



SOUTHERN CALIFORNIA ALLIANCE OF  
PUBLICLY OWNED TREATMENT WORKS

# MONTHLY UPDATE

## A Message from the Executive Director...

**November 2005**

*Wherever you roam  
And admit that the waters  
Around you have grown  
And accept it that soon  
You'll be drenched to the bone.  
If your time to you  
Is worth savin'  
Then you better start swimmin'  
Or you'll sink like a stone  
For the times they are a-changin'.*

Okay, okay, Kris and Linda are telling me that I've got to stop singing. But the times are a-changin', even here at SCAP.

I am pleased to inform you that the SCAP Board of Directors has announced the appointment of John Pastore, former Board Member of the SCAP, as the new Executive Director, effective January 2006. John is a resident of Carlsbad in San Diego County and has been associated with Dudek & Associates, Inc., headquartered in Encinitas, California for 19 years.

John was the top vote-getter in the competition for the position of Executive Director and is looking forward to hitting the ground running. SCAP is fortunate to have John, who has 32 years of experience in the industry, as well as the extra bonus of serving for two years as President of the SCAP board. John also worked from 1973 to 1986 for the County of San Diego. When John left the County in 1986, he was their one and only (and youngest senior engineer) Senior Sanitary Engineer for the Public Works Department. John will be introduced to the SCAP membership at the holiday luncheon on December 13<sup>th</sup>. John will be a valuable addition to SCAP.

In another important development, Blake Anderson has resigned as President of the SCAP board and veteran General Manager of the Los Angeles County Sanitation Districts (LACSD), Jim Stahl, has been elected President of SCAP by the Board of Directors. Jim will serve the remainder of Blake's term.

Forever a-changin',

Ray Miller

### Upcoming Meetings

Collection Systems/Water Issues Workshop – "Collection Systems in Motion" – Tuesday, November 8, 9 am – 3 pm, IEUA.

Joint SCAP/Tri-TAC – Thursday, November 10, 9 am-Noon, Ontario Convention and Visitors Bureau.

Air Quality Committee – Thursday November 17, 10-Noon, LACSD.

SCAP Board of Directors Meeting – Tuesday, December 13, 9:30 am – 11:30 am, El Niguel Country Club.

SCAP Holiday Luncheon: Please join us for our annual Holiday Luncheon on Tuesday, December 13, at El Niguel Country Club, from 11:30 am to 1:30 pm. Invitations will be sent out the first week of November.

Air Quality by Chair Daniel McGivney

### **Engine Regulations Workshop**

On October 6, 2005, the SCAP Air Quality Committee held a one-day workshop on air quality regulations affecting the use and operation of internal combustion engines. The workshop was a success and we have even had requests to repeat the workshop in northern California. SCAP and the members of the Air Quality Committee wish to thank all those who attended, we hope that you obtained value from our presentations. Should anyone wish to see the presentations, they can be viewed at SCAP's website, [www.scap1.org](http://www.scap1.org). Also, I would like to thank once again, those who contributed so much of their time and knowledge to this effort. In particular, we would like to thank Karl Lany of SCEC and Jackie Kepke of CH2M Hill. Without all of these people and the support of their organizations, events like this would not be possible. The sharing of information among our industry is probably one of our greatest assets and will help us continue to provide high quality services to our communities. Should there be any other air quality related topic that anyone feels would be a good subject for a future workshop, please let us know by contacting the SCAP office.

### **California Air Resources Board (CARB) Portable Equipment Registration Program (PERP) Regulation**

CARB is convening a public consultation meeting regarding proposed amendments to the PERP regulation. The meeting has been scheduled for December 1, 2005 from 10 a.m. until 3 p.m. at the CAL/EPA Headquarters Building in Sacramento. The proposed amendments affect permitting and equipment inspection/audit fees, how and when inspections will occur, notification requirements, and record keeping and reporting requirements. Please review these amendments and evaluate their impact upon your agency and/or operation. SCAP Air Quality Committee members will be attending this meeting. If you cannot attend the meeting, please forward any comments you may have to the SCAP office so that we can provide adequate feedback to CARB during the meeting. Information regarding this meeting and a copy of the draft proposal are available at <http://www.arb.ca.gov/perp/perpact/perpact.htm>

#### **Committee Chair Contact Info**

**Air Quality Chair:**

Daniel McGivney –  
[dmcgivney@emwd.org](mailto:dmcgivney@emwd.org)

**Biosolids Chair:**

Diane Gilbert –  
[dxg@san.lacity.org](mailto:dxg@san.lacity.org)

**Collection Systems Chair:**

Nick Arhontes –  
[narhontes@ocsd.com](mailto:narhontes@ocsd.com)

**Water Issues Chair:**

Roger Turner –  
[turnerr@emwd.org](mailto:turnerr@emwd.org)

### **California Air Resources Board Proposed Control Measure for On-Road Heavy-duty Diesel Fleet Vehicles Owned/Operated by Public Agencies and Utilities**

CARB has scheduled a public hearing to consider for adoption a proposed control measure that would require public agencies and utilities to reduce the particulate emissions from on-road heavy-duty fleet vehicles. The public hearing is scheduled for December 8-9, 2005 in

Sacramento. Copies of the draft regulation and public notice are available at <http://www.arb.ca.gov/msprog/publicfleets/publicfleets.htm> This regulation will require public agencies to retrofit existing heavy-duty fleet vehicles with particulate traps and/or oxidation catalysts or replace existing vehicles with lower emitting ones. Agencies should evaluate the potential grant opportunities that are currently available (as noted in the SCAP engine workshop materials) regarding vehicle retrofits. This regulation will have a significant cost impact on public agency heavy-duty fleets.

### **SCAQMD Proposed Amendments to Rule 1110.2 Affecting Stationary Engines**

As discussed in earlier newsletters, SCAP is closely monitoring proposed amendments to this regulation. Currently, the SCAQMD has postponed formal rule-making until the first quarter of 2006. During the interim, an industry stakeholders group that includes SCAP member agencies will be implementing a field demonstration program that will test various air to fuel ratio controllers with regard to their ability to maintain emissions control, collect data in support of a less frequent portable analyzer monitoring program and evaluate the viability of a lower cost semi-continuous/continuous emissions analyzer technology. The stakeholders group hopes to compile data that will support alternative regulatory strategies than those currently proposed by the SCAQMD. Further updates to come as the studies are implemented.

Biosolids by Chair Diane Gilbert

### **Kern County Lawsuit Update**

On Tuesday, October 18, 2005, a hearing was held in Tulare Superior Court before the Honorable Paul Vortman (the trial judge) on attorneys' fees motions associated with the Kern County lawsuit. SCAP is a party in the lawsuit. The trial court decision had been reversed on appeal in April 2004 and Kern County was required to adopt an environmental impact report that supports their Class B ordinance ban. The Court of Appeals also ordered that the City and County of Los Angeles conduct further environmental review of their ongoing land applications in Kern County.

The Court's tentative ruling granted attorneys' fees for the City of Los Angeles, Los Angeles County, Responsible Biosolids Management, Inc. and SCAP. The total being sought by these parties exceeds \$800,000.

The Court tentatively denied Kern County's application for \$175,000 in attorneys' fees on their counterclaims. Further briefing was scheduled over the form of the writ of mandate to be issued by the Court and the amount of attorney's fees to be awarded. A hearing on the matters has been set for December 13, 2005.

### **Kern County Ballot Initiative Drive**

It was reported by a local Kern County newspaper that enough signatures had been collected to support placing a county initiative on the ballot in 2006 that would ban the land

application of all biosolids in the unincorporated areas of Kern County. The article stated that over 15,000 signatures had been collected and that an additional 15,000 are still being solicited. The deadline to turn in the petition signatures is December 2005. If enough signatures are validated, the initiative would be placed on the 2006 ballot and the Kern County voters would determine the fate of biosolids land application in Kern County.

If the initiative passes, agencies that currently land apply biosolids in the unincorporated areas of Kern County would have six months to comply with the provisions of the initiative. This would include compost products. Compost could be produced in the County but could not be applied to land. Several SCAP agencies would be impacted if the ballot initiative passes.

### **Proposed Rulemaking Affecting the Pretreatment Regulations**

On October 14, 2005, the U.S. EPA released a federal register Advance Notice of Proposed Rulemaking (ANPRM) seeking comments on two issues concerning the removal credits provisions in the General Pretreatment Regulations. The EPA requests comments on whether to amend the list of pollutants for which removal credits are available to add certain pollutants. The pollutants that the Agency would add are those that EPA previously has determined, after an exposure and hazard screening, would not require sewage sludge regulations. EPA is also soliciting comment on options to amend the "consistent removal" provision in the removal credits regulations that would be consistent with a decision of the U.S. Court of Appeals for the Third Circuit. This rulemaking process could potentially affect the pollutants regulated in biosolids. Comments must be received on or before December 13, 2005. To view the proposed rule and associated documents go to:

<http://docket.epa.gov/edkpub/do/EDKStaffCollectionDetailView?objectId=0b0007d4808e94e3> You may also submit electronic comments through this link.

## Collection Systems by Chair Nick Arhontes

### **Collection Systems in Motion Workshop**

The Collection Systems Committee has been actively engaged in planning the upcoming workshop entitled "Collection Systems In Motion (*What's changing upstream of those WWTPs*)." The workshop is scheduled for Tuesday, November 8<sup>th</sup>, and will be hosted by Inland Empire Utilities Agency. As of this printing, there are 90 registered participants. CWEA collection systems TCP certificate holders will receive Contact Hours for their participation in the workshop.

## Water Issues by Chair Roger Turner

### **Proposed Total Residual Chlorine and Chlorine Proposed Oxidants Policy of California**

The State Water Resources Control Board (State Board) continues its work with developing a Total Chlorine Residual Policy for California. At the September 29, 2005 Workshop, State Board staff agreed to extend the compliance period up to five years from the date of permit

issuance, modification, or reissuance. They also said non-detect readings would be treated as a zero for the purposes of averaging the compliance number. False positive language will be added to the policy to provide wastewater treatment agencies the ability to demonstrate the presence of excess dechlorination agent in the system to identify false positive chlorine residual readings. Stoichiometric calculations or direct monitoring can be used to demonstrate the presence of excess dechlorination agent. Also, the Federal Equivalent Document (FED) will reflect that Basin Plans, not the chlorine residual policy, will be used to address Site Specific Objectives (SSOs) and Mixing Zone-Language.

Several significant issues remain with the draft policy. The issues concern the distinction between the standard approach of sampling wastewater effluent using very controlled laboratory conditions versus the real world of online continuous instrumentation working 24-hours per day, 365 days per year. There is concern that the application of a very low effluent limitation of 0.019 mg/L for a 1-hour average and 0.011 mg/L for a 4-day average using current field instrumentation to determine compliance will require considerable evaluation and development of new approaches for compliance determination. The State Board has not developed this aspect of the policy, which will create significant policy implementation issues for the regulated community. SCAP is working with state board staff and Tri-TAC.

**SCAP Member Receives \$300,000 Grant**

*(Courtesy of CVWD News Release)*

The Bureau of Reclamation awarded the Coachella Valley Water District a \$300,000 *Water 2025: Preventing Crisis and Conflict in the West* grant, which will assist the district with comprehensive efforts to help area growers further reduce their demand for irrigation water. CVWD's project is one of 43 competitively selected in 13 states throughout the West.

As part of its *Coachella Valley Water Management Plan*, the district is working to assist area growers in reducing their demand for water by seven percent. CVWD is also working toward reducing existing golf course demand by five percent and domestic demand by ten percent, all within the next decade.

**California Ocean Plan Triennial Review and Workplan 2005-2008**

On November 2, 2005, the State Board will be considering adoption of the California Ocean Plan Triennial Review and Workplan 2005-2008. The Workplan defines the scope of work and the issues that will be worked on. For a copy of the Workplan go to:  
<http://www.swrcb.ca.gov/agendas/2005/november/1102-08att.pdf>

Regulatory Affairs by Regulatory Affairs Consultant Mary Jane Foley

**Clean Water Act Section 303(d) List**

Recently, the State Water Resources Control Board released the Draft Staff Report supporting the recommended revisions to the Clean Water Act Section 303 (d) List. There is a lot of information to review and analyze. There were 92 additions (new listings) and 95 subtractions (de-listings) for a net decrease of 3. Due to the volumes of information, many of our members are still assessing the impacts to their agency. For Region 4 alone, there are

1,200 pages of information. It is interesting to note that there is not a lot of POTW discharge information in the Region 4 document. Most of the receiving water data is from stormwater, some SWAMP monitoring and from some early work of EPA on sediment and fish tissue.

SCAP is in the process of soliciting members for a 303 (d) Ad Hoc Group to discuss a SCAP position paper/comment letter on this new 303 (d) list. We believe that some of our members may want to request a second round of workshops to give more time to gather some additional data sets. Please contact the SCAP office if you would like to participate in a working group on this issue. For member convenience, this will be via phone conference. It is anticipated that one or two conference calls will provide enough information for developing comments to be given orally at the State Water Board. Tentative dates for the conference call are November 7 or November 9. Please let the SCAP office know what times work best for your participation in a phone conference. As the Regulatory Consultant for SCAP, I will be facilitating this workgroup. The workshop will be held on December 1, 2005 at the Hilton in Pasadena.

### **Help Desk**

Remember the HELP DESK is open 24/7 for members who need to discuss permitting issues and strategies to assist agencies in resolving problems with regulatory agencies. Please contact Mary Jane Foley at [mfoley@scap1.org](mailto:mfoley@scap1.org)

### **Non Sequitur**

Shoot for the moon. Even if you miss, you'll land among the stars.

**Les Brown**