



SOUTHERN CALIFORNIA ALLIANCE OF
PUBLICLY OWNED TREATMENT WORKS

MONTHLY UPDATE

A Message from the Executive Director...

April 2004

By training and avocation, I am an engineer. The term "engineer," of course, implies certain stereotypical behaviors, but I am happy to note that I am largely free of those. [Editorial Note: the slide rule that is mounted like an icon on his office wall says otherwise].

This is why I don't take offense at engineer jokes. You know, like how engineers know the direction the water swirls when you flush, like how we consider ourselves well dressed if our socks match, how we can remember seven computer passwords but not our anniversary, how we think the real heroes of "Apollo 13" are the mission controllers, how we can understand sentences with four or more acronyms in them and how we don't have a life and we can prove it mathematically.

Then there's the joke about how an engineer comes upon a frog that says, "Kiss me and I'll turn into a beautiful princess." He smiles and sticks it in his pocket. The frog again pleads, "Kiss me, you won't be sorry, I really am a beautiful princess." The engineer laughs and keeps on walking. The frog cries, "Why won't you just try it – what do you have to lose?" The engineer says, "Look, I'm an engineer, I don't have time for a girlfriend, but a talking frog – now that's cool!"

Even if I wasn't the exception that proves the rule, I would still appreciate these jokes because they capture the essence of most engineers in a fair, but embellished, way. And frankly, jokes like these can point out more gently than any lecture ever could: engineers don't look at things like other professions do. Like say...lawyers.

Lawyer jokes are so popular that I wonder what we laughed at before they existed. Like: What is a lawyer: An individual whose principal role is to protect his clients from others of his profession; What do you get when you cross the Godfather with a lawyer? An offer you can't understand; Lawyers: people who write a 10,000 word document and call it a brief; Four out of five doctors say that if they were stranded on a deserted island with no lawyers, they wouldn't need any aspirin.

There's also the stereotypical joke about arguing: Two lawyers were out hunting when they came upon a couple of tracks. After close examination, the first lawyer declared them to be deer tracks. The second lawyer disagreed, insisting they must be elk tracks. They were still arguing when the train hit them.

Jokes can often go where other conversations fear to tread. It is unfortunate that we can't apply them to some of the serious discussions that our industry is involved in. Like, for instance, the direction watershed management and water quality is heading.

On March 18, I attended the Urban Water Institute's Conference, "The Clean Water Act – Can We Do Better?" Wayne Clark's organization had put together an excellent program that first provided a primer on basin planning and regulatory requirements, and then presented a panel to discuss what turned out to be a very provocative issue: Does California's expensive water quality program demonstrably improve water quality?

The panel was comprised of four people, two who supported the current approach and two who didn't. Those who didn't pointed out that there are over 300 petitions filed at the SWRCB seeking to revise or amend various elements of current water quality rules; those who are supportive

Upcoming Meetings

Air Committee – Tuesday, April 6,
10:00-Noon, LACSD.

Collection System Workshop –
Monday, May 12, 9-noon, Inland
Empire Utilities Agency.

Public Relations Committee – TBA

SCAP Board of Directors –
Thursday, June 24, 9:30-Noon, LACSD.

The Help Desk

Contact Mary Jane Foley if you've got a regulatory issue facing your agency and would like some advice or assistance. She's helped several agencies with permit issues. Email her at mfoley@scap1.org.

of the approach felt that the opponent's proposed actions to address the perceived problems were over reactive and threatened to stop water quality improvement.

The discourse during this panel issue was at times impassioned and pointed. It was direct, and no one was left in doubt as to the position of the speaker. This was a debate: it wasn't about reaching consensus; it was about making your case and appealing to the audience's beliefs and biases. I found it riveting. And overdue.

But, what was more interesting was the reaction I heard afterward from several attendees. There were more comments regarding the "tone" of the presentations rather than the merits of the individual arguments. Both sides made some excellent points – points worth discussing further. Yet some of the presenters, and many in the audience, were concerned that by airing opposing viewpoints, the process to find common ground was eroded rather than advanced. This concerns me.

You know that I don't miss any opportunity to take out an American flag and wave it. So what I'm about to say won't surprise you: the free exercise of ideas and opinions is a precious right – and political correctness and misplaced ideas about consensus building are inhibiting our democratic processes. But this might surprise you: I admit that I am enough of an engineer to want all discourse to be polite and modulated. But I am more than human enough to admit that I have failed to achieve that at times when I feel strongly about an issue and it is reflected in my voice. There are times when dissenting voices need to be raised.

Almost presciently, Judy Wilson, the recently retired head of the City of Los Angeles' Sanitation Department (and former SCAP Board Member) spoke at lunch. It was almost as if she had rushed up from the panel presentation and in a matter of minutes wrote a five page speech that addressed – and provided solutions for – almost everything the panel had wrangled over. I would have thought that she had spoken extemporaneously if she hadn't handed me a copy of her presentation right after making it. I won't go over the speech (you can view it on the SCAP website), but you might want to circulate it to your agency's elected officials, your staff, your residents, business community and environmental organizations because it is a thoughtful and well-reasoned approach to some of our thorniest issues.

Let's keep the discourse that the Urban Water Institute arranged so well, going. Perhaps now is the time for humor, a well-placed joke or two. My vote is to require each side, when testifying before a regulatory body about the effects of the proposed action, to deliver their testimony as if it were the WARNING notice that is printed on just about every product you purchase.

For example, a public agency's warning might read: WARNING: Adoption of this permit may create a global economic downswing that will lead to Armageddon.

An environmental organization's warning might read: WARNING: Failure to adopt this permit may accelerate pollution, kill entire food chains and lead to Armageddon.

This is serious stuff; let's treat it with the passion and humor it deserves.

Wittily yours,

Ray Miller

Reminder!

Has your agency filled out the SCAP Performance Evaluation Survey? If not, we'd really appreciate your input. It's available at the "Members Only" section on the scap1.org website. Please complete the survey by April 15 (hard day to forget!).

Humor Us

Have you noticed the ads for those new disposable toilet cleaning devices? We'd be interested to hear exactly how "disposable" they are and if they are causing your collection or treatment systems any problems. Email us at lohlund@scap1.org if your organization notices any problems.

Collection Systems

Collection Systems Committee Workshop with SWRCB Region 7

Committee Chair Nick Arhontes and Executive Director Miller welcomed over thirty participants to the first Collection Systems Workshop; our host was the City of Coachella. John Carmona, Sr. Water Resources Control Engineer from the Colorado River Water Quality Control Board (Region 7), and Bob Kreg of SCAP provided a wealth of information to participants.

Those present were provided with an overview of the proposed federal regulation – the SSO Rule and its Capacity, Management, Operations and Maintenance (cMOM) program component. Chair Arhontes stated that, while many agencies/cities have asset management programs, capacity plans, management plans, construction standard specifications and readily perform emergency response to sanitary sewer overflows, along with other components, cMOM would require that these (as well as other components) be documented in an integrated and auditable format so that everyone is aware of the plan and follows it. Everyone was encouraged to take a proactive role at this time by identifying their collection system assets, having written documentation of their programs and developing action plans to close gaps where needed. Tools and case studies to assist cities and agencies exist at EPA's SSO website: http://cfpub.epa.gov/npdes/home.cfm?program_id=4.

Attendees were advised that cMOM has been in the Office of Management and Budget for review since December 2003. Other current events topics briefly discussed were NRDC's recent report "Swimming in Sewage" available at www.nrdc.org and new proposed legislation HR 2215, "The Raw Sewage Overflow Community Right to Know Act," introduced by Rep. T. Bishop (D-NY). An overview of current activities at the SWRCB's Office of Statewide Initiatives was also provided, briefly covering work towards proposing a statewide model cMOM program and info on the development of a statewide website for entering spill report data.

Bob Kreg gave an overview of current enforcement actions statewide and their costs to cities and agencies. Ray Miller presented an overview of SCAP, its successes and how we can help and encouraged cities to join SCAP. Mary Jane Foley assisted by reviewing our obligation to protect public health.

Inland Empire Utilities Agency (IEUA) will be hosting the next workshop for Region 8 on May 12th. Other workshops are being scheduled for Region 9 this summer, and Region 4 and elsewhere in the fall.

The Steering Committee of the Collection Systems Committee will be scheduling a meeting in April to discuss current events and their forward plan.

Pacific Grove Settlement Includes Funds for Private Lateral Replacement

The City of Pacific Grove settled a sewer spill overflow lawsuit with the Ecological Rights Foundation by, among other things, agreeing to set up a \$200,000 program to help businesses and homeowners repair or replace their leaking or damaged sewer laterals. The lawsuit, which claimed the City violated the Clean Water Act by having repeated sewer overflows reach the Pacific Ocean, also requires the City to spend a maximum of \$500,000 per year to minimize spills – ultimately reaching \$1 million per year in order to reduce spills to 4 per year by 2013.

Committee Chair Contact Info

Air Chair: Dan McGivney -
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Biosolids Chair – Diane Gilbert -
dxg@san.lacity.org

Water Chair – Roger Turner
– turnerr@emwd.org

**Collections Committee
Chair** – Nick Arhontes –
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Water Issues

Water Issues Committee Workshop

Over 40 SCAP members attended the Water Issues Committee's NPDES Permit Renewal Workshop held at Orange County Sanitation District on March 23.

Presenters shared both their approach to building relationships with their regulators and their experiences with their individual permits. Mike Moore of OCSD summed up their philosophy as an agency by noting that they approach their relationships by trying to develop shared understanding and mutual trust by being honest, open and transparent and communicating frequently with regulators. He noted that they try to pay attention to ensuring that they understand what the regulators are thinking, and try not to assume they know the reaction they will receive to an issue. In this way, they forestall misunderstandings and don't waste time clearing up mistaken issues before they get to the real issue. Mike noted that OCSD meets on a regular (quarterly) basis with their Regional Board to review their monitoring reports and any issues that have arisen. He also recommended that when a permit renewal is nearing, you review your history, and then get tentative comments on where they see the permit going.

Rich Atwater of Inland Empire Utilities Agency reviewed their successful efforts where they worked with the Santa Ana Regional Board to develop the "Maximum Benefit" TIN/TDS Basin Plan Amendment [Editorial Note: See the March Update regarding the adoption of this Amendment]. The TIN/TDS amendment process began in 1995 and was being proposed based on historical ambient concentrations and antidegradation requirements and was going nowhere until the "Maximum Benefit" concept was agreed to by a broad consensus in 2003. The plan requires that no adverse water quality impacts occur to any party within the watershed, and that five key commitments (surface and groundwater monitoring, desalters are expanded, recharge, conjunctive use and recycled water programs are implemented, hydraulic control to protect the Santa Ana River quality is implemented and ambient water quality is determined by July 1, 2005 and every 3 years thereafter) were agreed to by IEUA. The economic benefits of this plan for IEUA are significant – in excess of \$500 million over the next 50 years.

Tracy Minamide of the City of Los Angeles discussed the permit renewal process that they and the City of Burbank have undergone in Region 4. The cities have contested their permit, primarily regarding CEQA and whether or not an agency must examine the secondary impacts (increased traffic, housing, etc.) that could occur with a renewed permit, even though CEQA regulations state that permit renewals are exempt from this. The cities are litigating these issues and decisions have been received at the appellate level; however, a petition has been filed with the California Supreme Court and they have agreed to hear the issue.

Randall Orton discussed the seven-year Las Virgenes experience in which they have spent over \$6.5 million to remove their discharge from Malibu Creek for seven months of the year; however, no discernable benefit to the creek has occurred (there has been no reduction in beach postings, creek bacteria, creek algae, or "Fs" on beach water quality ratings). Las Virgenes would like to see the Regional Board defer their permit renewal pending adoption of the nutrient TMDL; however, they are concerned that it will be renewed with lower limits and more flow prohibitions.

Martha Rincon presented the County Sanitation Districts of Los Angeles' experience with renewing permits at several of its reclamation facilities. Of primary concern is the Regional Board's using the "protection of potential MUN" designation in concrete-lined storm channels where public contact is prohibited. The MUN designation, and its subsequent application to their permits, has added California Toxics Rule/State Implementation Plan human health criteria (derived from the consumption of organisms) and toxic pollutant limits that were not applicable in their 1995 permits. With the addition of TMDLs, effluent limits are becoming moving targets and the uncertainty about what limit they may have to meet is lending uncertainty to their ability to be able to meet unknown limits by the time periods specified in the permits. They are also facing implementation of basin plan objectives that had not previously been applied, such as nutrient and temperature limits. Martha recommended that permittees review tentative requirements carefully, meet with their Regional Board, be aware of State Board decisions and the permits

adopted for other POTWs, and to seek compliance schedules and outside technical and/or legal help to develop a complete administrative record.

303(d) Listing and Implementation Policy

Jim Colston of OCWD noted that the SWRCB will be conducting a workshop on the existing listing program and any proposed changes. SCAP will be sending out an alert asking for data assistance for listings that have only 1 or 2 data points.

SWRCB Planning Electronic Self-Monitoring Reporting System

The SWRCB is planning to create a new system, which will reportedly build on the SWIM I system. However, it will use Sun workstations, an Oracle database server, a Novell network, and Java developed interfaces, so it will be working with a very different hardware/software set. The new system is called CIWQS (California Integrated Water Quality System). As outlined by the state, one feature of this system is ESMR (Electronic Self-Monitoring Report System), which is only at an early stage of conception. It should eventually serve all NPDES permittees, and then WDR and landfill permittees. The system is supposed to be developed and tested by June 2005.

Clean Water Act Recognition Awards

EPA released nomination guidelines for the 2004 Clean Water Act Recognition Awards program, which seeks to recognize outstanding and innovative technological achievements at wastewater treatment facilities, and in biosolids management, pretreatment, stormwater, and combined sewer overflow programs. Nominations are due by June 18, 2004. For more information, visit www.epa.gov/owm/mtb/intnet.htm.

EPA Security Product Guide Is Up-to-Date

The EPA Security Product Guide has been updated to include six (6) new Product Guides and a functional Feedback page. EPA plans to update the Security Product Guide at regular intervals to ensure that the most recent information on security technologies is available. Users should check back frequently for the latest updates. Users can provide feedback on the Product Guide website, on the overall Product Guides, or on individual Product Guides. Please go to <http://www.epa.gov/safewater/security/guide/index.html> to view the updates.

Air Quality

SCAQMD Adopts More Stringent Stationary Diesel Engine Rule

Little more than a month after the California Air Resources Board adopted stringent new regulations for the operation of stationary Diesel engines, the South Coast Air Quality Management Board adopted even more stringent rules, despite the extensive review process the CARB went through when adopting their rule.

SCAP Air Quality Committee members were in attendance and asked that the Board basically adopt the CARB ATCM (excluding the additional requirements) because the health protective standards of the ATCM addressed air quality concerns throughout the state, including the south coast air basin, and they are protective of the health of all residents. It should also be noted that according to the SCAQMD's own Air Toxics Plan, only 10% of toxic emissions were due to stationary sources, the rest come from portable sources – primarily truck engines that are not subject to AQMD regulations.

The meeting was attended by a large number of parents concerned about the operation of Diesel engines near schools who testified at length. Air Quality Committee members will now prepare for the adoption of the portable engine rules which are expected to contain similar requirements limiting their operation near schools. The Air

Quality Committee will be sending out an **Alert!** identifying these issues and requesting member agencies attendance at public hearings to balance the testimony being provided to the Board.

Rich Burn Engine Permit Conditions

SCAQMD conducted field inspections on rich burn natural gas Diesel engines and found that 90% were in noncompliance. They will now be requiring agencies, among other things, to perform source testing when the engine is operating at maximum and normal loads to verify compliance with NOx, CO and VOC emission limits and to maintain a conversion chart on site that correlates the millivolt reading to the oxygen concentration in the exhaust gas. A copy of the permit may be obtained by contacting the SCAP office at (949) 489-7676.

Biosolids

Biosolids Committee Hears Update on Ordinances and Member Management Plans

Representative from several SCAP agencies attended the March 22 Biosolids Committee Meeting at LACSD to hear about current issues and recap their current and future plans for biosolids management. Among the issues discussed were:

Statewide PEIR/MGO - Comments on the Proposed Environmental Impact Report and Modified General Order were due on March 15 and, as reported previously, the wastewater community voiced its support of the finding that Class B biosolids is the environmentally superior alternative to Class A biosolids due to the additional resources that would be expended to convert "B" to "A" without commensurate benefits.

Kern Ordinance – The Kern Water Agency wants to ban the use of biosolids over any useable groundwater – has potential to impact reuse in a large part of the Central Valley.

San Luis Obispo Ordinance – Interim ordinance bans Class B, accepts limited A, but bans all bulk applications of Class A and compost.

Riverside Ordinance – Agreement had been reached by blue ribbon committee to allow Class A, but then county staff modified the ordinance to include requirements for signage and moisture limitations. Agricultural community is asking that the ordinance go back to committee.

Current/Future Biosolids Management Plans – Representatives from several agencies detailed their plans for biosolids management. The Encina WA is looking into pelletization. LACSD is developing aerated static pile composting in Kings County as well as participating in the IEUA composting project. IEUA is developing a \$40 million aerated static pile regional composting operation in addition to its dairy co-composting operation. OCSD is looking at a mix of compost, chemical stabilization and soil reclamation and is in the process of developing RFPs for long-term contracts. Santa Margarita Water District is composting with Synagro. Coachella WD is also composting with Synagro and looking at other alternatives. The City of LA is land applying in Kern County and is looking at starting their Terminal Island project later this year. Synagro is in the process of permitting a 400-ton per year facility in south Kern County and is actively seeking public agency participation.

Non Sequitur

To the optimist, the glass is half full.
To the pessimist, the glass is half empty.
To the engineer, the glass is twice as big as it needs to be.

- Author unknown