



September 8, 2015

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VIA EMAIL: bbaginska@waterboards.ca.gov

Subject: Comments on the Total Maximum Daily Load for Selenium in the North San Francisco Bay and Proposed Basin Plan Amendment

Dear Dr. Baginska:

The Bay Area Clean Water Agencies (BACWA) appreciates the opportunity to comment on the Total Maximum Daily Load for Selenium in the North San Francisco Bay and Proposed Basin Plan Amendment (North Bay Selenium TMDL). BACWA is a joint powers agency whose members own and operate publicly-owned treatment works (POTWs) and sanitary sewer systems that collectively provide sanitary services to over 6.5 million people in the nine-county San Francisco Bay (SF Bay) Area. BACWA members are public agencies, governed by elected officials and managed by professionals who protect the environment and public health.

With respect to selenium discharges from POTWs, the proposed North Bay Selenium TMDL finds that, *“the municipal and two small industrial dischargers are not required to have numeric effluent limits for selenium in their NPDES permits because they have an insignificant impact on North Bay water quality and do not require further controls or selenium reductions to ensure implementation of the TMDL. To help protect against degradation of the North Bay, these municipal wastewater and small industrial dischargers will be required on a periodic basis to document that ongoing wastewater treatment is sufficient to prevent load increases. Specifically, NPDES permits for these dischargers will be structured to require that once per permit term, **the dischargers shall evaluate selenium loads over the previous permit term and verify that they are continuing to be equal to or less than the wasteload allocations identified in Table 26.** The dischargers will conduct or cause to be conducted monitoring and special studies to ensure the numeric targets and wasteload allocations are being attained.”* (pg. 111)

BACWA generally supports this implementation plan, but has a concern about the attainability of our agencies' wasteload allocations (WLAs). Many agencies observe significant year to year variability in their selenium loads. This variability is likely due to both actual variability in the selenium concentrations in their source water and groundwater intrusion to their collection systems, as well as analytical variability, since many of the data points are in the “Detected but Not Quantified” (DNQ) range.

The WLAs were calculated by averaging effluent data gathered between 2008 and 2013 without applying an additional safety factor. Therefore, even if conditions remain the same moving forward, as they were in the 2008 to 2013 time period, it is expected that approximately half of the time, selenium loads will be above, and half the time, below, the WLAs. Therefore, it is not reasonable to

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expect that loads continue to be “equal or less than the wasteload allocations identified in Table 26” for any given timeframe, as stated in the TMDL.

BACWA recommends that the Regional Water Board change the wording so that the requirement reads:

(Page 111)...*the dischargers shall evaluate selenium loads over the previous permit term and verify that ~~they~~ loads are ~~continuing to be equal to or less~~ not significantly greater than the wasteload allocations identified in Table 26*

and

(Page 151) *To ensure protection of North Bay water quality, municipal and industrial wastewater Dischargers will be required, once per permit term, to verify that selenium loading continues to be ~~equal to or less than~~ not significantly greater than the wasteload allocations identified in Table 7.2.4-4.*

BACWA also notes that there are different analytical methods allowed by 40 CFR 136 for measuring selenium in effluent, and that these methods may yield different results. For example, one BACWA member has observed much higher apparent selenium concentrations using USEPA Method 200.8 (reaction cell) compared to atomic absorption gaseous hydride. If an agency switches analytical method and their loads are higher than their WLA, they should be allowed to document the relationship between data generated by the new method, and the method used to calculate the WLA.

BACWA thanks you for considering our concerns.

Respectfully Submitted,



David R. Williams
Executive Director
Bay Area Clean Water Agencies

cc: BACWA Board