



SOUTHERN CALIFORNIA ALLIANCE OF
PUBLICLY OWNED TREATMENT WORKS

MONTHLY UPDATE

A Message from the Executive Director...

April 2005

I just got back from a fun filled week touring the Mexican Riviera aboard the Diamond Princess with my family. [Editorial Note: This explains the rather late delivery of the Monthly Update.]

Now, to those of you who haven't boarded an 84,000-ton behemoth with 3,000 passengers before – you might think that you'd rather have hot needles poked into your eyes.

It's true that these are ships filled with people who ask questions like, "What do you do with the ice sculptures after they melt?" and "Does the ship run on generators?" (They didn't notice the long extension cord that runs to the mainland.) And my personal favorite, "Does the crew sleep on the ship?" (To which the Cruise Director replied, "Actually, they helicopter us off to a hotel each night and we come back each morning with the eggs and milk for breakfast." She replied, "Oh, so those are the helicopters that have been waking me up each morning!")

But, cruising is actually about meeting some fascinating people that we've kept in touch with over the years. It's also about fine dining, absolute relaxation and seeing a little bit of several different places without having to pack and unpack, find decent restaurants and venture unknowingly into time share seminars. As you can see, I enjoy it.

But during this cruise, I had a revelation – actually, I had a continuing revelation (perhaps even an epiphany) that actually started on March 22 at the Public Relations Committee meeting. The presentations made at the meeting were excellent and, there is more about the meeting later on in this Update. But one presentation really touched a cord in me.

Rupam Soni of the Los Angeles County Sanitation Districts is a young woman, an engineer, who made me realize something so simple, yet profound, that I am almost embarrassed that I haven't harangued you, my captive audience about the importance of it much more frequently. "It" is education. Education in the form of compelling and interesting teachers.

LACSD has developed their Sewer Science Program into a weeklong, hands-on, laboratory program for high school students. It's a great curriculum, but it's a really great program because of Ms. Soni. She invests it with an enthusiasm and well, the only word I can think of is "coolness." She makes sewer science very cool to learn. During the week, students "make" their own wastewater in mini sewer plants and "run" the plant (complete with chemical and biological treatment) and clean up the water in order to meet their "permit limits." At the end of the week, 47% of these high school students responded on their survey that they were interested in a career in wastewater. Read that again – they responded not just that they learned a lot, but that they were interested in CAREERS in wastewater. That is a great statistic, and one that can't come soon enough considering the number of baby-boomers that are considering retiring and going to work on cruise ships.

So, the second part of my revelation. On a cruise ship, the next day's activities are delivered to you in the form of a printed announcement the night before. Among the bingo games, exercise classes, "How to buy Tanzanite in Mazatlan" lectures, binge drinking and karaoke contents was a little seminar entitled "Environmental Stewardship Presentation." Glancing around at my fellow passengers as I passed the "Make your own Bloody Mary Bar," I felt a twinge of sympathy for the speaker, the ship's Environmental Officer. No one was going to show for that lecture, I thought, not when they just announced that the buffet had just added

Upcoming Meetings

Air Quality Committee – Thursday, April 21, 10-Noon, LACSD

Water Committee – TBA

Biosolids Committee – TBA

Collection Systems Committee – Wednesday, May 4, 2005, 10:30-2:30, OCSD

Public Relations Committee - TBA

another flavor of ice cream to the “Make your own Sundae Bar.” So I moseyed down to the lounge, making sure that my ice cream didn’t drip out of the waffle cone and make an environmental mess.

As I rounded the corner, I became confused and thought that I had inadvertently walked into the “Wild and Wacky Gameshow,” for there were several dozen people milling about – sans ice cream. But right then a clean-cut officer with a blue bar on his shoulder introduced himself as the Environmental Officer. He proceeded to give an interesting and enlightening 15-minute talk about the efforts cruise lines are taking to be good environmental stewards.

In 1993, Princess became the first cruise line to appoint an environmental expert to a full-time senior management position. Comprehensive education and training programs for all crewmembers, to prevent inadvertent violations of environmental policies, are a major part of their environmental health program, named “Planet Princess.”

Most cruise ships separate wastewater into gray and black water. Most have package wastewater treatment plants on board that treat both wastestreams to near drinking water quality and hold the solids until they can be pumped into a large on-shore wastewater system. They go to extensive lengths to recycle paper, cans and bottles and our Air Quality Committee will be interested to know that they are starting to install the first of a new generation of “smokeless” engines and/or high efficiency, low emission marine gas turbine engines.

The crowd, which ranged in age from 25 to 70ish, asked many questions:

Q: Why do you have to treat the gray water to such a high degree? **A:** International maritime regulations require it.

Q: How do marine gas engines burn cleaner than diesel? **A:** Emissions control technology is more advanced for gas engines than diesel.

Q: Won’t that cost a lot of money? **A:** Don’t expect cruise prices to get less expensive. (A little grumbling at that announcement, but one lady could be heard proclaiming that she’d pay any amount of money for the environment.)

Q: Where can I get biodegradable golf balls? **A:** Uh, actually, that was my question and I was directed to the website for Ecogolf, a manufacturer of compressed paper golf balls that look amazingly like regular golf balls.

I chatted with several fellow passengers and the Environmental Officer and conducted my own informal survey about attitudes towards wastewater, and in particular, biosolids. Without going into a lot of detail, responses ranged from the horrified, “You put sewage waste on farmland?!” to the smirking, “I knew you guys were dumping crap around – we’re going to have another toxic Superfund problem on our hands” to the thoughtful, “Well, I could see how that would return vitamins and minerals to the soil, but are you sure you’re doing it in a safe way?”

Information. Presented by enthusiastic and enlightening teachers.

Education.

It’s what we need now, and it only took The Love Boat for me to fully realize it.

Maritimately yours,
Ray Miller

P.S. Please join me in expressing gratitude to Diane Gilbert for the professional and thoughtful voice she has provided to all wastewater agencies during the past several years, but particularly the last three months, as

she has worked on biosolids issues, particularly in the Kern County area. As you know, many agencies participate in biosolids facilities around the state, but Diane has become the “face” of biosolids and wastewater treatment agencies, representing both the City of Los Angeles and us, at public meetings, in the media and on televised forums such as the one that was recently run on KGET in Kern County. These have not been easy or pleasant duties, but there is no complaint from Diane, just as there is no part of her that yields to those who would ignore the body of science and demonstrated safety of biosolids use. Thank you Diane, you represent the best aspects of public service.

Public Relations Committee

PR Committee Workshop Report

On March 22, the SCAP Public Relations Committee met under the leadership of new Chair Mac McLaughlin of Orange County Sanitation District. Members from Santa Barbara, Ventura, Los Angeles, Riverside, San Diego and Orange counties attended the meeting.

Excellent, valuable presentations were provided on topics such as a Fats, Oils and Grease (FOG) toolbox, Soliciting Public Input on Biosolids, Teaching Sewer Science to Schools and Public Outreach on Water Reuse. Each presenter provided great examples of how to utilize the information available and whom to contact for assistance in doing a similar effort for your agency and community.

Of particular interest was Los Angeles County Sanitation District’s “Sewer Science Program,” presented by Senior Engineer Rupam Soni. She noted that the program originated in the City of Palo Alto when a high school science teacher approached wastewater treatment plant officials with the idea of developing a module for teaching students about the integrated nature of the environment. Over a two-year period, they created a program that includes scale model treatment plants, a workbook, equipment and support materials.

Ms. Soni explained that LACSD became involved with the program about two years ago when WEFTEC’s WEFTEach approached them to implement the program as an outreach element. In the first year of the program, they traveled to 10 high schools.

The program is very hands-on. Using a fish tank, students “make” their own wastewater using dry ingredients such as baking soda, dry pet food, cereal, toilet paper, plastic waste and used coffee grounds; liquid wastes such as ammonia and vegetable oil are also added. They then take pH and turbidity measurements using pH strips and a Hack colorimeter, and run tests for ammonia and COD and record the data. With the first tank acting as a sedimentation basin, they drain water from it into a second aquarium that acts as an aeration basin. After adding activated sludge they use an aquarium pump to aerate the tank.

Transferring the primary effluent back to the first tank (sedimentation basin), they begin secondary treatment with secondary sedimentation, and then add aluminum sulfate for chemical flocculation. Students then test and record pH, turbidity, ammonia and COD again comparing the results to the initial tests to see if they met their removal requirements. Students are also taken on a field trip to the wastewater treatment plant and presented with information on careers in the wastewater industry.

Committee Chair Contact Info

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Ms. Soni noted that the District's initial cost for equipment and supplies was \$10,000. It costs them about \$15 per student to provide the program, with the biggest cost being salaries, as a District staff member is present during the entire weeklong process.

Orange County Sanitation District is gearing up to implement the program in their service area. If your agency is interested in this program, a copy of Ms. Soni's presentation will be posted on the SCAP website by mid-April. You can also view the City of Palo Alto's website at:

<http://www.city.palo-alto.ca.us/cleanbay/highschool.html>.

The audience at the meeting was asked to consider a panel on TMDLs at the next Public Relations Committee meeting. Members would present case studies and brainstorm how to "tell the story" on TMDLs to their community. Agencies that would like to participate in this program are asked to contact Mac McLaughlin at rmclaughlin@ocsd.com.

Water Issues

Supreme Court Issues Decision in City of Burbank/Los Angeles v. SWRCB

In 1998, the cities of Burbank and Los Angeles received NPDES numeric permit requirements that they contended would cost excessively more than the benefits that would be gained. After appealing the Regional Board's decision to the SWRCB, they filed suit in Superior Court and the trial court agreed with them. The State appealed that decision, and the trial court decision was overturned by the Court of Appeals. The cities appealed that decision to the California Supreme Court, which issued the following ruling on April 4:

"The question here is this: When a regional board issues a permit to a wastewater treatment facility, must the board take into account the facility's costs of complying with the board's restrictions on pollutants in the wastewater to be discharged? The trial court ruled that California law required a regional board to weigh the economic burden on the facility against the expected environmental benefits of reducing pollutants in the wastewater discharge. The Court of Appeal disagreed. On petitions by the municipal operators of three wastewater treatment facilities, we granted review.

We reach the following conclusions: Because both California law and federal law require regional boards to comply with federal clean water standards, and because the supremacy clause of the United States Constitution requires state law to yield to federal law, a regional board, when issuing a wastewater discharge permit, may not consider economic factors to justify imposing pollutant restrictions that are *less stringent* than the applicable federal standards require. When, however, a regional board is considering whether to make the pollutant restrictions in a wastewater discharge permit *more stringent* than federal law requires, California law allows the board to take into account economic factors, including the wastewater discharger's cost of compliance. We remand this case for further proceedings to determine whether the pollutant limitations in the permits challenged here meet or exceed federal standards."

SCAP Executive Director and Regulatory Affairs Consultant Meet with State Officials

Executive Director Ray Miller and Regulatory Affairs Consultant Mary Jane Foley have made several trips to Sacramento recently to discuss issues of importance to SCAP members. The two spoke in support of Alan Lloyd, the new Secretary of CalEPA, at his confirmation hearing.

Mr. Miller and Ms. Foley have also met with the new State Board Members, Jerry Secundy and Tam Doduc. Mr. Secundy is the new Public Member for the Board and Ms. Doduc is the Engineering Member. Ms. Foley was also able to meet with staff of other elected officials to provide education on several issues facing SCAP members.

AB 1927 Sent to Environmental Safety and Toxic Materials Committee

AB 1927 (Aghazarian) was introduced in February and is sponsored by the SWRCB. The bill would require the state board to appoint an executive director and, for each of the regional boards, an executive officer, all of whom would be exempt from civil service. The bill would also require each executive officer to report to the executive director of the state board.

The bill would require each regional board to delegate the issuance, modification, and revocation of waste discharge requirements to its executive officer and would require appeals to these decisions made by that executive officer to be made to the executive director.

The bill would also reduce the number of members on a regional board from 9 to 7 members, but would not affect the term of a member who serves on a regional board on January 1, 2006. The bill would revise certain eligibility requirements for membership on a regional board. The bill would require the Governor to designate the chairperson of each regional board from the membership of that regional board, who would serve at the pleasure of the Governor. The bill would require each regional board to select one of its members to serve as vice chairperson.

The bill would revise a provision that establishes an income-related eligibility requirement that applies to a member of the state board or a regional board to include a person who serves as an executive officer, but would make that provision inoperative upon the receipt of a specified written determination by the Secretary of State.

A hearing date for the bill in the committee has not been set.

Revised Impaired Water Policy Posted to SWRCB Website

A revised version of the Impaired Water Guidance and the Impaired Waters Policy was posted to the State Board Web Page on Friday, March 4, 2005. In addition, a Response to Comments has been prepared to comments received on the November 22, 2004 draft of the Guidance and Policy. If you wish to receive an electronic or paper copy of the Response to Comments document, please contact Gena Estep at (916) 341-5566 or by e-mail at gestep@waterboards.ca.gov.

Air Quality

Air Quality Committee Working with Industry Group on Alternative PAR 1110.2

A coalition of industry groups has been formed to draft an alternative proposal to the SCAQMD's version of Proposed Amended Rule 1110.2. The coalition includes representatives from engine manufacturers as well as utilities, hospitals, manufacturers and other affected private businesses. As reported previously, two significant provisions of the District's proposal have extensive economic impacts for any business with engines larger than 50 hp.

The industry group has emphasized that they are not looking to change the desired outcome of the rule, but rather to propose other, less expensive measures, to achieve the same results. The Air Quality Committee will be participating in the group; however, they will monitor the group's efforts to ensure they are consistent with SCAP member agencies concerns.

Air Quality Committee to Monitor Legislative Efforts

Air Quality Committee members, concerned that there is a gap in information regarding pending legislative proposals regarding air issues, has asked members to bring legislative bills they are concerned about to meetings for discussion if time warrants. SCAP is not chartered to address legislative issues, so the emphasis in this effort is dissemination of information, not lobbying.

CARB Surveys Off-Road Equipment

Tri-TAC Air Committee Chair Jackie Koepke provided this update from the California Air Resources Board:

CARB has initiated a survey of off-road mobile equipment. The purpose of this survey is to give CARB a better understanding of business practices such as, purchasing, leasing, and idling policies. The information obtained from the survey response will benefit all parties as we develop proposed concepts for a measure to control diesel particulate matter from in-use off-road mobile equipment, including any drivable construction equipment greater than 25 hp. They are asking for survey responses by April 30. You can access the survey at: <http://www.arb.ca.gov/msprog/ordiesel/orsurvey/intro.htm>.

Biosolids

Kern County Board Votes to Ban Biosolids

The Kern County Board of Supervisors voted 4-0 to draft an ordinance banning importation of biosolids into the county. Don Maben, a supervisor who has historically supported imported biosolids application in the county, changed his mind and made the motion to ban imports. He said recent information, including studies showing that flame retardants are turning up in human breast milk, have convinced him serious questions remain about public health risks from spreading biosolids on farmland.

County staff were directed to draft the ordinance and bring it back in 30 days. In a separate action, the Board also voted to support SB 926, which would ban intrastate transportation of biosolids.

Appellate Court Sides with Los Angeles County on Biosolids EIR Issue

The Fifth District Court of Appeals issued a decision on April 1 reversing a trial courts decision that Kern County didn't need to complete an Environmental Impact Report when they considered their sludge ordinance.

In its ruling the Court stated:

"We hold County was required to prepare an EIR under CEQA. This is because CEQA requires the preparation of an EIR whenever substantial evidence supports a fair argument that an ordinance will cause potentially significant adverse environmental impacts. CEQA thus sets a low threshold for the required preparation of an EIR. Here, the evidence in the administrative record establishes a reasonable possibility that the ordinance will have both positive and adverse impacts on the environment in Kern County and other areas of California, principally because alternative methods of disposal must be implemented. The positive effects of a project do not absolve the public agency from the responsibility of preparing an EIR to analyze the potentially significant negative environmental effects of the project, because those negative effects might be reduced through the adoption of feasible alternatives or mitigation measures analyzed in the EIR. Therefore, County was required to prepare an EIR."

Biosolids Committee Meets

The Biosolids Committee met at the City of Santa Barbara's El Estero wastewater treatment plant on March 22. While the Committee reviewed updates on regulatory issues and heard about biosolids issues facing Santa Barbara area SCAP members, the meeting was dominated by the events occurring in Kern County and with SB 926.

Diane Gilbert reviewed the Kern litigation and noted that a decision in the case was expected soon [see article above]. She also noted that she would be appearing in a televised panel discussion of biosolids issues on March 29 [see article below].

The Committee agreed that it was important to get information out to SCAP members on the seriousness of these issues, and to work with legislators and their staff to let them know how concerned we are with the Florez bill and the efforts to restrict biosolids reuse in California.

Changes Proposed to SB 926

SB 926 (Florez) has been amended to remove the 75 percent beneficial use requirement; however, now the bill has a total ban on the importation of biosolids from one county to another. Additionally, the bill has been amended to include Legislative Findings such as (Note: text in italics is emphasis added and does not occur in the bill in this manner):

- “Municipalities desire to reuse biosolids *despite the fact that they can also contain heavy metals, pathogens...*”
- “Not only have there been no safety standards established for the vast majority of pollutants found in biosolids, but federal and state regulations also do not require biosolids to even be tested for the presence of these pollutants.”
- “The United States Environmental Protection Agency and a federal court of appeals have acknowledged that there is no scientific consensus on the safety of land applied sewage sludge.”
- “Because of the health and environmental risks, the potential for water pollution, and the many unknowns about the content of biosolids, counties should bear the responsibility of managing the biosolids that they generate within their own jurisdictional boundaries so that no county is unfairly burdened with another county's sewage waste.”

The bill has been re-referred to the Senate Environmental Quality Committee. As of the time this newsletter was going to press, the hearing date scheduled for April 11th had been cancelled at the request of Senator Florez, and rescheduled for April 18th. We continue to request that SCAP member agencies track this bill and its revisions and prepare opposition letters for the upcoming committee meeting. SCAP **Alerts** will continue to be sent out on this issue as it develops.

City of Los Angeles Participates in Televised Biosolids Forum

Diane Gilbert of the City of Los Angeles' Regulatory Affairs Division (and SCAP's Biosolids Chair), represented the City in a one-hour televised forum on Channel KGET in Bakersfield. Other panelists included Kern County Supervisor Ray Watson, State Senator Dean Florez, Kern County Water Agency staff, county staff and an attorney that was involved in the cow death litigation in Georgia.

The City was asked three questions: 1) What would they like the citizens of Kern to know about their biosolids program, 2) How do they monitor and sample their biosolids and 3) What is the City's position on SB 926. Ms. Gilbert spoke about the number of years that the City has been safely operating at its Green Acres facility, the benefits of biosolids to the soil and that this is part of a natural process that enhances the environment. She explained about the EMS program and the extensive monitoring and reporting requirements required by the City's NPDES permit, the State General Order and the EMS program. She noted that the City had not formally taken a position on SB 926, but in its current form they would probably oppose it.

None of the other panel members spoke in favor of biosolids, with the attorney from the Georgia litigation providing misinformation on that case that was refuted by Ms. Gilbert.

SCAP Members Encouraged to Attend Biosolids EMS Workshop at CWEA Conference

Deirdre Hunter of Orange County Sanitation Districts, and moderator of the CWEA pre-conference Biosolids EMS (Environmental Management System) workshop on April 12 (9am-4pm), is encouraging SCAP members and their contractors and consulting firms to sign up for this workshop.

The workshop will review the benefits and how-tos of initiating a biosolids EMS through the National Biosolids Partnership's (NBP) EMS program (www.biosolids.org). Attendees should be able to walk away with a pretty good draft of an EMS and feeling like it's very "do-able."

The timing of this workshop is important because the NBP is offering *California agencies a unique opportunity*. If 10-12 California agencies sign up for the NBP EMS program, the NBP can offer all the training sessions on the west coast instead of in Washington, D.C.

In addition to the many benefits of having an EMS, the NBP process for getting agencies through the system has matured a lot since LA City and OCSD went through it as the first class. The guidance, real-life experiences and road testing by other agencies have greatly improved the process.

Registration info is available online at: http://cwea.org/pdf/conferences/2005/AC_RegistrationAll.doc.

Agronomy Students Learn about Biosolids Recycling in the Northwest (courtesy NWBA)

During the International Meeting of the American Society of Agronomy last November, more than 90 undergraduate students visited the Tagro facility at the Tacoma, Washington wastewater treatment plant and the biosolids and organic agriculture research plots at WSU Puyallup.

The undergraduate tour is a highlight of the annual meetings, and is attended by agronomy and soils students from colleges across the USA. Each year the tour gives students an understanding of agricultural, environmental, and land use issues in the area around the host city. Most of the students on this year's tour were from the Midwestern and Southern states, and the tour offered them some new views of biosolids use and local agriculture.

At the Tacoma plant, students learned about the Tagro program, products, and product development, and how the community has come to identify Tagro as a premium soil amendment. They saw Tagro mixing, and got a close-up view of each of the products, which are blends of Tacoma's Class A biosolids and sawdust, sand, or bark, formulated for lawn and garden, mulch, or potting mix use. Students responded with a series of enthusiastic questions.

The tour then moved to the WSU Puyallup long-term biosolids research plots, where students learned about biosolids nitrogen management and soil quality. They also toured the organic research land at WSU Puyallup, which is focused on long-term organic systems experiments. The final stop was a local organic vegetable and fruit farm, where the students saw the challenges and opportunities of organic production and marketing. Despite the wet, blustery weather, the students were enthusiastic throughout the tour, and returned to their homes with a new awareness of the possibilities for biosolids use.

Non Sequitur

Do not be afraid.
Do not be satisfied with mediocrity.
Put out into the deep and let down your nets for a catch.

- Pope John Paul II