



SOUTHERN CALIFORNIA ALLIANCE OF  
PUBLICLY OWNED TREATMENT WORKS

# MONTHLY UPDATE

March 2008

## A Message from the Executive Director...

***What in the world is going on around here?*** I'm starting to suspect that baseball's steroid controversy may now spill over from the sports world into the regulatory world. I first suspected something might be wrong after seeing how many new policies and regulations have been proposed and up for consideration in the early part of 2008. What else could it be? I'm usually not one to complain but, my gosh! I'm sure I am not alone when it comes to having problems sleeping at night thinking about how we are going to address the myriad of regulations that are being imposed on our agencies. However, I'm beginning to believe that our regulators and their staff may not be sleeping either these days. Instead, they must be staying up all night formulating mass loadings and calculating how to achieve detection limits beyond 10 x (-12) power.

In case some of you have not noticed, the first few months of this year featured workshops and hearings, both local and statewide, on some pretty significant issues affecting all of us, such as the Enforcement Policy Update, the Water Recycling Policy, the Bay/Delta Monitoring Program, the SWRCB Strategic Plan Update, the SWRCB Compliance Policy Schedule, Sediment Quality Objectives for Bays/Estuaries, Climate Change implementation and statewide Mobile Source Diesel Engine Regulations. Not to mention local rules and ordinances like SCAQMD's Engine Rule 1110.2 that includes, among other things, lower emission limits for gaseous and liquid-fueled engines and proposed Amended Rule 461 (Gasoline Transfer and Dispensing) that requires below ground gasoline dispensing facilities to implement Phase II Enhanced Vapor Recovery Systems by April 1, 2009.

However, there's no need to worry as SCAP has a brand new website that can keep you up-to-date on all of the latest regulatory news, as well as provide you with many helpful resources. It has been such a busy time that I have not had a chance to talk much about our new website that was introduced last year. The website, while still evolving, can actually be an incredible resource for your agency.

On the home page, you will be able to access pertinent information about SCAP including a directory that will take you to sections featuring our committees, membership, resources and our members-only area. While on the home page, you can access the latest SCAP Alerts as well as

### Upcoming Meetings

**Air Quality Committee Meeting** –  
Date TBA, 10 am – 12 noon, at  
LACSD.

**Board of Directors Strategic  
Planning Session** – March 7<sup>th</sup>,  
8:30 am – 4 pm, at the Hilton  
Pasadena

**Water Issues Committee  
Meeting** – Thursday, March 20<sup>th</sup>,  
9 am – 12 noon, at IEUA.

**Biosolids Committee Meeting** –  
Tuesday, April 8<sup>th</sup>, 9 am – Noon. –  
City of Riverside.

a calendar featuring upcoming meetings and conferences both for SCAP and other related water/wastewater organizations.

You can also view the current and past issues of our monthly newsletter, which contain the latest regulatory information that has been provided courtesy of the committee chairs.

Clicking on the Committees label provides information concerning each of the four working committees, including the working committees list and their agencies. **Registration for inclusion on any committee e-mailing list must be made directly with the SCAP office.**

By clicking on the Membership label, you will have instant access to our member agencies' websites and a list of the SCAP directors.

By far the most useful site is found by clicking on the Resources label. This area contains a resource library available to the public that can be accessed to obtain copies of documents related to air, biosolids, collection systems, water and regulatory compliance issues. We are currently updating this section and encourage anyone who has a relevant document to post to contact us. This page also contains a job listing site that is available to our members at no charge and a sites of interest reference that provides links to the state and regional water boards and relevant water/wastewater organizations, both state and national.

Lastly, the Members Only section that is accessible only by password provides an area featuring interactive surveys (when posted) and reference documents that are intended solely for viewing by SCAP members. [Editor's Note: Each member wishing to access this section must use their individual password, which was previously sent out to each member. If you need a new password, please contact the SCAP office.] It is also a location where you can change your individual password; create a customized alert mailbox, where you will be notified when new documents are posted to the SCAP website; and participate in online committee forums. However, at this time only the Collection Systems Committee has a working forum.

I sincerely hope that all of you avail yourselves of the SCAP website and welcome any suggestions concerning ways to improve its value to you.

Internetingly yours,

John Pastore

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

### **SCAQMD Rules 1146 and 1146.1** (by Tom C. Fang)

South Coast AQMD is amending Rules 1146 and 1146.1 to implement the 2007 AQMP Control Measure MCS-01 (Facility Modernization) and require existing boilers to essentially meet BACT. Rule 1146 applies to boilers, steam generators, and process heaters with heat input ratings of 5 MMBtu/hr and above, while Rule 1146.1 applies to units rated between 2 and

5 MMBtu/hr. For both rules, SCAQMD proposed a 15 ppm NOx limit for digester gas boilers and 25 ppm for landfill gas, effective 01/01/2015. For natural gas units, proposed NOx limits and compliance dates vary by size. For 5-20 MMBtu/hr boilers, 12 ppm NOx is proposed by 2013; for 20-75, 9 ppm NOx by 2012; for 75 MMBtu/hr or more, 5 ppm NOx is proposed by 2011. An enhanced compliance option (2 extra years in exchange for lower limits) and incremental compliance timelines for operators of multiple units are available in PAR 1146. For PAR 1146.1, new NOx limits of 20, 15, and 12 ppm are being proposed for 2012, 2014, and 2016, respectively. One controversial proposal is to change rule applicability to include facilities with multiple units; specifically, facilities with combined boiler capacities of 8 or more MMBtu/hr would be subject to R1146, and combined 3 MMBtu/hr or more would be subject to R1146.1. In addition, weighted NOx formulas for multiple fuel units as well as fuel efficiency allowances are proposed for both rules. Similar to Rule 1110.1, AQMD is proposing to ban pre-screening tests. Specifically, source tests cannot be conducted for 250 hours following tuning, whereas pre-test screening and tuning are currently allowed in Rule 1146. For periodic monitoring, Rule 1146.1 may add a quarterly portable analyzer test requirement; while Rule 1146 is proposing monthly portable checks if operators choose the portable test method for annual source tests. Low-use boilers will no longer be exempt but must meet 30 ppm NOx. No change is being proposed for CO limits.

Both rules are targeted for the 06/06/08 Board Hearing. SCAQMD has held 1146 and 1146.1 Task Force Meetings, with a PAR 1146 Public Consultation/CEQA Scoping meeting scheduled on Friday, 02/22/08. A "Notice of Preparation of Draft Environmental Assessment" is out and comments were due 02/29/08. SCAP member agencies were invited to comment. Questions may be directed to SCAP Air Quality Committee via the SCAP office.

**SCAQMD Rule 1110.2** (by Tom C. Fang)

On February 1, 2008, SCAQMD adopted amendments to Rule 1110.2 for engines rated above 50 bhp. The action culminated a three-year effort by SCAQMD staff to address widespread noncompliance and SIP acceptance issues (i.e., monitoring requirements), as well as implementation of Control Measure MCS-01, Facility Modernization (brings all equipment to BACT levels). The amendments include:

- 1) Lower emissions limits: Existing natural gas engines must meet current BACT emission limits (e.g., 11 ppm NOx) by 7/1/2010. Engines under 500 bhp get another year.
- 2) Application of emission controls on biogas engines: Digester and landfill gas engines will also be required to meet 11 ppm NOx by 7/1/2012, contingent on a positive technology assessment required of AQMD by July 2010.
- 3) Significantly enhanced monitoring, recordkeeping, and reporting provisions: NOx and CO continuous monitors (CEMS) are now needed on all engines over 1000 bhp and co-located engines with combined ratings of 1500 bhp (exemptions apply); all engines

**Committee Chair Contact Info**

**Air Quality Chair:**  
 Dan McGivney –  
[dmcgivney@emwd.org](mailto:dmcgivney@emwd.org)

**Biosolids Chair:**  
 Mike Sullivan –  
[msullivan@lacsdsd.org](mailto:msullivan@lacsdsd.org)

**Collection Systems Chair:**  
 Ralph Palomares –  
[RPalomares@etwd.com](mailto:RPalomares@etwd.com)

**Water Issues Chair:**  
 Gus Dembegiotes –  
[Gus.Dembegiotes@lacity.org](mailto:Gus.Dembegiotes@lacity.org)

without CEMS must prepare and submit for approval an Inspection & Maintenance Plan with weekly portable analyzer checks and daily recordkeeping. Source tests are now required every 2 years or every 8760 operating hours with pre-tests banned and 3 test loads required, notwithstanding a 6-month grace period to prepare and submit test protocols for approval.

A "Red Alert" was sent by SCAP on 2/19/08. Engine owners/operators subject to amended Rule 1110.2 should carefully assess impact to specific engines and note various compliance deadlines. A "R1110.2 Implementation Advisory Committee" will be convened by SCAQMD shortly to address compliance issues. Questions may be directed to the SCAP Air Quality Committee via the SCAP office.

### **Update on AB32 Implementation and other Wastewater Industry Greenhouse Gas Issues**

(by Frank Caponi)

Since the passage of AB 32 (California Global Warming Solutions Act of 2006), the California Air Resources Board (CARB) has been very rapidly developing a statewide program to achieve the Governor's goal of reducing greenhouse gas emissions (GHG) to 1990 levels by 2020. CARB's current focus is on developing a Scoping Plan to achieve the Governor's 1990 goals. The process is on a fast track with the plan scheduled to be considered by CARB's Governing Board in November 2008. At an April 17 workshop, CARB staff will focus on exploring different emission reductions that may be considered in the plan. The first look at the draft plan will be in a July workshop.

Concurrent with the development of the Scoping Plan, CARB is actively pursuing "early actions" to reduce GHG emissions. These are GHG emission reductions that can be implemented now while the larger Scoping Plan is being developed. In the October 2007 Governing Board Meeting, CARB approved 44 early action measures to be implemented by 2010. In an effort to further encourage early actions, CARB has developed a draft policy statement on "voluntary early actions," which will be considered at its February 28, 2008 Governing Board Meeting. SCAP prepared a comment letter on February 19 expressing concerns with the draft policy statement. There are potentially many opportunities for the wastewater industry to reduce GHG emissions and generate offset credits that could be saleable through a market program. If any of these credits were generated through voluntary action, SCAP is concerned that the draft policy does not provide enough assurances to protect these credits, and make them viable in an open market.

SCAP continues to be part of the California Wastewater Climate Change Group (CWCCG) composed of 40 wastewater agencies and two other wastewater organizations in California. The purpose of this group is to provide a unified voice in the regulatory process, one of the most important components of which is developing an emissions protocol that accurately reflects GHG emissions from wastewater treatment processes. An accurate emissions protocol ensures that the wastewater industry statewide inventory is correct, and the industry is treated fairly in the regulatory process, such as AB32. Currently, the emissions protocol is being developed under the voluntary California Climate Action Registry (CCAR). SCAP members have been very active with CWCCG, CCAR and CARB to ensure that a protocol be developed that reflects the best science available. To that end, SCAP members have been working with the Water

Environment Research Foundation (WERF) on a research program that would develop nitrous oxide (an important wastewater industry GHG) emission factors by testing actual facilities nationwide. These factors would be developed from the best science available. SCAP and CWCCG are working with CCAR and CARB on a schedule to accomplish all the work needed to finalize an emissions protocol. It is currently estimated that the process will take one to two years.

### **Kickoff of WERF Nitrogen Emissions from POTWs Study** (by Greg Adams)

Professor Kartik Chandran of Columbia University was recently awarded a grant from WERF to study nitrogen emissions from activated sludge systems at POTWs. His preliminary findings posit that autotrophic nitrification and denitrification can contribute large quantities of N<sub>2</sub>O and NO to the atmosphere, above and beyond the usual contributions of heterotrophic bacteria, which is the component reflected in the IPCC protocols and the EPA Inventory of U.S. Greenhouse Gas Emissions and Sinks. The latter document ranks the wastewater industry seventh highest emitter for methane and sixth highest emitter for nitrous oxide. Dr. Chandran has agreed to modify his study to accommodate the needs of NACWA to get refined emissions data from direct measurements at POTWs. WERF also kicked in another \$68,000 to directly expedite this portion of the work. Greg Adams of SCAP sits on the WERF Project Subcommittee (PSC) which will help set up the ground rules of the study. The contract between Columbia and WERF will be signed sometime in March 2008 and sampling should start shortly thereafter.

### **SCAQMD Proposed Amended Rule (PAR) 461 – Gasoline Transfer and Dispensing**

(by Janet Bell)

SCAQMD has proposed amendments to Rule 461 – Gasoline Transfer and Dispensing to ensure implementation of Phase II – Enhanced Vapor Recovery (EVR) upgrades on or before CARB's April 1, 2009 deadline, which is fast approaching. The rule affects both retail and non-retail gasoline dispensing facilities with underground gasoline storage tanks, including public agencies and utilities under the non-retail sector.

Some of the key provisions of PAR 461 include:

- Submittal of compliance plans to SCAQMD by October 1, 2008 that outlines a schedule and increments of progress for installation of Phase II-EVR
- Declaration in plan that gasoline not be dispensed after April 1, 2009 unless Phase II EVR in operation and in compliance
- Contractor and tester certification and training
- Performance testing for new or altered GDFs
- Reverification test schedule dates

The rule is slated for public hearing on March 7, 2008.

**Biosolids** by Chair Mike Sullivan**Imperial County's Measure X**

On February 5, 2008, Imperial County's Measure X, the "Health and Safety First Ordinance of 2007," passed with more than 66% of the vote. The measure amends the Imperial County Codified Ordinances by making it unlawful to import sewage sludge into Imperial County with the intention of disposing of it therein. "Disposal" will include storage, incineration, chemically converted (sic), processing, land application, or dumping on private or public ground or facilities within Imperial County. For more information, please visit <http://www.ivblogz.com/quicknews/2008/02/measure-x-passe.html>.

**Senator Boxer Letter**

On October 3, 2007, Senator Barbara Boxer (CA-Democrat) sent a letter on behalf of the Senate Committee on Environment and Public Works to the EPA, raising issues of concern over the inclusion of biosolids in a recent EPA revision of the Federal Procurement guidelines and EPA's ongoing activities with biosolids. EPA submitted a response letter to Senator Boxer's office, and CASA provided a comment letter also. As a follow up to this issue, CASA's Greg Kester met with one of Senator Boxer's aides. The following is a summary of information regarding the meeting, provided by Greg Kester:

Charlotte Craven, the Mayor of Camarillo, member of the Board of the Ventura Regional Sanitation District, and past president of CASA, arranged for a meeting on February 6, 2008 with Senator Boxer aide Aldofo Bailon, in Camarillo. The meeting was attended by 24 representatives of Ventura County, all members of CASA in one form or another, in addition to Mayor Craven and myself. This group was comprised of a broad array of positions, representing virtually all of the wastewater agencies in Ventura County (and 1 in LA County) serving some 650,000 people. Collectively, we were effectively able to make Mr. Bailon aware that there is indeed another side to the biosolids story in contrast to the one the Senator seems to have heard. We kept the conversation general and positive, but still directed. Mayor Craven will be providing some further information to Mr. Bailon on specific issues they are facing and of which the Senator should be aware. It is our hope that Mr. Bailon will be successful in his attempt to set up a meeting with the Senator at the time of CASA's Washington D.C. Conference and/or to have her be a speaker at the D.C. conference on March 12, 2008.

**Update on Local Biosolids Projects**

On February 8, 2008, arguments were heard from Nursery Products, LLC, the County of San Bernardino, and residents of Hinkley, CA before Judge John Vander Feer at the Barstow courthouse, regarding the opposition of the proposed Nursery Products LLC composting facility at Hawes Field. Lawyers supporting the Hinkley residents cited negative effects from the composting facility, such as the potential to pollute local groundwater and air quality. After hearing the arguments, Judge Vander Feer indicated that he would issue a written decision on the case in about 30 days. For more information, please visit [http://www.desertdispatch.com/news/composting\\_2541\\_article.html/facility\\_site.html](http://www.desertdispatch.com/news/composting_2541_article.html/facility_site.html)

**Collection Systems** by Chair Ralph Palomares

Did you know that there are 925,000 restaurants in operation across the nation logging in \$511 billion in annual sales? The amount of fats, oils, and grease (FOG) that the restaurants discharge means more grease interceptors installed and more sewer lines clogged by that brown sticky and smelly stuff that we call in the collections systems trouble if we don't maintain our systems correctly and have no FOG ordinances or some type of maintenance plan that addresses the WDR. We should all have a plan of attack by now and if you don't, well don't fear because as a SCAP member we can help you with what you need to have. You don't have to re-invent the wheel again. As I said previously, most of us have a plan in place by now but I still hear that there are a few out there who are still spinning their wheels not knowing what to do. So please, contact me or the SCAP office and we will assist you in any way that we can. If you are not a SCAP member, well just join us as a member in SCAP and it will prove to be money well spent. We can then begin sharing our library info with you and all your troubles will just go down the drain, well sort of, so to speak.

On another note, 2008 has not started off right for me as I have had the flu now for 10 days. I thought the flu shot would be my lifesaver this year but that didn't happen. As many of you know who may currently have the flu or have had the flu, this year's bug is very, very bad, especially for children, so be careful out there and take care of yourselves.

We have disposable wipes for everything from diapers to moist wipes to dust polishers and toilets that eat marbles, plants, trash and other things I won't mention at this time. Then there are the paints, medications, pills, paint solvents, chemicals, oils, rags, food, eggshells, coffee grounds, chop sticks, soy sauce wrappers, cigarettes, tree roots, carwash oils and solvents, hospital medical wastes such as blood, mercury, bio waste, and soap disinfectants. Then there are all types of nasty things from our industries out there such as metal plating, plastics, chrome plating, and fertilizers. So where does all this waste go to? Some goes to the wastewater treatment plants and some goes to storm drains, which we all know is prohibited. When I see a gas station washing their bays down early in the morning, I make sure to get photos and send them asap to the local city inspector for his immediate attention so that he pays the offending business a visit and maybe issues a citation or two. As you can tell, I'm a Source Control Inspector/FOG Control Manager for the El Toro Water District and a born Orange County native. I do take my job seriously and the beaches and parks are for my kids and yours, so let's continue do what we do best at SCAP: learning, teaching and keeping our environment safe and clean. Be sure to attend the next SCAP Collection Systems Committee meeting. Look for it to be posted soon on the SCAP website. You will also be notified by e-mail as to the location and date and what's on the agenda.

Remember: Daylight savings time begins March 9<sup>th</sup> and spring is just around the corner.....Stay Healthy.

**Order WQ2008-002-EXEC**

In the aftermath of two large sewage spills into the San Francisco Bay, the State Water Resources Control Board has issued Order WQ 2008-0002-EXEC that amends the Monitoring and Reporting Program of the Statewide General Waste Discharge Requirements (GWDR)

Program No. 2006-003-DWQ for all public agencies under the Order. This amendment adds a section called Notification and requires the discharger to notify the State Office of Emergency Services (OES), the local health care agency and the appropriate Regional Water Quality Control Board (RWQCB) of any discharges of sewage that result in a discharge to a drainage channel or surface water. Notification must be made as soon as possible, but no longer than 2 hours after the discharger becomes aware of the discharge. Additionally, the new Order requires the discharger to certify to the appropriate RWQCB that all required notifications have been made as soon as possible, but no later than 24 hours after the discharger becomes aware of the discharge.

This new requirement (WQ 2008-0002-EXEC) for notifying OES, the local health care agency and the appropriate RWQCB within two hours and certifying that all the required notifications have been completed within 24 hours became effective on February 20, 2008.

### **Disposables Work Plan**

At the request of the Collection Systems Committee, SCAP's executive director, John Pastore, has prepared a work plan to assess the impacts of the so called disposable or non-flushable paper products that are being flushed down the drain, as well as the impacts they are having on our collection systems. The work plan also addresses finding a solution to solve the problem through industry notification, public education and possibly legislation. The work plan is currently being reviewed and commented on by the Clean Water Summit Partners and Tri-TAC. It is anticipated that the work plan will be funded as part of a larger comprehensive program that deals with preventing pharmaceutical drugs being disposed of down the drain.

### **Water Issues Committee** by Chair Gus Dembegiotes

#### **Water Quality Enforcement Policy**

The State Water Resources Control Board (State Water Board) held its workshop on February 19<sup>th</sup> in Sacramento to receive comments from stakeholders concerning revisions to the Water Quality Enforcement Policy. Comments on the proposed policy were due to the State Water Board by February 7<sup>th</sup>. SCAP joined CASA, Tri-TAC, BACWA, CWEA, and CVCWA in jointly commenting on the Policy and SCAP's executive director, John Pastore also spoke at the meeting on behalf of the POTWs. The joint letter agreed with the Policy's stated intent of creating "a framework for identifying and investigating instances of non-compliance" and taking appropriate enforcement actions to "achieve maximum environmental benefits." The letter went on to support the Policy's approach to classifying violations; stated that the provisions for Supplemental Environmental Projects (SEPs) were seriously flawed and should be revised; disagreed with the extension of economic benefit recovery to non-NPDES violations; requested additional guidance regarding mandatory minimum penalties; expressed concern with the Policy's theme of equating maximum enforcement to maximum penalties; and, expressed concern about several statements relative to the importance of the State Water Board staff

playing the role of both prosecutor and decision maker in enforcement actions. Comments received by the State Water Board are posted at:

<http://www.swrcb.ca.gov/enforcement/comments2008.html>

### **Proposed Statewide Water Recycling Policy**

The State Water Board released its Revised Water Recycling Policy. The State Water Board has scheduled an adoption hearing for its proposed policy for March 18, 2008. The revised Policy raises the interim TDS requirement from source water plus 300 mg/l to source water plus 550 mg/l. This interim requirement is effective until a region adopts a salt management plan. The revised plan also requires total nitrogen to be less than 3 mg/l or the development of nutrient management plans for users. Other revisions in the revised policy as well as the staff report can be viewed at:

[http://www.waterboards.ca.gov/water\\_recycling\\_policy/index.html](http://www.waterboards.ca.gov/water_recycling_policy/index.html)

### **Proposed Statewide Policy to Protect Wetlands and Riparian Areas**

The State Water Board will consider the adoption of a proposed resolution supporting the development of a statewide policy to protect wetlands and riparian areas at its meeting on March 18, 2008 in Sacramento. The proposed policy recognizes that streams and wetlands play a critical role in California watersheds and need to be protected. The proposed resolution directs State Water Board staff to develop a policy in three phases. Phase 1 would establish a policy to protect wetlands from dredge and fill activities and to develop a definition of wetlands and a regulatory mechanism. Phase 2 would expand the scope of the policy to protect wetlands from all other activities affecting water quality. Phase 3 would extend the policy to riparian areas. The proposed resolution to develop the Policy is posted at:

<http://www.waterboards.ca.gov/cwa401/index.html#new>

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

This has been a very busy month in the regulatory world. As SCAP's regulatory affairs consultant, I have collaborated with SCAP members, CASA, and Tri-TAC on comments on very critical draft policies of the State Waterboard, namely the Draft Enforcement Policy and the Strategic Plan for 2008-2012. SCAP also signed onto a letter to the Department of Toxics on recommendations to consider when finalizing the Green Chemistry Initiative. I have also done a first cut review of the Recycled Water Policy final revisions that were published in late February. SCAP is also on top of the Climate Change issues and communicating with the Air Board. It is interesting to note that the regional air district in the Bay area is the first to charge climate change fees for stationary sources. I am sure this will be a precedent for other regional air districts.

The following will be a brief explanation of the above, excluding the air issues which are included under the Air Quality Committee column.

- Strategic Plan Update 2008-2012: A consortium of talented folks worked on comments for every version of the Plan. Since I was involved in former strategic plans as a State Waterboard Member, I followed each version of this draft and gave input on areas where I had expertise, Organization. This Plan has more to offer than any I experienced in the past 20 years. The one issue that really resonates with the regulated community is the basin planning process. Basin Plans are the bible of the Regional Boards. All too often, due to lack of resources, commitment, etc. they do not get updated in any adequate fashion. This has led to policy making on a permit by permit basis. The POTW community has recommended three significant directions for Basin Planning: 1) Reviewing and updating beneficial uses and designating tiered aquatic life uses, 2) Evaluating numeric objectives to ensure appropriate limits are used in permits, and 3) Developing long term salt management plans for protection of surface and groundwater. I am sure many of you have lamented that some standards were done over 40 years ago on very little science. These suggested priorities for Basin Plans are what folks have been requesting for years!
- Enforcement Policy: A statewide collaborative effort was done to develop comments on this very important issue. On February 19<sup>th</sup>, the State Waterboard conducted a workshop on the policy. John Pastore attended and spoke on behalf of the POTWs. Many of the speakers from the regulated community felt that they had to rush through their comments and were concerned on the outcome of this policy. We will keep you informed.
- Green Chemistry Initiative: SCAP signed on to a letter to the Department of Toxics Substance Control that makes recommendation on what actions would assist the POTWs in protecting receiving waters of the state. We made the case that while POTWs are very effective at removing biodegradable wastes, it is difficult to keep up with the growing tide of unregulated persistent chemicals that are being used by the public. We recommended more data on chemical use and where they are being used, screening, testing and hazard analysis for the thousands of chemicals for which there is little or no data and for producer responsibility. Producers should provide screening and data for products as well as the end of life safe disposal. Years ago, I was doing an aerial tour of San Diego County with the Lieutenant Governor at the time. We were viewing illegal hazardous waste dump sites. While in the air, I suggested we work on a “make and break” policy for chemical producers. Simply put, if you make a chemical product, you have to ensure it will break down into a benign component. The Lieutenant Governor’s reply? “You should tell someone important.” I bit my tongue and did not say duh! (The media was there.) Finally someone is taking this on and I am glad that the POTW industry is weighing in.
- Revised Recycled Water Policy: Upon first reading, this version is an improvement over the previous draft. Many of the issues are the same. Waterboard staff has topics/alternatives and give a recommended approach for each topic. I was going to give a detailed explanation, but it would be a very long column for this monthly update. SCAP has sent out the information on the revisions. If you missed it, you can go online at [www.waterboards.ca.gov/water\\_recycling\\_policy/index.html](http://www.waterboards.ca.gov/water_recycling_policy/index.html) click on Proposed Recycled Water Policy. The following is a summary of the major categories and a brief sentence or two on each item.

- ✓ Salt Management Plan: This must be done in 5 years, although 5 more years can be added, if justified. There are interim salt management requirements for irrigation purposes.
- ✓ Managing Nitrate: There is a recommendation to establish a nitrate concentration limit for recycled water. It appears to be based on the use of a de-nitrification process. There are options given, but I find them a little confusing and am positive that this will be heavily commented on in the next few weeks.
- ✓ Groundwater Monitoring: Monitoring may be required for irrigation projects depending on certain conditions of the site.
- ✓ Compliance with Water Quality Objectives: As the code states, "Recycled water shall not cause or contribute to a violation of water quality objectives."
- ✓ Narrative Toxicity Objectives: If the Department of Public Health develops maximum contaminant levels (MCLs) for a constituent, the Regional Boards should establish an effluent limitation equivalent to the MCL. The Regional Boards are still given latitude to develop MCLs, but there is a list of criteria they would be required to follow.
- ✓ Groundwater Recharge Reuse: The Department of Public Health is the lead. The Regional Board then includes their recommendation and prepares an order that contains waste discharge and water reclamation requirements.
- ✓ Antidegradation: Maintaining High Quality Waters, Resolution 68-16. The key wording staff recognizes is the "maximum benefit to the State" and "best practicable treatment or control."
- ✓ Ongoing Responsibility: This removes the original wording "financial assurance, liability" and refers to the existing language in many permits. The proposed policy states that the policy does not exempt a discharger from responsibility for contamination of groundwater.

In summary, the policy is better in some areas and needs some improvements in others. The hearing is March 18, 2008 and will be webcast for your convenience.

FYI – State Budget: The shortfall has risen to \$16 billion and there is a language in the Legislative's Analyst Office report that seems to hint on impacting special districts property taxes. Not violating Prop 1A but creatively finding a new way to get at special districts property taxes. In short, it looks like a raid on property taxes will be one of the strategies used in this effort to look at alternative solutions to balance the budget.

## Help Desk

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

## Non Sequitur

Give a person a fish and you feed them for a day; teach that person to use the Internet and they won't bother you for weeks.

*Author Unknown*