



Tri-TAC
Jointly Sponsored by:
League of California Cities
California Association of Sanitation Agencies
California Water Environment Association

September 29, 2006

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Via E-mail & First-Class Mail

Mr. Bruce Wolfe, Executive Officer
San Francisco Bay Regional Water
Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

SUBJECT: Proposed Amendment to the Water Quality Control Plan for the San Francisco Bay Basin: Site Specific Water Quality Objectives and Implementation Plan for Cyanide in San Francisco Bay

Dear Mr. Wolfe:

The California Association of Sanitation Agencies (CASA) and Tri-TAC appreciate the opportunity to provide comments on the proposed amendment of the Water Quality Control Plan for the San Francisco Bay Basin to adopt site-specific water quality objectives and an associated implementation plan for cyanide. CASA and Tri-TAC are statewide organizations comprised of members from public agencies and other professionals responsible for wastewater treatment. Tri-TAC is jointly sponsored by CASA, the California Water Environment Association, and the League of California Cities. The constituency base for CASA and Tri-TAC collects, treats and reclaims more than two billion gallons of wastewater each day and serves most of the sewered population of California.

CASA and Tri-TAC support the proposed site specific water quality objectives and the proposed Basin Plan Amendment which incorporates the Implementation Plan for Cyanide in San Francisco Bay. We have identified the development of appropriate objectives and effluent limitations for cyanide as a top priority. We are concerned that implementation of the National Toxic Rule (NTR) criteria for cyanide as end-of-pipe effluent limitations may place public wastewater treatment agencies in noncompliance, yet there is no evidence that these levels are required to protect beneficial uses in all

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waters of the state. In some cases, the NTR criteria are derived from analyses of sensitive aquatic species that are not resident in the water body. Such is the case with San Francisco Bay.

Cyanide is not a persistent pollutant; it degrades and attenuates in the environment. We concur with the Regional Water Board that accounting for this natural degradation of cyanide in surface water is critical to the development of the Basin Plan amendment and implementation plan for the site-specific objective. The NTR does not account for this attenuation because the studies that brought this to light were conducted after the NTR was adopted. The Regional Water Board proposal is based on the most current scientific and site-specific information about the aquatic life in the San Francisco Bay and other western marine waters.

We commend the Regional Water Board for undertaking this process. The development of site specific objectives is an important tool to ensure appropriate standards for our state's waters. The proposed cyanide Basin Plan amendment is an excellent demonstration of how this process, involving rigorous science and water body specific data, can be successful in protecting both water quality and public resources.

Sincerely,



Roberta L. Larson
Director, Legal and Regulatory Affairs
CASA



Charles V. Weir
Chair
Tri-TAC

RLL/jp
CVW/jp

cc: USEPA Region IX, Doug Eberhardt
SWRCB, Ken Harris