

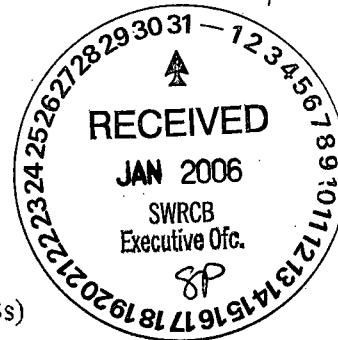


303 (d) Deadline:
1/31/06

141
100

January 31, 2006

Selica Potter, Acting Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Re: Proposed 303(d) Listing Region 9
San Diego Bay for Polychlorinated Biphenyls (PCBs)

Dear State Water Board Staff:

On behalf of the Industrial Environmental Association, we are submitting comments to ask for removal of the entirety of San Diego Bay to the draft 303(d) listing for PCBs. Specifically, our comments are as follows:

Listing should focus on segments of water bodies:

The purpose of the listings are to provide site-specific analyses. It is inappropriate to add an entire water body without evidence that the entire water body is impacted.

Screening level is not the appropriate basis to show an impairment:

The screening level of 20 ppb is not referenced in any government adopted regulation, standard, guideline or agency advisory. The value instead was a reference from a report conducted by OEHHA. It is inappropriate to base a finding of an Impairment on that basis.

Line of Evidence:

The listing for the entire bay rests on just one line of evidence related to fish tissue samples. The listing is not justified due to the small number of samples, the small number of stations, the age of the data and the lack of sediment and water column quality data. The weight-of-evidence approach has not been satisfied.

