

Presence of PCBs in Sewer System

QUESTION

The following question was sent to members of the NACWA Legal Affairs Committee on April 6, 2009:

A public agency member would like to know if any NACWA members are aware whether their organization/utility had knowledge during the 1950's through the 1970's of PCB's in their sewer systems.

RESPONSES

The following responses were received from members of the committee:

Response 1: No. But, it's known that PCBs are ubiquitous, and in most situations any sewer system PCB load is due largely or solely to PCBs from atmospheric deposition showing up in the potable water supply or in wet weather inputs. E.g., in a recent multistate TMDL for the tidal Potomac River, the agencies' TMDL numbers support a conclusion that essentially all the loads seen from all the sources result from atmospheric deposition. There are situations (e.g. Delaware River) where there appear to be real sewer system inputs.

Response 2: The subject of "organization/utility knowledge of PCBs" and many other substances was the subject of a civil lawsuit between the City of Tacoma (WA) v Great American et al. I suspect that the utility interested in this subject would find the Great America case most useful.

Response 3: The LA County Sanitation Districts experienced problems with DDT that was conveyed via the collection system, through the wastewater treatment plant, and into the ocean environment (to the sediments) in the 1950s-1970 period. In the early 1990s, there was a NOAA Natural Resources Damages lawsuit against us (we settled it) and I believe that PCBs were also part of the contamination and settlement, although I personally do not know much about the source, pathways and extent of PCB contamination. The area near and around our outfall is now a Superfund site under CERCLA.

Response 4: The City of Los Angeles was involved in the same DDT/PCB as Los Angeles County. The lawsuit--U.S. v. Montrose, et al.—lasted 11 years and included PCB's in the sewer system as well as DDT. The PCB's were in the County's if not the City's sewer system during the time period that you identify below. The sources of the PCB's were General Electric, Potlatch Paper and Simpson Paper Companies. The City of Los Angeles and 152 other municipalities were held liable in this same case based on Superfund liability to the ocean originating from a sewer outfall.