June 3, 2009

Ms. Dorothy Rice
Executive Officer
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812

Attention: Jeannie Townsend, Clerk to the Board

Via Electronic Mail: commentletters@waterboards.ca.gov

SUBJECT: Comments on Proposed Basin Plan Amendment for San Francisco Bay PCB TMDL

Dear Ms. Rice:

The City of Burlingame Wastewater Treatment Facility appreciates the opportunity to provide comments to the State Water Resources Control Board regarding the proposed polychlorinated-biphenyls (PCBs)-related TMDL Basin Plan amendment for the San Francisco Bay. Our comments pertain to the proposed requirements for municipal wastewater dischargers. Specifically, the Burlingame WWTF staff has significant concerns about the PCB TMDL that are described below. We appreciate your serious consideration of these concerns as we believe that the accumulation of issues has resulted in a TMDL that is not statistically valid or scientifically accurate. As a result this TMDL will place municipal wastewater agencies in potential compliance jeopardy when NPDES permit effluent limitations are developed to implement this TMDL. By reference, we also support all comments made by the Bay Area Clean Water Agencies (BACWA).

THE MUNICIPAL WASTEWATER WASTE LOAD ALLOCATION AND INDIVIDUAL DISCHARGER WASTE LOAD ALLOCATIONS ARE NOT PERFORMANCED BASED

The February 2008 Basin Plan Amendment for the PCB TMDL states that the group and individual waste load allocations for municipal wastewater discharges is performance based. This statement is factually incorrect. Table A-1 of the PCB TMDL estimates the aggregate loading from municipal wastewater dischargers at 2.3 kg/yr. Table A-2 reduces that estimated waste load allocation (WLA) for municipal wastewater dischargers to 2 kg/yr. Table A-3 of the TMDL further divides the aggregate municipal loading into separate, smaller waste load allocations for individual dischargers. All of the proposed waste load

allocations are based on a very limited effluent data set collected from only nine municipal wastewater dischargers between 1999-2001 and calculated using 2003 flow data, as acknowledged by the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) staff on page 78 of the December 2007 Staff report. The Burlingame WWTF staff believes that the analytical data set is inadequate to establish either the proposed total waste load allocation to San Francisco Bay or individual waste load allocations to municipal dischargers due to the great uncertainty associated with the limited concentration data available, and is certainly not representative of current performance by all municipal wastewater dischargers.

Group Municipal Wastewater Dischargers Waste Load Allocation

The Burlingame WWTF does not believe that the aggregate loading of 2.3 kg/yr for all municipal wastewater is substantiated in the TMDL documentation. This WLA is based on just 23 data points from a limited number of municipal wastewater dischargers that were determined using an unapproved analytical method. Nor do we believe that a reduction from the estimated 2.3 kg/yr to 2 kg/yr is necessary or will result in meaningful water quality benefits for the San Francisco Bay. The PCB TMDL appears to arbitrarily round the municipal wastewater WLA to a whole number and just one significant figure: "which reflects the current estimated aggregate load of 2.3 kg/year rounded down to one figure". In contrast the industrial discharger WLA was calculated to 3 significant figures (0.035 kg/yr), "which reflects estimated current loads" both as described on Page 71 of the SFBRWQCB staff report.

This seemingly harmless and benign reduction will only add to the potential for compliance jeopardy when permit effluent limitations for PCBs are developed because, in fact, this total WLA was not developed from effluent data collected at all municipal discharger facilities and does not represent current performance.

Individual Municipal Wastewater Discharger Waste Load Allocations

As a consequence of the limited effluent data set, the individual wasteload allocations for municipal wastewater dischargers are based solely on an estimated performance by a limited number of secondary and advanced secondary treatment facilities and calculated using individual facility flow design. The result is that secondary treatment facilities have disproportionately lower waste load allocations, which cannot accurately be called "performance-based"

Facility Type	Average PCB Concentration 1999-2001 pg/L	Number of Agencies
Secondary POTWs	3460	5
Advanced 2° POTWs	208	4

The proposed individual allocations were developed based on PCB effluent concentration data for select dischargers as presented in the PCB TMDL Project Report (December, 2003). Data were collected from just four (4) dischargers with advanced secondary treatment and five (5) dischargers with secondary

treatment. Two to four samples were analyzed for each of the selected dischargers. A total of fourteen (14) samples were collected over a nine (9) month period to characterize PCB effluent levels for advanced secondary treatment in 1999-2000 and a total of nine (9) samples were collected over a three (3) month period in 2000-2001 to characterize PCB effluent levels for secondary treatment. No data are available to characterize the remaining 31 wastewater treatment facilities listed in Table A-3 of the proposed Basin Plan amendment.

The PCB allocations are not representative of municipal discharger performance, and should not be used as a basis for compliance determinations.

Thank you again for the opportunity to comment on the proposed PCB Basin Plan amendment and staff report. We look forward to reviewing any additional drafts and the final proposed documents.

Yours Truly,

William E. Toci
Plant Manager
City of Burlingame WWTF

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