$$\text{Dioxin-TEQ} = \Sigma (\text{Cx} \times \text{TEF}_x \times \text{BEF}_x) \text{ where:}$$

Cx = concentration

Toxic Equivalency Factors (TEF) x = TEF for congener x

(BEF) x = BEF for congener x

The approach adopted by the San Francisco Regional Board followed work done by an expert panel assembled by the San Francisco Estuary Institute. The Panel determined that the calculation of dioxin TEQs without BEFs may mischaracterize the significance of dioxin and furan discharges by two orders of magnitude. In order to adopt meaningful permit limitations, the District recommends that the Ocean Plan be amended accordingly.

B. Exclude Estimated Values Below Minimum Levels When Calculating Dioxin Toxic Equivalency Factors (TEFs). Pages 29-30:

In addition to including BEFs as part of the dioxin-TEQ calculation, the District recommends that the Ocean Plan also be amended to include compliance language that specifically states that where there are estimated values (i.e., estimated congener concentrations) below the minimum levels for dioxins and furans, such values shall be excluded when calculating dioxin-TEQs for determining compliance. This approach is also consistent with that adopted by the San Francisco Regional Board in Order R2-2010-0054.

C. Mixing Zones and Definition of Initial Dilution

The definition of initial dilution does not currently allow for the consideration of ocean currents in dilution modeling. Specifically, the definition states that initial dilution is complete when wastewater ceases to rise in the water column and begins to spread horizontally. In other words, the zone of initial dilution by definition cannot include any horizontal movement of wastewater that is spread horizontally from ocean currents. The District believes that this definition is overly stringent because it does not take into account dilution that occurs as a result of ocean currents. When establishing appropriate mixing zones, the Ocean Plan should allow National Pollutant Discharge Elimination System (NPDES) Permittees to consider ocean currents in dilution modeling to set acute and chronic mixing zones.

D. Redefine Chronic Toxicity Calculations. Page 26

The Ocean Plan currently defines and expresses Toxicity Units, chronic (TUC) as $TUC = 100/\text{No Observable Effect Level (NOEL)}$. NOEL is defined to mean the maximum percent effluent or receiving water that causes no observable effect on a test organism, as determined by the result of a critical life stage toxicity test listed in Appendix III, Table III-1. (Ocean Plan at p.25.) The District recommends that the Ocean Plan be amended to redefine chronic toxicity from NOEL to Effect Concentration 25 (EC25) and Inhibition Concentration 25 (IC25) Point Estimates, consistent with NPDES Permittees who discharge into the San Francisco Bay system. There are recognized problems with the use of the (NOEL) as a regulatory benchmark, which make it inappropriate to define chronic toxicity. The issues of concern include:

1. The typical NPDES chronic whole effluent toxicity (WET) test consists of the evaluation of 5 or 6 specific effluent concentrations that are generally decided upon in an arbitrary manner (e.g., the *a priori* decision to use 5%, 10%, 25%, 50%, and 100% effluent as the test treatments). As a result, and by definition, the NOEL will almost never accurately identify the actual effluent concentration at which there is “no effect,” but rather will be limited to the identification of the highest test treatment at which there is no effect. For instance, in the example test concentrations described above, it would be possible to have a slight but statistically significant effect at the 100% concentration for an effluent sample that would have no significant effect at the 90% effluent concentration. However, since the next highest test treatment is 50% effluent, the NOEL will be 50% effluent, and not the true no effect concentration of 90% effluent.

In contrast, point estimates (e.g., the Effect Concentration (EC) and Inhibition Concentration (IC) point estimates) are empirically-derived estimates of the actual effluent concentration at which some magnitude of response occurs. For instance, the kelp IC25 would be the effluent concentration at which there is expected to be a 25% reduction in growth. The EC25 and IC25 can therefore be used to establish a regulatory limit based upon the degree of response that is determined to be acceptable

by the regulatory agency (e.g., the EC25 and IC25 are the basis used for calculation of Toxic Units (TU) by the San Francisco Regional Board)

2. The potential NOEL's are limited to the test concentrations being tested. If the test concentrations are not specified, then the concentrations used by various labs may differ, resulting in different NOEL's due strictly to lab practice and not effluent variability.

In contrast, the EC and IC point estimates are independent of the test concentrations used.

3. The statistical methods for determining NOEL's are limited to using only the data for the control treatment and the effluent treatment in question. None of the other test data are used in that statistical comparison. As result, other relevant test data that helps to characterize concentration-response, etc., are not used.

In contrast, the calculation of the EC and IC point estimate use all of the test data to empirically model the concentration-response curve from which the point estimates are derived.

4. The statistical calculation of the NOEL is strongly determined by the inter-replicate variability that is achieved by the testing lab. Statistical power (i.e., the ability to detect "significant" differences between test treatments) is a direct function of inter-replicate variability: the lower the variability, the more powerful the statistics, and the greater the ability to identify an increasingly smaller difference between treatments as being "significant". As a result, for a given effluent sample, the NOEL could be expected to vary from lab to lab (or from test to test), depending upon each lab's ability to achieve precision in each test.

In contrast, the role of inter-replicate variability in concentration-response modeling is limited to the determination of the confidence limits—the determination of an EC or IC point estimate is relatively independent of inter-replicate variability.

Although NOEL is a statistical benchmark that is easy to calculate and easy to understand, most scientists agree that there are serious problems with using NOEL's to interpret toxicity tests. Instead, most scientists agree that a regression-based approach such as the EC and IC point estimation approach is a better alternative. In fact, regulatory programs that have conducted serious workshops and overhauled their statistical methodologies have abandoned the NOEL approach to adopt the regression-based approach. Similarly, the District recommends that the State Water Board consider using the EC25 and IC25 point estimates, and modify the Ocean Plan accordingly.

b. Comments on the past Scoping Document

A. Fecal Coliform Standard for Shellfish (*Draft SED for Ocean Plan Amendments - August 24 2011*)xxx

The Document identifies as a primary issue for consideration changes to the shellfish harvesting standard. Specifically, three alternatives are proposed. Alternative 1 is the “no action” alternative. Alternative 2 would add the Department of Public Health fecal coliform standard of 14 per 100 mille liters (ml) to waters where shellfish may be harvested. Alternative 3 would add this same standard to all areas. The District is concerned with alternatives 2 and 3.

Alternative 2 would add the 14 per 100 ml standard to waters where shellfish may be harvested. This alternative would also recommend that the Ocean Plan be amended to address non-human sources of indicator bacteria for all beneficial uses. If the State Water Board considers this alternative, the District would encourage the State Water Board to be certain that this standard clearly applies only to those areas where shellfish is actually being harvested for human consumption. Further, it is difficult to comment on the second part of the alternative to address non-human sources of indicator bacteria without a clearer understanding of what is being considered or its intended objective. The Scoping Document merely states that it would consider amending the Ocean Plan to address non-human sources of indicator bacteria for all beneficial uses. This broad statement is not specific enough to provide comments.

Alternative 3 would add the 14 per 100 ml standard to all coastal ocean water and the District would oppose this alternative as it is overly protective and should not be adopted by the State Water Board. It is not necessary to apply the shellfish harvesting standards to coastal ocean waters where shellfish harvesting for human consumption does not occur.

As a final note on this issue, the District would remind the State Water Board that the adoption of any new standard is an adoption of a water quality objective subject to the Porter-Cologne Water Quality Control Act (Porter-Cologne). Porter-Cologne requires the adoption of water quality objectives that will ensure reasonable protection of beneficial uses. (Water Code, §§ 13050 (h), 13241) In determining if a water quality objective provides reasonable protection, the State Water Board, when adopting such objectives, must consider all beneficial uses of the water, the level of water quality conditions that could *reasonably* be achieved, economics, and other factors. (Water Code, § 13241) Thus, if the State Water Board decides to pursue adoption of a new standard, the State Water Board must prepare an appropriate analysis as required by Water Code section 13241, and determine if the objective is necessary to ensure reasonable protection of the beneficial use. Without this analysis, any new water quality objective would be unlawful.

Jeanine Townsend
Re: Comment Letter – California Ocean Plan
October 24, 2011
Page 12

B. Expression of Metals in Ocean Plan

The Scoping Document identifies this as an issue. In 2009, the State Water Board adopted minor amendments to the Ocean Plan, including clarification that metals in the Ocean Plan are expressed as total recoverable. As we indicated during the 2009 amendment process, the District does not support the use of total recoverable metals as appropriate water quality objectives. Expressing metals as total recoverable ignores current Environmental Protection Agency (EPA) policy regarding the expression of metals objectives. In the California Toxics Rule (CTR), EPA promulgated toxics criteria for California, including criteria for metals. As part of that rule, EPA specifically states, “[i]t is now the Agency’s policy that the use of dissolved metal to set and measure compliance with aquatic life water quality standards is the recommended approach, because dissolved metal more closely approximates the bioavailable fraction of the metal in the water column than does total recoverable metal.” (Federal Register, vol. 65, no. 97 (May 18, 2000) at p. 31690) Considering EPA’s statements in the CTR, the State Water Board should revise the Ocean Plan to include metals criteria that are expressed as dissolved, not as total recoverable. Thus, the District recommends that the State Water Board revise the Ocean Plan accordingly to include dissolved metals criteria.

Thank you in advance for your consideration. Please contact Manager of Technical Services, Cynthia Royer, by phone (650)991-8203 or by email at croyer@dalycity.org if you have any questions or need additional information.

Sincerely,



Patrick Sweetland, Director
Department of Water and Wastewater Resources

Cc: Manager of Technical Services
Chief of Operations