



SOUTHERN CALIFORNIA ALLIANCE OF  
PUBLICLY OWNED TREATMENT WORKS

# MONTHLY UPDATE

## A Message from the Executive Director...

January 2007

It was wonderful to see so many of you attend SCAP's 12<sup>th</sup> annual holiday luncheon at the El Niguel Country Club. As usual, Kris Whisenhunt did her fantastic job of successfully coordinating the event and assuring that the 138 attendees were properly fed and entertained. Many thanks to Kris for a job well done. Also, weren't the San Clemente High School Madrigal Singers superb? You'll find a number of photos taken from the luncheon scattered throughout the newsletter.

Prior to the luncheon, the SCAP Board of Directors conducted its semi-annual board meeting and a few changes to the Board were made. Notably, Richard Atwater, General Manager/CEO of the Inland Empire Utilities Agency, replaced retiring Jim Stahl as President. Rich has been a SCAP director for 7 years and is an excellent choice. Vacant director and alternate positions were filled by Steve Maguin – Sanitation Districts of Los Angeles County, Enrique Zaldivar – City of Los Angeles Bureau of Sanitation, and Rick Sweet – City of Santa Maria.

With all of that out of the way, let me be one of the first to wish you all a happy and prosperous New Year. I hope everyone has had a great holiday season and is invigorated to begin what is shaping up to be a very challenging year. Last year was such a great year at SCAP, full of changes and exciting opportunities. We experienced a little of everything this past year, including a management transition, committee chair replacements and director retirements.

When I took over the reins (no Christmas pun intended) from Ray Miller a year ago, I had really no idea what to expect. However, I can honestly say I haven't been disappointed in the least. The level of cooperation from everyone involved has been terrific and I have had the privilege of meeting many of you and becoming familiar with your agencies. As an added bonus, I have been able to form working relationships with our sister organizations across the state.

What I have come to discover, and what I hope will continue to be our emphasis throughout the coming years, is a new level of "collaboration." Webster describes collaboration as cooperation, especially willingly with an enemy of one's country. That isn't exactly what I had in mind, although sometimes it may seem like that to many of us. I was fortunate enough to be invited to a recent strategic planning session sponsored by Tri-TAC, in which members of the Summit Group (CASA, SCAP, CWEA, BACWA and CVCWA) were invited to participate along with a representative from the State Water Resources Control Board and EPA's Region 9. Representing these agencies were Tam Doduc, Chair of the SWRCB, and Alexis Strauss, Director of the Water Division of USEPA, Region 9.

### Upcoming Meetings

**Air Quality Committee Meeting** – Tuesday, January 9, 10 am – 12 noon at LACSD.

**SCAP One Day Specialty Conference and Associate Members Expo** – Wednesday, March 7, 2007, 9 am – 1:30 pm at the Ontario Convention Center.

The synergy from this meeting was unbelievable. Important topics discussed ranged from institutional issues involving fostering relationships between Tri-TAC and the other organizations, increasing collaboration between the State Water Board, Air Resources Board, EPA and other Cal-EPA agencies, to policy issues like compliance schedules, beneficial reuse of biosolids, emerging contaminants, 303(d) listings, salinity management, and SSOs, just to name a few.

The general consensus of the group was that the number one goal to strive for in 2007 was more collaboration (there's that word again). Collaboration between Tri-TAC, the Summit Group, the SWRCB, the Regional Boards, EPA, Cal-EPA and, yes, even with the NGOs (NGOs = non-governmental organizations). The POTWs and regulators alike were in agreement that we all need to be on the same page when it comes to developing new water quality objectives and enforcement of existing regulations. It was interesting to hear from our two regulatory agency guests their perspective on the regulated community as a whole and also for them to see personally the passion and commitment that our POTWs have for protecting the environment while still being mindful of the cost to the taxpayer.

It was also agreed that we must all work together to educate not only ourselves but the public and the NGOs as well. In that regard, I want to mention that SCAP will be conducting a one-day Specialty Conference and Associate Members Expo on March 7, 2007 to be held at the Ontario Convention Center. More detailed information will be sent out shortly on this event but tentative topics include: Climate Change/Global Warming/Greenhouse Gas Emissions – AB32; Odors from Biosolids Cake – WERF Study; Kern County Litigation and Measure E Update; San Joaquin Valley APCD – Composting Rule 4565; Private Sewer Lateral Inspection Programs; and Residual Chlorine Regulation – Panel Discussion.

It is our hope that these topics will be timely and informative for both technical staff and management. Please try and attend if you can to help make this a successful event.

In keeping with the New Year's spirit, I would like to conclude with a few New Year's wishes offered by some of our SCAP members:

"My wish would be for a society which did not throw trash out the window or dump debris on vacant land or parking lots."

Logan Olds, Victor Valley Wastewater Reclamation Authority

"May all of our plants perform perfectly without any compliance issues!"

Richard Atwater, Inland Empire Utilities Agency

"My wish is for California's infrastructure to be world class once again"

Enrique C. Zaldivar, City of Los Angeles Bureau of Sanitation

"My wish would be that the general public would admit to *their* role in the bio-solids issues (they think we created bio-solids for job security)."

Mark Pattison, Crestline Sanitation District

“I have one simple wish: a rational biosolids management policy for California and the nation.”

Robert P. Ghirelli, Orange County Sanitation District

“Health and happiness to all.”

Ray Miller, SCAP

“My wish is for an end to gill netting and long-line fishing in the oceans throughout the world.”

John Pastore, SCAP

Interactively yours,

John Pastore



San Clemente High School Madrigal Singers performed at the SCAP Luncheon

## **Air Quality** by Chair Daniel McGivney

### **California Global Warming Solutions Act of 2006 (AB 32)**

The California Air Resources Board has begun its effort to craft regulations to implement the requirements of AB 32. An initial workshop was held in early December that discussed development of a statewide emission inventory, emission inventory protocols and a requirement for mandatory emissions reporting. There is another workshop scheduled for January 22, 2007

in Sacramento that will discuss an implementation plan and schedule and early action items. Information on this meeting can be obtained at <http://www.arb.ca.gov/cc/012207workshop/012207notice.pdf>. A number of water and wastewater agencies have or are currently in the process of joining the California Climate Action Registry. A survey sent out by the Tri-TAC air committee in late December is currently circulating. SCAP and Tri-TAC would greatly appreciate completion and submittal of the survey. It is very short and can be completed quickly. It will help the committees craft a strategy to keep member agencies apprised of any impacts AB 32 may impose on the water and wastewater community.

## **Priority Reserve Emission Reduction Credits in Jeopardy?**

On December 12, 2006, the SCAQMD hosted a public workshop where they floated a draft rule that placed severe restrictions on the purchase and use of emission reduction credits (ERCs) by electrical generating facilities (EGFs). The staff partitioned the four county area of the District into three zones, a function of the level of PM<sub>2.5</sub> that exists in each area. In Zone 3, where PM<sub>2.5</sub> exceeds 20 ug/m<sup>3</sup>, no power plant can be built. Zone 3 comprises the triangle of the cities of San Bernardino, Redlands and Riverside and moves west to the LA county line. Zone 2, with PM<sub>2.5</sub> concentrations ranging between 18-20 ug/m<sup>3</sup>, comprises most of the cities of Los Angeles and Burbank. EGFs seeking to locate in this zone would have a minimum distance requirement to schools, increased health risk assessment criteria to comply with and a 50% increase in the cost of credits over Zone 1. Zone 1, where the PM<sub>2.5</sub> is < 18 ug/m<sup>3</sup>, which comprises most of the remainder of LA county and the vast majority of Riverside and Orange counties, has an added distance to school requirement as well as the baseline ERC costs that were established by Board action on September 8, 2006. While theoretically this rule would not apply to EGFs that tendered privately held ERCs, the large quantities required by EGFs are not held in private hands, and hence the Priority Reserve is the only resort. The Air Quality Committee's concern is that nothing seems to preclude the SCAQMD Board from attaching similar requirements to credits given out to the projects of essential public services. The set hearing on this rule is scheduled for February 2, 2007 with a March 2, 2007 public hearing.

## **Committee Focus for 2007**

The Air Quality Committee's efforts in the future will be dominated by the SCAQMD Air Quality Management Plan (AQMP) and its resulting incorporation in the State Implementation Plan (SIP) where reductions of almost 250 tons a days of both NO<sub>x</sub> and VOCs will be required to bring the Basin into attainment. Control measures include imposing BACT on all combustion equipment in the Basin and indirect source rules with fees for any unmitigated emissions. A large amount of time will be spent in Sacramento participating in workshops that will deal with rulemaking to implement emissions control measures by the State of California that comprise the State's contribution to the SCAQMD AQMP.

### **Committee Chair Contact Info**

#### **Air Quality Chair:**

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

#### **Biosolids Chair:**

Karen Soares –  
[ksoares@lacsdsd.org](mailto:ksoares@lacsdsd.org)

#### **Collection Systems Chair:**

Ralph Palomares –  
[rpalomares@etwd.com](mailto:rpalomares@etwd.com)

#### **Water Issues Chair:**

Gus Dembegiotes –  
[Gus.Dembegiotes@lacity.org](mailto:Gus.Dembegiotes@lacity.org)

Several milestones toward implementing the CARB rule requiring BACT installation on all heavy duty, on-road publicly owned fleets will roll around in 2007 including baseline determination by 12/31/2006 and beginning of fleet turnover by 12/31/2007. Implementation of this rule will be the most costly CARB action impacting POTWs and other essential public services. Additional CARB control measures currently in progress include a regulation requiring particulate matter reduction for off-road mobile equipment (e.g. construction equipment) and a control measure imposing additional VOC control on above ground gasoline storage tanks.

The SCAQMD Air Toxics Management Group will convene again in 2007 to formulate the strategy for proposed Rule 1402.1 that deals with cancer risk imposed on sensitive receptors by existing industrial sources. This will be the most controversial SCAQMD rulemaking in close to 20 years. Other regulatory activity that will be carried out by the SCAQMD will be amendments to Rule 1110.2 regulating engines, the incorporation of Diesel exhaust (particulate matter fraction) into the District's AB 2588 program, the amendment of Rules 1146 and 1146.1 regulating emissions from boilers, and a new rule (1472) to establish risk requirements for existing stationary diesel-fueled engines.

## **Biosolids** by Chair Karen Soares

### **Kern County Litigation**

In a closed session on December 12<sup>th</sup>, the Kern County Board of Supervisors voted unanimously not to appeal the preliminary injunction granted by Judge Feess, but decided that Kern County will continue their aggressive defense of Measure E in court. In another major development, the Kern County Water Agency has joined with Kern County in the lawsuit, and will provide both technical expertise and legal assistance. According to the Water Agency's general manager Jim Beck, the Agency has already hired a Sacramento law firm and is prepared to spend well into the six figures to help Kern County in its court battle.



Diane Gilbert Jones, former Biosolids Committee Chair, with Board President Jim Stahl

### **Local Biosolids Management Projects**

The EPA recently granted the City of Los Angeles a five-year permit to inject biosolids into the ground beneath Terminal Island on an experimental basis. The City will drill three wells, one for injecting the biosolids to an approximately one-mile depth, and two wells to be used for monitoring. The facility will be permitted to inject up to 400 wet tons per day of biosolids from the city's Terminal Island and Hyperion Treatment Plants.

Synagro, an Associate member of SCAP, has officially opened its South Kern Compost manufacturing plant near the city of Taft, in southern Kern County. The facility can compost up to 400,000 tons of biosolids and 270,000 tons of green waste annually. The plant utilizes

aerated static pile composting technology, and includes state-of-the-art emissions controls and groundwater protection measures.

## **CWEA Biosolids Conference**

CWEA is hosting a one-day specialty conference on January 30<sup>th</sup> on *Thermal Processing of Biosolids Using Heat Drying and Incineration*. The Conference will be held at the inland Empire Utilities Agency offices in Chino. The agenda and additional information can be found at <http://www.cwea.org/conferences/2007/Specialty-BiosolidsFlyer.pdf>

## Collection Systems

### **CWEA/SCAP Training**

Several committee members from the City of San Diego, OCSD and LACSD participated in the CWEA/SCAP effort to provide training for the reporting of SSOs to the new statewide database. This training effort is part of the new GWDR and is currently focused on Regions 4, 8 and 9 as they will be the first regions required to report all SSOs electronically to the state after January 2, 2007. The committee is also interested in working with CWEA in the development of training outreach to assist the wastewater community in complying with the development of the SSMP.

### **New Chairs for Committee**

Effective January 1, 2007, Chair Nick Arhontes will be turning over the role of Chair to long time committee member Ralph Palomares, El Toro Water District. Sam Espinoza of LACSD has graciously agreed to become the Vice Chair. We'll hear more from the new chairs in the months to follow. Nick will remain an active member of the committee. Thanks Nick for all of your hard work to get the Collection Systems Committee up and running.

## Water Issues Committee by Chair Gus

Dembegiotes

### **303 (d) List of Water Quality Limited Segments for California 2008 List**

On December 4, 2006, the State Water Resources Control Board (State Board) issued a "Notice of Solicitation" initiating 303 (d) Listing Process for Water Quality Limited Segments. The letter initiates the solicitation period by requesting data and information regarding water quality conditions in surface waters of California. The information gathered will be used to



Roger Turner, former Water Issues Committee Chair, with Board President Jim Stahl

provide the basis both for identifying and listing impaired waters and for assessing overall surface water quality conditions in California. Every two years, the State of California is required by federal Clean Water Act section 303(d) and Title 40, Code of Federal Regulations section 130.7, to develop and submit to the U.S. Environmental Protection Agency (USEPA) for approval a list of polluted waters or water quality limited segments. The State Board recently adopted the 2006 Section 303(d) List of Impaired Waters. This list is available at: [http://www.waterboards.ca.gov/tmdl/303d\\_lists2006.html](http://www.waterboards.ca.gov/tmdl/303d_lists2006.html).

Currently listed water bodies can be delisted when evidence reveals that such impacts have ceased or the water body is meeting water quality standards. As required by federal law, listed water bodies will be scheduled for development of total maximum daily loads (TMDLs). That's why it's important that data be provided that enables the formulation of an accurate 2008 list. For the 2008 update, the List of Impaired Waters and the Surface Water Quality Assessment will be combined into an Integrated Report. Data and information for the 2006 list were submitted to the State Water Resources Control Board (State Water Board). However, for the 2008 update, data and information are to be submitted to each Regional Water Quality Control Board, which will then compile and approve regional lists. The State Board will then compile and approve the regional lists and submit its report to USEPA by April 1, 2008. To be considered in this review process, data and information **must be submitted to the appropriate Regional Water Board no later than February 28, 2007.**



The SCAP Holiday Luncheon had its largest turnout ever.

## **Regulatory Affairs** by Regulatory Affairs Consultant Mary Jane Foley

Happy New Year! It is going to be a busy one.

The first big campaign for SCAP this year is to try to get money out of Prop 84's \$5 billion dollar bond that passed in November. If you read this column last month, I was lamenting that there seems to be money for everything but wastewater. There is \$80,000,000 for the SRF fund but that doesn't go very far when you have 78 members who are updating sewer systems;

plus “84” is for grants not loans. During December, I talked to lots of folks around the state on their interpretation of the language in Prop 84 as it relates to wastewater. I even talked to the lobbyist who wrote it. DWR management and Joe Caves, the leader of 84, both seem to believe that wastewater is embedded in “Uses of the Bond Funds.” The problem is that the “uses of the bond funds” will be up to the interpretation of the agencies giving out the money.

On December 19, 2006, I was in Sacramento visiting with the senior staff of the Department of Water Resources. They will roll out \$1 billion of Prop 84 dollars under the auspices of the Integrated Regional Water Management Plans (IRWMP). In Section 75026, there is a reference to improvements of water quality. In talking with DWR management, they feel that wastewater improvements that protect beneficial uses would qualify. My goal is to have that stated directly. It may sound easy, but it is not. I am creating coalitions around the state to help bring the message of wastewater system improvements to the “powers” in Sacramento. There is a \$100,000,000 inter-regional unallocated amount that has no tags on it yet. WateReuse is heavily lobbying for those resources, which benefits all our members; I have asked everyone I know who is working in this effort to include wastewater. I am sure CASA will be a leader in this message also.

The interesting aspect that I think SCAP members need to know is that you better be covered in an Integrated Regional Water Management Plan if you want to be in the eligible area for future grant funding under this bond measure. If you don’t know what this is or where one is in your area, I can give you that information. There are 11 regions and sub-regions that have been assigned money for projects in those regions. The dollars assigned will stay available for a long time. Money will not be transferred from one region to another. For example, the Los Angeles sub-region has been allocated \$215,000,000 and the Santa Ana sub-region has \$114,000,000. IRWMP plans are either in the process of adoption or have been adopted. If you have a project you would like grant funding for, then you need to know the IRWMP lead in your area. You need to find out how to get your project in the plan as qualified for future funding. I will help you. I have acquired a lot of expertise in this area. In fact, I helped facilitate an IRWMP that will receive \$25 million in the coming months, and because they have an adopted plan, it also makes them eligible to compete for regional dollars amounting to \$91,000,000.

In summary, I know that this may all be pretty confusing but I am here to help you all. This is a great opportunity to find out what is out there to help you in your future. You can contact me at 949-493-8466.



Retiring Board President Jim Stahl, receiving one of several awards, with SCAP Executive Director John Pastore at the SCAP luncheon.

## 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**

The point in history at which we stand is full of promise and danger. The world will either move forward toward unity and widely shared prosperity - or it will move apart.

**Franklin D. Roosevelt**