

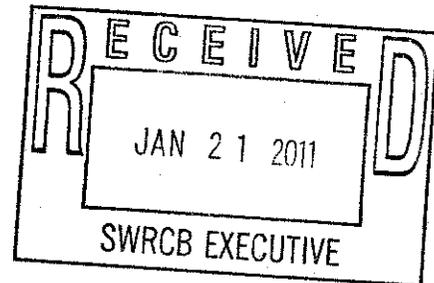


Environmental Utilities  
Wastewater Administration  
2005 Hilltop Circle  
Roseville, California 95747

Public Comment (11/16/10 Wrkshp)  
Policy for Toxicity Assessmnt  
Deadline: 1/21/11 by 12 noon

January 21, 2011

Charles R. Hoppin, Chairman and Members  
State Water Resource Control Board  
1001 I Street  
Sacramento, CA 95814



ATTN: Jeanine Townsend, Clerk to the Boards  
[commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

RE: Comment on the Draft Policy for Whole Effluent Toxicity Assessment and Control

Dear Chairman Hoppin and Members:

The City of Roseville (City) appreciates the opportunity to provide comments on the *Draft Policy for Whole Effluent Toxicity Assessment and Control (Policy)*. The City owns and operates two tertiary wastewater treatment plants with a combined average dry weather flow treatment capacity of 30 MGD. The City shares the State Water Resource Control Board's (State Water Board) commitment to protecting water quality and ensuring the protection of aquatic life.

As a member of the Central Valley Clean Water Association, the City supports the joint comment letter provided by the clean water associations in their January 21, 2011 letter. The City has fundamental concerns regarding the Policy as currently drafted.

The Policy presumes that toxic conditions are present in a water sample. Rather than performing tests to determine toxicity in samples, toxicity would be assumed and testing must be performed to prove otherwise. Proving no toxicity when toxicity is presumed is extremely difficult if not impossible.

There is no evidence the proposed Policy will have a positive effect in reducing whole effluent toxicity. Testing for toxicity using the current standard (100/NOEC) already has inherent problems because the EPA test method being used was not developed for assessing toxicity at such low levels. This results in an elevated rate of false positives. Under the Policy, these false positives would be punished immediately without further investigation.

Furthermore, approved EPA methods do not currently exist for the required testing under the Policy. Before a new Policy addressing effluent toxicity is promulgated by the State Water Board, the proposed test methods should undergo full peer review and be approved by EPA. Considering the lack of reliability we experience using the currently approved EPA test methods for whole effluent toxicity, it seems unreasonable to

assume that unproven methods will result in improved reliability of toxicity characterization.

The City supports the State Water Board's desire to create a more uniform toxicity monitoring policy in an attempt to protect water quality and aquatic life. However, the City cannot support the Policy as currently drafted. As drafted, the Policy will not further the protection of water quality and will simply punish dischargers for apparent toxicity even when toxicity does not exist.

Sincerely,

A handwritten signature in black ink, appearing to read 'K J G', written in a cursive style.

Kenneth J. Glotzbach, PE  
Wastewater Utility Manager  
City of Roseville