



SOUTHERN CALIFORNIA ALLIANCE OF
PUBLICLY OWNED TREATMENT WORKS

MONTHLY UPDATE

A Message from the Executive Director...

October 2004

In an attempt to standardize Chinese culture and philosophy, the Han Dynasty (207 B.C. to 9 A.D.) gave the world a universal explanatory principle - the concept of yin and yang – which synthesized the work of Buddha, Confucius, Lao Tzu and other great scholars, into one school of thought.

Simplistically, yin and yang represent all the opposite principles one finds in the universe: male/female, heat/cold, light/darkness, clean water/dirty water, etc. Further, the Han theorized that the production of yin and yang occurs intermittently and constantly, so that neither continually dominates the other. Therefore, when we experience health or sickness, wealth or poverty, happiness or unhappiness, it is only a temporary condition and subject to change to the opposite.

I got to thinking about the Han and yin/yang as the Fall Television Season got underway. I realize that for some of you, this is not a big event, but once upon a time in America, Fall Television Season was as eagerly anticipated by adults (new Saturday morning cartoons!) as the start of school was dreaded by children. [Editorial Note: Warning! There will be yin/yang alliterations throughout this article.]

Even though you knew the new season would be filled with knockoffs of whatever was the most successful show of the previous season, you tuned in hoping that this season would yield must see TV, and provide that one moment of the year when you stand near the water cooler with your coworkers – politics and organizational chart status aside – unified in the knowledge that a) you knew Pam shot JR all along, b) Mr. Ed was a sage way ahead of his time and c) Omarosa is the most annoying person on the face of the earth.

Committee Chair Contact Info

Air Chair: Dan McGivney -
dmcgivney@emwd.org

Biosolids Chair – Diane
Gilbert - dxg@san.lacity.org

Water Chair – Roger Turner
– turnerr@emwd.org

Collections Systems Chair
– Nick Arhontes –
narhontes@ocsd.com

There's this one new show, "*Medical Investigations*" that I'm really enjoying. It's basically CSI, but instead of investigating some gory body, finding the murderer and constructing an airtight case so you can fry the guy – which, when you turn the channel to *Law and Order* will unravel under the cross examination of the defense lawyer – is about investigating gory bodies, finding the disease or pollutant that is making them gory and curing them so that millions of people aren't killed and thus cut into TV viewership numbers.

The most recent show had all the usual suspects: cute, very sick kids; big, bad, polluted-in-the-past-but-supposedly-paid-a-big-fine-and-cleaned-up-its-act-but-you-know-they-never-really-did-megacorporation; small town that relies on megacorporation for its livelihood; yucky green stuff found on big, bad megacorporation's site and, of course, the obnoxious and arrogant corporate guy who works for the megacorporation. You also have the dedicated, but cheesy, doctors of the National Institute of Health, who WILL NOT STOP until they solve whatever the problem is. [Editorial Note: Mr. Miller is in no way disparaging the

work of those dedicated physicians and others at the NIH who work tirelessly to stop the spread of communicable disease. He is merely the yin to their yang.]

Upcoming Meetings

Air Quality Committee – Thursday,
October 14, 10-Noon, LACSD.

Joint Tri-TAC/SCAP – Thursday, Octo
ber 14, Ayres Suites, 1945 E. Holt Blvd.,
Ontario

Water Issues Committee (See
Meeting Announcement under Water
Issues below) – Tuesday, October 19,
10-1, OCSD.

Without giving the whole plot away, in case you missed it and want to view it during Summer Rerun Season, the important point is that the corporation didn't do it – make the kids sick, I mean. Another *doctor* did it. Corporation good, doctor bad. Well, the megacorporation was still bad, but not as bad as the doctor was.

So here's the point. We've been told many times by media types that the media merely reflect what is going on in society, they don't lead us down the path. If so, we as a society are evidently on the path that takes us from Dr. Welby to Dr. I-left-my-Hippocratic Oath-at-the-door-to-med-school. Pretty soon doctors are going to rank right down there with car salesmen on the trustworthiness scale; big yin/yang thing going on there.

In the most recent issue of the Water Environment Federation's periodical, *Industrial Wastewater*, several articles reminded me of our own yin/yang change. In the first article, it was reported that the Public Employees for Environmental Responsibility (PEER) issued a report that included findings that the rate of prosecution of criminal referrals has fallen 33%, that is, one out of three cases referred to the EPA for criminal prosecution are not pursued.

They go on to say that 66% of the criminal cases referred to the Justice Department are prosecuted and that only the Small Business Administration has a lower prosecution rate. I won't put on my cool CSI hat and go into the fact that there is no mention of who is referring the cases, whether they conducted a criminal or misdemeanor investigation, that criminal cases require a higher threshold of evidence for conviction and the fact that the Justice Department PRIMARILY prosecutes criminal offenses, and that the SBA is primarily a LENDING organization. Based on the information presented in the article, one must assume that the EPA is soft on polluters.

Another article stated that the conservation group American Rivers released a report stating that river pollution is worsening and the US government is to blame because they are cutting funding for cleaning up toxic sites. A third article stated that the Public Interest Research Group (PIRG) reported that 60% of major industrial and municipal facilities far exceeded their NPDES discharge limits, and that the government is proposing policies that will weaken the Clean Water Act. Soft and getting softer, how do these government bureaucrats sleep at night?

But another article reports that ecological and environmental conditions along the southeastern US, Gulf of Mexico and Great Lakes coastlines have improved during the last decade according to a report released by the EPA, NOAA, US Geological Survey, US Fish & Wildlife and US Department of Agriculture. Conditions along the northeastern and west coasts showed fewer signs of improvement. The report details the science that was used to arrive at these conclusions but – how can this be? They must be delusional because the other reports say things are getting worse, and since those pollutants are ending up only on the northeast and west coasts, it must mean that there is a massive conspiracy on the part of the government to hide how bad things are!

I started my career in the yang days of governmental credibility, and I sort of regret that I will end it in the yin of non-credibility. But as I've matured and recognized that there are factors at work outside my control, I've also never lost my belief in another universal explanatory system – free will. The fact that people in the most industrialized and evidently, most polluted, country in the world are living longer tells me that something must be going right.

I wonder if *Medical Investigations* will do a show on that: people living long lives despite all of the pollution and cheeseburgers out there. Maybe I could write an episode where the plotline revolves around finding out that the combination of cow meat and long chain polymeric compounds and chlorinated byproducts extends human life by at least ten years.

Yeh, I know – don't quit your day job Ray. Now, where did I put that remote...

Universally yours,
Ray Miller

It's Baaack...

After receiving a small (less than 5%) response to the performance survey sent out last April, the Board has asked that it be sent out again.

To voice your opinion, please be sure to complete the online survey sent via email to our members on September 29th.

Board of Directors Meeting

Executive Director Succession Plan Outline: Candidate Interviewed

As an outgrowth of last year's Strategic Planning Workshop, the Board directed the Executive Director to recommend a replacement to take his place when he retires. At their September 30 meeting, the SCAP Board of Directors discussed a succession plan that would provide for the replacement of Executive Director Ray Miller by March 2006 with a qualified replacement.

An interview was held with the recommended candidate; however, because all Board members were not able to be present, no formal action was taken. By consensus, the board did direct staff to begin working on a contract that would provide for retaining the services of the recommended candidate and detail the terms of a transition period. The proposed contract will be presented for consideration at the December board meeting. We are withholding the candidate's name at this time until the full Board has had the opportunity to meet with and interview the candidate.

Water Issues

Roundtable Meeting Set with SWRCB Board Members Silva and Carlton

State Water Resources Control Board Members Pete Silva and Gary Carlton will be present at the October 19th Water Issues Committee meeting for a roundtable discussion with SCAP's membership on the latest information on the California Performance Review and other State and Regional Board issues. The Executive Directors of each of the Southern California Regional Boards have also been invited to attend. SCAP members are encouraged to share their basin planning challenges and TMDL implementation issues at this meeting.

This meeting follows on last year's meeting with Mr. Silva and board member Nancy Sutley; both board members expressed that they were impressed with the questions that were asked of them and the information they received.

The meeting will be held in the Orange County Sanitation District's Administrative Building from 10:00 a.m. -1:00 p.m. Additional meeting information will be forthcoming.

303(d) Listing Policy Workshop Held

After releasing a draft 303(d) Listing Policy in December 2003 that was generally supportive of many of the comments that SCAP members and others had provided to the State, we were disappointed with the draft that was released shortly before the September 8th SWRCB workshop. We wrote a comment letter stating our disappointment with the revisions and highlighting the elements that we felt were positive improvements for this process.

Water Issues Committee Chair Roger Turner reports that several members of SCAP spoke at the workshop supporting the use of statistical methods to evaluate data, adequate sample size and other issues that would provide consistency, clarity and sound science to the Policy. SCAP urged transparency and objectivity in this process and provided examples of other states that have brought reason to this process and recommended similar criteria for California. EPA testified at the hearing that they were not supportive of many of the recommendations in the December 2003 draft and had worked with the staff on revisions. They stated they wanted to continue to work with the SWRCB staff to get the policy more in line with their understanding of the Clean Water Act.

After three and one-half hours of testimony, the Board made three changes to the listing policy. First, it is mandatory to consider all factors when considering listing a water body. This will allow for a more complete consideration of all factors affecting a water body before it could be listed. Second, the Board wanted a more conservative approach for de-listing a water body. They have directed a more inclusive burden on the proponent for

delisting. For example, this could mean more sampling to justify the de-listing of a water body. Third, the listing factor for bacteria in coastal waters will also be applied to inland waters.

The Board adopted the Listing Policy at their meeting on September 30, 2004. The final Policy can be viewed at the State Board's web site at http://www.swrcb.ca.gov/tmdl/303d_listing.html. The Water Issues Committee will be following the implementation of this new policy. Roger Turner has spoken with Craig Wilson about setting up a workshop, perhaps in early 2005, to understand how the new policy works and how we should be working with it. The committee will also be meeting prior to the workshop to discuss the nuances of the policy and questions that have arisen regarding its implementation.

Ocean Plan Amendments Comment Letter Submitted; Awaiting Hearing

SCAP submitted comments on the two proposed Ocean Plan amendments in conjunction with CASA and Tri-TAC on September 17th. The comment letter noted that while we are supportive of some aspects of the amendments, we are concerned with several others. Among these:

- One of the amendments calls for daily sampling for exceedances of the single sample threshold unless a sanitary survey is completed. A number of agencies have extensive shoreline monitoring programs and daily resampling is an enormous staff, laboratory and cost burden. We recommended that the amendment be modified to allow for monitoring less frequently than daily, especially where known instances of contamination (e.g. storm drains) are the likely source for exceedances, even in the absence of a formal sanitary survey. Also, much of the shoreline monitoring is completed by POTWs; however, much of the shoreline contamination is associated with urban runoff and other shore-based sources. We asked that the monitoring burden, including costs that will result from these amendments, bear a reasonable relationship to the need and benefits to be obtained.
- Research indicates that, with the application of an enterococcus standard, there will be far more water quality standards exceedances than with the total and/or fecal coliform standard. The state failed to analyze the likely causes or sources of potential nonattainment, and the likelihood of being able to attain the standards. If for instance, it were to be found that natural background sources rendered a proposed objective unattainable, that information is supposed to be identified and considered prior to establishment of the water quality objective for a given water body.

A complete copy of the comment letter can be reviewed at the SCAP website.

The hearing will be held on Wednesday, October 6, 2004 at 10:00 a.m. in Sacramento. Committee Chair Roger Turner states that it is anticipated that these issues will be discussed and then be directed to a peer review and brought back in about six months for another workshop and public hearing.

SCAP Submitting Comments on Standardized Permits and Electronic Reporting

Following up on a July 20th Water Committee meeting held with SWRCB staff regarding standardized NPDES permits and electronic self-monitoring reports (eSMR), SCAP is submitting an extensive list of comments on both subjects.

EPA Releases EMS Guide

EPA's Office of Water has issued a new tool to help wastewater utilities develop environmental management systems (EMS) for their operations entitled, "Achieving Environmental Excellence: An Environmental Management Systems (EMS) Handbook for Wastewater Utilities." EMSs are a proven tool that can help utilities realize a number of important benefits and address a wide array of challenges – including the need to ensure sustainable infrastructure.

The handbook, which was developed in cooperation with the Global Environment and Technology Foundation (GETF), takes utilities through a step-by-step process for developing an effective EMS, using numerous examples and other tips from utilities that have successfully implemented EMSs for their own operations.

The handbook is available at www.peercenter.net, www.epa.gov/ems, www.amsa-cleanwater.org and at www.wef.org.

Air Quality

SCAQMD Rule 1470 Update

As reported in the August *Monthly Update*, agencies that participate in Interruptible Service Contracts (ISCs) will have until January 6, 2005 to ensure that they can meet the first-phase particulate matter emissions requirements (0.15 g/bhp-hr) required under the California Air Resources Board's (CARB's) Air Toxics Control Measure for Stationary Diesel Engines (ATCM-SDE).

The SCAQMD's Rule 1470 – which is the local version of the California Air Resources Board's (CARB's) Stationary Diesel Engine ATCM – is silent on when compliance must be achieved, and therefore implies that it must be done immediately. The Air Quality Committee will be submitting comments to the SCAQMD on this issue.

Stationary Diesel Engine ATCM Sent to OAL

The Final Rulemaking Package for the Stationary Compression-Ignition Airborne Toxic Control Measure was filed with the Office of Administrative Law (OAL) on Friday, September 24, 2004. OAL has until November 8, 2004 to make a determination. The adopted regulation and materials submitted to OAL are available on the regulatory documents page: <http://www.arb.ca.gov/regact/statde/statde.htm>.

California Energy Commission to Hear Backup Generator Presentation by UC Riverside

Researchers from the University of California, Riverside will present a summary of the results of a recently concluded project funded by the California Energy Commission (CEC) concerning Back-Up Generators (BUGs). This project studied the impact of BUGs during the recent 2001 blackouts and the potential impacts of the future use of BUGs. The study produced the most comprehensive diesel emissions measurement analysis regarding BUGs made to date in the United States, which has been provided to the US Environmental Protection Agency (EPA) for use in adopting new BUGs emission factors in their AP-42 emission factor manual.

The presentation will be made in the CEC's Hearing Room in Sacramento. For further information on this, please go to: www.arb.ca.gov/diesel/documents/bugpres100604.pdf.

Biosolids

Large Turnout for Biosolids Workshop

The Biosolids "Emerging Technologies" Workshop was so successful that attendance had to be limited due to room size limitations. Over 75 attendees heard presentations including:

- Overview of Biosolids Technologies: Fred Soroushian of CH2M Hill provided an overview of the technologies that serve the three identified markets for biosolids: Cropping (agricultural applications), heat and energy and construction.
- Synagro's South Kern Industrial Center Composting Facility – Liz Ostoich outlined the advantages of their permitted facility, the capacity available and the estimated cost per ton.
- Marketing Plan for Biosolids – Charles Egigian-Nichols of Tetra Tech reviewed the detailed level at which Orange County Sanitation District studied the markets for their biosolids and developed a plan for serving them.
- Biofilters for Emission and Odor Control – Renee Groskreutz of CH2M Hill reviewed the technology and efficacy of biofilters and their media when properly designed and operated.
- US Filter's Dragon Dryer and In-Vessel Composting System – Barbara Petroff provided an overview of their two processes: one uses heat and produces a pelletized product, the other uses an agitated bin to produce a compost material.
- Sacramento's Biosolids Pelletizer – Ruben Robles of Sacramento Regional County Sanitation District reviewed his agency's biosolids management program, which includes a pelletizer, and the lessons they learned from the process.
- Permitting Issues – John Robinson of Tetra Tech reviewed the permits required for composting or processing facilities and some of the unique "nuances" associated with each.
- Enertech Facility in Rialto – Kevin Bolin outlined the Enertech process that is being proposed as a joint project for several Inland Empire agencies. Biosolids are 'decarboxilized' to break the carbon/oxygen bond and dewatered to 50% solids, then pelletized and sent to a cement operation for use as feedstock.

Non Sequitur

I hear and I forget.
I see and I remember.
I do and I understand.

- *Confucius*