

# BACWA Comments on Toxicity

Executive Board meeting

November 16 ,2018

# Timeline

... November 28 – State Water Board Hearing

... December 7 – Written Comments due

... April 2019 – Adoption

... Summit Partners' request for extension was denied

## Reasonable Potential should be reasonable

- ...Dischargers  $\geq 5$  mgd given limits without consideration of reasonable potential
  - ...“Since toxicants may enter the influent from a variety of sources, the types, nature, and quality of possible toxicants contained in the influent of larger POTWs are less likely to be fully understood”
  - ...The threshold was chosen to be consistent with EPA’s Pretreatment Program requirements
- ...Dischargers  $< 5$  mgd have RP if any test within last 5 years is  $>10\%$  effect
  - ...Threshold for test failure is 25% effect
- ...Comment: All agencies should do RPAs, and the threshold should be 25%

We can't get  
three tests  
started in one  
month

Routine Monitoring Test	Compliance Test 1	Compliance Test 2	MME Violation?
Pass	NA	NA	No
Fail	Pass	Pass	No
Fail	Pass	Fail	Yes
Fail	Fail	NA	Yes

...Lag times in getting results, ordering organisms, etc.

...Work with CASA to propose alternative schedule

# Historic data should be allowable for reduced monitoring schedule

- ... Reduction from monthly to quarterly OR from quarterly to biannually IF MDEL and MMEL has not been exceeded for five years.
  - ... We don't yet have MDELs or MMELs
- ... Propose language to allow historic data to be used so that agencies can get reduced schedule right off the bat.