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Via E-Mail

December 6, 2017

In reply, refer to SHEA-115785

Dr. Celine Gallon
California Regional Water Quality Control Board
Los Angeles Region
320 West 4th Street, Suite 200 - 1st Floor
Los Angeles, CA 90013

Re: Prioritization of Comments Related to Basin Plan Triennial Review

Dear Dr. Gallon

This letter is in response to the November 6, 2017 Los Angeles Regional Board (Board) Notice of 2017-19 Triennial Review of Water Quality Standards in the Los Angeles Region. Boeing previously submitted Comments on Prioritized Issues for the 2008-10 Basin Plan Triennial Review and believes that these comments and the subsequently requested Prioritization of Comments are still valid. Therefore, Boeing would like the Board to consider prioritizing the Review around four main priorities.

Priority 1. – Evaluate Natural Background Conditions

The Basin Plan is intended to preserve and enhance water quality and protect the beneficial uses of regional waters. Water quality objectives and their implementation provisions for stormwater dischargers should take into account water quality under natural or background conditions, as the Basin Plan has historically done for some general/mineral constituents (e.g., nitrate, sulfate) and through certain TMDLs (e.g., bacteria). Similarly, the statewide general industrial storm water permit excludes non-industrial sources of storm water pollutants from the responsibility of the discharger; these sources include administrative area, buildings, roads, and other infrastructure and non-industrial activity. Therefore, a Basin Planning priority project for this triennial review should be to establish a comprehensive regionwide policy for addressing natural background in all stormwater permits and TMDL wasteload allocations for stormwater dischargers, and for addressing other non-industrial sources in individual industrial stormwater permits (consistent with the statewide general permit). Setting NPDES permit effluent limits and TMDL wasteload allocations without taking into account background and non-industrial contributions is not only the incorrect method to achieve the goal of protecting water quality, but in fact may cause deleterious effects by setting standards that inadvertently remove beneficial and natural water quality constituents from the receiving water or by triggering control efforts that reflect wasted effort. Detailed comments and supporting documentation on this issue will be submitted as part of the open comment period next year.

Priority 2 – Consider the Geology and Morphology of the Receiving Stream.

Related to concept of examining background contributions, the review should take into consideration the actual geology and morphology of the receiving stream. The Los Angeles region is dominated by ephemeral streams and as such discharges into these streams have a different impact than discharges into perennial streams or rivers. Therefore it is imperative that the actual morphology of an ephemeral streambed be taken into consideration when establishing water quality objectives. Another important consideration is the nature of a storm water discharge, when the frequency, duration and volume of flow is significantly different than from a continuous discharge. These differences must be taken into account when determining water quality standards and objectives. For the Review to be truly representative and protective of the receiving stream, one must take into

account the nature and frequency of the flow along with characteristics of the streambed. Boeing will be submitting comments pertaining to this topic as part of the open comment period.

Priority 3 – Establish a Design Storm.

Both statewide and in the LA region, stormwater permits are increasingly acknowledging the need for a design storm, both to guide BMP sizing and to inform the compliance demonstration process (i.e., acknowledge that it is infeasible to attain water quality standards during 100% of storm conditions). Typically design storms (or compliance storms) are incorporated into permits and TMDLs, and these reflect the state of the practice from manuals of practice, which base these on points of diminishing return (i.e., storms above which there is much greater costs to treat but for much less water quality benefit). We now see this expressed in the statewide industrial general permit and its proposed draft Amendment, as well as in the watershed management planning provisions of the most recent Los Angeles County-wide MS4 permit. For Boeing's Santa Susana Field Lab, the Surface Water Expert Panel previously conducted such return on investment modeling analysis to recommend a site specific design storm for consideration by the Board. Although the design storm derived by the Expert Panel was not incorporated into Boeing's permit, many of the concerns and issues noted by other stakeholders in the past Triennial review re-iterated this same issue. Boeing will be supplying comment and justification for the development of a design storm in the open comment period next year.

Priority 4. Economic Factors

Boeing recognizes that the L.A. Regional Board must take into account the economic, social, and technological factors in establishing water quality objectives as required under Section 13241 of the California Water Code. Without taking into account background conditions, geology and morphology of the receiving stream, or a design storm, water quality objectives are especially burdensome from both an economic and technological basis when addressing stormwater discharges. This burden however will not only have substantial economic impacts, but will inadvertently have significant negative ecological impacts as permittees are required to build large scale retention and treatment systems in order to meet numeric limits in all storm run-off conditions. These unanticipated negative consequences must be included in any cost-benefit analysis of a water quality objective. Simply put, the Regional Board must take into account all the costs associated with achieving water quality objectives, including the increased carbon footprint from large scale treatment systems that would otherwise be required if large volumes of storm water must be treated. This priority was noted in the March 2009 comments submitted to your agency and will be included as part of the triennial review comment period next year.

In summary, Boeing would like to thank the Board and its staff for considering the priorities established in this letter and looks forward to working with your agency to establish a reasonable and protective approach in meeting water quality objectives for the Los Angeles basin. If you have questions pertaining to the comments in this letter or would like further information, please contact Paul Costa at (818) 466-8778, or Jeffrey Wokurka at (818) 466-8800.

Sincerely,



Jeffrey B. Wokurka
Project Manager
Environment, Health & Safety