

*STATE OF CALIFORNIA*  
**REGIONAL WATER QUALITY CONTROL BOARD**  
**SAN FRANCISCO BAY REGION**

MEETING DATE: July 12, 2017

ITEM: **4**

SUBJECT: **EXECUTIVE OFFICER'S REPORT**



# EXECUTIVE OFFICER'S REPORT: *July 2017*

A Monthly Report to the Board and Public

NEXT MEETING: July 12, 2017

WEBSITE: <http://www.waterboards.ca.gov/sanfranciscobay/>

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## **Vapor Intrusion Risk at San Jose Site (Nicole Fry)**

Board staff are responding quickly to a recent finding of trichloroethene (TCE) in indoor air at a ceramics art studio located at the former Williams Manufacturing site at 561-595 Emory Street in San Jose. Soil and groundwater beneath this site are impacted by TCE and other chemicals historically used at this location.

Soil vapor samples collected in December 2016 below the site's buildings had concentrations above our short-term TCE vapor intrusion risk screening levels. When TCE concentrations in soil vapor are above these levels, we require prompt sampling of indoor air. A prompt response was called for because exposure to TCE above the indoor-air action levels, for even a few days or weeks, can cause reproductive toxicity in humans.

After analysis of soil vapor samples and development of a workplan, indoor air sampling was performed in April 2017 in three buildings located at the site. TCE was found above U.S. EPA short-term action levels in one of the buildings (561 Emory Street). In response to this finding, we provided Santa Clara County officials with a Proposition 65 notification. Proposition 65 is the Safe Drinking Water and Toxic Enforcement Act of 1986. We also required the building owner to immediately take steps to reduce exposure to the current building tenants. The building owner has increased air ventilation and limited the number of hours per week building occupants are allowed in the building. In addition, the building owner will continue to monitor indoor air to ensure that concentrations remain below the short-term action levels in all occupied site buildings. The building owner and tenant have mutually agreed to end the tenant's lease later this year due to the contamination. This will prevent future exposure until long-term remediation efforts can be conducted.

We have also required investigations in the neighboring offsite residential area to determine the extent of contamination and assess offsite vapor intrusion risks. Due to the short-term health risks of TCE, we will be requiring expedited mitigation of any vapor intrusion exposures that are discovered. Our oversight efforts will focus on identification and mitigation of any short-term risks before shifting to longer-term cleanup efforts. We will update you in the future on this case and others like it as circumstances warrant.

### Wastewater Mercury and PCBs Loads Remain Low (Jerry Xu and James Parrish)

Mercury and PCBs loads in wastewater discharged to San Francisco Bay continue to be well below the wasteload allocations the Board set in its 2006 and 2008 TMDLs. The Board implemented these allocations through a watershed permit it adopted in 2007, amended in 2010, and most recently reissued in 2012. As shown in Figure 1 below, the 2016 mercury loads were consistent with previous years. Specifically, the loads from municipal and industrial wastewater dischargers were 76 and 69 percent below the allocations. This is likely the result of good solids removal and continued pollution prevention efforts.

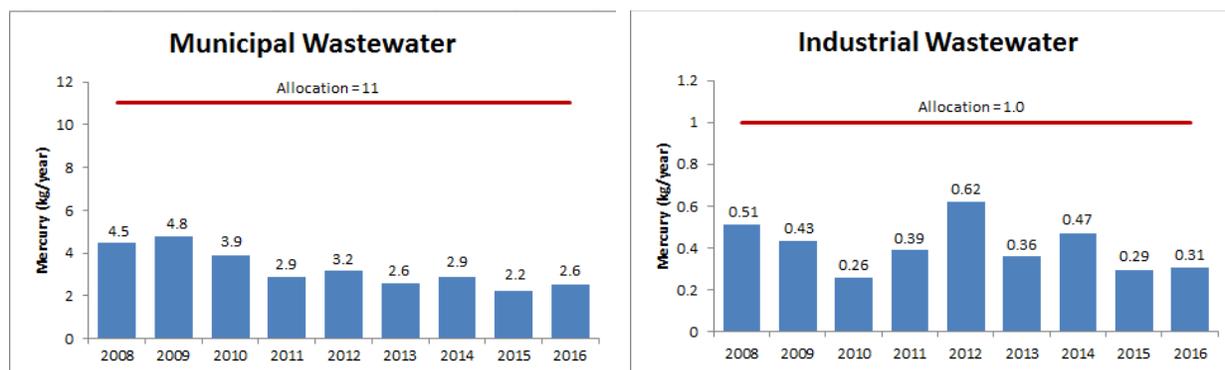


Figure 1. Mercury Loads from 2008 to 2016

Figure 2 shows that 2016 PCBs loads from municipal and industrial wastewater discharges were 64 and 61 percent below the wasteload allocations, consistent with previous years.

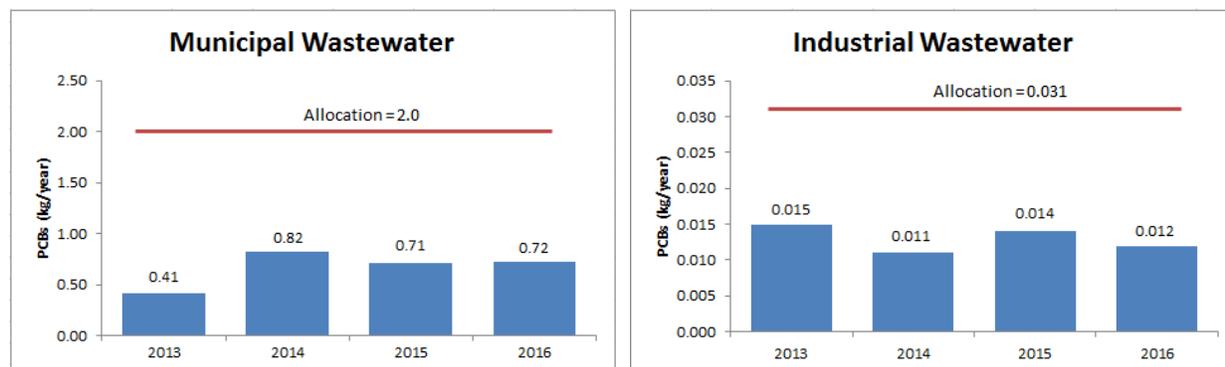


Figure 2. PCBs Loads from 2013 to 2016

Year-to-year spikes in mercury and PCBs loads could be due to sample timing, analytical variability, or mobilization of solids from collection systems during cleaning or heavy rains.

Nevertheless, the watersheds permit's effluent limits appear to be effective in ensuring that mercury and PCBs loads remain consistently below the allocations. We plan to bring reissuance of the watershed permit to the Board for consideration later this year.

### **U.S. EPA to Review Registration of Pesticides in Wastewater (James Parrish)**

In 2017, U.S. EPA will review its registration of some pesticides (imidacloprid and pyrethroids) detected in San Francisco Bay as emerging contaminants. These pesticides are found in common consumer products and known to be discharged in treated wastewater. U.S. EPA will weigh a number of ecological and human health criteria against the benefits the pesticides provide. However, since the U.S. EPA's approach to risk assessments tend to focus mostly on human health, the ecological threats and regulatory burdens associated with pesticides in wastewater may be underestimated. In addition, the Federal Insecticide, Fungicide, and Rodenticide Act does not require U.S. EPA to ensure compliance with Clean Water Act standards when it registers pesticides.

Working with the Bay Area Clean Water Agency (BACWA) Pesticides Committee, we regularly submit comments to U.S. EPA on proposed pesticide regulations. We hope to raise awareness within U.S. EPA's Office of Pesticide Programs that wastewater treatment plants are not designed to remove pesticides. When pesticides are washed down the drain (e.g., through washing pets or pet bedding treated with flea control products), the residual toxicity can affect receiving water quality. Pesticides in wastewater can also disturb or kill the microbes used to treat wastewater.

Recent studies involving fipronil, another emerging pesticide found in San Francisco Bay, provide relevant information for the imidacloprid and pyrethroids registration reviews because its use and fate are similar. Last year, the Regional Monitoring Program published a study that found fipronil in effluent from eight Bay Area wastewater treatment plants at levels above U.S. EPA's freshwater chronic benchmark to protect aquatic invertebrates. This year, the California Department of Pesticides Regulation published a study of dogs treated with fipronil containing flea control products. Some dog-washing wastewater contained fipronil at concentrations more than six orders of magnitude higher than U.S. EPA's benchmark. This type of wash water typically goes down a drain connected to the sanitary sewer and ends up at a wastewater treatment plant. The study concluded that washing treated dogs is potentially a significant source of fipronil and its toxic degradates in wastewater. We plan to convey the results of these studies to U.S. EPA for its upcoming registration reviews.

We continue to face challenges as we try to get U.S. EPA pesticide regulators in Washington DC to listen to our far-away voices in California. In March, we spoke with U.S. EPA Office of Pesticides Programs staff to learn how we can more effectively provide input to ensure that pesticide risk assessments address wastewater concerns. We learned that U.S. EPA would like to see data from states in addition to California to confirm that the pesticide issues we bring to its attention reflect nationwide concerns. U.S. EPA staff advised us to be persistent and continue submitting relevant evidence linking consumer pesticide use to wastewater and

receiving water toxicity. U.S. EPA is also interested in ideas we have for mitigating wastewater risks through such measures as reducing active ingredient concentrations in pesticide products or changing application instructions. This summer, we plan to continue working with BACWA to comment on U.S. EPA's imidacloprid and pyrethroids risk assessments. We also plan to look for ways to encourage input from other parts of the country. We hope this long-term effort will head off possible pesticide toxicity before it leads to widespread water quality impairment.

### In-house Training

No in-house trainings took place during the month of June. We plan to resume in-house trainings in the fall.

### 401 Water Quality Certification Applications Received (Abigail Smith)

The table below lists those applications received for Clean Water Act section 401 water quality certification from May 25 through June 21, 2017. A check mark in the right-hand column indicates a project with work that may be in BCDC's jurisdiction.

Project Name	City/Location	County	May have BCDC Jurisdiction
Oxford Culvert Trash Rack Repair Project	Berkeley	Alameda	
Aquatic Park Small Boat Dock Replacement Project	Berkeley		
Saint Mary's Road Slide Repair	Lafayette	Contra Costa	
172 Beach Rd – Waterfront Improvements	Belvedere	Marin	✓
180 Beach Rd – Waterfront Improvements	Belvedere		✓
Alto Bowl Open Space Preserve Trail Improvements	Mill Valley		
Caltrans Millerton Gulch at Highway 1 Scour Repair	Millerton		
44 Legend Rd – Concrete Wall Construction	San Anselmo		
Oaks Senior Living Community	San Rafael		
Trans Bay Cable 10-Year Maintenance Project	Multiple	Multiple	✓
Upper York Creek Ecosystem Restoration Project	St. Helena	Napa	
Walt Ranch Vineyard Phase 1	St. Helena		
Lohr Vineyards Riverbank Stabilization-Revegetation	St. Helena		
Red and White Fleet Lease Renewal Improvement Project	San Francisco	San Francisco	✓

Marin Street Sewer Replacement Project	San Francisco		✓
Permanente Creek Emergency Culvert Cleanout Project	Cupertino	Santa Clara	
Lake Ranch Access Road – Emergency Repairs	Los Gatos		
South SF Bay Shoreline Levee Project - Phase I at Reach 1	San Jose		✓
San Felipe Creek Restoration Project	San Jose		
Sunnyvale East and West Channels Flood Protection Project	Sunnyvale		
Travis Air Force Base Culvert Removal Project	Fairfield	Solano	
Travis Air Force Base Trenching and Drilling Project	Fairfield		
Suisun Marsh Managed Wetlands Maintenance Project	Suisun		✓
Ellis Creek Bridge Project	Petaluma	Sonoma	
Somo Village Project	Rohnert Park		