From:	Stuber, Robyn
To:	Denton, Debra; Smith, DavidW
Subject:	FW: Ann"s presentation
Date:	Tuesday, April 14, 2015 7:53:00 AM
Attachments:	LACSD Workgroup request.png

From: Morris, Cris@Waterboards [mailto:Cris.Morris@waterboards.ca.gov]
Sent: Friday, April 10, 2015 9:37 AM
To: Stuber, Robyn; Denton, Debra
Cc: Cuevas, Veronica@Waterboards
Subject: FW: Ann's presentation

Fyi. BTW, not enough time was left at the board meeting to cover the Saugus and Valencia permits. As a result, my presentation was severely cut back.

Veronica and I will put something together next week to explain and justify our position to not do a multi concentration review when the TST statistical method is the TST.

The fun never stops.
Cris

From: Morris, Cris@Waterboards
Sent: Friday, April 10, 2015 9:28 AM
To: Kuenzi, Nicole
Cc: 'McChesney, Frances@Waterboards'; Hung, David@Waterboards; Smith, Deborah; Cuevas, Veronica
Subject: FW: Ann's presentation

This workgroup request came up by Ann Heil (LACSD) at the board meeting. I have attached the slide, and her notes in her presentation are below. Since we were all rushed yesterday, she did not get to cover all of this. I also did not get to cover my toxicity slides.

Anyway, I am going to go back and look at the Method and the Guidance to see what is required. I think she is incorrect when she says that "the promulgated method that must be used for chronic toxicity testing requires review of the concentration-response relationship". I think the method requires 5 concentrations, but it does not require review of the concentration –response relationship.

We talked about this during the discussion after my abbreviated testimony. I pointed out that the permit requires that they submit their SOP for toxicity data evaluation and that would be the first step to resolve the issue. Deb then pointed out that with the NOV we will be getting together with them to discuss the issues moving forward and that the permit includes the consultation for specific test results with Permittee, EPA, ELAP and the SB QA officer. Veronica and I will be thinking about the NOV meeting and what we should try to accomplish at that meeting. Hopefully we can send some ideas out next week.

Regards,
Cris

Ann's Notes from powerpoint slide for Item 15

-
- However, we would like to ask you to consider one change that we feel would smooth the path going forward as we work with your staff to implement these permits. This matter was touched upon in the change sheet that was withdrawn, and relates to interpretation of multi-concentration tests.
- To refresh your memory, the promulgated method that must be used for chronic toxicity testing requires review of the concentration-response relationship.
- One thing that EPA, your staff, and our agency are all in agreement on is that the existing 2000 EPA guidance on concentration-response review was not written with the TST in mind. The TST didn't exist when the guidance was written, and we are now entering new territory.
- In this new territory, dischargers and the Regional Board will need to work together on how to interpret chronic toxicity test results. The method specifically requires a review, but there's no guidance on how to do it.
- We feel that the best way to fill this gap is to bring together scientific experts in this field by forming a workgroup. The idea would be that the work group would develop some sort of supplement to the existing guidance that would address how concentration-response relationship data would be used with the TST.
- As we envision it, this workgroup would be convened by a neutral, independent third party. It would consist of technical experts and include input from the scientific, regulator and regulated communities.
- With such a workgroup, we could proactively come up with a strategy for interpreting results, and we would not have to do it on the fly as each new result came in. When you have a result in front of you, there is a time pressure because you have to take follow up actions that could be different based on how the result is interpreted. The idea for the workgroup would be to come with standard interpretations that would normally be used.
- We think having this workgroup come up with some answers in advance would ease implementation of the new permits considerably.
- We therefore ask the Board to encourage Regional Board to cooperate in any such effort.

- I'd like to close by again expressing our appreciation to Sam Unger and his staff for all the hours spent on working through the chronic toxicity issues in our NPDES permits. We are deeply disappointed that we weren't able to obtain a mutually agreeable solution, but we do feel the process has been beneficial and will make the process of working together to implement the permits go more smoothly.

From: Rabelo, Gerardo@Waterboards
Sent: Friday, April 10, 2015 8:12 AM
To: Morris, Cris@Waterboards
Subject: RE: Ann's presentation

Its located here: R:\RB4\Shared\Powerpoint_&_photos\Board Meeting\Calendar Year 2015\April 9
She has two presentations I don't know which one you need.

From: Morris, Cris@Waterboards

Sent: Friday, April 10, 2015 7:47 AM
To: Rabelo, Gerardo@Waterboards
Subject: Ann's presentation

Could you please send me Ann's presentation from yesterday?

Thanks,

Cris