



SOUTHERN CALIFORNIA ALLIANCE OF PUBLICLY OWNED TREATMENT WORKS

Monthly Update

www.scap1.org

April 2010

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Upcoming Meetings

Air Quality

Tuesday, April 13, 2010
10:00-12:00 noon, at LACSD.

Biosolids

Wednesday, April 21, 2010
10:00am-noon at Toland Road
Sanitary Landfill, Santa Paula

Collection Systems

Thursday, May 20, 2010
9:00-1:00pm LACSD

Energy Management

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

Water Issues

Thursday, May 27, 2010
9:00 am-12 Noon
Location at IEUA

SCAP

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A Message from the Executive Director...

Recently, a very important piece of legislation was approved that will be affecting all of us, as well as future generations for years to come. Although from all indications, the fight, by those in contestation of it, may not be over for some time. In the coming months you will undoubtedly hear all manner of arguments from big businesses as to the additional expense this bill has created and how it erodes our personal freedoms. Some have even gone so far as to label the bill as downright socialistic. But don't be fooled by these false claims, our economy will not suffer and taxes will not rise. Surprisingly, European countries have embraced this ideology for decades and are better off for it.

By now you must know I am referring to Assembly Bill--AB1366, which according to SCAP President, Rich Atwater, "provides our agencies with the authority to protect our water quality from the salinity impacts caused by the use of regenerative water softener devices that require the use of salt to make the equipment function'. It is well documented that a typical regenerative water softener unit can discharge up to 30 pounds of salt into the sewer system each month leading to higher chlorides and total dissolved solids (TDS) in the wastewater stream. At a time when every drop of clean water in our state is considered precious, and the ability to meet California's Recycled Water Policy goals (increasing recycled water use over 2002 levels by 1 million acre-feet by the year 2020 and by 2 million acre-feet by 2030) is hindered by budget shortfalls, the last thing we need is a detriment to improving our local water supplies.

Obviously, the impacts of hard water on home plumbing systems cannot be overstated, however, there are many advertised water softening alternatives on the market, such as deposit control equipment, de-gasification technology and canister exchange systems. Many sanitation agencies are even offering cash incentives as part of a buy-back program to replace the older regenerative units with the new approved units. What AB1366 does is allow an agency that owns or operates a community sewer or water recycling facility to adopt either a resolution or ordinance to control salinity from specific self-regenerating water softener systems after its local regional board makes a finding at a public hearing that the control of residential salinity input will contribute to the achievement of water quality objectives. The bill also provides that if an agency implements a removal program, then the agency must provide the homeowners with a program to compensate for the reasonable value of the removed water softener equipment. However, there still remains much skepticism from the public over the reasons behind the law.

For example, the following quotes were observed on a recent internet search I conducted, *"If I don't have salt in my softener my skin breaks out with a rash! Why are liberals destroying our freedom all the time?"* and *"I heard on the news many states banned water softeners because the Progressives said they are bad for us... blah blah blah. Commies!"* It's evident we still have our work cut out for us when it comes to convincing the public, much like the never ending debate over fluoridation. It is true, however, that California is not alone in its fight against increasing salinity levels in its water supply. The Texas Natural Resources Conservation Commission (TNRCC) issued a new rule prohibiting softener brine from entering septic systems as part of a quadrennial review of their septic system regulations and many towns and counties in the state of Michigan have worked with the Michigan Department of Natural Resources and Environment to ban sodium chloride use in water softeners, requiring instead the use of potassium chloride.

Just to be clear, water softeners are not always solely to blame for a region's salinity problems. New Jersey has a unique problem in that the salt laid down on its roadways to combat ice formation is entering its reservoirs at an alarming rate causing higher concentrations in its drinking water than state regulations allow. Internationally, Australia committed \$1.4 million back in 2001 to implement its National Action Plan for Salinity and Water Quality, which has since been incorporated into its "Carrying for Our Country" plan. Australia's salinity problem stems from ages of wind blown salt carried from the oceans that were deposited onto the land in combination with the resultant change in landscaping from the post-European settlement period, which has allowed shallow rooted plants to flourish thereby diminishing the capture rate of salt laden water that is now entering their groundwater system.

One of the goals that SCAP's Water Issues Committee will be focusing on in the coming months is the development of a model ordinance, based on LACSD and IEUA experience, that can be used by agencies to implement restrictions on the use of regenerative water softeners in their service areas. We would also like to work with the Santa Ana Regional Board to develop a streamlined process for obtaining the requisite finding of necessity that other regional boards will accept and adopt. And for anyone interested, there is a vast amount of information available for the download from the Southern California Salinity Coalition at the following website: <http://www.socalsalinity.org/>.

All of a sudden that little girl holding the umbrella over her head on the container of salt isn't so cute anymore, is she?

Salt Doggedly Yours,

John Pastore, Executive Director

Committee Reports



Air Quality

Chair Kris Flaig
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Air Quality Committee Update by Kris Flaig, City of Los Angeles-Bureau of Sanitation

March saw the final report by ARB's Economic and Allocation Advisory Committee (EAAC) posted, as well as the many outlines and draft reports and draft appendices from the past several months. The result:

recommendations for a Cap & Trade program to rely on auctioning rather than free allocation of allowances. The governor quickly responded with an executive order that the ARB employ a greater emphasis on free allocation during these difficult economic times.

April will likely see publication of ARB's long-awaited revised draft of the Cap & Trade program, the Proposed Draft Regulation (PDR). This will include all the major facets of Greenhouse Gas (GHG) tied together, including the thresholds for monitoring, reporting, and verification, determination for how allowance auctioning and free allocation will be used; outline of how Renewable Energy Credits (RECs), Tradable Renewable Energy Credits (TRECs), and unbundled energy may be resolved; and a discussion of how this program is aligned with a probable federal program. ARB may need to address protocols, having rescinded approval of CAT's four voluntary protocols.

The California Wastewater Climate Change Group (CWCCG) has been busy in coordinating the focus of the wastewater community efforts on several fronts. The California Mandatory Reporting Rule continues to change, in some ways more like the federal Rule, but not treating thresholds and biomass exactly the same. ARB, CEC, and CPUC are still evaluating the Renewable Energy Standard (RES) and how it may be related to the Renewable Portfolio Standard (RPS).

A critical issue continues to be how biomass, biogas, biofuels and associated terms are defined, and how these resources are addressed by all the developing regulations. And all forms of legislation are being thrown at the walls of the Capitol to see what sticks or gains traction, and what falls by the wayside.

Meanwhile, the California Department of Public Health (CDPH) has been developing Health Impact Assessments through something called the Public Health Climate Change Adaptation Strategy. In much the same way that the US EPA, the CDPH is exploring "comprehensive strategies to minimize the impacts of climate change on human health."

The weather vane points west (to California) more than ever. Sometimes, it's hard to tell if the barometer is low but slowly rising or falling from a mid-range. While the road to final regulations is arduous, it's nice to know that some regulatory staff are listening to our needs. If you'd like a live update, please consider coming to the CWEA Annual Conference in Sacramento, April 20-25.

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 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 US EPA filed [Federal Register Vol. 74, No. 183](#) proposing a "Determination of Attainment of the 1997 8-Hour Ozone Standard for Imperial County, CA" On December 3, 2009 the US EPA filed a FINAL rule [Federal Register Vol. 74, No 231](#) issuing a determination that the "Imperial County, California moderate 8-hour ozone nonattainment area has attained the 1997 8-hour National Ambient Air Quality Standard (NAAQS) for Ozone."

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

The MDAQMD has announced that May 3-7 is Air Quality Awareness Week. Contact their website for further information.

The next meeting of the MDAQMD Board is scheduled for April 26, 2010. There are no new workshops or public hearings shown on the MDAQMD website for the month of April 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.

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.

The SDAPCD is currently in the process of applying with CARB to become a Greenhouse Verification Body. If approved the verification services will be offered by contract.

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.

The next APCD Community Advisory Committee meeting is scheduled for April 14, 2010. The next APCD Board meeting is scheduled for May 20, 2010.

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 April 13, 2010. At this time there no new Advisory Committee meetings scheduled.

South Coast AQMD

www.aqmd.gov

Priority Reserve Lawsuits by Greg Adams, LACSD

Attorneys for Californian Citizens Against Toxics (CCAT) failed to meet the court deadline to file a noticed petition seeking an injunction against the

issuance of SCAQMD permits that rely on the SCAQMD credit banks and the item has been taken off calendar. A defendant in the case, we presume the SCAQMD, has filed an answer to the original petition plus a demurrer and a motion to strike. A hearing on the demurrer and motion to strike has been set for late April 2010.

No response has been issued yet by EPA to the December 10, 2009 NRDC petition to EPA to require California to amend its SIP before issuing permits. SCAQMD staff had a long meeting with Assistant Administrator for Air and Radiation, Gina McCarthy, to explain its position. The Assistant Administrator promised to act soon and that they were also planning to meet with some of the plaintiffs.

No deadlines have been established for any actions ensuing from the appeal of federal Judge George Wu's decision (to dismiss plaintiffs causes of action) at the federal Court of Appeals in San Francisco.

SCAQMD CEQA staff and consultants continue to work on the CEQA documents for SCAQMD Rule 1315 Federal New Source Review Tracking System. A release of the draft CEQA document is expected soon.

SCAQMD Proposed Rule 317 Clean Air Act Non-attainment Fees by Greg Adams, LACSD

On March 5, 2010, Earthjustice, on behalf of NRDC, filed a petition with the DC Circuit Court of Appeals challenging the EPA Office of Air Quality Planning and Standards' "Guidance on Developing Fee Programs Required by Clean Air Act Section 185 for the 1-hour Ozone NAAQS" that was issued on January 5, 2010. Hence the guidance that we had been waiting for close to a year that provides considerable flexibility to the non-attainment regions to craft emissions equivalent and/or fee equivalent programs, is under attack. Notwithstanding, the SCAQMD held a stakeholders meeting on March 23, 2010 to outline their revised proposal that they will take to their Board on April 2, 2010 for permission to release to the public. The staff is requesting a May hearing on their revised proposal, in conjunction with the Board hearing on their Regulation III fee rules. The main thrust of the new staff proposal on PR 317 is to credit a source's Regulation III fee payments against their potential Section 185 liability. This, coupled with a recessionary adjustment factor on emissions, might reduce Section 185 fees by as much as 75% for most sources.

EPCRA Hydrogen Sulfide Administrative Stay to be Lifted by Greg Adams, LACSD

On February 26, 2010, EPA Administrator Lisa Jackson signed an “intent” to lift the administrative stay on the reporting requirements for hydrogen sulfide under EPCRA (Emergency Planning and Community Right to Know Act). Hydrogen sulfide had been added to the EPCRA Section 313 list of toxic chemicals back in December 1, 1993 but EPA granted the industry a stay from reporting requirements of the act until August 22, 1994 because of some anomalies in the original listing studies and procedures that restricted public comment. Now, armed with more rat data, EPA will lift the stay unless persuasive information and studies come forth by April 27, 2010. While hydrogen sulfide is explicitly listed in Section 112(r) of the federal CAA as part of the federal Clean Air Act accidental release program, it is not a listed toxic compound in Section 112 (b) from which potential other general toxics regulations can flow. It is probable however, that with the lifting of the stay in EPCRA and given the long history of agitation across the United States to list the chemical, that hydrogen sulfide will also be added to Section 112(b) of the federal CAA and that additional regulations might ensue in the future.

Establishing an AB32 Implementation Fee by Frank Caponi, LACSD

An important component of the California Global Warming Solution Act of 2006 (AB32) is establishing a fee for implementing the regulation. Specifically, AB32 reads:

“The State board (CARB) may adopt by regulation, after a public workshop, a schedule of fees to be paid by the sources of GHG emissions regulated pursuant to this division ...”

The administrative fee will be borne by industry and has been controversial because the impacted sectors of industry have demanded a full accounting of CARB’s cost in implementing the program; information which has been slow to come. As a result, after initial approval by the CARB Governing Board on September 25, 2009, the fee regulation is now in its second public review period for further modification (these are referred to as 15-day comment periods).

The fees will be structured to recovery cost already spent beginning in fiscal years 2010/2011 out to 2012/2013. For each of these three years, the cost shall be \$27 million with any remaining debt paid in 2013/2014. After this period, fees will be accessed for on-going recovery of cost.

In general, the wastewater/water industry should not be directly impacted by the fee regulations although indirect fees through utility rate increases could occur. Impacted will be the distributors of natural gas, producers of California gasoline or diesel, and the “first delivers” of electricity. First delivers are owners of electrical generation facilities that deliver electricity to the California transmission and distribution system. Wastewater/water agencies that use biogas as a fuel to generate electricity, or are a cogeneration facility, even if “first delivers” of electricity, are excluded from the fee. However, if a biogas generation facility is co-fired with natural gas and the entire generation facility (including biogas) has an electrical generation capacity of at least one-megawatt or emit 2,500 Mt CO₂, they could be required to pay a fee for the natural gas portion of their operation. CARB has indicated that if the total bill is under \$50 (roughly equivalent to 330 tons per year of CO₂-natural gas), the facility will not be charged.

The deadline for public comment on the proposed modifications is April 2, 2010. The proposed rule and all back-up material can be found at <http://www.arb.ca.gov/regact/2009/feereg09/feereg09.htm>.

Interim Tier 4 Diesel Engine Implementation Guide by Karl Lany, SCEC

Interim Tier 4 diesel engine emission standards will become effective on January 2011 for engines rated at or above 175 hp. These standards apply to newly-manufactured non-road engines (those engines used in portable equipment and off-road heavy equipment), and also apply to stationary engines.

Because model year 2011 Interim Tier 4 emission standards are more stringent than the Tier 2 standards that apply to engines that are rated above 750 hp, and the Tier 3 standards that apply to engines that are rated between 175 and 750 hp, there is a likelihood that engines meeting the model year 2011 Interim Tier 4 standards may be subject to limited availability or increased cost.

This document presents a summary of the options that engine purchasers may have to purchase and obtain permits for model year 2010 engines as Interim Tier 4 emission standards are implemented in 2011.

Portable Engines

Portable engines that are used in California are regulated primarily through the Airborne Toxics Control Measure (ATCM) for Portable Compression Ignition

Engines. Most operators of portable engines choose to register the engine in the California Air Resources Board (CARB) Portable Equipment Registration Program (PERP) in lieu of obtaining operating permits from local air districts. The ATCM includes provisions that allow Tier 2 and Tier 3 engines that meet model year 2010 emission standards to be registered in PERP or permitted by local districts as long as the application for registration or permit is submitted to the appropriate agency by June 30, 2011. This flexibility provision is sometimes referred to as the “sell-through provision”.

Once registered in the PERP, an engine can be transferred without being subject to more stringent emission standards so there is no regulatory requirement that would render the engine useless as a portable device in the future, but owners of portable fleets are subject to average fleet particulate matter (PM) emission standards beginning in 2013. Engines meeting model year 2010 PM emission standards would likely have to be equipped with oxidizing PM filters as early as 2017 and almost definitely by 2020 to be retained in a California fleet. Also, portable engines are sometimes used in stationary applications and subject to local permit requirements for stationary engines. An engine meeting 2010 emission standards may not qualify for such stationary permits, whereas an engine that meets Interim Tier 4 emission standards, would qualify for such stationary engine permits until Final Tier 4 standards are implemented between 2013 and 2015.

Stationary Engines

Stationary engines are regulated through the CARB ATCM for Stationary Compression Ignition Internal Compression Engines, as well as through local regulations. There is no statewide registration program for stationary engines, so they are subject to local air district permit programs. The stationary engine ATCM includes a sell-through provision that allows, but does not require, local air districts to issue permits for engines meeting model year 2010 emission standards to be purchased and installed after 2010.

To qualify for local air district permit discretion, the following conditions must be met:

- The engine must not have been delivered to California prior to January 1, 2010.
- The engine must be purchased by the end user and the application for permit must be submitted to the local air district by June 30, 2011.
- The local air district must issue a permit to construct the engine within six months of application submittal.

Because local air districts retain full discretion in implementing the six-month flexibility provisions of the ATCM, the purchaser of a stationary engine is advised to check with the district before obtaining any engine that does not meet the emission standards that are in place at the time of permit application submittal. Engine purchasers are also advised to submit permit applications to the local air district for new model year 2010 engines rated above 175 hp prior to December 31, 2010 whenever possible to avoid the uncertainty that results from permitting discretion that is granted to California’s numerous air districts.

Special Circumstances in South Coast Air Quality Management District (SCAQMD) by Karl Lany, SCEC

Unlike all other air districts that simply enforce the Stationary Engine ATCM, the SCAQMD implements the state regulation through SCAQMD Rue 1470. The SCAQMD also maintains a certified equipment permit (CEP) program through which the District certifies engine models to meet technology standards for stationary emergency installations. In most cases, the buyer of a certified engine can obtain a permit for an engine that is certified through an expedited and price discounted registration program. The registration program is not available for certain facilities with high emissions inventories or for locations near schools.

The SCAQMD has not yet amended Rule 1470 to include the six month sell-through provision that is contained in the Stationary Engine ATCM. Historically, the six-month sell-through provision has been implemented through the CEP program, with reference to June 30 expiration dates on the engine certifications. Outstanding certifications, however, have an expiration date of December 31, 2010, rather than June 30, 2011. SCAQMD has indicated its intent to revise all affected certifications to reference an expiration date of June 30, 2011, but until the District does so, buyers of model year 2010 engines rated above 175 hp are advised to submit permit applications to SCAQMD prior to December 31, 2010.

Pending Regulatory Changes Affecting Stationary Emergency Engines by Karl Lany, SCEC

The California ATCM for Stationary Internal Combustion Engines and SCAQMD rule 1470 impose emission standards for emergency engines installed after 2010 (and the expiration of sell-through provisions) that are more stringent than what is mandated through similar federal regulations. In some cases, the standards imposed by the ATCM and Rule 1470 would result in the use of NOx emission control devices that may not be suitable for emergency engines. CARB is investigating the need for regulatory

amendments that would allow the continued installation of emergency engines meeting model year 2010 emissions standards, but possibly combined with the use of PM filters. The result of CARB's investigation may be amendments in 2010 to the Stationary Engine ATCM. SCAQMD may also be faced with the possibility of having to make similar amendments to Rule 1470. SCAP will advise members and regulatory activity occurs.

For additional information, please contact:

[SCEC Air Quality Specialists \(Associate SCAP Member\) @ \(714\) 282-8240.](#)

California Air Resources Board @ (916) 324-5869 (PERP and Portable Engine ATCM) @ (916) 327-5784 (Stationary Engine ATCM).

South Coast AQMD @ (909) 396-2466 (Certified Equipment Program) @ (909) 396-2567 (Rule 1470 development).



Biosolids

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

The City of Los Angeles and the other petitioners have asked the U.S. Supreme Court to hear their case alleging that the Kern County ban on biosolids land application, otherwise known as Measure E, is unconstitutional. The petition for a writ of certiorari, filed on March 15, 2009, requests that the U.S. Supreme Court address a circuit split and correct a recent appeals court determination that the plaintiffs lack prudential standing to sue Kern County under the U.S. Constitution's commerce clause for banning the use of Los Angeles' biosolids on unincorporated Kern County land.

The Federal Circuit Court initially ruled that Measure E discriminated against interstate commerce, allowing Kern County biosolids to continue to be land applied locally, while preventing the same option for biosolids from outside the county. The 9th Circuit Court of Appeals then invalidated the ruling, finding that the

plaintiffs' claims arise from intrastate commerce, and therefore fall outside of the domain of the commerce clause.

San Luis Obispo County Regulation of Biosolids by Matt Bao, LACSD

The San Luis Obispo County Board of Supervisors held a hearing in March, regarding the management of biosolids on open space lands, which had a very positive outcome. Language from the Open Space Element of the county's master plan was revised significantly, to only prohibit the disposal of biosolids at non-agronomic rates, which essentially allows for the land application of biosolids for beneficial reuse on open space land. The policy now reads, "The County should prohibit disposal of biosolids on open space lands as defined in the COSE glossary. Open space lands with production agricultural uses may be eligible for land applied biosolids where the material meets quality requirements and is applied at an approved agronomic rate." In addition, restrictions on the management of composted biosolids were removed entirely. A prior draft ordinance, released in 2008, would have limited the land application of biosolids to exceptional quality (EQ) biosolids only, such as biosolids compost, and limit the total land application of EQ biosolids in the county to only 1,608 cubic yards per year.

At the conclusion of the hearing, the Board did not take action on this issue, deferring it until their April 6th meeting, but it was not due to the biosolids issue. SCAP will continue to monitor this issue and report any findings in upcoming newsletters.

CASA DC Conference by Matt Bao, LACSD

The following are a series of major topics that were discussed at the March 9th biosolids meeting with EPA during the CASA DC Conference, provided by Greg Kester.

Rule revisions contemplated for Part 503

The Office of Science and Technology is conducting a risk assessment for the nine constituents identified in the 2003 biennial survey, with the addition of molybdenum. The nine constituents are: Barium, Beryllium, Manganese, Silver, Fluoranthene, Pyrene, 4-chloroaniline, Nitrate, and Nitrite.

It is unknown whether the risk assessments will result in any new regulatory standards, so we will closely monitor this and keep you informed. It is expected that a new Exceptional Quality limit for molybdenum will be recommended. EPA is also evaluating data for the other 135 constituents analyzed as part of the

Targeted National Sewage Sludge Survey, released in January 2009, to determine if risk assessments can and should be conducted for them. It appears that enough data is currently available to conduct a risk assessment for approximately 40 additional constituents. EPA is also working to update analytical methods for a number of constituents within the biosolids matrix, and will codify them as appropriate. EPA is also contemplating the elimination of Class A pathogen alternatives 3 & 4, which are the monitoring options for enteric virus and helminth ova. EPA is also considering changes to their recordkeeping and reporting requirements. General areas of contemplated changes include: reporting of where biosolids are land applied; how biosolids are managed; quantities produced and reused; more specificity on how pathogen and vector control are met; and electronic reporting if funding is provided.

EPA Cancer Slope Factor for inorganic arsenic

EPA released a draft proposed cancer slope factor (CSF) for inorganic arsenic on February 19, 2010 for a 60 day comment period. Comments are due by April 20, 2010. The proposed CSF is 25.7 mg/kg, which represents a 17 fold increase from the current CSF. This factor will be used in the Integrated Risk Information System (IRIS) for risk assessment, and is likely to have significant impacts for recycled water, treatment plant effluent, and possibly biosolids standards. The Science Advisory Board is conducting its own peer review and is set to meet on April 6 and 7 to discuss the issue. Their comments are expected to be submitted to EPA Administrator Jackson in May or June.

Anticipated changes and work on the sewage sludge incinerator and solid waste definition rules

It was noted that a final rule for sewage sludge incinerators (SSI) is due by December 16, 2010. The decision has been made to regulate SSIs under Part 129 as a solid waste. EPA has requested data from 9 facilities with roughly 15 incinerators, and that data is due at the end of March. EPA will wait until that data is reviewed and evaluated to decide whether they will develop individual Maximum Achievable Control Technology (MACT) standards for fluidized bed and multiple hearth incinerators, or if they will develop a single MACT for all SSI's. NACWA has also provided extensive data from many facilities with SSI's, and EPA indicated that it will review that data, in addition to the nine specific facilities from which it requested data previously. In a separate but parallel effort, the Office of Solid Waste is due to publish its final definition of non-hazardous solid waste by April 15, 2010. All indications are that sewage sludge will be defined as a

solid waste, and thus would not be a legitimate alternative fuel. CASA reiterated its belief that sewage sludge should be considered an alternative fuel, and EPA indicated that they are attempting to word the definition carefully, so that it only applies to incineration and would not impact land application.

San Francisco Public Utilities Commission Biosolids Compost Giveaway

In early March, a San Francisco CBS affiliate aired a negative story on the San Francisco Public Utilities Commission's (SFPUC) biosolids compost giveaway program. The story included an interview of EPA employee Hugh Kaufman, who is part of the Whistleblower program, and who opposes the beneficial reuse of biosolids. During the interview, Kaufman categorized biosolids as a hazardous material and stated that biosolids should be managed at hazardous waste landfills. This has been the latest instance of negative press on the compost giveaway program, which began with opposition by the Organic Consumers Association and the Center for Food Safety, and even included a protest at San Francisco's City Hall on March 4th. CASA, CWEA, US Composting Council, North East Biosolids and Residuals Association, Northwest Biosolids Management Association, Mid Atlantic Biosolids Association, and others have all written support letters to SFPUC.



Collection Systems

Chair Sam Espinoza
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Manhole Inspection Program by Sam Espinoza, LACSD

As we are all aware, periodic inspection of a sewer collection system is a critical function that is necessary to ensure that the integrity of this infrastructure remains intact so that it can reliably convey wastewater to the treatment plants. Most collection system owners already have a well defined and systematic approach for inspecting their sewer pipelines, primarily using closed-circuit television (CCTV) at an established inspection frequency. But what about the manholes? Condition assessment of the collection system should not be limited to only sewer pipes. As an essential part of the sewer collection system, manholes should get

some attention similar to the rest of the sewer network. Establishing a manhole inspection program will help an agency to identify problems before costly repairs are necessary.

So what can go wrong with manholes? First of all, manholes are accessible to the public, which makes them vulnerable to vandalism and a potential liability. In terms of condition, manholes have to endure the constant pounding of traffic. Worn manhole covers can become a nuisance to neighbors who have to listen to the constant rattling noise of loose covers. Worse yet, severely worn manhole covers can flip up out of the support ring causing damage to the underside of vehicles. Manholes are not only subject to the loads of traffic, but they are also subject to hydrogen sulfide attack and excessive water inflow and infiltration. Corrosion caused by hydrogen sulfide compromises the structural integrity for both brick and concrete manholes. Prolonged infiltration can create voids outside the manhole structure by removing fine soil along with groundwater. Once the structural condition of a manhole is compromised expensive repairs may be necessary. Having a formalized manhole inspection program will help to ensure the longevity of these critical assets.

Generally speaking, all formalized manhole inspection programs should include established safety procedures, data recording procedures and forms, guidelines to determine the structural condition of a manhole, frequencies for inspection, and a selection process for determining cost-effective rehabilitation. For agencies that are looking to develop a reliable and consistent approach towards manhole evaluation, the National Association of Sewer Service Companies (NASSCO), has established a Manhole Assessment and Certification Program at the following link: (http://www.nassco.org/training_edu/te_macp.html).

NASSCO is working towards standardizing defect codes for manholes, which will allow for direct comparison and prioritization for repair. To find out more about sewer manholes and how to develop a manhole inspection program, consider reading ASCE Manuals and Reports on Engineering Practice No. 92, Manhole Inspection and Rehabilitation.

Flushables Update by Bob Kreg, SCAP

On March 26, 2010 a teleconference facilitated by Paige Brokaw of Assembly Member Jared Huffman's office was conducted to provide an update to the status of AB2256. AB2256 is proposed legislation that would prohibit the packaging or labeling of a consumer product in California that states that the product is

flushable or is sewer and septic safe unless the product meets specified criteria. The Bill is scheduled to be heard in committee on April 13, 2010 but will probably be moved back to April 20, 2010. The Bill, a fact sheet and a sample support letter are available on the SCAP website. The importance of sending support letters and providing examples or descriptions of how rags and other items that have been flushed down the toilet have negatively impacted the sewage collection system was stressed. This is particularly important if this debris is connected to a sewage spill. Providing accurate documentation, including photographs, increases the potential for this Bill to become law. Any documentation your agency has on problems caused by flushed products, especially when it has resulted in a sewer spill, can be sent to SCAP for forwarding to the proper parties.

Paige also stated that INDA (Association of the Nonwoven Fabrics Industry) wants to better understand the problem with flushable products in California. INDA is an association of manufactures that claims to have an international membership of ninety percent of all the manufactures of flushable products. INDA has expressed a desire to visit collection system agencies with a ragging problem and to provide testing of problem flushed products.

Data Review Committee Meeting Update by Bob Kreg, SCAP

The second meeting of the Data Review Committee was held on March 9, 2010 at Orange County Sanitation District. The purpose of the Data Review Committee is to review the type of sewage spill data being reported to the California Integrated Water Quality System (CIWQS) to determine if changes are necessary to improve the Monitoring and Reporting Program's (MRP) effectiveness. The spill report data is also reviewed to gauge the overall effectiveness of the General Waste Discharge Requirements (GWDR) in reducing SSOs. At the first Data Review Committee meeting three topics were selected for consideration by the committee as part of the State Water Resources Control Board's (SWRCB) review of the effectiveness of the statewide General Waste Discharge Requirements (GWDR). The March meeting centered on the topic of what indices of collection system performance should be used to compare collection systems in California? Currently, the most widely used index of collection system performance is the number of spills per 100 miles of pipeline. Most feel that this index is not a true indicator of system performance and handicaps smaller systems. During the meeting 10 indices were proposed.

1. Number of Spills (or Volume of Spills) per 100 miles of pipeline.

2. Number of Spills (or Volume of Spills) per capita.
3. Number of Category 1 spills (or Volume of Spills); number of Category 2 spills (or Volume of Spills).
4. Number of Spills (or Volume of Spills) by pipe diameter or pipe area.
5. Number of Spills (or Volume of Spills) by volume class of spill.
6. Separate out number of spills (or Volume of Spills) by portion of collection system pump station, force main, gravity, lateral.
7. Separate out spills (or Volume of Spills) caused by outside contractors.
8. Number of Spills (or Volume of Spills) by cause category (fog, roots, debris, etc.).
9. Gallons Conveyed versus Gallons Spilled versus Gallons Recovered versus Gallons Reach Surface water.
10. Volume of Spills per Year by Volume Total Conveyed.

To test the validity of these indices several committee members volunteered to test one or more of the 10 proposed indices using their own agencies spill data or data provided by Russell Norman of the SWRCB. Russell has prepared a special spill data base for use with this project that includes actual spill data reported to CIWQS without revealing who originated the spill data. The goal is to determine the difficulty in calculating these indices and to evaluate which indices are the most valid for measuring the performance of a collection system.

The timeline for the completion of the work from the Data Review Committee is June 2010. To meet this deadline the Committee has agreed to meet twice each month. Meetings will be held on the 2nd and 4th Tuesdays and will alternate between Northern and Southern California. Meetings can be accessed in person or via teleconference. The next will be Tuesday, March 30th from 10am to 12pm at the State Water Resources Control Board office at 1001 I Street, Sacramento, CA, Room 1520.

The June deadline will allow the state time to incorporate the findings into the draft revision of the GWDR that is tentatively scheduled for public release in July 2010. Public comments and public hearing will tentatively take place in the fall with SWRCB adoption of the revised order tentatively scheduled for December 2010.

WDR Deadlines:

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. If your organization serves a population of 2,500 or less, 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 August 2, 2010.



Energy Management

Chair Andre Schmidt
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Decision on Renewable Energy Credits Issued

by Andre Schmidt, LACSD

On March 11, the California Public Utilities Commission (CPUC) approved the use of tradable renewable energy credits (TRECs) for compliance with the California renewables portfolio standard (RPS). The decision distinguishes between bundled (energy plus renewable energy credits (RECs)) transactions and TREC (or REC-only) transactions used for RPS compliance by finding that a bundled transaction must serve California customer load, without needing any intermediary energy transactions that in effect substitute energy that is not RPS-eligible for energy that is. The decision classifies all other RPS-eligible transactions as REC-only. Highlights of the decision include:

- TRECs must be tracked in the Western Renewable Energy Generation Information System (WREGIS) and retired in WREGIS for RPS compliance within three calendar years of the year the electricity associated with the TRECs was generated.
- The Investor Owned Utilities (IOUs) may use TRECs to meet no more than 25 percent of their annual RPS procurement obligations.

- The decision imposes a transitional price cap of \$50 per REC in REC-only contracts used for RPS compliance.
- The limit and price cap will expire December 31, 2011.
- The decision requires the CPUC's Energy Division to collect information on the TRECs market and issue a report in 16 months with recommendations on the cap and limit.

Power produced at wastewater treatment plants from a renewable energy source and used onsite is eligible to qualify for TRECs. Under the decision, these would be subject to the 25 percent limit for IOU RPS compliance. This may limit the value of TRECs produced by wastewater treatment plants, since early indications are that the IOUs may already meet the 25 percent limit with existing contracts. Municipal utilities and direct access electric service providers are not subject to the limit.

Upcoming Energy Management Committee Meeting by John Pastore, SCAP

The next meeting of the Energy Management Committee is scheduled for April 27, 2010 and will be held at the offices of the Sanitation Districts of Los Angeles County. The meeting will be dedicated to subjects related to renewable energy credits (RECs) and tradable renewable energy credits (TRECs) and will feature knowledgeable speakers from public agencies and private industry. We intend to present an overview of the background of RECs, a discussion of the registration process public agencies must go through with WREGIS, an overview of the Metropolitan Water District's renewable energy program and hopefully at least one other sanitation district's experience in the REC market. A meeting notice and flyer will be sent out in the very near future, please plan on attending if you are or your agency is interested in this topic.

Reprint of an Article from Renewable Energy World.Com dated March 23, 2010 by Mike Wolterbeek, University of Nevada

Researchers Test Waste-to-Energy System at Treatment Plant-Demonstration-scale waste-to-energy system uses technology invented at University of Nevada, Reno.

A successful University of Nevada, Reno renewable energy research project is moving from the lab to the real world in a demonstration-scale system to turn wastewater sludge into electricity.

The new patent-pending, low-cost, energy-efficient technology is scheduled to be set up in the [Truckee Meadows Water Reclamation Facility](#) next month following the recent signing of an interlocal agreement with the cities of Reno and Sparks.

"Our plan is to test the unit by about May 15," Chuck Coronella, principle investigator for the research project and an associate professor of chemical engineering, said. "We're designing, building and assembling a continuous-feed system that will ultimately be used to generate electricity. We'll run experiments throughout the summer, creating a usable dried product from the sludge."

The experimental carbon-neutral system will process 20 pounds of sludge per hour, drying it at modest temperatures into solid fuel that will be analyzed for its suitability to be used for fuel through gasification and, in a commercial operation, ultimately converted to electricity. The refrigerator-size demonstration unit will help researchers determine the optimum conditions for a commercial-sized operation.

"The beauty of this process is that it's designed to be all on site, saving trucking costs and disposal fees for the sludge," Victor Vasquez, a University faculty member in chemical engineering said. "It uses waste heat from the process to drive the electrical generation. It also keeps the sludge out of the landfill."

Estimates, which will be further refined through the research, show that a full-scale system could potentially generate 14,000 kilowatt-hours per day to help power the local reclamation facility.

The demonstration-scale project is a collaboration with the cities of Reno and Sparks, operators of the wastewater plant. The city councils signed an interlocal agreement recently to allow the research to integrate into their operation, providing space for the experiments, the dewatered sludge and other resources to help make the project a success.

"Economically, this makes sense," Coronella said. "Treatment plants have to get rid of the sludge, and what better way than to process it onsite and use the renewable energy to lower operating costs." Coronella added, "This demonstration gives the University an opportunity to involve students in development of waste-to-energy technology, which ultimately will benefit the community. It's a win-win for everyone involved."

Installation of the system will begin in April, and the system will be tested mid-May. The project will last until fall 2010.

The [University's Technology Transfer Office](#), with assistance from the College of Business, is supporting the project with plans to make the system available to hundreds of communities around the country that operate water treatment plants.

For example, there are approximately 700,000 metric tons of dried sludge produced annually in California municipalities, which could sustainably generate as much as 10 million kilowatt-hours per day.

The project is funded through the Energy Innovations Small Grant Program, the California Energy Commission and the Department of Energy. This phase of the project was selected for funding by the Tech Transfer Office under a DOE grant to support transferring technologies from the lab to practical application.

Mike Wolterbeek is a media relations officer at the University of Nevada.



Water Issues

By Chair Valerie Housel
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Emerging Constituents Workgroup – A Stakeholder Driven Effort Administered by SAWPA in the Santa Ana Region 8 by Valerie Housel, City of San Bernardino MWD

In 2005, recycling orders were issued by the Santa Ana Regional Water Quality Control Board that included required monitoring for 37 “Endocrine disrupting chemicals & pharmaceuticals” based on the now infamous “Endnote 5” in California Department of Public Health Groundwater Recharge Reuse Draft Regulations. Later that year and into the next, these new monitoring requirements were included in tentative NPDES orders, and a tentative order to regulate salts in recharge of imported waters into management zones in the Santa Ana watershed. The inclusion of these monitoring requirements generated substantial objections from dischargers to water suppliers throughout the region and statewide because many of the constituents to be monitored did not have accepted methods by which the constituents could be measured and many believed that constituent monitoring in water

supply by WDRs was not under RWQCB purview. The latter issue is a topic for another day.

Many meetings were held to discuss emerging constituents by both water purveyors and the Santa Ana River Dischargers Association. In 2007 it was decided to form a voluntary working group of stakeholders (Emerging Constituents Workgroup, ECW) to address a characterization program for emerging constituents in a collaborative atmosphere. In 2008, the Santa Ana Watershed Project Authority (SAWPA) was requested to administer the development of a two phased study approach. As can be found on SAWPA's website, the first phase covered current monitoring programs, regulatory issues, stakeholder concerns, analytical methods and the state of the science with respect to potential public health and environmental impacts. The second phase was to reflect the results of ongoing emerging constituent characterization studies and other related evaluations to define an investigative plan that would meet RWQCB needs. A report of the first phase was submitted to the RWQCB December 2008, and the second phase report was completed December 2009.

In this same time period, the SWRCB adopted the Recycled Water Policy. In that policy, a “Blue Ribbon Panel” was to be created to address emerging constituent concerns related to recycled water and public health. In the second phase ECW effort, meetings were scheduled to include presentations from several experts in the field covering current research efforts, and presentations from representatives of DPH, USGS and SARWQCB that covered regulatory perspectives. Many of the presentations were given by experts that were also selected for the Blue Ribbon Panel. Representatives from the SAWPA effort were requested to update the Blue Ribbon Panel on progress of the ECW.

Results from the second phase included a list of eleven constituents to be monitored over the next two years. The constituents were chosen based on many factors such as category (pesticide, pharmaceutical, herbicide, etc.), persistence, treatability, analytical method for detection/quantification, etc. Compounds already included in regulatory monitoring programs were excluded as were compounds that were not detected in any on-going studies in the area like the USGS GAMA study, the MWDSC/NWRI/OCWD study, recycled water monitoring, etc. Caffeine, Advil and Tylenol were included not just because of detections, but also for name recognition. Many of the compounds can cause apprehension just because the scientific nomenclature can resemble “methyl ethyl death” if common names are not included. The list includes acetaminophen (Tylenol), Bisphenol-A (BPA), caffeine,

carbamazepine, DEET (Off), diuron, ethynylestradiol, gemfibrozil, ibuprofen (Advil), sulfamethoxazole and TCEP. Samples taken from POTWs, State Project Water, Colorado River Water, and the Santa Ana River (two locations) will be analyzed for these constituents annually for two years. Based on the monitoring results and recommendations from the Blue Ribbon Panel, the sampling and monitoring program may be modified.

Phase two work also included development of a Sampling and Laboratory Analysis Plan (SLAP) that specified the analytical method to be used and reporting thresholds. In the SLAP, participating laboratories are required to analyze a blind sample and a split sample of river water in addition to samples received from sample sites. Other specific QA/QC such as spike levels and acceptable recoveries, blank concentrations, etc., that will provide data quality are also required. By including several laboratories and matrix spikes, analytical variability may be observed as well as method robustness.

Proposed reporting for the program will include descriptions of the program with results of monitoring and any recommendations or proposed changes, and will be presented in an annual report to the RWQCB. The annual report is to include discussions of toxicological relevance of measured concentrations where possible. The ECW will continue to meet periodically to review new water quality data, integrate new emerging constituent policies enacted by SWRCB and DPH, and amend or re-validate the investigative effort.

SCAP Water Issues Committee Meeting of March 24, 2010 by John Pastore, SCAP

The first quarterly Water Issues committee meeting of the year was held last month at the offices of the Inland Empire Utilities Agency. The meeting represented a change in the format from previous meetings, in that

the formal presentations were intermixed with roundtable discussions involving the attendees. The new format appeared to work out well, based on post meeting comments, and allowed participants to exchange ideas and information concerning their agency's programs and concerns. The meeting centered on the topic of salt management and included informative presentations by Brian Louie from LACSD on their experiences with the Santa Clara River Chloride Reduction Ordinance of 2008; Martha Davis from IEUA on her agency's salinity management planning efforts to-date and their work with the Santa Ana Regional Board to obtain a finding of necessity as a precursor to developing an ordinance restricting the use of regenerative water softeners; and lastly, by Jeff Mosher, executive director of the National Water Research Institute (NWRI), regarding the challenges resulting from the recent adoption of the statewide Recycled Water Policy and the need for proactive salt management planning throughout the state. He also discussed the work that the Southern California Salinity Coalition has and is performing for various agencies in the region.

Regulatory Affairs

Mary Jane Foley

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 difficult we do immediately. The impossible takes a little longer.

- *Slogan of the United States Army Forces Service*

Some of our Supporting SCAP Associate Members

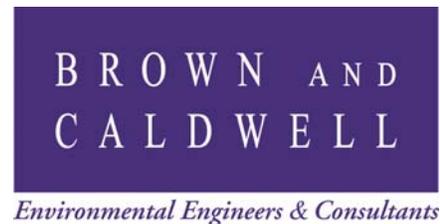
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