SCAP
SOUTHERN CALIFORNIA ALLIANCE OF PUBLICLY OWNED TREATMENT WORKS

Monthly Update

www.scap1.org February 2010

In This Issue

Upcoming Meetings

Air Quality
Tuesday, February 9, 2010
10:00-12:00 noon, at LACSD.

Biosolids
Tuesday, April 20, 2010
9:00-noon at Location TBA

Collection Systems
Thursday, February 25, 2010
8:30-2:00pm FOG Seminar
City of Carlsbad Faraday Center

Energy Management
Tuesday, April 27, 2010
9:00-1:00pm @ LACSD

Water Issues
Thursday, March 4, 2010
9:00 am-12 Noon
Location @ IEUA

SCAP

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A Message from the Executive Director…

I have to admit that after all of these years working with SCAP that I am still amazed at the information provided by our committee chairs, vice chairs and agency staffers towards the preparation of this Monthly Update. It is quite a challenge preparing comprehensive updates on all of the regulations and legislative efforts affecting our industry every single month. We are blessed to have so many impressive people that volunteer their time to research this information and summarize it for our members benefit. I sincerely doubt that there is another publication dedicated to the wastewater industry that is as comprehensive as this when it comes to reporting on regional and state wastewater issues. So the next time you run across one of our regular staff contributors, please take the time to tell he or she how much you appreciate their effort.

So much has been going on in 2010 already that I am not sure where to start. In so much as we have been deluged with El Nino rains the past few weeks, I suppose water should be the natural topic. We have water filling our storm drains, entering our sewer systems and filling our reservoirs. While water entering our sewer systems is by no means ideal, for many of our agencies it's not a total disaster as they are able to convert that flow into recycled water production. But even having a steady supply of recycled water does not ensure that it can be utilized efficiently and effectively unless you have the proper amount of storage to compliment it. Constructing water storage reservoirs is expensive and land use intensive. However, many agencies throughout Southern California such as the Inland Empire Utilities Agency (IEUA), the Sanitation Districts of Los Angeles County (LACSD), the Water Replenishment District of Southern California in conjunction with West Basin Municipal Water District and the Orange County Water District, to name a few, have found a way to utilize nature's own underground basins as storage reservoirs. The pioneer in this area of groundwater recharge has to be the County Sanitation Districts of Los Angeles, whose Whittier Narrows WRP became the first national project that officially treated wastewater in order to replenish a drinking water aquifer system. The year was 1962 and LACSD began spreading recycled water via the Montebello Forebay Groundwater Recharge Project into the Central groundwater basin. Currently, LACSD utilizes recycled water from three of its wastewater treatment plants (Whittier Narrows WRP, San Jose Creek WRP, Pomona WRP) for groundwater recharge. Likewise, Orange County Water District (OCWD) of Water Factory 21 fame is unquestionably one of the leaders when it comes to groundwater replenishment systems. OCWD's Groundwater Replenishment System (GRS), which is the largest water purification project of its kind in the world at 70 million gallons per day, begins with highly treated wastewater obtained

from its next door neighbor, the Orange County Sanitation District (OCSD), which then undergoes advanced treatment, including microfiltration and reverse osmosis, is further treated by ultraviolet light and hydrogen peroxide for disinfection purposes, and is then sent to spreading basins where it seeps back into the ground and replenishes the groundwater basin. The GRS ultimately reduces the amount of wastewater discharged back into the ocean, prevents seawater intrusion, decreases Orange County's reliance on imported water, helps drought proof Orange County and helps reduce mineral buildup in Orange County's groundwater making it easier to meet statewide objectives.

The Inland Empire Utilities Agency formed in 1950 (formerly known as the Chino Basin Municipal Water District) utilizes recycled water produced from its four wastewater treatment facilities for a variety of reuses including recharge of the Chino Groundwater Basin. Since the Chino Basin provides an important local source of potable water it is imperative that the basin be artificially recharged to assure long-term management. In fact, IEUA's goal is to ultimately increase recharge into the basin to more than 100,000 acre-feet annually. IEUA along with the Chino Basin Watermaster (CBWM); the Chino Basin Water Conservation District (CBWCD); and the San Bernardino County Flood Control District (SBCFCD) jointly sponsor the Chino Basin Recycled Water Groundwater Recharge (GWR) Program that is an integral part of the CBWD Optimum Basin Management Plan. With a goal of enhancing water supply reliability and improving drinking water quality throughout the Chino Basin, the GWR Program utilizes a network of pipelines that direct stormwater run-off, imported water and IEUA recycled water to 16 recharge sites consisting of multiple recharge basins. Of course, groundwater replenishment is just one aspect of IEUA's overall recycled water program. According to IEUA General Manager Rich Atwater, "IEUA has designed its regional recycled water distribution system as a supplemental supply recycled water system to avoid expensive infrastructure investments. What that means is we carefully modeled and evaluated the needs of the 1000 plus customers (e.g., parks, schools, golf courses, industrial users and our recharge basins) to manage the demand through our SCADA system so we reduce peak demands and reduce capital costs. And to ensure in the peak summer months we have adequate recycled water supply for all the irrigation customers we are expanding our storage tank storage to approximately 40 million gallons at key locations within our distribution system (200 square mile service area) to ensure adequate daily supply during peak days. We also have the deliveries to the recharge basins designed as an instantaneous interruptible supply so that we can immediately stop delivery to a recharge basin if an irrigation or industrial customer needs water. As a result of this optimized demand management distribution system IEUA has developed a 50,000 AF recycled water supply project for about $150 million (or $100/AF capital cost) plus O&M of approximately $150/AF".

Operating farther north within the Central and West Coast groundwater basins located in southern Los Angeles County is the Water Replenishment District of Southern California (WRD), which was formed in 1959 for the purpose of protecting the groundwater resources of these two heavily used basins. Due to previous over drafting, many water wells within the basins became dry and, particularly within the West Coast basin, seawater intrusion caused water quality degradation. In order to effectively manage the water quality and yield of the basins, WRD works cooperatively with many agencies including the West Basin Municipal Water District, the Central Basin Municipal Water District, the Los Angeles County Department of Public Works, the Metropolitan Water District of Southern CA and the County Sanitation Districts of Los Angeles County. Similar to the operating methods previously mentioned, WRD oversees the recharge of these groundwater basins utilizing spreading basins which collect local stormwater runoff, imported water and highly treated recycled water. Like OCWD, WRD also operates a seawater barrier. The West Coast Seawater Barrier consists of a number of injection wells that are used to replenish the groundwater basin with what was once a mixture of imported water and highly treated recycled water from the West Basin Municipal Water District. However, the two agencies have entered into a historic agreement which will provide for 100% of recycled water, supplied by West Basin MWD, to be used in the seawater intrusion barrier eliminating the need for imported water. The West Basin MWD is a world renowned leader in the production of recycled water and produces more than 30 million gallons of recycled water daily. Of particular importance is West Basin MWD's commitment to **Conjunctive Use Groundwater Storage.** In this context West Basin defines Conjunctive Use as the coordinated management of surface and groundwater supplies to increase yield of both supplies and enhance water reliability in an economic and environmentally responsible manner. The benefits of Conjunctive Use Groundwater Storage include:

- Operational flexibility for groundwater production
- Increased yield of the basin
- More efficient use of surplus surface water during wet years
- Financial benefits to groundwater users
- Better distribution of water resources
- Increased measures of reliability

Replenishingly Yours---John Pastore, Executive Director

Committee Reports

Air Quality

Chair Kris Flaig
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AB 32 is like water. It keeps on flowing. In California, this is like a storm that seems to be turning into a monsoon, or strong wind with the outlook of a hurricane.

The SCAP Air Quality Committee and of the CWCCG (California Wastewater Climate Change Group) has been kept busy regarding Climate Change and GHGs, because some State regulations must be in place by June 30, just a few months away, while others must be adopted by the end of the year. The CWCCG submitted a letter to CARB advocating that wastewater facilities not be included the Cap & Trade (C&T) Program, which would go into effect January 1, 2012. The CARB will issue a revised C&T Rule in April, just two short months away, which may or may not exclude wastewater facilities from C&T, and may reduce the GHG reporting threshold from 25 mty CO2e to 10 mty CO2e.

By the time AB 32 was signed into law in 2006, the California Energy Commission (CEC) and California Public Utilities Commission (CPUC) were already very busy at work developing strategies for the Renewable Portfolio Standard (RPS) and Renewable Energy Credits (RECs), not to mention Tradable Renewable Energy Credits (T-RECs or TRECs). The latest CPUC draft decision regarding TRECs prompted the CWCCG to submit a comment letter and speak at the February 2 CPUC Hearing in an effort to ascertain and get specific language stating that wastewater facilities can sell TRECs on our own terms. We argue that POTWs should be able to decide whether energy from our renewable resources will be generated and/or used on-site or delivered to the pipeline as gas or to the grid as electricity, with the right to unbundled and keep the TRECs. While State code states that we should, in general, be able to use TRECs freely, it is the CPUC that determines how the code is to be implemented. CWCCG feels that this is the best vehicle to ensure the code is properly implemented. While we all realize that renewable energy should be fully utilized, we hope that the CPUC will see the wisdom in enabling POTWs to more ably control TRECs associated with this energy.

Other issues that we have been following include recommendations of the Economic and Allocation Advisory Committee (EAAC) to CARB on implementing AB 32. Chief among these is that practically all the fees (from auction of GHG allocations) be returned to the citizens, public investment, EJ communities, and related end-points. The question becomes how fully CARB might implement EAAC's recommendations.

Due to the State's financial crisis, another issue is being talked about by legislators and talk-radio hosts: possibly rolling back some or all of AB 32. While some question the State's ability to fund AB 32, others question the science behind Climate Change. Meanwhile, CARB is set to continue its workshops on GHG health effects.

We'll keep our eyes on all these items, as well as the weather vane.

Imperial County APCD

www.co.imperial.ca.us

The Imperial County APCD has a new website in operation.

Imperial County APCD has announced that a copy of both the Final 2009 Imperial County State Implementation Plan for PM_{10} (2009 PM_{10} 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.

A Public Hearing has been scheduled for February 23, 2010 to consider the following Newly Proposed Rules:

- **Rule 116** - Emissions Statement & Certification

- **Rule 400.1** - Stationary Gas Turbines
- **Rule 400.2** - Boilers, Process Heaters & Steam Generators

Also the following Amended Rules:

- **Amended Rule 424** - Architectural Coatings
- **Amended Rule 425** - Aerospace Coating Operations
- **Amended Rule 427** - Automotive Refinishing Operations

There are currently no new public workshops or SIP meetings posted on the ICAPCD website for the month of February 2010.

Mojave 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.

Presentations from the 2009 California Desert Air Working Group (CDAWG) are now posted on the MDAQMD website.

Mojave desert AQMD has posted its Winter 09/10 Desert Air Monitor Newsletter on its website.

The next meeting of the MDAQMD Board is scheduled for February 22, 2010. There are no new workshops or public hearings shown on the MDAQMD website for the month of February 2010.

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 become effective on December 24, 2009.

The CAPCOA Climate Change Forum in partnership with SDAPCD is scheduled for August 30-31, 2010 in San Francisco. The 2-day conference will focus on the integration and harmonization of California's climate policy with federal programs to allow development of effective and productive strategies in the fight against climate change.

Consideration of **Rule 66.1** – Misc. Surface Coating Operations and for **Amended Rule 69.3.1** – Stationary Gas Turbines-Best Available Retrofit Technology are scheduled to be heard at the February 24, 2010 Board meeting.

There are no new public hearings scheduled on the District's website at this time.

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.

There are no new APCD Community Advisory Council meetings, or public meetings listed for the month of February 2010 at this time.

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 VCAPCD reminds everyone that Tier 0 Portable Diesel Engines may not be operated in California after December 31, 2009.

The next VCAPCD Board meeting is scheduled for February 9, 2010. At this time there no new Advisory Committee meetings scheduled.

South Coast AQMD

www.aqmd.gov

SCAQMD Permit Issuance Status by Greg Adams, LACSD

Since the December 2009 report, plaintiffs' attorneys Angela Johnson Meszaros for California Communities Against Toxics and Coalition for a Safe Environment and Shana Lazerow for Communities for a Better Environment, on January 15, 2010, were denied their request for an ex parte temporary restraining order from California Superior Court Judge Chalfant. The judge did not find persuasive the plaintiffs' arguments that irreparable harm would immediately result and said that petitioners must make their request for an injunction on a noticed motion. The judge also expressed doubts that he could revoke or rescind the 1300 permits already issued by AQMD. The tentative scheduled date for another hearing on a fully noticed petition (to stop the issuance of permits) is March 25, 2010.

Permits that were released on or shortly after January 4, 2010 contained a notice alerting the permit holders that NRDC, California Communities Against Toxics, Coalition for a Safe Environment, Communities for a Better Environment and Desert Communities Against Pollution had petitioned the USEPA to cause the SCAQMD, in effect, to stop issuing permits. That notice was subsequently modified by the SCAQMD to reflect the seeking of a temporary restraining order by the plaintiffs per the above. In both notices, SCAQMD pledged to vigorously defend issued permits against such challenges.

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

Building on the December 2009 report, the SCAQMD did hold a public consultation meeting on this rule on January 6, 2010 to discuss next steps. While the EPA guidance was still being analyzed by staff, staff intended to propose to the Board that Friday, January 8, 2010, a Section 185-oriented proposal that did not recognize baseline flexibility as set forth in the March 2008 OAQPS guidance, or clean unit exemptions, among other things, and instead suggested that all Regulation III fees might be credited toward a facilitiy's Section 185 fee obligation. On Friday, January 8, the Board approved bringing back a rule that accommodated the guidance, by the April Board meeting. A followup consultation meeting was held on January 19, 2010 and was attended by Barry Wallerstein who identified which proposals in the EPA guidance were acceptable and which were not acceptable to staff (including the clean unit exemption). Barry mentioned the possibility that AB 118 funds might be used to supplement the Regulation III fees paid by a facility thereby raising the possibility that the two funding approaches combined might offset a facility's entire obligation under Section 185. At the Stationary Source Committee meeting on January 22, 2010, Board members expressed reservations about how staff was not taking full advantage of the flexibility offered by OAQPS.

CARB's Preliminary Draft Regulation (PDR) For a California Greenhouse Gas Cap-and-Trade Program by Frank Caponi, LACSD

In December 2009, CARB released its PDR for the greenhouse gas (GHG) cap-and-trade program, a key element of CARB's AB32 program. The wastewater industry, through the California Wastewater Climate Change Group (CWCCG), of which SCAP representatives are members, provided comments to CARB on January 11, 2010.

The PDR provides the fundamental design elements of a cap-and-trade program including what sectors will have "surrender obligations" under the program. Under a cap-and-trade program a fixed amount of GHG allowances are issued either through an auction, or by free distribution, or a combination of both. An allowance is an authorization to emit up to one metric ton of carbon dioxide equivalent. At the end of the trading year, or other time period agreed upon, sources have an obligation to turn in (surrender) allowances for the GHG emitted in that time period. Each issuance period (e.g., yearly) the number of allowances issued will decrease to achieve the GHG emission reduction goals of AB32.

CWCCG has previously lobbied CARB to be excluded from the cap-and-trade program because much of the GHG emissions from our industry are biogenic, so do not add to the long-term accumulation of GHG in the atmosphere, but more importantly, inclusion of our sector in this program could have negative impacts on the protection of public health in the communities we

serve. CARB heard our request and in the PDR has excluded carbon dioxide emissions from the stationary combustion of biomass fuels from any surrender obligation of allowances.

While this was very good news for the wastewater industry since most facilities in the state would be excluded from the cap and trade program, CWCCG has requested the municipal wastewater sector be granted a permanent exclusion from the program (not including the GHG generated from combustion of fossil fuels). The fear is that later phases of the cap-and-trade program could lower the GHG cap-and-trade trigger (the threshold to enter the program), as well as include new GHG that could be considered against this trigger, all of which could cause many more wastewater facilities to enter the program.

In addition to this main comment, CWCCG provided comments that recommended the definition of "biomass" be revised to include biosolids, and CARB revise the PDR to not be so restrictive on the development and use of GHG offsets.

The next step in the process is to issue a second draft in the Spring, probably April 2010, and bring the entire package to the Board in October 2010 for implementation in 2011.

CEQA Now Must Address Greenhouse Gas Concerns by Patrick Griffith, LACSD

The following is a brief summary of the patchwork of approaches seeking to address greenhouse gases in the CEQA process forming throughout the state.

Resources Agency: Changes to the state's Guidelines document now include estimating your project's GHG emissions and adopting a significance threshold. Lead agencies must support their threshold with substantial evidence or adopt a threshold from another air district. If the project is significant for GHGs, all feasible mitigation measures must be considered or a statement of over-riding considerations should be issued. They rejected the CWCCG argument that an exclusion for biogenic emissions of CO_2 be written in the Guidelines, stating that this concern can be addressed in the existing environmental setting discussion required in CEQA documents.

SCAQMD: No changes to their existing stationary source threshold of 10,000 metric tons per year of CO_2 eq. Their CEQA Significance Thresholds Workgroup is discussing a performance standard approach for residential/commercial projects that may be applied to stationary source projects as an alternative to the bright-line threshold.

SJVAPCD: On December 17, 2009, the SJVAPCD Board unanimously approved the most radical approach taken by any air district thus far. Arguing that a "bright-line" threshold is unsupportable, they have opted for a BACT-like approach for new projects that compares the project's GHG emissions to a District-approved "Best Performance Standard." If the project's GHG performance cannot match the BPS, the project must reduce its emissions by 29% from a "business as usual" scenario or conclude that the project's impact is significant for GHGs. Their staff have just begun creating BPS for several projects including boilers in a process requiring public review and Board approval.

BAAQMD: Similar to SCAQMD, however, their process is delayed until their April Board meeting. Additionally, in a win for CWCCG, the BAAQMD have agreed to exclude biogenic emissions of CO_2 from POTWs and digester gas combustion in the threshold determination.

Although the individual air districts argue that these approaches apply only when they are the lead agency, other lead agencies could face peril if they adopt a less demanding approach. Much of the CEQA landscape for GHGs is still being carved out by lawsuits and threats from the Attorney General's office.

Biosolids

Chair Mike Sullivan
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Department of Resources Recycling and Recovery (CalRecycle) by Matt Bao, LACSD

On January 1, 2010 programs formerly managed by the California Integrated Waste Management Board (CIWMB) transferred its duties, programs, and staff to the new Department of Resources Recycling and Recovery (CalRecycle) under the California Natural Resources Agency. CalRecycle was established through the elimination of the CIWMB and the consolidation of the California Department of

Conservation's Recycling Division, to more effectively manage the disposal of state waste and recycling efforts to protect public health and the environment. On January 7, 2010 Governor Arnold Schwarzenegger announced several appointments to CalRecycle, including the appointment of Margo Reid Brown as chief deputy director and her designation as acting director. Brown has served as chair of the Integrated Waste Management Board since 2006. The Governor also announced the following three appointments to CalRecycle: Elliot Block, 49, of Sacramento, has been appointed Chief Counsel; Lisa Macumber, 32, of Sacramento, has been appointed Deputy Director of Legislative and External Affairs; Alicia McGee, 25, of Sacramento, has been appointed Deputy Director of the Office of Public Affairs.
More information on the new department can be found at http://www.calrecycle.ca.gov, and biosolids-related information can be found at:
http://www.calrecycle.ca.gov/organics/Biosolids/default.htm.

Carbon Footprint Implications from Biosolids Management Practices Webcast by Matt Bao, LACSD

On January 27, 2010 the National Biosolids Partnership (NBP) hosted a free webcast on carbon footprint implications, covering topics such as biosolids land application, bioenergy options, and green regulations. The webcast featured the following speakers and topics:

- Dick Lanyon (NBP Steering Committee Chair) - Welcome Remarks;
- Patricia Scanlan (WEF Carbon Task Force Chair) - Beyond Green: Energy Production Opportunities with Biosolids;
- Bob Bastian (U.S. EPA) – Green Regulations Update: What to Watch Out For;
- Chris Peot (DC WASA) – How DC Water & Sewer Authority Assessed its Carbon Footprint for its Land Application Program; and
- Bob Dominak (NEORSD) – How Northeast Ohio Regional Sewer District's Biosolids Program Got Green.

Copies of the presentations can be found at http://www.wefnet.org/nbp/.

CWEA Biosolids Workshop on the Future Regulatory Trends and Impacts on Biosolids by Matt Bao, LACSD

CWEA held a biosolids workshop at the Los Angeles County Sanitation District office in Whittier on January 26, 2010. The workshop was well attended by over sixty individuals interested in biosolids management. Workshop topics included a complete list of biosolids-related regulations, such as the EPA Part 503 biosolids rule, the SWRCB's General Order, CalRecyle's composting rule, local air quality rules and local ordinances. In addition, the workshop featured case studies on several major regional facilities, such as the Encina Heat Drying Facility, the Ventura RSD Biosolids Drying and Electric Generation Facility, the Rialto EnerTech Facility, the City of Los Angeles' TIRE Facility, the Inland Empire Regional Composting Facility, and Synagro's South Kern Composting Facility.

Collection Systems

Chair Sam Espinoza
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Winter Rains Accentuate I/I Problems for Sewer Agencies, is your Agency Ready? by Sam Espinoza, LACSD

With the intense rainstorms that recently hit Southern California some of us were reminded of the serious impacts inflow and infiltration (I/I) can have on a collection system. In drought conditions it's easy to forget that large volumes of rainwater capable of overwhelming the hydraulic capacity of a sewer can enter the system quite rapidly once the ground is saturated. Illegal connections, submerged manholes covers in flooded streets, private laterals damaged by roots, and leaky manhole shafts can all be significant contributors of I/I. For some collection system operators, this last series of storms identified previously unknown hydraulic deficiencies in the form of a wet weather SSO.

Responding to a wet weather SSO can be particularly hazardous and the safety of the public and workers must be kept in mind at all times. Floating manhole covers, slick roads and poor visibility add to the already present dangers of dealing with an SSO. Spill containment is not really an option because storm drain systems are generally running full. Due to safety concerns, collecting samples from receiving waters is not usually done until the rain subsides. The volume of a wet weather SSO can be significant because the water really has nowhere else to go but on the street. You can't simply pump the water over to the next manhole because it's usually already running full.

Usually an operator is left with a vacuum truck at the spill site collecting what they can while they wait for the rain to subside.

So how do you deal with I/I? For many of us it starts with trying to identify the source of the rainwater into the collection system, which is no easy task. Smoke or dye testing could be used to locate illegal connections, but this can be a labor-intensive exercise if you have a large service area. Another approach is to look for manholes in flooded areas during a storm to help identify which manholes should be sealed prior to rain events. Direct observations using CCTV will help locate damage in sewers and manholes that contribute to I/I. Carefully placed flow-monitoring equipment prior to a rainstorm can also help pinpoint sources of I/I. If you could find the source then you can address it, but most times the problem is so widespread you are left with having to deal with the extra water during wet weather events. In extreme cases, collection systems must be upsized to be able to effectively manage the increase if flow due to I/I. This can be a very expensive alterative to solve a problem that only occurs a few times.

The State Water Resources Control Board recognizes that the extra water in the sewer system during rainstorms is a problem for many collection system operators. Not only does I/I contribute to sewer system overflows, but it ends up at the regional wastewater treatment plants where it must be treated like sewage, resulting in higher treatment costs. As part of the WDR, all collection system agencies are required to develop a System Evaluation and Capacity Assurance Plan as part of their SSMP under Subsection D.13 (viii) of the Statewide Order. This portion of the Order states in part that each enrollee shall implement a capital improvement plan that will provide hydraulic capacity of the sewer system to handle dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. This means each enrollee will need to establish a standard approach towards minimizing I/I or size new sewers to handle the extra water during rain events.

Upcoming FOG Seminar by John Pastore, SCAP

Please join us for an educational training opportunity entitled FOG Training Seminar-Winter 2010. The event is being co-sponsored by SCAP,CWEA Santa Ana River Basin (SARBS) Section, CWEA San Diego Section, and Cal FOG. The seminar will be held on February 25, 2010 in City of Carlsbad at the Carlsbad Faraday Center from 8:30 am until 2:00 pm. Registration begins at 8:00 am and a lunch will be served. This FOG seminar will feature presentations by various Southern California cities, sanitation districts and public health officials concerning FOG inspections, violations enforcement and county health compliance regulations. Further information and a registration form can be found at the following website: http://www.cwea.org/sarbs/pdfs/10FOG_Train.pdf.

CWEA SSO-WDR Task Force Meeting by Bob Kreg, SCAP

On January 20, 2010 the CWEA SSO-WDR Task Force held a "Face-to-Face" planning meeting at the CWEA headquarters in Oakland. The SSO-WDR Task Force was initiated to plan and evaluate the training needs necessary for the development and compliance with the statewide WDR. CWEA's commitment to providing WDR training was established in a memorandum of understanding (MOU) initiated when the current statewide WDR was adopted in 2006. In consideration of the MOU the state initiated a staged implementation plan for SSO reporting and development of the required sewer system management plans (SSMP) allowing affected cities and districts time to develop and implement the program. The current MOU has been extended until December 2010. The SSO-WDR Task Force was recently enlarged to include representation of the members of the Summit Group. Currently, CWEA, BACWA (Bay Area Clean Water Association), CVCWA (Central Valley Clean Water Association), CASA (California Association of Sanitation Agencies), Tri-TAC and SCAP are represented on the Task Force. Russell Norman of the State Water Resources Control Board (SWRCB) was also in attendance at the meeting.

The primary discussion of the meeting was the evaluation of past training, its effectiveness and what additional training is needed to ensure that all agencies covered under the Order have an opportunity to be properly trained as to their compliance responsibilities. As part of this discussion the results of the CWEA

GWDR SSO Survey (sent out in 2009) were analyzed with each question and its results being discussed. The survey provided feedback on how the WDR was being received and comments on how the program and training can be improved. The consensus was that the previous SSO Reporting and SSMP Development workshops had been very successful in reaching a significant number of industry personnel. This type of workshop will probably be scaled back and provided at special events and CWEA Conferences providing there are no significant changes to the Order that will require a new training effort. There is still a need for training for small, rural and/or disadvantaged agencies that do not have the staff or resource to travel to a conference. Different strategies were discussed as to how to address this issue including the development of an Internet based training program that would provide required information such as electronic copies of the training manuals used at the workshops. The development of materials like the BACWA/CVCWA "Best Management Practices for Sanitary Sewer Overflow (SSO) Reduction Strategies" was also discussed. Another area of potential training is the development of a very short, high level information presentation aimed at elected officials. This would assist agency staff in informing their elected officials of the critical need to continue to implement and fund their SSMP programs to maintain compliance with the WDR and reduce SSOs.

On a very positive note, Russell Norman stated that the state is already seeing favorable results from the WDR program. In a preliminary analysis of spill volumes in FY 2007/2008 to 2008/2009 all regions except R6A reported spill volumes have decreased from 9% to 96%. Norman clarified that the results for R6A would have been a reduction except for one large spill that pushed them into the positive category. Norman also reported that the Data Review Committee will probably hold its first official meeting in February. The exact format, where and how the meetings will be conducted is to be determined. As for the actual opening of the WDR, that was initially scheduled for the spring of 2010 then pushed back to the summer of 2010, Norman reported that it probably won't happen until the end 2010 or the first part of 2011. This is all due to the state's continuing financial crisis, personnel reductions and the three monthly furlough days that further reduce the SWRCB's staff time. Jim Fischer's position has not been filled and it is not clear if it will be.

Other topics discussed at the meeting included what measures the state will pursue to ensure that all agencies under the Order are in compliance with the Order. Russell Norman reported that this is a top priority and that the state will be sending out notifications to those agencies that have not achieved compliance giving them a final opportunity to achieve compliance before submitting them to enforcement. Private laterals and private lateral spills were also discussed. Private lateral spills are voluntarily reported (except in Region 9 where private lateral spill reporting is mandatory) and there is strong concern that those agencies that do report private lateral spills are being credited, especially by third parties, with the spill because their name appears on the spill report. Several recommendations to resolve this were suggested that Norman said he would take under consideration.

WDR Deadlines by Bob Kreg, SCAP

If your organization serves a population of 2,500 or less, the Legal Authority, Operations and Maintenance Program, Overflow Emergency Response Program and FOG Control Program elements of your SSMP are due on February 2, 2010 with your final SSMP due for completion on August 2, 2010. If your agency serves a population of 2,500 to 10,000 the Design and Performance Provisions, System Evaluation and Capacity Assurance Plan, Monitoring and Program Modifications, Program Audits and Communication Program elements and the final SSMP are due on May 2, 2010.

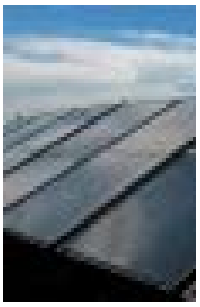
Flushables in the Sewer System by John Pastore, SCAP

For sometime now we have been discussing the problems associated with the practice of consumers disposing of items other than toilet paper down the toilet, as well as manufacturers labeling their products as "flushable" and encouraging consumers to flush them directly down the drain.

We know from experience that for many of our wastewater agencies this leads to sewer line blockages, clogged pumps and influent screens at our treatment plants. Not to mention the aggravation and cost to homeowners having to remedy clogged drain laterals. A number of surveys have recently been sent out from both SCAP and CASA inquiring as to the effect of these flushables on agencies sewer systems. The survey results have confirmed that it is a significant problem for many agencies throughout the state, particularly the small to mid-sized agencies with sewer lines in the 15-inch or smaller size and with their corresponding pump stations. While there has not been a documented spill associated directly with these flushable products, there are documented costs

incurred by agencies primarily dealing with the maintenance of pumps and wastewater treatment equipment.

Nevertheless, help may be on the way in the form of state legislation. SCAP and CASA have been working with Assembly Member Jared Huffman's office to draft initial language that could be used towards a bill requiring manufacturers of products to meet certain criteria prior to labeling them as "flushable". The language is still in the developmental stages but it is anticipated that if all goes well we could be looking at some type of legislative relief in the next year or so.



Energy Management

Chair Andre Schmidt
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Comments Received on Renewable Energy Credit Proposed Decision by Andre Schmidt, LACSD

On December 23, 2009, the California Public Utilities Commission (PUC) issued a Proposed Decision on a tradable Renewable Energy Credit (REC) market that would allow unbundled RECs to be procured and traded separately from the underlying energy. The Proposed Decision would create a tradable REC market immediately upon passage that would apply to qualified RECs as of January 1, 2008. Each credit equals one MWh of generation and a price cap of $50 per REC would apply.

Investor Owned Utilities would be limited to a 40% REC usage cap for annual renewable energy compliance obligations, beginning with the 2010 compliance year. Under the Proposed Decision, out-of-state bundled renewable transactions would be considered REC-only and would fall under the 40% limit.
On January 19, the PUC received public comments on the Proposed Decision. The California Wastewater Climate Change Group issued a comment in support of the Proposed Decision. However many comments were received in opposition to the Proposed Decision's classification of out-of-state renewables as REC-only, saying that this would severely limit new out-of-state generation from taking part in California's renewable energy compliance standards and that the arrangement violates the Interstate Commerce Clause of the U.S. Constitution.

The issue is on the PUC agenda for their February 4 meeting. Due to the controversy over the 40% limit placed on-out-of state renewable generation, it is expected that the decision will be delayed. However, considerable support for a tradable REC market exists, and it is expected that the market will be established sometime this year. It is currently estimated that RECs will be worth $25 to $40, which would mean approximately $22,000 to $35,000 in annual revenue per 100 kW of renewable generation.

In order to qualify renewable generation for the tradable REC market, the facility must be certified as renewable by the California Energy Commission and be registered with the Western Renewable Energy Generation Information System (WREGIS). See www.wregis.org for more information. It is advisable to start this process now as the tradable REC market will likely apply retroactively to RECs produced as early as January 1, 2008. Anyone interested in more details should contact Mark McDannel of LACSD.

January 28, 2010 Energy Management Committee Meeting by John Pastore, SCAP

The first meeting of 2010 for the Energy Management Committee was held at the offices of the Inland Empire Utilities Agency in Chino with 35 participants in attendance. The meeting included an update on the Market for Sale of Renewable Energy Credits by committee chair, Andre Schmidt; presentations by Southern California Edison's (SCE) Ben Garcia on the ***CA Solar Initiative and Self Generation Incentive Program***; by SCE's George Wiltsee on **SCE's *Power Purchase Agreements for Renewable Energy Projects***; by IEUA's Ernest Yeboah on ***IEUA's Solar Power Projects***; and by Kevin Ross from Sunpower Corp. regarding an ***Overview of Solar Energy Power Purchase Agreements***.

Additionally, we were treated to a tour of IEUA's impressive RP20 solar panel array that provide directional tracking throughout the day, thereby maximizing performance.

Overall, the speakers provided lots of good information on the different programs available and for those who were not able to attend, a copy of their presentations will be posted on the SCAP website in the Reference Library under the POTW Energy Management Committee section.

Energy Management Committee Update by John Pastore, SCAP

I would like to welcome our newly appointed committee vice chair Chris Berch from the Inland Empire Utilities Agency. Chris will be taking over for Chuck Rogers, who is stepping down from the position after several years helping us establish committee goals and direction. Chuck also hosted a committee meeting and provided us with a tour of the City of Thousand Oaks Hill Canyon Wastewater Plant and their renewable energy projects portfolio. Chris is currently……with IEUA having spent the last 4 years as …….. We look forward to working with him and for his contribution in the future.

Water Issues

By Chair Valerie Housel
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EPA's Proposed 2009 Water Quality Criteria Update for Ammonia by Phil Markle, LACSD

What Has Changed and What Are the Potential Regulatory Impacts?

On December 30, 2009, the USEPA announced the availability of a draft 2009 Update Aquatic Life Ambient Water Quality Criteria for Ammonia – Freshwater in the following Federal Register website address (http://edocket.access.gpo.gov/2009/E9-30992.htm) and are seeking "scientific views" to be submitted no later than March 1, 2010. Specific information regarding the document including fact sheets and the complete draft update can be found at (http://www.epa.gov/waterscience/criteria/ammonia/).

This draft update does not affect saltwater criteria for ammonia, but does contain two very significant changes affecting freshwater criteria. The first is the inclusion of native freshwater mussel data in deriving the criteria. Because these organisms are highly sensitive to ammonia, inclusion of these data results in a drastic reduction in the water quality objectives for ammonia compared to the 1999 criteria. Because EPA recognizes that freshwater mussels may not be present in all water bodies, EPA has developed different ammonia criteria for freshwater waterbodies with and without mussels. As with the 1999 criteria, the objectives depend on pH and temperature. At a pH of 8.0 and a temperature of 25^{o}C, the proposed chronic ammonia objective with mussels present is only 0.26 mg/L

The second significant change is the deletion of all *Hyalella* ammonia sensitivity data. *Hyalella* was the most sensitive species when the 1999 criteria were derived. However, EPA has determined that the *Hyalella* ammonia sensitivity results were not reliable, due to potential interferences observed in the original studies. For water bodies where mussels are not present, this actually results in a relaxation of the ammonia water quality criteria. For example, at a pH of 8.0 and a temperature of 25^{o}C, when salmonids were absent the 1999 ammonia objective is 1.2 mg/L. With the newly proposed criteria, when mussels are not present the ammonia objective would be 1.8 mg/L, about a 50% increase

The crucial question therefore becomes whether freshwater mussels are considered to be present or absent in southern California. The proposed criteria are driven by data for mussels from the Unionidea family, known as Unionids. There are nearly 300 different Unionid species east of the Rocky Mountains, with about three quarters of them federally listed as endangered, threatened, species of concern, or

already extinct. In southern California, at least two species (the California Floater and Western Ridged Mussel) were once historically resident with a native range extending from northern Mexico to the south and into Arizona and Utah to the east. However, native mussels have not been present in southern California for over 50 years, presumably due to water diversions, fluctuating water levels in reservoirs, and non-native fish species introductions. In addition to the two native mussel species originally inhabiting southern California, several non-native species are now also commonly found. This includes the invasive quagga mussel as well as the Asian Clam and possibly/eventually the zebra mussel. Therefore, freshwater mussels are present in most southern California watersheds if you include non-native species. The draft 2009 criteria document is somewhat ambiguous in its intent on whether the presence/absence provision pertains to any freshwater mussel or just the sensitive native mussels species. The Executive Summary states "given the wide distribution of freshwater mussels, including unionid mussels, it is important that this criteria update consider ammonia toxicity information specific to freshwater mussels". This statement seems to indicate that the EPA's concern is more general and not directly related to the sensitive native species (Unionids). However, the table headings on pages 9 and 31 clearly state "with and without freshwater bivalve data from the family Unionidae". Unionidea is the family that contains the sensitive native freshwater mussel species. The non-native species (Asian Clam, Quagga, and Zebra Mussels) are not in Unionidae family. This is hopefully something that can be resolved during EPA public comment period. Additionally, all southern California watersheds are within the historic range of one or more of the native freshwater mussel species. However, the sensitive native freshwater mussels have not been observed in southern California for over 50 years due to significant habitat alterations. The decision on whether to use historic or current range in determining which criteria to apply will be an implementation decision. Such determinations are not addressed in water quality criteria and are left to the discretion of state or regional regulatory authorities.

Water Committee News by Valerie Housel, City of San Bernardino Water Department

If Phil Markle's items on EPA's proposed update for ammonia criteria or draft procedure for toxicity statistical evaluations didn't provide enough to think about, a notice was distributed that EPA is proposing water quality standards to protect people's health, aquatic life and the long term recreational uses of Florida's waters, which are a critical part of the state's economy. In 2009, EPA entered into a consent decree with the Florida Wildlife Federation to propose limits to this pollution. The proposed action, released for public comment and developed in collaboration with the state, would set a series of numeric limits on the amount of phosphorus (TP) and nitrogen (TN), also known as "nutrients," that would be allowed in Florida's lakes, rivers, streams, springs and canals. The proposed regulations can be found at:
http://www.epa.gov/waterscience/standards/rules/florida/

In quick review of the proposed rule, EPA's Nutrient Criteria Technical Guidance Manuals for Lakes, Rivers and Streams and Estuarine and Coastal Marine Waters published in 2000 were followed. Florida proposed criteria for lakes range from 0.010 to 0.157 mg/L TP and 0.500 to 2.25 mg/L TN, with chlorophyll a ranging from 6 to 20 µg/L dependent upon classification. For streams, the proposed ranges are 0.043 to 0.739 mg/L TP and 0.824 to 1.798 mg/l TN. The target date for finalized standards is October 2010. EPA will accept public comments on the proposed standards for 60 days following publication in the Federal Register. EPA will also hold three public hearings on the proposed rule in Florida to obtain input and comments on the direction of EPA's rulemaking. These hearings are scheduled for February 16, 17 and 18, 2010 in Tallahassee, Orlando, and West Palm Beach, respectively. There is concern that these standards will be headed nationwide once approved. NACWA will be submitting comments, TriTAC and other California entities may be submitting comments as well.

San Diego Regional Water Quality Control Board Leadership Update by John Pastore, SCAP

A few recent changes have taken place within the management structure of the San Diego Regional Water Quality Control Board. Replacing Mr. John Robertus as Executive Officer is Mr. David W. Gibson, who was promoted last year from his position as Total Maximum Daily Load Unit Supervisor. Also assuming a new title is Mr. James Smith, who has been promoted from within the SDRWQCB where he spent 9 years managing staff in surface water programs and grants and developing TMDLs and work plans. Mr. Smith will be assuming the Assistant Executive Officer position and will be responsible for the day-to-day operations of the Regional Board.

Plumbing Code Revisions for Pipe Color Coding of Recycled Water and Greywater Systems by John Pastore. SCAP

Mary Grace Pawson of Winzler & Kelly has indicated that WateReuse California has worked with DWR to adopt a California-specific Plumbing Code for recycled water and with the Department of Housing and

Community Development to assure that its new greywater regulations would specify a color other than purple for greywater pipe. However, WateReuse was recently made aware that IAPMO is drafting a 2012 revision to the Uniform Plumbing Code that would specify the color purple for both recycled water pipe and greywater pipe. Such a standard would require working with DWR and HCD every few years to re-adopt the California-specific codes. WateReuse prepared a comment form that could be filled out and sent to IAPMO from agencies indicating their preference on the color coding scheme for greywater piping. Comments to IAPMO were due by February 1, 2010. We will continue to track this issue.

CWEA 37th Annual P3S Training Conference & Exhibition by John Pastore, SCAP

CWEA will be conducting its Annual P3S Training Conference & Exhibition on March 1-3, 2010 at the Hilton Long Beach in Long Beach, CA. The theme for this year's conference is ***Navigating Through the Storm…Setting a Course to Clean Water***. This forum will provide attendees with the opportunity to advance their knowledge of the treatment and reuse of water. For further information on the conference outline and registration instructions, please go to the following website: www.cwea.org/conferences.

Regulatory Affairs

Mary Jane Foley
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Regulatory Affairs by Mary Jane Foley, SCAP

Who is the "rock star" of the truth about flushable wipes? SCAP's own Executive Director, John Pastore. Recently at a Tri-TAC meeting, at the request of John, the topic of disposal wipes was on the agenda. A very robust discussion occurred about how to stage the proper handling of and accurate application of the use of flushable wipes. Legislation pros and cons were debated. How did this become an issue? Is it local, national and international? The answer is all of the above.

Many of SCAP's small and intermediate size collection system members are having a big problem with the intensive labor needed to remove the wipes from the screening process, problems with pumps and lift stations, etc. Senator Huffman, from Marin County, an area where sewer spills have been a big problem, and where flushables are known as one of the culprits, is considering legislation to tackle the problem. John has been contacted by Senator Huffman's office to help with background knowledge on Huffman's ideas for legislation that would address "flushable wipes. The Tri-TAC group discussed that some preliminary steps should be done before there is legislation on this issue because what seems rather straightforward is definitely not. Some folks from the Bay area have volunteered to help John, and other SCAP Members will work on an approach that would reflect reasonable ways to begin this effort. We all know how hard it was with water softeners; image how difficult flushables will be, given all the large corporations involved in the flushable market. In fact Procter and Gamble has conducted a study on the topic, which was reviewed by a panel of experts selected by WERF. There is a group of manufactures of nonwoven fabrics that have come up with a "Manufactures' Code of Practice", outlining how companies should make claims that a product is "flushable" and also provides a "no flush" logo. Getting a correct definition of flushables isn't easy. It doesn't help when the anchor of a highly rated morning prime time show states that she doesn't use toilet paper anymore. She uses flushables!

My funny story is that I started a series of art classes. I was asked by the teacher to describe any thing I chose to describe as if I was writing an article. I decided to discuss why flushables are not flushable and the problems they cause from the first flush to the potential sewer spill. No one laughed; in fact they all wanted to discuss this more. The art teacher has a baby and looked pretty guilty. Of course, I am now known as the odd one in the sketching class. It is hard to transition out of wastewater and into art. I am trying!

Other interesting items that are being watched by our industry in no particular order of priority are: CEC's in Coastal and Marine Ecosystems. It is pretty obvious that this will be an issue for anyone in the proposed South Coast Marine Life Protection Areas. The Oregon Dept of Environmental Quality (DEQ) has introduced a rule requiring POTW's to address 118 newly recognized toxins. This is an outcome of a bill SB 737 signed into law in 2007. This month the DEQ is receiving public comment on the rule which sets "trigger levels" for the 118 chemicals. If treatment plants discharge water that contains more than the "trigger level", their operator would be required to submit plans to DEQ for reducing pollution.

EPA continues to look at the Pharmaceutical issue. FDA is looking at guidance on disposing drugs down the drain, but it doesn't really address all the things that POTW's would desire.

The State of Illinois has a new law entitled the Safe Pharmaceutical Disposal Act. It prohibits the disposal of unused medication into a public wastewater system or septic system. Exceptions are intravenous fluids, syringes or transdermal patches.

There is a possibility for Mandatory Minimum Penalty Reform Legislation that would have non-controversial revisions and some substantive amendments to water code sections 13385. I am sure there will be more discussion as this moves through the process.

NPDES Fee Increases: the banes of the budget crisis are fees. There is a recommendation from the POTW stakeholders on the NPDES fee stakeholder group to develop a set of guiding principals to determine how new fees will be designed. Two of SCAP's Members are on that group.

Finally, if you caught my reference to art classes this provides an opportunity for me to share that I am on a very part time basis now with SCAP. I believe that the committees all do a superlative job in writing the latest and most critical information needed by SCAP members. Without being embedded in all the activities it makes it difficult to keep this column alive and interesting. On a case-by-case basis, I will do a report at John's request, but I truly believe that the committee reports are about as comprehensive as you can get each month. I will continue to be available for the Help Desk throughout the rest of this year. So don't hesitate to contact me.

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

Non Sequitur

The difference between "involvement" and "commitment" is like an egg and ham breakfast – the chicken was "involved", the pig was "committed."

- - - Unknown

Some of our Supporting SCAP Associate Members

DUDEK

FILANC

SCEC
Air Quality Specialists

TERRA
renewal

SYNAGRO
A Residuals Management Company

Kennedy/Jenks Consultants
Engineers & Scientists

RMC
Water and Environment

carollo
Engineers...Working Wonders With Water™

BROWN AND CALDWELL
Environmental Engineers & Consultants

SANCON
ENGINEERING, INC.

NWRI

HDR

enertech
renewable energy from biosolids

MWH
BUILDING A BETTER WORLD