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CC: "Charles.Anthony@lw.com" <Charles.Anthony@lw.com>, Paul Mehrle <paul.mehrle@cardno.com>
Date: 2/22/2011 4:23 PM
Subject: Further Comments
Attachments: John Giesy Resume (120110).pdf

Regional Board and USEPA Region 9:

This email represents a supplement to our report that was submitted with the Latham and Watkins comment package today 22 Feb 2011. This email reflects further comment on the Dominguez Channel and Greater Los Angeles and Long Beach Harbor waters toxic pollutant total maximum daily loads (TMDL).

In 1998, Cardno ENTRIX (formerly ENTRIX, Inc.) prepared a report (Geisy et al. 1998) that was submitted to Montrose Chemical of CA, Zeneca Holdings, Inc., Stauffer Management Co., Atkemix Thirty-Seven, Inc., Rhone-Poulenc, Inc., and Chris-Craft Industries, Inc. concerning use of the Apparent Effects Threshold (AET) and the Effects Range-Median (ERM) for establishing toxic and non-toxic responses in California Bight sediments. The Geisy et al (1998) report was submitted with our comment report on the TMDL. This work was conducted in response to conclusions drawn by MacDonald (1997) in his report entitled "Sediment Injury in the Southern California Bight: Review of the Toxic Effects of DDTs and PCBs in Sediments". MacDonald is one of the original authors that established use of the ERMs for these two chemical constituents, among others. The MacDonald report concluded that the ERMs could be used to set target remedial levels for these constituents. The Geisy et al. report found that the AET and ERM methods have serious limitations and that neither method can establish cause-and-effect between chemical concentrations and adverse biological effects, cannot account for factors important in determining the bioavailability of chemicals, and cannot account for adverse biological effects due to unmeasured concentrations of other chemicals or chemical mixtures.

The work conducted by Geisy et al. (1998) is still relevant to intended plans of the California Regional Water Quality Control Board, Los Angeles Region and the U.S. Environmental Protection Agency, Region 9 in using effects range-low (ERLs) values for setting sediment quality objectives. In the same way shown in the Geisy et al. report, the ERLs for total DDT in sediments cannot be used as the basis of TMDLs or to establish remedial action plans in the Dominguez Channel Estuary or marine waters of the Greater Los Angeles and Long Beach Harbors.

For your information, my qualifications and the qualifications of my colleague Dr. Paul Mehrle are included in the Latham and Watkins comment package. The qualifications for my colleague Dr. John Geisy are attached to this email. Dr. Burton Suedel is no longer employed by Cardno ENTRIX but can be reached through me or Dr. Mehrle if necessary.

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