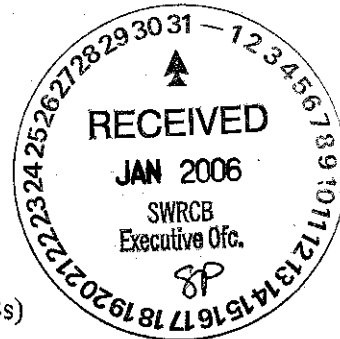




303 (d) Deadline:
1/31/06

January 31, 2006

Selica Potter, Acting Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Re: Proposed 303(d) Listing Region 9
San Diego Bay for Polychlorinated Biphenyls (PCBs)

Dear State Water Board Staff:

On behalf of the Industrial Environmental Association, we are submitting comments to ask for removal of the entirety of San Diego Bay to the draft 303(d) listing for PCBs. Specifically, our comments are as follows:

Listing should focus on segments of water bodies:

The purpose of the listings are to provide site-specific analyses. It is inappropriate to add an entire water body without evidence that the entire water body is impacted.

Screening level is not the appropriate basis to show an impairment:

The screening level of 20 ppb is not referenced in any government adopted regulation, standard, guideline or agency advisory. The value instead was a reference from a report conducted by OEHHA. It is inappropriate to base a finding of an Impairment on that basis.

Line of Evidence:

The listing for the entire bay rests on just one line of evidence related to fish tissue samples. The listing is not justified due to the small number of samples, the small number of stations, the age of the data and the lack of sediment and water column quality data. The weight-of-evidence approach has not been satisfied.



All available evidence not considered:

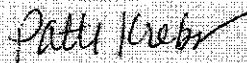
An extensive body of evidence regarding PCB levels in San Diego Bay sediments has been obtained by the regional board. Analysis of data from sampling indicates background levels for PCBs averaging 84 ug/kg, a level below the PCB sediment guideline values in the State Water Board's Listing Guidelines.

Sediment Quality Objectives are more appropriate approach:

Sediment quality objectives are scheduled to be adopted by February 2007. With this work still in progress, any decision to list an entire water body for a sediment water quality problem is premature.

Based on the above comments, the Industrial Environmental Association respectfully requests the removal of the proposed listing of San Diego Bay for PCBs from the current 303(d) proposed listing.

Sincerely,



Patti Krebs
Executive Director