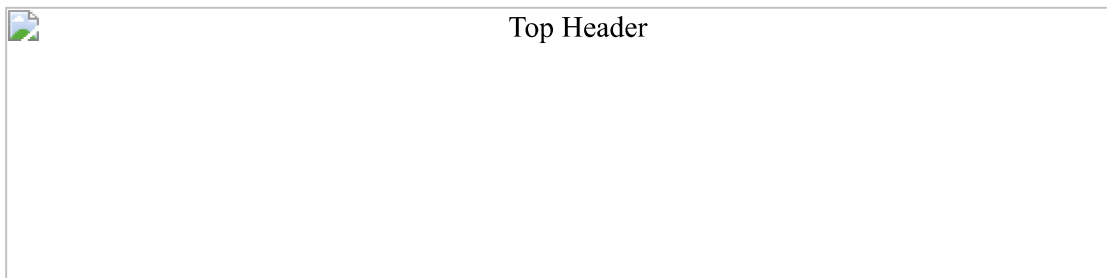


From: CASA [dwelch@casaweb.org]
Sent: Wednesday, November 17, 2010 10:16 AM
To: jpastore@scap1.org
Subject: CASA Granted Additional Time to Review Proposed Toxicity Policy



State Water Board Grants CASA's Request for Additional Time to Review and Comment on Proposed Toxicity Policy

Alert from Bobbi Larson

The State Water Resources Control Board (State Board) held a workshop yesterday on the Draft Policy for Toxicity Assessment and Control (Draft Policy). The workshop consisted of a State Board staff presentation followed by public comments from more than 20 speakers. Most speakers expressed concern with the Draft Policy and generally opposed it in its current form. A majority of the comments related to the Draft Policy's flaws and anticipated impacts with regard to publicly owned treatment works. However, stormwater, nongovernmental, and the U.S. Environmental Protection Agency's interests were represented as well.

CASA and Tri-TAC jointly raised several technical, legal, and policy concerns with the Draft Policy. CASA and Tri-TAC's comments focused primarily on the use of numeric water quality objectives, the false positive rate and the corresponding findings of violations and public-resource drain that would occur under the Draft Policy, and lack of studies and requisite approval supporting adoption of the proposed toxicity test method. The organizations requested that the State Board extend the written comment deadline of November 22, 2010, to January 21, 2011, direct the State Board staff to work with stakeholders to develop an alternative toxicity policy, and hold a second public workshop in March 2011.

The State Water Board granted this request. In addition, the State Board directed its staff to conduct a "test drive" of the Draft Policy. Specifically, staff is to collect data from publicly owned treatment works throughout the state and determine the Draft Policy's potential impacts with regard to false positives and violations. The State Board will decide what next steps to take after reviewing the comments and results of the test drive. CASA will continue to work with member agencies, associates and other experts to develop comments and meet with State Water Board staff to explore alternative approaches to the policy as drafted.



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