



SOUTHERN CALIFORNIA ALLIANCE OF
PUBLICLY OWNED TREATMENT WORKS

Monthly Update

www.scap1.org

October 2009

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Upcoming Meetings

Air Quality

Thursday, October 15, 2009
10:00-12:00 noon, at LACSD.

Biosolids

Thursday, October 8, 2009
9:00-12:00 noon, at OCSD
Joint SCAP/Tri-TAC meeting.

Collection Systems

Wednesday, November 4, 2009
9:00-1:00pm, at Goleta Sanitary
District WRF.

Energy Management

Thursday, October 22, 2009
9:00-1:00pm, at LACSD.

Water Issues

Tuesday, November 24, 2009
9:00-12 noon, at IEUA.

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A Message from the Executive Director...

Do you remember as a kid when you returned to school and there was always one teacher that asked the class to report on what they did over summer vacation? Well, even if there is no teacher to ask the question, I thought I would share with you my recent "vacation", if that's what you would call it. I think I may have mentioned that I have always been a sucker for get rich

quick schemes and beyond that I'm always up for anything adventurous. So it wasn't without a little trepidation that I participated in a week long gold prospecting Boot Camp this past week near the town of Columbia in Tuolumne County, CA. Having tried unsuccessfully in the past to find gold on my own, I figured this was a good opportunity to learn the so called ins and outs of gold prospecting. Little did I know that besides the learning portion of the trip, I would be living much like the old miners did back in the 1880's. That meant no electricity, limited drinking water, no cell phone, no internet, basically no communication with the outside world. Once there, I was united with 9 perfect strangers that I would be spending the next 7 days with in one of the most grueling experiences of my life. The adventure began by making a ¾ mile hike to our camp while descending 900 vertical feet into the bottom of the canyon. It turns out that our camp, known as Pine Log, was the first recorded mining camp on the South Fork of the Stanislaus River, where gold was first discovered in the summer of 1848. After a short tour of the primitive camp by our supervising staff of 6, we hiked to the site where we would be spending the next 6 days working or should I say digging for gold. The rest of the day we were free to get to know one another and get unpacked. Our accommodations consisted of individual camping tents that we would gratefully collapse in each night after the work was done. The day began at 6:00 am when we would get dressed and head for breakfast which was served promptly at 7:00 am. There's really nothing quite like spam and eggs in the morning. A daily routine was established in which we left precisely at 8:00 am and marched off to the work site up river where we were given picks, shovels and pry bars and instructed to begin digging in the hopes of uncovering some of that 50 million year old shiny stuff. Our dig site was on top of what was suspected to be an ancient tertiary river bed that ran parallel to the existing river. Unfortunately for us, the old river bed was buried beneath approximately 12 feet of overburden material consisting of dirt and rocks with many boulders mixed in to make things more interesting. Our job was to dig down to either a clay layer or bedrock, whichever showed up first, and bucket out all of the material from the hole using 5 gallon buckets. The buckets were then carried roughly 50 feet to a high banker sluice box, where the material was carefully poured into the machine and washed with water pumped from the river (for any of the environmentalists out there, we created silting basins for the process water to drop the silt out before it was returned to the river). We would continue this procedure until 4:00 pm each day with a mere half hour

lunch break in between. That gave us 2 hours to wander around on our own prior to our 6 o'clock dinner. Following dinner we received an hour of practical instruction from a certified geologist and then it was off to bed. I have to tell you that even as a civil engineer I never would have believed the amount of dirt and rock that could be moved with such primitive tools. Strategically we broke into two teams of 4 and 5 individuals working at two separate locations, each team being assisted by 2 supervisory staff. In past years, the operation consisted of strictly dredging the river for gold, a much easier process. However, this year our governor saw fit to sign a bill prohibiting all dredging in rivers within the State until further notice. So to find that elusive gold we now have to dig. To give you an idea of how much material we moved, it was estimated that we ran approximately 300 buckets a day through the sluice box. The size of the rocks, or should I say boulders, that we removed from the hole were incredible, some being half the size of a VW Bug. If we couldn't lift and throw them from the hole, we tied a strap to them and hand drug or winched them from the hole.



Even though by the end of the day we were all bent over in pain and popping aspirin like it was candy, it was a once in a lifetime opportunity to experience what life was like for the miners back in the gold rush days. Trust me on this, no matter how glamorous the history books may make it sound, life was hard for those guys back then and I now see why most died at an early age. But one thing hasn't changed, the individuals I spent time with on this expedition are as much the lively characters as those written about from long ago. And oh, by the way, we did find gold!



Prospectingly Yours,

John Pastore, Executive Director

Committee Reports



Air Quality

By Chair Kris Flaig
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CWCCG Update by Kris Flaig, City of Los Angeles

Climate Change (CC) continues to dominate the “air-scape” with the Governor signing Executive Order S-21-09, which requires the Air Resources Board (ARB) to adopt regulation by July 31, 2010, “consistent with the 33% renewable energy target” by 2020. The California Wastewater Climate Change Group (CWCCG) is forging ahead on CC issues, striving to monitor and influence 13 priority project areas of more than 70 Scoping Plan Measures for which the ARB seeks to adopt regulations.

Cap and Trade (C&T) is the top CC issue. Program Manager, Jackie Kepke, is working with CWCCG members to finalize a first C&T issues paper that will provide a broad position for POTWs to regulators, reserving details for a later date. Contributing to the complexity of C&T are Combined Heat and Power (CHP) issues and regulatory contributions by the California Energy Commission (CEC) and California Public Utilities Commission (CPUC). Jackie is also working on a meeting with senior ARB staff. C&T is such a big set of regulations, that a detailed position paper will require significant contributions from SCAP, BACWA, CVCWA, and CASA members. I am asking you to attend the CWCCG (in person or via conference call) and SCAP (at LACSD) monthly meetings to put in your needed 2 cents.

Other priority issues that the CWCCG is tackling include Renewable Energy Portfolio Standards (RPSs), federal and State legislation, the ARB Low Carbon Fuel Standard (LCFS), implementation of CEQA greenhouse gas (GHG) thresholds for monitoring and reporting, and the CWCCG structure and communications.

- RPSs are a big issue, some POTWs entering into the market of buying or selling credits, others not finding this trading to be cost-effective.
- The federal Waxman-Markey energy bill, which stipulates the requirements for a federal C&T program, is stalled while the health care issue takes priority with Congress.
- The State legislature recently passed several bills that could lead to temporary resolution of the SCAQMD Regulation XIII, New Source Review, lawsuits by stipulating that Essential Public Services (EPSs) be allowed to use Rule 1304 and 1309.1 credits. SCAQMD has already been put on notice that the legislated use of the credits system used prior to adoption of Rule 1315 may lead to another law suit.
- On September 23, ARB published what is hoped will be the final Rule for the LCFS, which addresses CO₂eq emissions in terms of grams per mega joule of transportation fuel source for all transportation energy providers in this California.
- A multitude of approaches exist for GHG reporting, including the threshold and how to calculate and report CO₂ equivalents.

At the September CWCCG meeting, members discussed how the CWCCG has matured during the past few years, and how the structure needs to change at the same time. Members in attendance, including those on the conference call, suggested that the former Steering Committee, which consisted of about a dozen major donors, would now be called the Policy Committee (PC), setting direction for the CWCCG. The PC would now consist of the five (5) major SCAP donors, two (2) major CVCWA donors, five (5) designated BACWA members, and three (3) designated CASA members (Bobbi Larson, Dan Carlson, and Jim Clark). The former Core Steering Committee, composed of the Air Committee Chairs from SCAP (Kris Flaig), BACWA (Stephanie Cheng), and CVCWA (Vicki Fry), will be joined by CASA staff (Greg Kester), and renamed the Steering Committee (SC); the SC will continue to run the day-to-day CWCCG activities.

Imperial County APCD

www.co.imperial.ca.us

Imperial County APCD has announced that a copy of both the Final 2009 Imperial County State Implementation Plan for PM₁₀ (2009 PM₁₀ SIP) and the Final Negative Declaration for the 2009 PM₁₀ SIP are now available on the District's website.

On September 23, 2009 the U.S. EPA filed Federal Register Vol. 74, No. 183 proposing a "determination of Attainment of the 1997 8-Hour Ozone Standard for Imperial County, CA". Once the Clean Data finding is finalized the Air District will finalize efforts in the development of a modified Ozone SIP.

There are currently no new public workshops or hearings posted on the ICAPCD website for the month of October.

Mohave Desert AQMD

www.mdaqmd.ca.gov

For those interested in solar power, the MDAQMD website includes a real time display of daily and yearly solar power information from within the district, as well as the amount of carbon dioxide saved.

MDAQMD has also introduced ENVIROFLASH on its website, which provides air quality forecasts directly to your computer's inbox.

The 2009 California Desert Air working Group Conference is coming to the scenic Furnace Creek Inn and Ranch Resort in Death Valley October 21 & 22, 2009. An agenda is available on the MDAQMD website.

Rule 1117 Graphic Arts & paper, Film, Foil and Fabric Coatings and Rule 1159 Stationary Gas Turbines are slated for adoption at the September MDAQMD meeting.

The CA Air Resources Board will be providing their Diesel Vehicle Regulation Overview Course #512 on September 30, 2009 from 9:00 am to 2:30 pm at the MDAQMD office.

The next meeting of the MDAQMD Board is scheduled for September 28, 2009 in Victorville.

San Diego APCD

www.sdapcd.org

San Diego APCD reports it has completed and submitted its Ambient Air Monitoring Network Plan (AMNP) for 2007 and a copy can be obtained from their website. SDAPCD will be required to submit an Air Quality Plan to EPA in 2013 outlining the emission control regulations necessary to bring the entire region into attainment.

SDAPCD has added a custom Google search engine exclusively for their website and also offers an interactive air pollution simulator program called **Smog City 2**. This program will allow the user to make decisions that affect the air quality and can then view the resulting changes that occur.

On June 24, 2009, the SDAPCD adopted new Rule 55-Fugitive Dust Control. San Diego County does not yet meet the State air clean standards for particulate matter. Per State law, this lack of attainment requires the District to implement all feasible measures to attain the standard. Rule 55 will become effective on December 24, 2009.

There are currently no public workshops or hearings for rule adoption scheduled for the month of October according to the SDAPCD website.

Santa Barbara APCD

www.sbapcd.org

The Santa Barbara APCD reports that they have a new fee schedule in effect as of 7/01/08, which can be viewed on their website. SBAPCD also reports that they are working with CAPCOA planning managers to develop GHG emission thresholds for CEQA reviews of new projects.

The SBAPCD has announced it will be conducting a public workshop to discuss proposed Rule 345 (Fugitive Dust from Construction and Demolition) on October 28, 2009 at 6:30 pm at the Days Inn in Buelton. Acid Anodizing)

The SBAPCD Board will be conducting its next public meeting on October 15, 2009

Ventura County APCD

www.vcapcd.org

VCAPCD currently has application forms available for the Carl Moyer Program. The program will provide approximately \$2 million of grant funds for projects within Ventura County. The grant funds are available to qualifying owners of heavy-duty diesel powered equipment that want to reduce air pollution by upgrading or replacing their present equipment.

The VCAPCD reports that the Draft 2009 Reasonably Available Control Measures State Implementation Plan (2009 RACT SIP) is now available for public review.

The next VCAPCD Board meeting is scheduled for November 10, 2009. There are now new Advisory Committee meetings scheduled at this time.

South Coast AQMD

www.aqmd.gov

SCAQMD Permit Moratorium to Expire January 1, 2010 by Greg Adams, LACSD

Very early in the morning on September 12, 2009 the California Legislature passed SB 827 (Wright) formerly known as SB 696 thereby ending the SCAQMD moratorium as of January 1, 2010, presuming the Governor signs the bill. The bill went through extensive machinations in both houses of the legislature in the final days and hours before passage. The author switched the bill from an urgency measure when it became clear it might not receive the requisite 2/3 votes of those present so, by simple majority, it becomes effective the first of the new year. The bill sunsets in May 2012 at which time SCAQMD staff hopes that CEQA and legal challenges will be resolved. At one point there were three other companion bills (SB 579 that later became SB 450 by Allan Lowenthal, SB 388 by Senator Chuck Calderon and AB 1318 by Assemblyman V. Manuel Perez) and all but SB 827 and AB 1318 became two-year bills.

While no new power plants can be constructed under SB 827, certain power plant re-powers, small business operations and essential public services (including energy development projects) that historically took place under Rule 1304 or 1309.1 can take place. AB 1318, also on the Governor's desk, directs the SCAQMD to release credits to the 850 MW CPV Sentinel Power Plant in the Coachella Valley, the only new power plant specifically singled out in the legislation.

SCAQMD permitting staff has informed us that many of the permits in the backlog are queued up and simply waiting for the credits to be allocated.

The Governor has until October 11, 2009 to sign SB 827 and AB 1318.

SCAQMD Proposed Rule 317(Clean Air Act Non-Attainment Fees) by Greg Adams, LACSD

This proposed rule implements very punitive provisions of the 1990 federal Clean Air Act Amendments contained in Section 185. This section requires the imposition of significant penalties, up to \$35MM per year, escalated at the CPI each year and continuing possibly forever, on emissions from stationary sources in specified non-attainment areas, even if those sources are operating at best possible control levels. At the September 11, 2009 SCAQMD meeting, staff deferred the rule until the December 4, 2009 Board meeting. In the interim, a similar rule approved by the SJVAPCD Board in 2002 has been the subject of three Federal Register notices, one being a strict interpretation of Section 185 allowing none of the "clean unit" flexibility sought by San Joaquin and the latest notice, retracting the earlier, inflexible stand somewhat, by acknowledging the work of Section 185 Clean Air Act Advisory Group Task Force and the possibility that flexibility under Section 172 (e) of the Clean Air Act might exist. The third Federal Register notice pertains to a consent decree entered into among the SJVAPCD, EPA and a litigant on the same issue wherein EPA has promised to come to a final determination by November 13, 2009, hence, we believe, one of the reasons for SCAQMD delayed Board action. Finally, a letter is being prepared to Gina McCarthy, the EPA Assistant Administrator for Air and Radiation, as a follow up to a meeting with her in August 2009, outlining the ramifications of the increased fees on essential public services and small businesses in the South Coast region.

In Memoriam

The Air Committee wishes to extend its deepest sympathies to the wife, family and friends of Riverside County Supervisor Roy Wilson who passed away on August 26, 2009. Supervisor Wilson was a member of the SCAQMD Board for nearly 22 years.



Biosolids

By Chair Mike Sullivan
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Kern County Measure E by Matt Bao, LACSD

On September 9th, the three-justice panel of the 9th U.S. Circuit Court of Appeals ruled that Measure E, Kern County's ban on land application of biosolids, does not violate the interstate commerce clause of the U.S. Constitution. The court also remanded the state law (CIWMA) judgment by U.S. District Court Judge Gary Feess back to the District Court for a determination of whether to exercise supplemental jurisdiction.

The court concluded that the plaintiffs' interests in overturning Measure E were only marginally related to the Commerce Clause argument. The court stated that, "nothing in Measure E hampers the recyclers' ability to ship waste out of state. Likewise, no recycler claims to apply out-of-state waste to land in Kern County."

According to CASA, the 9th Circuit took an exceedingly narrow view on the interstate commerce argument. Attorneys for the plaintiffs are currently evaluating options for next steps in light of this disappointing ruling, including whether to petition the 9th Circuit for rehearing the legal case before all judges in the 9th Circuit as opposed to the three-justice panel.

Colton Biosolids Project by Robert Kreg, SCAP

A new solution to the biosolids issue is taking shape in Colton California. Biosolids of Southern California, LLC has plans to construct a new facility at the City of Colton's Water Reclamation Treatment Plant. This new facility will process up to 222 dry tons of biosolids cake per day. Approximately 5 dry tons per day will come from the City of Colton with an additional 217 tons being imported. The end product of the process is fly ash for use in the production cement and electricity for use at the treatment plant and sale to Colton's municipally owned electric utility. When the facility is completed it will meet the most stringent air quality standards in the world.

The process begins with a fleet of 9 dedicated tractor-trailers delivering biosolids to the facility. Approximately 48 trips will be made each day delivering up to 25 wet tons per trip. The trailers will be off loaded at the enclosed materials tipping floor comprised of 3 identical tipping bays. Vehicle trailers and wheels are thoroughly washed prior to leaving the facility. The entire tipping floor facility is kept under a slight negative pressure to eliminate odors or other undesirable emissions.

The biosolids are then transported to the drying facility via an enclosed conveyor system. The K-S dryers are designed to heat and evaporate the moisture from the incoming product, reducing the moisture content from approximately 81.5% to 60% or less. The K-S dryers move the biosolids cake through intermeshing-counter-rotating agitator shafts with heated paddles. The agitator shaft and paddles are hollow with steam being used as the heat transfer medium. The thermally treated, dried product leaving the K-S dryers is pumped or conveyed into one of the four holding silos for wet or dry biosolids.

The heart of the Colton Biosolids processing system is the fluidized bed. The system utilizes two fluidized beds, one operating and one as backup. The fluidized bed is a special cylindrically shaped chamber with a sand bed through which low pressure preheated air is injected to fluidize the bed. Preheated biosolids are injected into the bed as a fuel source and are agitated by the injected air. Combustion is completed over several seconds at temperatures of 1400 to 1500 degrees Fahrenheit with the fly ash by-product being removed out of the top of the unit. The biosolids are fed into the fluidized bed from the holding silos. Wet biosolids cake is fed across the top of the fluidized bed with the dry biosolids being fed into the bottom of the fluidized bed. Natural gas overbed and underbed burners are used during the startup with no additional natural gas being required during normal operation. Within the fluidized bed the biosolids are thermally oxidized and converted into energy and fly ash. The fly ash is collected using a pneumatic ash collection and transport system and conveyed to a bulk powder silo located next to the fluidized bed. There 3 ash trailers will be used to transport the fly ash to its ultimate location for reuse. The energy produced by the fluidized bed is in the form of heat energy from the combustion of the biosolids. This heat energy is used to create steam. The steam is used as a heat source for the K-S dryers and to drive a steam generator for the generation of electrical power. A Solar gas turbine and waste heat boiler is used to create supplemental steam and electrical power for plant use. The exhaust gas from the Solar gas turbine is used to preheat the biosolids before insertion into the fluidized bed.

Preheating improves combustion and the efficiency of the fluidized bed.

Renewable power generation is provided by one steam turbine and one organic rankine cycle turbine. Heat produced by the fluidized bed is used to create the steam necessary for the turbines. The steam turban can produce up to 2 megawatts of power with the organic rankine cycle turbine producing up to 2.5 megawatts of power. The Solar gas turbine is rated at 1,200 Kilowatts and will be used to reduce the plant's electrical load. The gross amount of power produced is expected to range from 2.6 megawatts to 4.1 megawatts with the net renewable power being sold to the Colton Electric Utility.

This innovative project turns biosolids into useful, salable commodities; fly ash and renewable energy while remaining environmentally friendly. The process fully utilizes energy sources created during its operation to sustain its operation while remaining fully compliant with existing pollution regulations. To provide the greatest reliability the system has full redundancy and is anticipated to be online 50 weeks out of each year.



Collection Systems

By Chair Ralph Palomares
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SSO Reduction Program Review and Update by Robert Kreg, SCAP

On September 15, 2009 the State Water Resources Control Board (SWRCB) held a meeting at the Orange County Sanitation District (OCSD) to solicit comments on its SSO Reduction Program including the WDR (waste discharge requirements) and the SSMP (sanitary sewer management plan) requirements. The meeting was facilitated by Gita Kapahi, Director of Public Participation for the SWRCB. Jim Fischer and Russell Norman and other SWRCB staff served on the panel.

The meeting began with the state doing a PowerPoint presentation that provided an overview of the program and its implementation to date. The presentation included a review of spill, reporting and compliance data. The audience was then asked to provide

discussion and comments on various questions organized into six separate categories. The categories were:

- A. SSO General Order Applicability and Enrollment
- B. Notification and Reporting Requirements
- C. Sewer System Management Plan Requirements
- D. Compliance
- E. Interpretation
- F. Other Issues

The liveliest discussion centered on the reporting of private property sewage spills. Currently, the reporting of private property spills is voluntary (except in Region 9 where reporting of private property spills is mandatory) and the majority of the audience responses indicated that it should stay that way. There was some support for mandatory reporting of private property spills providing that the reporting agency not bear any responsibility for the spill.

Spill reporting thresholds were also discussed. Regions 1, 2, 5 and 6 have large numbers of spills under 10 and 100 gallons that have not impacted surface waters being reported. For all spills reported in the state, 92% are less than 1,000 gallons. Additionally, almost half (48%) of the total spill volume was caused by 0.1% of the spill events. It was suggested that the state develop a reasonable minimum spill volume threshold for Category II spills that would not require reporting.

Comments were also received concerning why the state was endeavoring to change the current order when it had not yet been fully implemented state wide. Concern was that the order should be given a chance to prove its effectiveness before being modified.

Most of the meeting was devoted to the state receiving comments. Except for direct questions that were posed to the panel the state staff did not offer many comments. They did state that the Regional Boards will continue to be responsible for spill enforcement and that the state is working on a new enforcement policy for release later in the year (See New Water Quality Enforcement Policy). The state will continue its compliance assistance efforts as it transitions into an enforcement role.

A second meeting was held in Oakland for Northern California dischargers on September 29, 2009. This meeting used the same agenda and format as used at OCSD.

New Water Quality Enforcement Policy by Robert Kreg, SCAP

The SWRCB has released a draft of its new Water Quality Enforcement Policy. This is a new policy that state sources have indicated is intended to become the standard Water Quality Enforcement Policy to be utilized statewide. The purpose is to establish fair, firm and consistent enforcement of water quality issues statewide. The date for written comments has passed but a public hearing will be held on October 20, 2009. A copy of the draft Water Quality Enforcement Policy has been posted on the SCAP website in the Reference Library under Compliance Reference.

WDR Compliance Update by Robert Kreg, SCAP

If your agency serves a population of 2,500 to 10,000 the deadline for certifying the Legal Authority, Operations and Maintenance, Overflow Emergency Response Program, and FOG Control Program elements of the SSMP is November 2, 2009. For agencies serving a population of less than 2,500 the deadline for certifying the Legal Authority, Operations and Maintenance, Overflow Emergency Response Program, and FOG Control Program elements of the SSMP is February 2, 2010.



Energy Management

By Chair Andre Schmidt
aschmidt@lacsdsd.org

October 22 Energy Management Committee Meeting by Andre Schmidt, LACSD

The next Energy Management Committee Meeting is scheduled for October 22 from 9:00 to 1:00 at the LACSD main office in Whittier. The meeting will include presentations and a panel discussion on the development of climate change legislation and its affect on energy management at treatment plants. Also included in the meeting will be some presentations on renewable energy emerging technologies, which have benefited from the current push for renewable energy generation that is a response climate change concerns. An agenda for the meeting will be sent out shortly to members of the Energy Management Committee.

WEF Publishes MOP on Energy Conservation by Andre Schmidt, LACSD

The Water Environment Federation has recently published a Manual of Practice entitled Energy Conservation in Water and Wastewater Treatment that will be making its debut at WEFTEC in October. This MOP is a comprehensive overview of energy management and energy efficiency at the treatment plant. Chapter subjects include utility billing procedures, electric motors and transformers, pumps, variable controls, energy utilization in wastewater treatment processes, aeration systems, blowers, solids processes, and energy management.

CEC Renewable Energy Survey by Andre Schmidt, LACSD

The CEC is conducting a survey of renewable energy development potential co-located with water and wastewater systems. This survey is being conducted in partnership with SCAP as well as CASA, BACWA, ACWA, MWD, SCE and PG&E. The results of the survey will be used to understand the current potential for additional renewable development in the water and wastewater sectors in California. Survey results will be shared with various state agencies so that those agencies have a better understanding of the ongoing voluntary efforts by water and wastewater agencies to incorporate renewable energy and energy efficiency practices into their business operations and to further promote such efforts. The results will also be available to all participants and the final white paper will be published on the Energy Commission's website.

The Renewable Energy Development Survey for Water and Wastewater Agencies can be found at the following link:

http://www.surveymonkey.com/s.aspx?sm=JCK_2bleCjPfVX6mA8K87kxw_3d_3d

It has been requested that the survey be completed by September 30. But if you have not yet completed the survey, please still do so despite the deadline. SCAP is strongly encouraging its members to participate, as this data will help promote legislation and policies that support the development of renewable energy facilities at POTWs. If you have any questions about this survey or the use of information gathered as part of this process, please contact Lorraine White (CEC Senior Energy Specialist) at 916-654-4075 or her assistant, Drew Atwater, at 916-651-2077.



Water Issues

By Chair Gus Dembegiotes
Gus.dembegiotes@lacity.org

SCAP Water Issues Committee Quarterly Meeting by Gus Dembegiotes, City of Los Angeles

On September 1st, the SCAP Water Issues Committee Quarterly meeting was held at the Hyperion Treatment Plant. At the meeting, there was a discussion of the recently adopted Statewide General Recycled Water Irrigation Permit. I provided an overview of some of the permit requirements and noted that it was written as an “opt-in” permit. There was also a discussion of the State Water Board’s proposed revisions to its Water Quality Enforcement Policy and an update on the status of several legislative bills including AB 1366, SB 565, and SB 283. After the brief meeting, a tour of the Hyperion Treatment Plant and its Environmental Monitoring Laboratory was provided committee attendees.

State Water Board’s Draft Water Quality Enforcement Policy by Gus Dembegiotes, City of Los Angeles

Comments on the draft policy were due to the State Water Board on September 21st. SCAP joined with CASA, TriTAC, CVCWA, and BACWA in submitting joint comments. The Association in their joint letter stated appreciation for the two year process undertaken to review the existing policy but believed additional changes were still needed before the adoption of the policy to fulfill the stated policy goals of fair, firm and consistent enforcement. The letter made the following six recommendations: 1. The Policy should not limit the scope of State Water Board review. 2. The proposed liability calculation for recycled water releases should be revised in order not to discourage water recycling. 3. The statutory maximum should not be the recommended penalty for non-NPDES effluent limitation violations. 4. Good faith effort to eliminate non-compliance should be a factor in modifying the initial liability. 5. Small and/or Disadvantaged Communities should receive compliance assistance with the policy. 6. Recommended performance measures for evaluating compliance rates should be based on overall permit compliance.

This and other comment letters can be found at: http://www.swrcb.ca.gov/water_issues/programs/enforcement/comments092109.shtml. The State Water Board will hold a hearing on October 20th to consider adoption of the policy. More information can be found on the hearing at: http://www.swrcb.ca.gov/water_issues/programs/enforcement/docs/notice_wqhearing102009.pdf

State Water Board Consideration of a Proposed Resolution Revising the Core Regulatory Water Quality Fee Schedules by Gus Dembegiotes, City of Los Angeles

The State Water Board will consider a resolution at its Board meeting on October 6th revising its regulatory fee schedules. The proposal includes three options for revising its NPDES permit fees with staff recommending adoption of Option 2, which require all dischargers to pay a base fee of \$1,000 plus \$1,768 multiplied by the permitted flow (units of mgd) with a fixed cap of \$250,000. The State Water Board will also consider adopting a permit fee for WDR Landscape Irrigation General Permit and the staff’s recommendation not to amend fee regulations to provide a discount for seasonally operated facilities. The meeting agenda can be found at: http://www.swrcb.ca.gov/board_info/agendas/2009/oct/100609agenda.pdf. More information on the item can be found at: http://www.waterboards.ca.gov/board_info/agendas/2009/oct/100609_4_with%20resolution.pdf

Water Legislation Update by Gus Dembegiotes, City of Los Angeles

AB 1366 (Feur) and SB 283 (DeSaulnier) are both on the Governor’s desk. AB 133 authorize local agencies that own or operates a collection system or water recycling facility to take action by ordinance to control salinity inputs from residential self-regenerating water softeners. SB 283 would revise the date the Department of Water Resources is required to adopt and submit regulations to establish design standards to safely plumb buildings with potable and recycled water systems (dual plumbing) to the commission to December 31, 2009. The bill would, commencing July 1, 2011, and annually thereafter, require the department to review and update, as necessary, the regulations.

U.S. EPA Silver Biocide Registration Review by John Pastore, SCAP

SCAP is currently working with Tri-TAC to fund the preparation of a comment letter to the U.S. EPA regarding their preliminary work plan for the upcoming

registration review of silver-based pesticides. The purpose of the letter is to provide U.S. EPA with information from our experience and the scientific literature to ensure that EPA's registration review of silver and its compounds is complete and accurate. The comment letter will focus specifically on the proposed plan to assess environmental risks of silver discharges to publicly-owned wastewater treatment plants (POTWs).

SCAP has hired the services of Dr. Kelly Moran with TDC Environmental to formulate the letter which will be sent to the U.S. EPA along with a significant number of attachments. Once the letter has been submitted we will send a copy to our water committee members as well as post it on the SCAP website.



Regulatory Affairs

By Mary Jane Foley
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Water Bonds Are Coming Around Again by Mary Jane Foley, SCAP

There was lots of legislative activity before Labor Day regarding California's chronic water problems. There are a package of bills directed at fixing the Delta, etc. but no current agreement on the legislative package or funding.

One Water Bond Bill that is out for review is AB1004 Caballero. The title is the Safe Drinking Water Supply and Water Supply Reliability Act of 2010. The total amount of this bond is twelve billion, two hundred seventy five million dollars (\$12,275,000,000) – an amazing number! Voters have passed a lot of water bonds over the past 10 years but none at this amount of money.

Whenever I see a water bond I immediately review them for opportunities for grants, not only for water supply, but also for water quality and wastewater treatment improvement projects, such as SCAP and others who have fought so hard to get included in the Prop 84 authorizing appropriation legislation.

Most impressive in the draft bond language is Chapter 11: Water Recycling and Advanced Treatment Technologies. There is \$75,000,000 for grants and loans for water recycling projects. Fundable projects include dedicated distribution and storage, and projects for infrastructure for recycled water. This includes commercial and industrial end-user retrofitting projects. The bond language also lists projects that remove groundwater salt contamination and groundwater recharge infrastructure related to recycled water. SCAP will follow this closely. Personally, I believe \$75,000,000 is not a sufficient amount of money to do all the work related to increasing recycled water and the salt management projects, which agencies will be mandated to develop. Surely out of \$12 billion, more money should be allocated to this Chapter 11. I hope that as the water bond language moves forward all the agencies that have lobbyists will seek a significantly higher amount for fundable projects. Recycled water will be much faster to implement than fixing the Delta and building new reservoirs in the North.

SCAP, along with the other POTW Associations, have developed a final comment letter for the Water Board's Water Quality Enforcement Policy. Overall the policy is improved from the existing version. The comment letter does suggest language to further improve the Policy. In the current language the Policy states that the State Water Board will defer to the Regional Boards. Our comment letter states that the Policy should not limit the scope of the State Water Board review specified by current law. It is important that the Water Board continue to consider petitions on penalties issued by the Regional Water Boards. Another issue was the proposed liability calculation for recycled water releases. The policy states a penalty for recycled water that is way too high and needs to be greatly reduced. The POTW industry believes the penalty amount will discourage the use of recycled water. Recycled water is not a great potential for environmental harm. We know the Water Board won't remove the penalty, so the best strategy is to ask for a major reduction. The comment letter asks that good faith efforts to eliminate non-compliance be a factor used to modify initial penalty liability. Finally the comment letter asks for compliance assistance consistent with existing State Water Board Policy for all small and disadvantaged communities.

The Marine Life Protection Act South Coast Region is coming to a close as far as the involvement of the 60 Member Stakeholder Group. I served on a Group now called Group 2. The composition of my group was major fishery interest, coastal dependent entities such as water, wastewater, harbors, ports and coastal local governments. I was designated as the outreach representative for water and wastewater interests.

Group 2 did everything possible to keep the very restrictive Marine Reserve designations not over any wastewater outfall. At the end of October this Stakeholder group will meet with the policy group called the Blue Ribbon Task Force and defend the proposals that were developed by Groups, 1, 2 and 3. I will keep you informed as this moves onto the Fish and Game Commission for adoption of the Marine Protected Areas in the South Coast Region. Thank you to all the agencies that worked so diligently with me on getting accurate data that could be used by Group 2 in their deliberations.

NEW SCAP MEMBER

Welcome to our newest SCAP Member - - Kennedy/Jenks Consultants, who have joined as a SCAP Associate member for 2009/2010.

Non Sequitur

Just because everything is different doesn't mean anything has changed.

Irene Peter

Regulatory Help Desk

Having a regulatory problem and want to talk to someone confidentially about what your options are? Helping individual members is one of my charges and a rewarding part of this job. Please feel free to call me at (949) 493-8466, or email at mjfconsulting@cox.net.

SCAP MEMBER NEWS

Congratulations to the City of Los Angeles!

The Department of Public Works Bureau of Sanitation Terminal Island Renewable Energy project has been selected as one of the Department of Energy's (DOE) 11 projects to receive grant support. The funding is aimed at increasing scientific understanding about the potential of promising geologic formations to safely and permanently store carbon dioxide (CO2). The process involves isolating and capturing CO2 from fossil fuel emissions and injecting it in geologic formations for permanent, safe storage. TIRE is a collaboration between the City of Los Angeles and Terralog Technologies.

Some of our Supporting SCAP Associate Members

DUDEK

FILANC



Kennedy/Jenks Consultants
Engineers & Scientists

RMC
Water and Environment

carollo
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**BROWN AND
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