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December 14, 2017

ELECTRONIC MAIL

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000

Dear Ms. Townsend:



COMMENT LETTER – “COMMENTS – AMENDMENTS TO THE SEDIMENT QUALITY PROVISIONS”

The LA Sanitation (LASAN) appreciates the opportunity to provide comments to the State Water Resources Control Board (State Water Board) on the Proposed Amendments to the Water Quality Control Plan for Enclosed Bays and Estuaries: Sediment Quality Provisions. The amendments if adopted would be applicable to all enclosed bays and estuaries of California and would impact permittees and responsible parties that are regulated under the proposed plan.

The proposed amendments would require LASAN to direct resources to comply with the application and implementation of two new narratives Sediment Quality Objectives (SQO) in the existing plan: SQO protecting benthic communities from direct exposure to pollutants in sediment and SQO protecting human consumers of resident sportfish from contaminants that bioaccumulate from sediment into fish tissue. If adopted, the amendments have the potential to impact the NPDES permit for one of LASAN's water reclamation plants that is regulated under the proposed plan (Terminal Island Water Reclamation Plant) and may also impact LASAN's NPDES Municipal Storm Water (MS4) permit and the General Storm Water Permit.

While LASAN appreciates the State Water Board's staff for its effort in developing the proposed amendments and the opportunity for public comments, there are a few areas with which LASAN has concerns and hopes that the technical comments will result in constructive changes/clarification to the proposed amendments.

Complete and detailed technical comments are contained in the table transmitted with this letter as Attachment A.

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LASAN would like to thank the State Water Board for its work in developing the proposed amendments to the Sediment Quality Provisions and for providing the opportunity to submit comments for consideration. Should you have any question regarding the comments and this letter, please contact Mr. Hassan Rad, Regulatory Affairs Division Manager at (213) 847-5186 or via email at Hassan.Rad@lacity.org.

Sincerely,



ENRIQUE C. ZALDIVAR, Director
LA Sanitation

ECZ:HR:SRO:es

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ATTACHMENT A

LA Sanitation Comments on Amendments to the Water Quality Control Plan for Enclosed Bays and Estuaries: Sediment Quality Provisions

Comment #	Document Reference (Page #, Section #, Paragraph #)	Issue	Comments
1	Proposed amendments to the Sediment Quality Provisions draft document (Page 3, III.A.1.b.1)	Proposed provisions supersedes <u>all</u> applicable narrative water quality objectives and related implementation	<p>LASAN request clarification on the impact the proposed amendment would have on the existing Terminal Island Water Reclamation Plant (TIWRP) NPDES permit.</p> <p>The Proposed Amendments to the Water Quality Control Plan for Enclosed Bays and Estuaries - Sediment Quality Provisions (Proposed amendments to the Sediment Quality Provisions draft document) states that <i>"the Sediment Quality Provisions <u>supersede all</u> applicable narrative water quality objectives and related implementation provisions in water quality control plans."</i></p> <p>LASAN seeks to clarify the anticipated timeline for the implementation of the proposed amendment and whether this will impact the existing provision in the current NPDES permit.</p>
2	Proposed amendments to the Sediment Quality Provisions draft document (Page 7, IV. A. e. and Page 19, b.3.4)	Language change	LASAN suggests replacing "California Department of Health Services" with SWRCB-Environmental Laboratory Accreditation Program (ELAP) in accordance with Water Code Section 13176.
3	Proposed amendments to the Sediment Quality Provisions draft document (Pages 11-12, h. Tables 6-7)	Definition of 'PAHs,' total high MW,' 'PAHs,' and 'total low MW'	<p>Tables 6 and 7, in the Proposed amendments to the Sediment Quality Provisions draft document, categorizes PAHs as 'total high MW' and 'total low MW,' but a clear definition as to which of the 18 PAHs in Appendix A-3 constitute each class is not provided. Typically, PAHs with 3 or fewer rings are described as low MW.</p> <p>LASAN notes that it would be best to explicitly state which of the PAHs constitute each "total," and seeks clarification on which of the PAHs constitute each class.</p> <p>LASAN further suggests that a clear definition be provided in the glossary and perhaps a notation be made in Appendix A-3.</p>

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Comment #	Document Reference (Page #, Section #, Paragraph #)	Issue	Comments
4	Proposed amendments to the Sediment Quality Provisions draft document (Page 13, 2.b.3)	Sampling Procedure	<p>The language in this section notes that “<i>Surface sediment from within the upper 5 cm shall be collected for chemistry analyses.</i>”</p> <p>However, the Proposed amendments to the Sediment Quality Provisions direct that sediments samples should be collected concurrently with fish collection for DDTs, PCBs, chlordane, and Dieldrin analysis.</p> <p>LASAN notes that the field sample collection suggested will be extremely difficult and requests either a clarification or be removed.</p>
5	Proposed amendments to the Sediment Quality Provisions draft document (Page 16, Tables 12 and 13)	Sublethal effects	<p>In the Proposed amendments to the Sediment Quality Provisions draft document, sublethal toxicity methods are not included in tools for use in the evaluation of LOEs; yet, it is listed as a LOE in IV.A.f.2 (page 8).</p> <p>LASAN suggests removing sublethal test methods as a requirement since sublethal methods are not used as LOE.</p>
6	Proposed amendments to the Sediment Quality Provisions draft document (Pages 18, 20, 26, 57, and 67)	Definition of chlordane, ‘sum chlordane,’ and ‘sum PCB’	<p>LASAN notes that ‘chlordane,’ ‘sum chlordane,’ and ‘sum PCB’ that are some of the nonpolar chlorinated hydrocarbons, have been used without being defined.</p> <p>LASAN seeks clarification and suggests definitions in either a footnote or in the glossary (e.g., sum chlordane to mean the sum of five chlordanes: alpha-chlordane, gamma-chlordane, etc.; sum of PCB means the sum of 54 PCB congeners).</p>

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Comment #	Document Reference (Page #, Section #, Paragraph #)	Issue	Comments
7	Proposed amendments to the Sediment Quality Provisions draft document (Page 19, Page 19, 5, and Page 53, Appendix A-5, paragraph 1)	Study design, work plan, and conceptual site model	<p>The Proposed amendments to the Sediment Quality Provisions note that “<i>Before commencing with sample collection, a study design and work plan must be developed and approved by the Regional Board...</i>” In part 5, it further directs that “<i>A conceptual site model (CSM) and study design must be developed...</i>”</p> <p>LASAN seeks to clarify the anticipated timeline for the implementation of the proposed amendment and whether to commence developing the plans, designs, and model for LA Outer Harbor.</p>
8	Proposed amendments to the Sediment Quality Provisions draft document (Page 26, d.2.c)	Tissue Analysis	<p>The Proposed amendments to the Sediment Quality Provisions note that “<i>Tissue from the primary species for each dietary guild shall be used in the analysis</i>” and the Primary species are listed including the <i>White Catfish</i> and <i>Common Carp</i>.</p> <p>LASAN is concerned that the <i>White Catfish</i> and <i>Common Carps</i> species are rare to nonexistent in LA Outer Harbor. Moreover, it will be difficult to achieve the remaining dietary guild primary species needed for minimum number of individuals per composite.</p> <p>In relation, LASAN suggests that the two species be removed from the list and clarification be provided.</p>
9	Proposed amendments to the Sediment Quality Provisions draft document (Page 50, Appendix A-3)	Percent Fines	<p>Among the list of chemical analytes needed to characterize sediment contamination exposure and effect provided in the table on the Proposed amendments to the Sediment Quality Provision draft document (Appendix A-3) is ‘Percent Fines.’</p> <p>LASAN seeks clarification and clear direction on a specific procedure[s] to determine ‘Percent Fines.’</p>

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Comment #	Document Reference (Page #, Section #, Paragraph #)	Issue	Comments
10	Proposed amendments to the Sediment Quality Provisions draft document (Page 2, II.A. Table 1; Page 5, III.A.2.c; Page 7, f.1; Page 8, f.1. ; Page 13, Table 10 (caption))	Typo	LASAN suggests considering using one word "Sportfishing" instead of "Sport fishing." Compare to "sportfish tissue" in III, A., 1, b, 4 (last paragraph) LASAN suggests considering using one word, "Wildlife." LASAN suggests considering using one hyphenated word, "Short-Term." LASAN suggests considering using one hyphenated word, "Chemically-Mediated."