



SOUTHERN CALIFORNIA ALLIANCE OF PUBLICLY OWNED TREATMENT WORKS

Monthly Update

www.scap1.org

June 2009

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Upcoming Meetings

Air Quality

Thursday, June 25, 2009
10:00-12:00 noon, at LACSD.

Biosolids

Thursday, July 21, 2009
9:00-12:00 noon, at LACSD

Collection Systems

Wednesday, August 26, 2009
9:00-1:00pm, at El Toro Water District.

Energy Management

Tuesday, July 28, 2009
9:00-1:00pm, at LACSD.

Water Issues

Tuesday, August 25, 2009
9:00-12:00 noon, at Inland Empire Utilities Agency.

POTW Energy Management Workshop

Tuesday, June 23, 2009
8:00-5:00pm, at SCE's CTAC in Irwindale, CA.

SCAP Staff

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A Message from the Executive Director...

As summer once again approaches, I am reminded of those hot summer days growing up in sunny California (I'm actually a native San Diegan believe it or not) when my parents would let us kids play in the lawn sprinkler for hours on end. It didn't matter that 90% of the water ran off into the street or into the neighbor's yard. Water was cheap and plentiful. I think our city water bill was

something like \$8.00 per month and trash pick up was free, if you didn't count what you paid in property taxes. Heck, we didn't even have sewer for the longest time, so there were no sewer fees to contend with. Life was easy and extremely inexpensive compared to today. But, as Bob Dylan once wrote, the Times They Are A-Changin'. And are they ever! Not a day goes by without a by-line in the newspaper announcing another city or water district having to raise its water and/or sewer rates. From the public's limited perspective, I can easily see why they are frustrated with the concept of having to pay more for water when they are simultaneously being told to voluntarily conserve or face mandatory rationing. But as we in the public sector know, it is much more complex than that. The cost of water storage, transmission and maintenance are all increasing, infrastructure needs are overwhelming, regulatory compliance and monitoring have doubled or even tripled in recent years, and detection limits are becoming nearly impossible to comply with as a result of new technology.

Where our natural water supply was once deemed inexhaustible, we are now finding that an ever increasing global population, changing diets and expanding uses of water have caused ecologists to coin the phrase "peak ecological water", which represents the point where the world has to confront a natural limit on a resource, such as water, that once was considered infinite. Mindful of this concept, I decided to try and find out how much I am personally contributing to this global crisis. So I visited a website sponsored by the Water Footprint Network, which furnished me with a handy calculator that I used to calculate my actual water footprint. Although I am an engineer by profession, the calculation was ridiculously simple even by my standards. All I had to do was enter the country I resided in, my sex, my dietary habits and my income level. Then just like magic, the calculator indicated that I must be consuming 773 cubic meters or 204,205 gallons of water yearly. That's equivalent to 560 gallons per day, if my math is correct. At first I thought that number looked a little high, but then I read where China's water footprint is only 700 cubic meters per year per capita. I began to feel better about myself and decided that I wasn't being a water hog after all. Imagine my surprise when I decided to go one step further and use the site's extended water calculator to produce a more refined estimate of my individual water footprint. Wow, my shoe size suddenly grew from a size 9 to a 99! My new personalized water footprint was now estimated to be 4,520 gallons per day, which well exceeds the average

USA water footprint of 1,810 gallons per day per capita. Armed with this new information, I was determined to lower my "footprint" right away for the good of mankind. First I vowed to shut off all my outside home irrigation and let the landscaping go back to its natural state. However, when I informed my homeowners association of my plans, they promptly responded in no uncertain terms that not keeping my yard looking up to standards would be a violation of my CC&Rs and further threatened to place a lien on my property. Next, I decided to re-plumb my house so that I could reuse the grey water from my sinks, laundry and showers. When I notified the city of my plan, I was told that was against local health department rules. So all that was left to consider appeared to be my dietary habits. I thought about reducing the volume of water I drink daily, but my doctor said that I would immediately start generating kidney stones and since I'm not into pain, I nixed that idea. I read somewhere that it takes 16 thousand litres of water to produce 1 kilogram of beef, so I seriously considered becoming a vegetarian, unfortunately I'm not much of a vegetable person. Okay, I guess that only leaves my daily coffee consumption to surrender, since it takes a whopping 140 litres of water to produce a single cup of coffee. It was at that exact moment when it finally dawned on me. I can't live without water! No matter how much the price of water goes up, my water purveyor has my full support from now on. Hooray for recycled water!

Perplexedly Yours,

John Pastore, Executive Director

Committee Reports



Air Quality

By Chair Kris Flaig
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Imperial County APCD

www.co.imperial.ca.us

Imperial County APCD has announced the release of its Draft 2009 IMPERIAL COUNTY STATE IMPLEMENTATION PLAN FOR PARTICULATE MATTER LESS THAN 10 MICRONS (PM 10 SIP). Public workshops are scheduled for June 3, 2009 and June 4, 2009 in Brawley, El Centro and Calexico. Also required is the submittal of a Monitoring Network Plan, which is currently in the draft stage and will be available for public review shortly. Anyone interested in obtaining an advance copy can contact the ICAPCD office at (760) 482-4606.

There are currently no public hearings posted on the District's website for June.

Mohave Desert AQMD

www.mdaqmd.ca.gov

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

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

Preliminary Draft Rule 1117 (Graphic Arts and Papers, Film, Foil Papers and Fabric Coatings) has been released for public review.

There are currently no public workshops posted on the District's website for June. The next meetings of the MDAQMD Board are scheduled for June 8, 2009 and June 22, 2009 in Victorville.

San Diego APCD

www.sdapcd.org

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

control regulations necessary to bring the entire region into attainment.

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

SDAPCD has recently revised the vapor recovery notification and test results forms which are used by Gasoline Dispensing Facility (GDF) operators and their contractors to record test results for engineering startup/annual compliance testing. Forms are available on the SDAPCD website.

SDAPCD has scheduled Rule 55 (Fugitive dust) and Amendments to New Source Performance Standards (NSPS) for Boilers (40CFR Part 60, SubParts D, Da, Db, Dc) for adoption on June 24, 2009.

Santa Barbara APCD

www.sbacpd.org

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

The SBAPCD has announced it will be conducting meetings in the future to discuss the following Rules:

- Rule 345 (Reserved)
- Rule 334 (Control of Hexavalent Chromium Emissions from Chrome Plating and Chromic Acid Anodizing)

A public workshop has been scheduled for June 25, 2009 to discuss Rule 321 (Solvent Cleaning Machines and Solvent Cleaning).

The SBAPCD Board will be conducting a public hearing on June 18, 2009 to consider adoption of the proposed FY09/10 Budget

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 has a link on their website to a large screen format film entitled, "**AIR-The Search for One Clean Breath**", which was funded by the USEPA and produced by the VCAPCD. Information about the film can be obtained at www.AirTheFilm.org.

The next VCAPCD Board meeting is scheduled for June 9, 2009. There are no new rules for adoption currently posted on the VCAPCD website.

South Coast AQMD

www.aqmd.gov

Priority Reserve Lawsuits and Related Matters by Greg Adams

On May 5, 2009, Judge George Wu of the United States Central District Court was scheduled to deliver his decision on whether or not to grant the SCAQMD's motion to dismiss the NRDC challenge on the validity of the credits contained in the SCAQMD emissions banks. If the judge did not dismiss the action, then the judge would entertain motions from a variety of interested parties to intervene in the ensuing court deliberations, including merchant power plants and investor-owned utilities, several SCAP member agencies and SCAP itself, if agreed to by the other parties. The judge did not render a decision, took the case under decision, and said he would do his best to render a decision by June 8. As to the California trial court CEQA actions, staff hosted a public scoping meeting on April 8, 2009 to review the scope of the CEQA work envisioned by staff for Proposed Rule 1315 and Proposed Amended Rule 1309.2. The proposed CEQA re-work is in direct response to Judge Ann Jones' order issued on November 3, 2008. The proposed scope of work does not address Rule 1309.1 (Priority Reserve) at all. PAR 1309.2 (Offset Budget) is being modified to be consistent with the SCAQMD's position that thermal power plants should not have access to any credit banks including the offset budget bank which has yet to kick in. At least two commenters at the workshop thought that the CEQA documents should be addressing the thermal power plants as alternative projects. Staff was taking this suggestion under advisement. Staff was of the opinion that renewable energy power projects of any size could debit the Offset Budget account as well as thermal plants less than 50 MW. With the SCAQMD CEQA GHG threshold in effect, the proposed CEQA analysis

must include an evaluation of the greenhouse gas aspects of the project. Staff has decided that the CEQA analysis under preparation will not include power plants.

An appeal of the Judge Ann Jones' action has been filed for a while with the California Court of Appeals but no briefing schedule has been established. A new motion to re-consider and the many declarations from impacted agencies and businesses that the SCAQMD has collected are awaiting further, possibly quicker, actions on proposed legislation by the SCAQMD.

On an independent track to get around the current permitting moratorium at the SCAQMD, on April 3, 2009, the SCAQMD Board approved introducing SB 696 (sponsored by Senator Rod Wright). The bill would remove the redundant CEQA requirement on certain, date-specific versions of SCAQMD rules and thereby allow permits to be issued to essential public services and small businesses. Another component of the bill would allow thermal power plants (electric generating facilities or EGFs) to debit the Priority Reserve, after complying with several significant requirements including paying substantial fees, having signed power contracts in place, and after the California Energy Commission performs a "needs assessment" similar to the analysis they did pre-deregulation era. The EGFs would also be required to service only native load and to demonstrate that they did not interfere with ambient air quality standards.

On April 21, 2009, the LA County Board of Supervisors, after delaying the issue for one week, considered a motion not to support SB 696, which passed 3-2. There was much testimony on the subject marked by misstatements and misunderstandings. SCAP sent a letter to the individual members of the Board of Supervisors in support of SB 696. The SCAQMD has launched a major lobbying effort to get the bill through and SCAP has been asked to participate.

Senator Rod Wright decided to pull his bill SB 696 from consideration scheduled for May 12, 2009 after being contacted by NRDC. Senator Daryl Steinberg has also decided to take an interest in the negotiations. While it might be construed that the legislature's interest in the issue is a good thing, it is also quite possible that control of the matter could be entirely lost. The first meeting of the parties took place on Monday May 18, 2009. The output is confidential apparently and no further meetings have been scheduled.

On May 5, 2009, EPA Region IX was about to issue a Federal Register notice dealing with SCAQMD 2002 rulemaking that would have significantly compromised

SCAQMD's position on the validity of most of the credits in the SCAQMD banks, the subject of the federal Priority Reserve lawsuit. SCAQMD is attempting to clarify the situation with Region IX.

In the meantime, the permitting moratorium continues.

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

After a significant lobbying effort and extensive testimony at the April 3, 2009 SCAQMD Board meeting, Supervisor Bill Campbell introduced a motion that directed the staff to a) return to the June 5 Board meeting with a revised proposal that included an analysis of the legality of the BACT exemption b) include BACT language similar to that implemented by the San Joaquin Valley APCD [their "clean unit" exemption] and c) exclude the student "T" analysis and instead use the EPA guideline for looking back at the [average of] the two highest in past ten years. The last part of the Supervisor's motion dealt with how the funds that were collected from PR 317 fees would be allocated. First, they would be spent for additional controls at the respective facility; secondly, they should be used to improve the environment around a permitted facility; thirdly, if any funds were left over after that, they could be used by the permittee to improve other permitted operations under their control in the District and fourthly, they could be utilized in the fashions proposed by the staff to improve air quality. Staff clarified during the Board action that BACT was that which would exist in 2010 thus greatly confounding the issue for those facilities "near" BACT.

Subsequently, the South Coast AQMD has scheduled a public hearing for June 5, 2009 (Agenda Item No. 39) to consider Proposed Amended Rule 317, and in particular, to adopt either staff's newly proposed Option I or Option II language. The newly proposed amendments incorporate provisions for an alternative baseline for calculating fees and an exemption for permit units at BACT. The following link provides a notice of the meeting as well as a background discussion and details of the proposed options: <http://www.aqmd.gov/hb/2009/June/090639a.htm>.

The Clean Air Act Advisory Committee (CAAAC) Section 185 Task Force met in Washington D.C. on April 30 to refine a package of flexibility options that they then bring to the full CAAAC with the goal of forwarding all the recommendations to EPA for action. One of the goals of the Southern California contingent of the workgroup is to make sure sufficient flexibility existed to embrace the SCAQMD Rule 317 program as articulated by Supervisor Campbell. After much discussion and compromise (and opposition from environmental groups), the full CAAAC on May 14

voted to send the recommendation to EPA to get a determination of their legality.

California Wastewater Climate Change Group (CWCCG) by John Pastore

Last month SCAP sent out a notice to its members soliciting voluntary funding contributions for the next phase of work scheduled for the CWCCG. To-date, we have received commitments unofficially totaling \$41,000 from SCAP members. These funds, together with those collected by BACWA and CVCWA members, will be used to hire a consultant to represent CWCCG's interests in all forthcoming climate change regulatory issues. The deadline for commitment of funds is June 20, 2009 and a copy of the CWCCG funding request letter can be viewed at <http://www.scap1.org/default.aspx>.

As a result of the May CWCCG meeting held in conjunction with the monthly Tri-TAC meeting, the CWCCG issued a comment letter, dated May 21, 2009, to the Air Resources Control Board regarding ARB's preliminary approach to cap and trade, compliance offsets and cap setting. A copy of the comment letter and its attachments can be viewed at this link: <http://www.scap1.org/Air%20Reference%20Library/Forms/Current%20Issues.aspx>



Biosolids

By Chair Mike Sullivan
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Biosolids Committee Semi-Annual Review by Mike Sullivan

The Biosolids Committee continues to diligently work on reviewing and responding to legislative bills, regulations, and local ordinances that may impact current and future biosolids management options. The Committee also continues to provide updates to its members on a number of local biosolids management facilities that will come online in 2009 and 2010.

In the first half of 2009, the Biosolids Committee continued to track several legislative bills and regulations related to biosolids:

Kern County Measure E – the 9th Circuit U.S. Court of Appeals on March 2nd heard oral arguments on the appeal of the U.S. District Court decision that overturned Kern County's ban on the land application

of biosolids. Kern County Measure E (passed in 2006) was overturned by District Court decision based on violating the interstate commerce clause and preemption by the CIWMA, AB 939, and then appealed by Kern County shortly after. During oral arguments, the commerce clause claim was not well received by the justices, but the justices were more receptive to the CIWMA recycling law claim. At the end of the hearing, the Court of Appeals took the matter under submission, and it is anticipated that a decision could be made this summer.

Green Waste Composting Rule 4566 (San Joaquin Valley Air Pollution Control District) was entered into the rulemaking process in 2008, and proposed to set standards for facilities that landfill, process, compost, or dispose of plant or plant-derived material (including food waste and wood waste) to reduce Volatile Organic Compound (VOC) emissions from all sources that commercially store, process, or compost green waste material. In early 2009, the technical workgroup formed by the air district selected San Diego State University for the technical and economic feasibility analyses of the rule. Work has begun in selecting the appropriate test site and field tests should commence this year.

Antelope Valley AQMD Composting Rule 1133, adopted in early 2009, requires biosolids co-composting operations within the air district's jurisdiction to implement best management practices, similar to the Mojave Desert AQMD composting rule adopted in 2008. Like the Mojave Desert AQMD rule, Rule 1133 would require biosolids composting operations that process over 100,000 wet tons per year to be equipped with an emissions control device that reduces VOC and ammonia emissions by 80%, but only if the AVAQMD was designated nonattainment for the National Ambient Air Quality Standard (NAAQS) for fine particulate matter (PM2.5). Rule 1133 was implemented as a measure to satisfy local particulate matter control measures promulgated by CARB.

San Luis Obispo County's Biosolids Land Application Interim Ordinance was extended, in early 2009, by a term of 4 years beyond the upcoming date of the interim ordinance's previous expiration, which was February 2010. This interim ordinance continues to allow up to 1,500 cubic yards of biosolids to be land applied per year. Earlier in 2008, San Luis Obispo County released a draft permanent ordinance that would have nearly eliminated the use of biosolids for land application. During the course of the current interim ordinance, County Supervisors have directed staff to continue efforts in developing a permanent ordinance, but to also search for funding to develop an EIR that would implement such an ordinance. It is

anticipated that an EIR may cost between \$150,000 and \$250,000, and may take at least a year to develop, but the county faces challenges in funding the EIR due to a multi-million dollar budget deficit.

The committee continues to provide updates to SCAP members on the status of the biosolids projects being implemented locally, many of them by SCAP member agencies or associate members. Some of these projects are listed below:

- **The City of Los Angeles' Terminal Island Renewable Energy Project (TIRE)** has been named as a semi-finalist for the 2009 Award for Innovations in American Government. The Ash Institute for Democratic Governance and Innovation presents the award every year at the John F. Kennedy School of Government at Harvard University. As a semi-finalist, TIRE is recognized as one of the top 50 programs representing the best practices in government innovation on City, county, tribal, state and federal levels.
- **Nursery Products LLC Composting Facility** was put on hold in 2008 due to a Barstow Superior Court ruling requiring that the EIR must address the facility's water source and examine the possibility of enclosing the facility. San Bernardino County announced in March of this year that it would begin preparing a supplemental environmental impact report after a 30-day public comment period. In addition to the water and enclosure issues, the new report will also address impacts on global warming.

Future meetings of the Biosolids Committee will continue to focus on emerging regulations and legislation affecting biosolids producers, as well as visiting our members' facilities that showcase new and innovative technology related to biosolids processing. Our next committee meeting is scheduled for July 21, 2009 and will feature a look at how the biosolids industry is being affected by the new climate change regulations. The location of the meeting is in the process of being decided.

Senate Bill 730 (Wiggins) by John Pastore

A new legislative bill, Bill 370, has been introduced by Senator Wiggins that would amend Section 48000 of the Public Resources Code that would require an operator of a transfer or processing station that transfers solid waste for disposal outside of the state to pay a tipping fee of \$1.40 per ton, currently charged for in-state disposal, to the State Board of Equalization in accordance with Section 48000.

H. M. Holloway Landfill by John Pastore

The H. M. Holloway Landfill has received the first Solid Waste Facility Permit (SWFP) issued by the State of California in the last 12 years after 7 long years of continual and costly work. The Holloway site, located in Kern County, has actually been operating as a surface mine and reclamation/disposal site for the past fourteen (14) years. Holloway is in the process of fencing the active disposal perimeter and preparing to put in a multi-celled leachate system.

The newly permitted landfill is a nonhazardous, Class III, industrial waste landfill that covers approximately 172 acres and will be capable of receiving up to 2000 tons per day of solid waste. The landfill has been permitted for the following waste streams:

1. Spent sandblast media
2. Dewatered Class A & Class B municipal biosolids
3. Chipped construction lumber
4. Treated auto shredder waste
5. Cogeneration ash (fly ash)
6. Shredded auto tires
7. Designated asphalt products
8. Concrete/cement rubble
9. Lime filter cake

According to an independent environmental consultant, Terry Arca, "Holloway feels pricing will be a very big issue, especially since some generators, and members of SCAP, have committed to current long term contracts with tipping fees as much as \$200 per ton. Holloway's facility will have very competitive pricing and containment security, given its unique geologic and hydrogeologic setting that does not require a synthetic liner system".

The Regional Water Quality Control Board – Fresno (RWQCB) has approved or endorsed the existing disposal operations at the site, because of its performance over the past fourteen (14) years as a reclamation/disposal site very similar to the newly approved operations. All approved imported waste streams will be covered daily (24 hours) with available overburden soil stockpiles, which essentially eliminate many air issues.

Arca further stated, "that while Holloway's existing approved operation is still active, Holloway is concurrently in a coordinate transition period of applying all the operational requirements associated with the new SWFP, which could take up to six (6) months for Biosolids. The entire Holloway mine complex has an overall projected longevity of 60-90 years, which naturally will be dictated by the dynamics of additional available and approved depleted pit volumes and the waste stream marketplace".



Collection Systems

By Chair Ralph Palomares
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SCAP Collection Systems Committee Report by Ralph Palomares

Having reached the mid-point of the year, I thought it would be a good time to reflect back on our committee's accomplishments so far. On May 13, 2009 we held the second collection systems committee meeting of the year at the City of Riverside's Water Quality Control Plant. The 42 members in attendance were treated to a live demonstration of an innovative technique used to cure a pipe liner in-place using ultraviolet light technology. The contractor, Cosmic TopHat, set up their equipment in the parking lot and performed the demonstration of how a pipe liner is cured in-place from start to finish. Our members were allowed to not only view the procedure, but were able to inspect the integrity of the completed liner first hand. The entire procedure took less than 30 minutes as was quite impressive.



Cosmic TopHat demonstrates their ultraviolet light technology to cure a liner in-place.



Completed cured in-place pipe liner.

As part of the meeting, a presentation was made by Russell Norman of the State Water Resources Control Board, who discussed in detail the successes of the SSO WDR program to-date and what to expect from the upcoming WDR Review process. Other topics discussed included: an update of the County of Los Angeles' Voluntary Sewer Spill Prevention Program by Sam Espinoza; a presentation on the hazards encountered during confined space entries in sewer systems, and an update on recent legislative activity affecting our wastewater industry, by SCAP's executive director; and my report on the highlights of the recent CWEA Conference in Palm Springs, including the results of the Plant of the Year and Operator of the Year awards competition.

I also want to thank the City of Riverside for their hospitality in hosting our meeting and accommodating our outside demonstration. During the meeting, their staff presented an overview of the city's wastewater system and described their impressive GIS mapping and maintenance programs.

Over the course of the last 6 months, the Collection Systems Committee has discussed many interesting and timely subjects, none of which are as near and dear to my heart as FOG programs. I would like our next committee meeting to feature a roundtable discussion by our members concerning their agency's FOG programs and what can be done to improve on them. Also, we will be discussing in more detail the disposable wipes problem and recent studies that have been completed concerning this problem.

FOG Programs by Nicole Greene

FOG programs have become an essential component for the operation of a successful sewer collection system in both large and small municipalities. The City of Montclair is a small town located in the western edge of the Inland Empire. Though Montclair has only a small concentration of industrial uses, the City has well over 130 Food Service Establishments (FSEs). One of the challenging aspects of being a small city that owns and operates a collection system is being able to maintain the collection system with limited staffing, equipment, and a much smaller budget. But it is possible, on a much smaller scale.

The City of Montclair's FOG control program is comprised of regular maintenance schedules and an inspection program focusing on source control. A focused cleaning schedule is in place for FOG problem areas (previously referred to as Hot Spots). These problem zones are most often located in areas with a high density of restaurants and near the shopping mall. Routine CCTV inspection of lines following regular cleaning and maintenance also helps to identify these

problem zones. Collections System Maintenance staff are in close contact with the Environmental Compliance Division, and provide notification of laterals showing a high accumulation of FOG. A lateral showing the potential for a blockage caused by FOG triggers an immediate inspection to determine and eliminate the cause. The City maintains the legal authority to conduct inspections, enforce and prohibit the discharge of FOG, and require the installation of pretreatment devices and grease interceptors. The site inspections that are conducted by the inspector evaluate source control BMPs and include a physical grease interceptor evaluation for those FSEs that have interceptors. These site inspections are also this best method for educating restaurant managers and employees about the importance of their actions in the kitchen. Because staffing is limited, and residential FOG does not appear to be a current major cause of SSOs in the City of Montclair, residential public outreach is limited to the periodic mailing of utility bill inserts with proper FOG disposal procedures and information on upcoming Household Hazardous Waste Events within the City or nearby cities. However, the Environmental Compliance Division does participate in public outreach campaigns and community events that are geared toward residents to provide information on FOG.

Though staffing and equipment are limited by a smaller budget, there are some advantages to small town FOG programs. Larger cities often have more restaurants, so in a small town there is a greater likelihood of having higher inspection frequencies at restaurants. If there are less FSEs to inspect, there are more times that we can visit with restaurant managers and employees to educate them on FOG source control measures and kitchen BMPs. This helps to combat the high employee turn-over rate, and helps to ensure that good contact with restaurant staff has been made. Disadvantages of small town FOG programs consist of staffing, equipment, and funding. Small towns have to determine more ways to get more bang for their buck. Meaning, we have to strive to have better communication between collection system maintenance staff and inspectors. Good communication between staff as well as restaurants and generators of FOG in the public sector seems to be the key to a successful FOG program for both small and large municipalities, JPAs and special districts.

SSO UserGroup Bi-Monthly Meeting Update by Robert Kreg

On May 29, 2009 the SSO UserGroup held its regular meeting at the CWEA Headquarters in Oakland California. The bi-monthly meetings are open to all interested parties where you can either attend in person or by teleconference. The primary purpose of

the SSO UserGroup meetings is to improve the California Integrated Water Quality System (CIWQS) SSO reporting program and assist with WDR compliance. This meeting was facilitated by Jim Fischer of the State Water Resources Control Board (SWRCB).

Prior to the meeting's start, an interesting question was posed to Jim. "Why is the State opening up the WDR for review?" A very interesting question especially in light of the fact that at this time only the largest public collection system owner/operators (those whose population served is over 100,000) are required to have a fully implemented Sewer System Management Plan (SSMP).

Jim responded that due to inconsistencies and changes that have taken place, and to make the Order review process more consistent with the review process used for other regulations, he was initiating a review of the Order. He also commented that by opening the Order at this time, its role in reducing the number and volume of SSOs, the implementation process, methods, definitions and spill reporting could all be evaluated for their effectiveness. To assist with this endeavor two committees have been formed. The Order Update Committee will be facilitated by Jim with Russell Norman facilitating the Data Analysis Committee. Participation is open to anyone. If you are interested in the Order Update Committee contact Jim Fischer (JFischer@waterboards.ca.gov) or for the Data Analysis Committee contact Russell Norman (rnorman@waterboards.ca.gov).

Jim also stated that the top 12 issues on the Mantis List are going to be fixed first. The Mantis List is a list of issues with the CIWQS SSO reporting database. The list is comprised from stakeholder complaints or observations related to the use of the online SSO reporting system. The current schedule is to have a release of fixes or issue resolutions every other month. Four bugs were fixed with the last release. The current Mantis List is available on the SCAP website in the resource library for Collection Systems.

The sewage spill incident maps have been released to the public and are available on the SWRCB's website. One map is for public SSOs and one for private property SSOs. These maps are updated nightly and plot the locations of public and private property sewage spills that are reported to CIWQS. By clicking on an individual SSO location you can review information about the spill including the certified spill report. Symbols indicate the category of spill (category 1 or category 2) and filters can be applied to refine your search.

The SWRCB will be releasing an update of the agency compliance data that was released last fall. The spreadsheet is color coded to denote each enrolled agency's compliance with updating their annual questionnaire, spill reporting, and implementation of required SSMP elements. In July 2009, the SWRCB is scheduled to start utilizing its compliance tool that will produce an email to an agency that is out of compliance. The email will notify the agency of areas, such as spill reporting, where the agency is not in compliance.

A Gentle Reminder: If your agency serves a population between 10,000 and 100,000 you are required to certify to CIWQS that you have completed and have obtained governing body approval for your final SSMP by August 2, 2009.

If your agency serves a population between 2,500 to 10,000 you must certify to CIWQS that you have completed the Legal Authority, Operations and Maintenance, SSO Emergency Response Plan, and Fats, Oils, and Grease (FOG) Reduction Program elements of your SSMP by November 2, 2009.



Energy Management

By Chair Andre Schmidt
aschmidt@lacs.org

Water and Wastewater Energy Roadmap Survey by John Pastore

It has now been 5 years since the American Council for an Energy Efficient Economy (ACEEE) conducted a survey of public water and wastewater agencies in an effort to identify the biggest opportunities for energy efficiency in the water and wastewater sectors. Respondents were asked to identify specific research, market, technical and governmental policy areas that would facilitate lowering these barriers. Not surprisingly, water systems optimization ranked the highest among opportunities for energy efficiency. For wastewater, process optimization again ranked the highest opportunity due to its lower cost of implementation. Ranked second was replacement of motors and motor systems. Other notable opportunities for energy efficiency savings were specific to the aeration process and distributed generation using biogas. Common to all sectors was the practice of incorporating energy audits into management practices.

Results of the survey also indicated that institutional, informational, market and regulatory barriers, along with a lack of managerial knowledge and understanding, resulted in poor energy management planning at the facility level. Invariably, many plant managers view energy efficiency as a tool to achieve regulatory compliance and not as a capacity or energy savings opportunity. Because the mission of wastewater utilities is generally to meet environmental and regulatory compliance, processes and procedures, such as energy efficiency, are not viewed as forwarding that mission.

Another significant barrier reported in the survey had to do with communication between the electric utility and the wastewater agency. In many instances a total lack of understanding rates and tariffs was acknowledged.

I mention all of this simply because many of these findings may still be accurate even in 2009. While many agencies have actively pursued energy efficiencies through different avenues, there remain those agencies, that for a myriad of reasons, have not done as much as they could. With that in mind, SCAP's Energy Management Committee is dedicated to bringing our members educational opportunities and hands-on learning, through workshops and seminars. In the next few months SCAP members will have 2 different opportunities to participate in workshops sponsored by the USEPA and the California Energy Commission (CEC).

On June 23, 2009, EPA Region 9 will conduct an Innovative Energy Management Workshop for southern California a workshop POTWs, the details of which are described in the following newsletter topic. Furthermore, on July 23, 2009, the CEC is conducting a workshop entitled, "Combined Heat Power to Support California's Clean Energy Goals". This workshop is part of CEC's annual policy development process in which the ARB, CPUC and electric utilities will participate. CEC Commissioners will preside over the workshop and will take the testimony received into account when developing the State's energy policy and future programs. SCAP will send out more information on this workshop once the agenda has been finalized. All of these workshops are not only great opportunities for SCAP members to educate themselves about the availability of new programs, but to educate our regulators on what our industry needs are.

Upcoming Innovative Energy Management Workshop by John Pastore

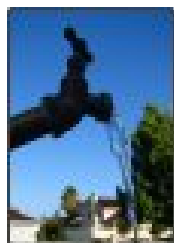
Is your agency doing everything it can to save energy and increase electrical efficiency at your wastewater treatment plant? If not, then SCAP's upcoming Innovative Energy Management Workshop is for you.

SCAP's Energy Management Committee is jointly sponsoring an upcoming one-day, energy management workshop this summer in Los Angeles for the benefit of our POTW agencies. The workshop will be conducted by the USEPA and supported by the utility companies, particularly Southern CA Edison, Sempra Utilities, San Diego Gas and Electric, and the CA Energy Commission. The workshop is scheduled for June 23rd in Irwindale, CA and will be limited to a total attendance of 50 participants. The workshop will afford the participants the opportunity to benchmark their POTW facility and obtain an Energy Star rating using EPA's model software. Computer workstations will be available to the participants, who will be guided through the benchmarking process by on-site EPA staff. The workshop will also include presentations by, and consultations with, the Utilities concerning energy auditing and energy savings recommendations. Pre-registration will be required due to the limited class room size and a prerequisite phone interview session with EPA staff will be required to collect the agency's electrical usage data ahead of time. The idea being to have each agency's information pre-loaded into the model prior to the workshop for better efficiency. SCAP will be sending out a formal notice of this workshop very shortly. For further information, please contact the SCAP office.

treated to a behind the scenes look at the toxicity monitoring procedures that City staff utilize to maintain water quality objects for the safe discharge of effluent beyond the Point Loma kelp beds and the off shore waters near the Mexican border. There were numerous tanks available for viewing that contained abalone, urchins and various fish from the local waters. Our thanks to the City of San Diego for hosting our meeting and allowing us the opportunity to learn about the first class job that its MWWD staff performs.



Alan Langworthy provides overview of San Diego MWWD's treatment facilities and collection system.



Water Issues

By Chair Gus Dembegiotes
Gus.dembegiotes@lacity.org

SCAP Water Issues Committee Meeting by Chair Gus Dembegiotes

On May 26th, the Water Issues Committee held its regular quarterly meeting at the City of San Diego Metropolitan Wastewater Department's Environmental Monitoring and Technical Services Laboratory. Longtime SCAP Director, Alan Langworthy, of San Diego Metropolitan Wastewater Department (MWWD) provided attendees with an interesting overview of the Department, its treatment facilities, and collection system. Alan also talked about MWWD's process for working with regulators and NGOs and the lessons learned in successfully obtaining a waiver from full secondary at its Point Loma Treatment Plant. Tim Stebbins of San Diego MWWD also presented an overview of its monitoring program and provided a fascinating tour of the Environmental Monitoring and Technical Services Laboratory facility. Attendees were



Remote diving vehicle used for video inspection of the ocean outfall.



Remote sampling device used to take water samples at various depths along the ocean outfall.

Statewide General Permit for Landscape Irrigation Uses of Municipal Recycled Water by Chair Gus Dembegiotes

May 19th, the State Water Resources Control Board (State Board) held a public workshop to obtain comments on it's the Tentative General Permit for Irrigation with recycled water. Prior to the workshop, the State Board released a New Tentative General Permit. The new draft incorporated many of the comments recommended by the WaterReuse Association and other Stakeholders at several previous meetings with the staff. However, agency representatives providing comment at the Workshop were still very concerned with excessive requirements in the Monitoring and Reporting Program, especially those dealing with the monthly monitoring of nutrients application. After hearing public comment, the State Board directed its staff to work with stakeholders to simplify the MRP and provide a new draft for consideration either at its second meeting in June or at its first meeting in July. California Water Code section 13552.5 requires the State Board to adopt a Statewide General Permit for Landscape Irrigation Uses of Recycled Water by July 31, 2009.

Water Quality Enforcement Policy by Chair Gus Dembegiotes

On June 4, 2009, the State Board will hold its fourth workshop on proposed revisions to this Policy and is asking stakeholders to submit comments on the Draft Policy. Written comments are due to the State Board by May 28th. SCAP in conjunction with CASA, Tri-TAC, CVCWA, BACWA, and CWEA submitted written comments to the State Board on May 28th. The letter included the following comments: requested that Alternative 1 be the methodology for penalty calculation; supported the section "Defining a Discharge Monitoring Report Where There is No Discharge to Surface Waters"; argued against that the potential imposition of administrative civil liabilities for release of recycled water as sending a message contrary to the recently adopted Recycled Water Policy; requested clarification of the hearing and petition process; consideration of good faith efforts to eliminate non-compliance in modifying the initial liability; repeat violations triggering MMPs should not be for the same pollutant: and, where a limit is expressed as a rolling average, a new rolling average should be calculated after each exceedance. More information can be found on the policy at: http://www.swrcb.ca.gov/water_issues/programs/enforcement/docs/notice_wq_enforcement%20policy_060409.pdf

California Ocean Plan by Chair Gus Dembegiotes

The State Board provided notice of a public hearing on June 16th in Sacramento to receive public comments on the adoption of proposed "non-substantive amendments" to the California Ocean Plan (Ocean Plan). The Ocean Plan establishes water quality standards for California's ocean waters and provides the basis for regulation of wastes discharged into the State's near-coastal ocean waters. The State Board is proposing the following amendments to the 2005 Ocean Plan: 1. Clarify that metals are expressed as total recoverable metals; 2. Remove Section III (F)(1) on compliance schedules, which is "outdated and unnecessary"; 3. Correct toxicity definitions and references in Appendix 1; 4. Include maps of California's ocean waters, bays, and estuaries; and 5. Update the list of exceptions in Appendix VII in order to include: exceptions for discharges to Area(s) of Special Biological Significance, which were approved after the adoption of the 2005 Ocean Plan; the 1979 conditional exception for untreated wet weather discharges from the City and County of San Francisco's combined storm and wastewater collection system, which was omitted from the 2005 Ocean Plan; and the 1988 exceptions for total chlorine residual for nine coastal power plant discharges, which were also omitted. Written comments on the proposed amendments are due to the State Board by noon on June 1, 2009. More information can be found at: http://www.swrcb.ca.gov/water_issues/programs/ocean/docs/oplans/amendments2009/oceanplan_notice2009.pdf

Draft NPDES General Permit for Discharges of Storm Water from Construction Activities by Chair Gus Dembegiotes

The State Board will hold a public hearing on June 3rd to accept comments on its proposed Draft General Permit for Discharges of Storm Water Associated with Construction Activities (Draft Construction General Permit). In March 2008, State Board staff issued a proposed Draft Construction General Permit and held workshops in Northern and Southern California to receive public comments. In response to comments, the proposed Draft Construction General Permit was again revised and includes some the following changes: Rainfall Erosivity Waiver; Technology-Based Numeric Action Levels; Technology-Based Numeric Effluent Limitations; Risk-Based Permitting Approach; Minimum Requirements Specified; Project Site Soil Characteristics Monitoring and Reporting; Effluent Monitoring and Reporting; Receiving Water Monitoring and Reporting; Post-Construction Storm Water Performance Standards; Rain Event Action Plan; Annual Reporting; Certification/Training Requirements for Key Project Personnel; and Linear

Underground/Overhead Projects. Written comments on the Draft Construction General Permit must be submitted by **5:00 p.m. on June 17, 2009**. More information can be found at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/constpermits/draft_construction/notice_cgp.pdf

Sewage Spill Incident Maps by Chair Gus Dembegiotes

The State Board has prepared interactive geographic information system (GIS) maps, which are updated nightly and plot all certified sanitary sewer overflows (SSOs) and Private Lateral Sewage Discharges from sanitary sewer collection systems reported by agencies into the state's online California Integrated Water Quality System. This includes the spill location, amount, source, and name of the responsible or reporting agency. To view the SSO Incident Map, go to:

http://www.waterboards.ca.gov/water_issues/programs/sso/sso_map/sso_pub.shtml

A second map allows users to see Private Lateral Sewage Discharges, voluntarily reported from enrollees in the program from pipes which empty into public sewer collection systems. To view the Private Lateral Sewage Discharge Incident Map, go to: http://www.waterboards.ca.gov/water_issues/programs/sso/sso_map/sso_priv.shtml

Coastal Science Advisory Group to the State Board's Estuarine Nutrient Numeric Endpoint Project by Chair Gus Dembegiotes

On May 1st, the State Board held a meeting in Sacramento to discuss the development of Nutrient Numeric Endpoints for California Estuaries. The State Board will employ a stakeholder process to develop these endpoints. These endpoints will serve as guidance to the Water Boards in developing appropriate nutrient levels for TMDLs and may be used to translate narrative nutrient objectives. The Stakeholder Advisory Group (SAG) will provide feedback on the science and policy aspects of the development of this tool and will be made up of the regulated community, landowners, NGOs, and the public. Three meetings have been scheduled for this summer; two meetings have been scheduled for Southern California at SCCWRP and one in Sacramento. The first meeting will be on June 30th at SCCWRP.



Regulatory Affairs

By Mary Jane Foley
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Regulatory Affairs Update by Mary Jane Foley

Last month I wrote about the theme of streamlining regulation. I shared that I was invited to speak at a conference in early June on the opportunities and obstacles of streamlining. I am still trying to find good examples of who, what, where and how any streamlining is going on. Streamlining is supposed to help move the stimulus package to assist in growing the economy. During the month of May I had the opportunity to meet with top officials in policy roles from two different regulatory agencies. Both said the topic was discussed when the stimulus package was a new program, but they hadn't heard much since then, and I got the feeling their agencies weren't focused on this item at present.

In my hunt for examples to share, I found something that acts a little like streamlining, but the proper word for this process is "coordination". As a result of the passage of SB1070, an MOU was established between CalEPA and the Resources Agency Secretaries that creates the California Water Quality Monitoring Council. The goal of the council is to "reduce redundancies, inefficiencies, inadequacies in existing water quality monitoring and data management programs in order to improve the effective deliver of sound, comprehensive water quality information to the public and decision makers." The first report was completed in Dec 2008, and the Council has created a practical approach for how to accomplish its goal. The direction of the group is to use a Web Portal system to access water quality from various sources. Pages in the portal will be designed for each type of data or subgroup; for example, "Safe to Drink". SCAP's Director, John Pastore has volunteered to be an alternate for the POTW Representative on the Council. So SCAP will have good knowledge of how this is moving forward.

Lots of regulation is moving forward. SCAP members are involved with responding to the latest Water Quality Enforcement Policy. I am sure the Water Committee Report has shared some information about this. Many of the POTW industry requests have made it into revision, but there are many new issues for which SCAP and its partners are devising official comments to the State Waterboard. I am only going to mention

one. One of the biggest issues always surrounds penalty calculation methodology. There are two options. Alternative 1 has a complicated formula that is difficult to navigate, but for now it is the preferred choice because Alternative 2 is less transparent. Alternative 2 would create a "Monetary Liability Recommendation Panel" that would convene a panel of 5 senior management staff from the Waterboards who would be responsible for developing a proposed monetary civil liability assessment for each case. With Alternative 1, parties have a better yardstick for how penalties are calculated, which should lead to the Waterboards' goal of fair, firm and consistent enforcement. One wonders how staff would have the time to serve on such a panel. There are a lot of other issues related to the selection of one over the other, but I share one perspective as a former regulator who over 20 years saw many scenarios on how to do penalties. I used to call it bowling for dollars. Staff would come up with an outrageously high penalty based on some EPA formula; the Regional Board Members would choke on the number and then start negotiating in a public meeting on what a fair and reasonable penalty would be. Most of the time it was magnitudes less than the formula. That isn't the case today. Mandatory penalties and the enforcement policy have changed the penalty world. My hope is that a reasonable, understandable formula will emerge and that it will be transparent and even-handed.

Good news to date on the outcome for Coastal Wastewater Discharges in the Marine Life Protection Act Process. Round 2 has been completed with several proposals moving forward for evaluation by the Science Advisory Team and the Blue Ribbon Task Force. In all proposals to date, the outfall pipes were avoided: ½ mile for the major outfalls and ¼ mile for the intermediate. Let us hope this continues to be the case. I serve as the stakeholder for our industry and continue to protect the wastewater interest.

What will happen to water and wastewater agencies in the budget crisis? Mike Dillon, the lobbyist for CASA, was kind enough to give me a brief update on what is happening in the budget sessions in Sacramento. There are two proposals: The Governor's and the Legislative Analyst's. The Governor is suggesting that the legislature borrow \$2 billion in property taxes from cities, counties, and special districts under the terms of Proposition 1A of 2004. Prop 1A allows that up to 8 % of local governments' property tax revenues can be borrowed by the state and must be repaid with three budget years with interest. On the other hand the Legislative Analyst suggests that the state could look to borrow \$500 million from water and wastewater agencies. Mike shared that the elimination of programs that serve the poor is really hitting those affected, and

there is a lot of emotion in the Capitol over the loss of those programs. He stated that if the legislature decided to borrow from local governments and special districts, the best case scenario is that there is the across the board borrowing of 8% from cities, counties and special districts and the worse case scenario is that only the water and wastewater agencies are hit with the \$500 million impact. I am sure we will hear more in the future weeks of this dire budget crisis.

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

There is no season such delight can bring,
As summertime, get ready, move on from the
spring!

- *Anonymous*

Some of our Supporting SCAP Associate Members

