



Bay Area Clean Water Agencies

A Joint Powers Public Agency

P.O. Box 24055, MS 702

Oakland, California 94623

November 8, 2007

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

RE: Comment Letter – San Francisco Bay Cyanide Site-Specific Water Quality Objective

Chair Doduc and Board Members:

The Bay Area Clean Water Agencies (BACWA) is submitting this comment letter in support of the proposed cyanide site-specific water quality objectives for San Francisco Bay and associated implementation provisions contained in the San Francisco Bay Basin Plan. The proposed Basin Plan amendment that will implement the proposed objective and implementation actions was adopted by the San Francisco Bay Water Board in Resolution R2-2006-086 on December 13, 2006.

BACWA members own and operate publicly-owned treatment works (POTWs) that discharge to San Francisco Bay and its tributaries. Collectively, BACWA's members serve over 6.5 million people in the nine-county Bay Area, treating the majority of domestic, commercial and industrial wastewaters. BACWA was formed to develop a region-wide understanding of the watershed protection and enhancement needs through reliance on sound technical, scientific, environmental and economic information, and to ensure that this collective understanding leads to long-term stewardship of the San Francisco Bay Estuary. BACWA member agencies are public agencies, governed by elected officials and managed by highly-trained professionals who are dedicated to protecting our water environment and the public health.

The key elements of the proposed Basin Plan amendment (and BACWA's position on those elements) are as follows:

- ***Site-specific water quality objective for cyanide applicable to the marine and estuarine waters of San Francisco Bay*** - BACWA and its individual member agencies have worked closely with the staff of the San Francisco Bay Regional Water Quality Control Board since 2001 to develop the technical work plan, monitoring data, modeling studies and work products that support the proposed saltwater site-specific objective and implementation plan. The site-specific objective has been prepared in accordance with USEPA protocols using the Recalculation Procedure outlined in USEPA guidance and reflects the best available scientific information regarding the toxic effects of cyanide to

sensitive saltwater aquatic organisms. The proposed site-specific objective replaces NTR water quality objectives which, if left in place, would result in effluent limit compliance problems for numerous municipal agencies that discharge treated effluent to San Francisco Bay. The State Implementation Policy (SIP) requires that any new site-specific objective must provide reasonable protection of the beneficial uses and be in accordance with Federal and state laws and regulations. The proposed objectives are consistent with federal and state antidegradation policies, as demonstrated by the Regional Water Board staff analysis for the Basin Plan amendment.

- ***Effluent limitations for cyanide for all discharges to San Francisco Bay based on consideration of conservative estimates of dilution credit*** - BACWA supports the implementation approach for the cyanide site-specific objectives as effluent limits for all municipal deep water and shallow water dischargers, consistent with State and Federal laws and regulations. As demonstrated in the record, cyanide is not a persistent pollutant; it naturally degrades in the environment. BACWA concurs with the determination of the Regional Water Board that taking this natural degradation of cyanide in surface water into account is critical to the establishment and implementation of effluent limits. We agree with the assumption in the derivation of effluent limits that free cyanide, which is the form of cyanide that is discharged, is quite conservative. Available information indicates that free cyanide is a small fraction of the cyanide detected in wastewater effluent.
- ***Source control activities aimed at the prevention of illicit discharges to the sanitary sewer system*** - BACWA agrees that a review of the sources of cyanide in our influents should be performed every five years and other source control programs aimed at the detection of illicit discharges should include cyanide as a pollutant of concern. BACWA agencies believe these are reasonable additions to our pollution prevention and industrial pretreatment programs, which are among the best in the country.
- ***Ongoing effluent and ambient monitoring for cyanide*** - BACWA agencies are dedicated to furthering our scientific knowledge about the San Francisco Bay, and are committed to the development of information regarding the effects of wastewater discharges to the Bay. The requirements in the proposed Basin Plan amendment to implement a monitoring and surveillance program are consistent with our purpose and goals. We are fortunate that the San Francisco Bay Regional Monitoring Program (RMP), along with other discharger funded studies, have provided fundamental knowledge regarding ambient cyanide levels in the Bay. These studies, coupled with the updated bioassay information used in the site-specific objective derivation, indicate that cyanide is not present at concentrations that would impact sensitive aquatic species, including crabs, other invertebrates, and fish.

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As you know, Bay Area Clean Water Agencies (BACWA) are committed as public agencies to protect the water quality of San Francisco Bay and its beneficial uses. We look forward to working with your staff and Regional Water Board staff in completing the cyanide implementation plan for the Bay and other matters of importance to the Bay environment.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Plá". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Michelle Plá,
Executive Director

Cc: Ms. Alexis Strauss, USEPA Region IX
Mr. Bruce Wolfe, San Francisco Bay Regional Water Quality Control Board