



December 9, 2010

Attn: Michelle Mata  
San Diego Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123

Via Electronic Mail

[mmata@waterboards.ca.gov](mailto:mmata@waterboards.ca.gov)

**Re: Tentative Order No. R9-2010-0124, NPDES Permit No. CAG999002**  
*General Waste Discharge Requirements For Discharges Associated With Public Displays of Fireworks To Surface Waters In The San Diego Region*

Dear Ms. Mata and Regional Board members:

Please accept these comments on behalf of the Coastal Environmental Rights Foundation (CERF) in strong support of the proposed water quality protections to be provided upon adoption of Tentative Order No. R9-2010-0124 by the Regional Water Quality Control Board. CERF is a nonprofit environmental organization founded by surfers in North San Diego County and active throughout California's coastal communities. CERF was established to aggressively advocate, including through litigation, for the protection and enhancement of coastal natural resources and the quality of life for coastal residents.

As Board staff is well aware, when fireworks explode over or adjacent to surface waters, chemicals contained in the fireworks are discharged directly into the water bodies themselves. The chemical-laden paper casings of spent fireworks, as well as unexploded "dud" fireworks also fall from the sky into the surface waters, and are often not recoverable. Both the federal and state Clean Water Acts require that permits be obtained before such discharges occur, and we appreciate the Board finally addressing this mandate.

Fireworks generally contain perchlorate salts, aluminum, magnesium, titanium, barium copper, chloride, and potassium nitrates. Other hazardous chemical compounds often associated with fireworks include, but are not limited to: arsenic salts, strontium salts, lithium salts, calcium salts, sodium, barium, cadmium, copper, aluminum, titanium, lead, mercury and magnesium. These chemicals are widely regulated by the Board, and no other circumstance exists where such intentional point source discharges are tolerated unpermitted. Failure to regulate these obvious discharges not only threatens water quality, it also calls into question the integrity of the Board's entire permitting scheme.

I would urge the Board to resist the pressures of fireworks purveyors and local municipalities to water down the proposed Waste Discharge Requirements. It is critical that the permitting, reporting, and monitoring provisions of the draft permit be maintained until the full impacts of these discharges are understood.



Thank you for your consideration of these comments, and for addressing this important water quality issue.

Sincerely,

COASTAL ENVIRONMENTAL RIGHTS FOUNDATION



SARA S. HONADLE  
Programs Director

Encl.:

- 6/30/09 Mother Nature Network "Are fireworks bad for the environment?"
- 7/03/09 ABC Science "Fireworks to become a little greener"
- American Chemical Society "How Fireworks Work"
- 06/25/10 Big Bay Boom Water Sampling Results
- 06/30/08 Chemical & Engineering News "Pyrotechnics for the Planet"
- RWQCB Conditional Waiver No. 11 - Aerially Discharged Wastes Over Land
- Environmental Research Letters "Do pyrotechnics contain radium?"
- July 2006 Department of Toxic Substances Control "DTSC's Perchlorate Best Management Practices"
- Earth Island Journal "Fallout Over Disneyland"
- 2008 New Hampshire Department of Environmental Services "Environmental Fact Sheet - Fireworks and New Hampshire's Lakes"
- 02/27/08 Water Air Soil Pollution "The Fallout from Fireworks: Perchlorate in Total Deposition"
- American Chemical Society "'Green' fireworks may brighten eco-friendly Fourth of July displays in future"
- 3/25/10 Gualala Festivals Committee v California Coastal Commission Ruling
- June 2009 Shore Stewards News "A Kaleidoscope of Colors"
- "Status of Outstanding Issues for California's Least Tern Nesting Sites"
- June 2006 Environmental Assessment (NOAA), Fireworks Displays within the Monterey Bay National Marine Sanctuary
- 2010 Journal of Hazardous Materials "Effect of fireworks events on urban background trace metal aerosol concentrations: is the cocktail worth the show?"
- 03/02/10 USDC NRDC v County of Los Angeles - Minutes
- 04/01/06 NOAA letter to City of San Diego re Seal Harassment
- 11/30/07 NOAA letter to City of San Diego re Seal Harassment
- 05/14/10 NOAA letter to City of San Diego re Seal Harassment
- 2007 Environ. Sci. Technol. "Perchlorate Behavior in a Municipal Lake Following Fireworks Displays"
- 07/27/07 "World record rocket launch attempt - an assessment of pollution to controlled waters and toxicity"
- 04/05/10 RWQCB Letter to Port District re: Regulation of Wastewater Discharges from Fireworks Events
- 12/12/07 Executive Officer Summary Report (re SeaWorld San Diego fireworks)
- 12/12/07 Tentative Addendum No. 1
- 06/07/07 Atmospheric Environment "Impact of Fireworks on Airborne Particles"

