



Chuck Weir
Tri-TAC Chair
East Bay Dischargers Authority
2651 Grant Avenue
San Lorenzo, CA 94580
(510) 278-5910
cweir@ebda.org

May 25, 2006

Paula Trigueros
San Francisco Estuary Project
1515 Clay Street, Suite 1400
Oakland, CA 94612

Dear Ms. Trigueros:

Tri-TAC strongly supports the San Francisco Estuary Project's (SFEP's) proposal, "Taking Action for Clean Water: Bay Area TMDL Implementation," submitted for Coastal Nonpoint Source Proposition 50 funding under the 2005-2006 Consolidated Grants Program. This project will provide technical information to wastewater agencies that will be used to help prevent water quality impacts from pesticides. As background, Tri-TAC is a technical advisory group for Publicly Owned Treatment Works (POTWs) in California. It is jointly sponsored by the California Association of Sanitation Agencies, the California Water Environment Association, and the League of California Cities. The constituency base for Tri-TAC collects, treats, and reclaims more than two billion gallons of wastewater each day and serves most of the sewered population of California.

POTWs are not designed to treat pesticides; however, pesticides may be discharged to POTWs in conjunction with both indoor and outdoor pesticide applications such as pet products, products to treat clothes, impregnated clothing, and indoor space, crack, and crevice treatments. The normal use of pesticide-containing pet products include a direct pathway to sewers, from rinsing after application. Even when pets are rinsed outdoors, the rinse water can enter storm drains or flow directly to creeks and rivers. When a pesticide is used indoors, it will often be discharged to a sewer, either because the use produces wastewater, or because an indirect pathway for sewer discharge exists (e.g., the treated surface is eventually cleaned with water). Pesticides can potentially interfere with treatment plant operation, ability to recycle reclaimed water and biosolids, and compliance with National Pollutant Discharge Elimination System (NPDES) permit effluent limits. Since POTWs do not have the authority to regulate pesticides, if a pesticide causes an NPDES permit exceedence, the POTW would have to rely on U.S. Environmental Protection Agency (EPA), California Department of Pesticide Regulation (DPR) and/or U.S. Food and Drug Administration (FDA) to regulate the pesticide.

In addition to the adverse environmental impacts that can be caused by pesticides, non-compliance with Clean Water Act (CWA) requirements can be extremely costly for POTWs. Costs are incurred for identifying the source of the pollutants causing non-compliance, source control to reduce impacts of the pollutants, and construction, operation, and maintenance costs to upgrade POTWs with advanced treatment to remove pollutants that cannot be adequately reduced with source control. Also, when surface water bodies become impaired by pesticides, POTWs discharging to the water bodies can be impacted through additional requirements established as part of Total Maximum Daily Loads set for the water bodies. In some instances POTWs are also subject to mandatory minimum penalties for

Vice Chair

Jim Colston
Orange County
Sanitation District
P.O. Box 9127
Fountain Valley, CA 92728
(714) 593-7458
jcolston@ocsd.com

***Water Committee
Co-Chairs***

Ben Horenstein
East Bay Municipal
Utility District
375 11th St. MS702
Oakland, CA 94623
(510) 287-1846
bhorenst@ebmud.com

Terrie Mitchell
Sacramento Regional
County Sanitation Dist.
10545 Armstrong Ave.,
Suite 101
Mather, CA 95655
(916) 876-6092
mitchellt@saccounty.net

Air Committee Chair

Jackie Kepke
CH2M Hill
155 Grand Ave., Suite 1000
Oakland, CA 94612
(510) 251-2426
jkepke@ch2m.com

***Land Committee
Co-Chairs***

Layne Baroldi
Orange County
Sanitation District
P.O. Box 9127
Fountain Valley, CA 92728
(714) 593-7456
lbaroldi@ocsd.com

Maura Bonnarens

East Bay Municipal
Utility District
375 11th St., MS702
Oakland, CA 94623
(510) 287-1141
mbonnare@ebmud.com

CalFOG Workgroup Chair

Trish Maguire
East Bay Municipal
Utility District
375 11th St., MS702
Oakland, CA 94623
(510) 287-1727
pmaquire@ebmud.com

Paula Trigueros
May 25, 2006
Page 2

NPDES exceedences and possible legal action. This is particularly important in areas of California where POTWs discharge to effluent dominated water bodies, by providing essentially the only source of water to a surface water body during dry periods. The NPDES permits for these facilities do not include a stream dilution factor, so these POTWs often need to meet stringent NPDES permit limits at “end-of-the-pipe.” The most cost-effective approach to protecting surface water from pesticide-related toxicity is to prevent pesticide uses that have significant potential to cause water quality impairment.

The “Taking Action for Clean Water: Bay Area TMDL Implementation” project will continue the coordinated efforts to provide missing elements to pesticide regulators, with a focus on preventing water quality impacts from pyrethroids. Pyrethroids are very toxic to aquatic organisms and have replaced organophosphorous pesticides as the most commonly used insecticides in California urban areas after EPA announced phase-out of most urban uses of diazinon and chlorpyrifos¹. This effort is timely since DPR has recently decided to place pyrethroid pesticides into reevaluation to better assess water quality impacts. Previous related efforts have already begun to change the way EPA and DPR handle their pesticide registration process.

Tri-TAC has worked collaboratively for years with stormwater municipalities, city and county governments, San Francisco Bay Regional Water Board, SFEP staff, and others on implementation actions relating to urban pesticides and water quality. Recently, Tri-TAC has worked with the Urban Pesticide Pollution Prevention Project (UP3 Project), which is managed by SFEP and provides essential technical information on pesticides to water quality stakeholders. Tri-TAC also participates on the Urban Pesticide Committee, which serves as an information clearinghouse and stakeholder forum to coordinate pesticide activities with water quality entities that share similar concerns.

In direct response to Tri-TAC’s comment letters, EPA modeled water quality impacts on the sewer system from permethrin, a pyrethroid, in preliminary risk assessments released in August 2005. In addition, DPR has reversed its 2004 decision and will now require the registration of pesticide-impregnated clothing. Also, as previously mentioned, DPR has decided to put pyrethroid pesticides into reevaluation. The UP3 Project played an important role in providing technical information that has resulted in these significant achievements. The SFEP proposal includes implementation of Phase II of the UP3 Project.

The SFEP proposal provides a forum for wastewater, stormwater, and regulatory agencies and city and county governments to work together to address water quality impacts from pesticides. We urge that this grant proposal be funded.

Sincerely,



Charles V. Weir
Chair, Tri-TAC

C:\My Documents\Tri-TAC\Tri-TAC Letters\2006_05_25_Tri-TAC_Support_Pesticide_Work.doc

¹ TDC Environmental, Urban Pesticide Use Trends Annual Report, Prepared for the San Francisco Estuary Project, March 2005