



SOUTHERN CALIFORNIA ALLIANCE OF
PUBLICLY OWNED TREATMENT WORKS

MONTHLY UPDATE

September 2008

A Message from the Executive Director...

I am sure that over the last year you have seen plenty of articles on the harmful effects that global warming is having on our planet. However, until now I had no idea how much I would personally be impacted. You see, I have long suffered from kidney stones. Why, I don't really know. But over the last 20 years they have come in bunches and for any of you who may have had the unfortunate opportunity to experience one, you can relate to the intense agony that they can inflict on the human body. I'm told that after you reach 50 years of age the likelihood of developing kidney stones diminishes and I do have to admit that it has been better lately and I have been optimistic that the worst is over. That was until the National Academy of Sciences released a recent statement claiming that global warming could trigger a rise in kidney stones resulting in 1.6 million new cases by the year 2050. Which coincidentally, is the same year that AB32 requires us to achieve an 80% reduction in greenhouse gases compared to 1990 levels. What's more troubling is that 50% of the new cases are predicted to occur in the southwestern states.

Which leads me to ponder, why does temperature have such an unpredictable effect on our lives? For example, when I was managing sewer districts in San Diego County, it seemed that every year without fail, I would start receiving odor complaints from residents beginning in the fall. The complaints would start around Halloween and continue until after Thanksgiving. I studied the problem for years and even consulted the expert who wrote the Uniform Plumbing Code in an effort to understand what effect temperature and humidity have on gases within the sewer lines. I am sorry to say that I never did solve this dilemma but I did learn enough about sewer systems to hypothesize an explanation. It seems that sewers in the United States differ from sewers in Europe and other places around the world by virtue of their design. Our sewers are vented to the atmosphere through connection of the private laterals and house vents, as opposed to European sewers that operate as a closed system under negative pressure. This unfortunately creates an avenue for gases and odors to sometimes escape. As you are aware, in the fall we typically experience a phenomenon known as the Santa Ana. These easterly winds are accompanied by extremely dry air, which we all know creates the extreme fire conditions that we see every year at that time. I believe that the hydrogen sulfide gas (famous for its rotten egg odor) when present in the sewer line is sucked up into the laterals and consequently through the house vents and then one of two things occur, with both of them being

Upcoming Meetings

Water Issues Committee Mtg –
Thursday, September 4th, 9 am – 12 noon, at LACSD.

Air Quality Committee Meeting –
Tuesday, September 23rd, 10 am – 12 noon, at LACSD.

Collection Systems Committee –
Wednesday, October 22nd, 10 am – 2 pm, at the El Toro Water District Training Center.

POTW Energy Management Committee – Thursday, October 23rd, 10 am – 1 pm, at LACSD.

bad. The gases are then released into the house through the sink and tub drains, if the p-traps are left dry. Or if the p-traps in the house are full, then the gases are carried above the roof line and because of the dry light air conditions present at this time of the year, the gases sink where they can be pulled back into the house through an open window or picked up by the air conditioning system. So a word to the wise, keep those p-traps in your sink drains full of water. Anyway, that's my story and I'm sticking with it.

On another note, I would like to bring to everyone's attention that the SCAP office in San Juan Capistrano has officially been relocated as of September 1, 2008. The SCAP office is now located in Encinitas at 605 Third Street and e-mail notifications will be sent to everyone providing the new contact information. I promise we will do our best to keep the disruption of service to a minimum while we complete the transition. I would also like to take this opportunity to thank Kris Whisenhunt, SCAP's long-time administration manager, for her twelve years of exceptional service to SCAP. It will be difficult to replace her knowledge and experience and I know that you will join me in wishing her the best in her future endeavors.

Transitionally Yours,

John Pastore

Air Quality by Chair Daniel McGivney

Imperial County APCD

Imperial County APCD is currently in the process of developing two State Implementation Plans (SIPs) dealing with the formation of ozone and particulate matter of 10 microns (PM10). Both plans are required to be submitted to US EPA by December 2008 and are required due to Imperial County's non-attainment status for these constituents. 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 IPAPCD office at (760) 482-4606. The ICAPCD Board of Directors voted unanimously on November 6, 2007 to adopt the Imperial County CEQA Air Quality Handbook, which is available on the County of Imperial's website at www.co.imperial.ca.us.

Mohave Desert AQMD

The Mohave Desert AQMD has announced that the California Desert Air Working Group (CDAWG) Conference is scheduled for November 6 & 7, 2008 in La Quinta, CA. The Conference's featured speaker will be Dan Pellissier, CAL/EPA's Deputy Secretary for Energy

<p><u>Committee Chair Contact Info</u></p> <p>Air Quality Chair: Dan McGivney – dmcgivney@emwd.org</p> <p>Biosolids Chair: Mike Sullivan – msullivan@lacsdsd.org</p> <p>Collection Systems Chair: Ralph Palomares – RPalomares@etwd.com</p> <p>Water Issues Chair: Gus Dembegiotes – Gus.Dembegiotes@lacity.org</p>
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Policy Coordination. The Conference will also feature a Special Risk Communication Training Workshop.

The MDAQMD recently held a public workshop on August 18th to discuss the Preliminary Draft Rule 1133 – Composting and Related Operations. The purpose of this Rule is to limit emissions of VOCs and ammonia from composting and related operations.

The MDAQMD is currently accepting proposals for up to \$377,419 in grants for projects that reduce smog-forming emissions from heavy-duty vehicles and other mobile diesel equipment operated in the High Desert portion of San Bernardino County and Riverside's Palo Verde Valley. The MDAQMD's adopted CEQA Guidelines are available on its website at www.mdaqmd.ca.gov.

San Diego APCD

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 at www.sdapcd.org. 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 offer 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 also added a **Grants & Incentives** page to its website to better inform the public of program availability.

Santa Barbara APCD

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 at www.sbcapcd.org. SBCAPCD also reports that they are working with CAPCOA planning managers to develop GHG emission thresholds for CEQA reviews of new projects.

On March 20, 2008, the SBAPCD approved participation in Year 10 of the Carl Moyer Program, making approximately \$619,000 available for eligible projects during the upcoming year. Typical projects include heavy-duty engine repowers, replacements and retrofits for both diesel and alternative fueled equipment. Other project categories include zero-emission projects, old car buy backs and agriculture assistance.

There are currently no new rule workshops scheduled by SBAPCD at this time.

Ventura County APCD

As of July 2008, VCAPCD 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.

Rule 230 Revised – On September 9, 2008, the VCAPCD will hold a public hearing to consider proposed revisions to Rule 230, which allows the district to issue a Notice to Comply for a “minor violation” rather than a Notice of Violation.

Rule 72 Revised – New Source Performance Standards (NSPS)

Rule 73 Revised – National Emission Standards for Hazardous Air Pollutants (NESHAPS). On September 9, 2008, the VCAPCD will hold a public hearing to consider proposed revisions to Rules 72 & 73.

Draft Rule 55 (Fugitive Dust) – On June 10, 2008, the VCAPCD Board adopted Rule 55. This Rule implements VCAPCD’s previously adopted program for reduction of PM emissions, as mandated by SB656 and sets a series of new dust standards for compliance in Santa Barbara County.

Rule 42 (Permit Fees) – On April 8, 2008, VCAPCD adopted revisions to Rule 42, which among other things, increased permit renewal fees by 8 percent.

South Coast AQMD

SCAQMD Rules 1146 and 1146.1 (Boiler rule) by Ed Stewart

On August 7, 2008, SCAQMD released the Draft Staff Report and Socio-economic Impact Report for PARs 1146 and 1146.1 for pickup at the SCAQMD public counter. Based on input provided by SCAP agencies, the final versions of these reports should reflect a higher number of digester gas boilers that are impacted by these two proposed amended rules. Los Angeles County Sanitation Districts' staff met with SCAQMD on August 13, 2008 to clarify previous comments on PAR 1146. A Joint Task Force Meeting for PARs 1146 and 1146.1 was held on August 14, 2008. During these meetings, SCAQMD agreed to minor text revisions, such as removing the use of obsolete definitions and clarifying source test requirements. SCAQMD is considering allowing up to 10% natural gas for flame stabilization in existing biogas/natural gas co-fired boilers without additional restrictions. SCAQMD may also allow up to 50% natural gas blended with biogas in co-fired boilers on a case-by-case basis if the NOx limit resulting from the weighted average formula would force flaring. In response to concerns raised about the accuracy and repeatability of portable analyzers for monthly self-tests, SCAQMD committed to run tests and provide an acceptable margin of error for compliance determination when using a portable analyzer. The range of portable analyzer error historically accepted by SCAQMD was not mentioned. The rule task force will become an implementation group to meet as needed. The Board Hearing is scheduled for September 5, 2008 at 9:00 a.m.

Greenhouse Gases (GHGs) by Greg Adams

- SCAQMD has released their 6-month annual emissions reporting documents. Quite a few facilities are choosing to report via their web-based program. A few of those are also choosing to use the GHG reporting feature which is voluntary and which is compatible with the format of CARB's mandatory reporting rule.
- The CEQA GHG Threshold Working Group was continuing its efforts, hoping to release a product in the fall to serve as interim guidance until OPR/RA issue their guidance.

- SCAQMD staff hosted two workshops to solicit comments on a new ten-point GHG policy for the agency. The policy will be brought before the Board on September 5, 2008.
- Staff is working on rules to implement the SoCAL Climate Solutions Exchange, a voluntary early reduction banking program that may serve as a model for other air districts in the state (such as the San Joaquin Valley Air Pollution Control District).

Priority Reserve Status by Greg Adams

On July 28, the California Superior Court ruled that the underlying CEQA documents for the August 2007 version of Rule 1309.1 (Priority Reserve) and associated Rule 1315 (Federal New Source Review Tracking System) dealing with the siting in the air basin of eleven power plants totaling 2700 MW were inadequate. The suit was filed by NRDC and CBE (Communities for a Better Environment). Certain biosolids projects were included in the decision. It is unclear what the next step by the SCAQMD will be.

The court decision was followed in quick step by another lawsuit filed by NRDC challenging the underlying validity of all the credits in the SCAQMD emission banks under Rule 1315 and even threatening to remove the "community bank" 4 TPY threshold for small businesses.

Various discussions are going on with the SCAQMD on these actions. The ramifications of a SCAQMD loss on the Rule 1315 battle would be a cessation of any new construction or modification for any facility or POTW going under New Source Review.

Wastewater Industry Climate Change Issues by Frank Caponi

AB32

Under 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 has released a Scoping Plan (Plan) to achieve the Governor's 1990 goals which is currently open for public comment. Comments were originally requested by August 1, 2008, but with the late release of the Plan's Appendices, CARB will continue to accept comments beyond this date. The process is on a fast track with the plan scheduled to be considered by CARB's Governing Board on November 20, 2008.

The Plan proposes a mixture of "Command and Control" and "Cap and Trade" programs, heavily impacting the electrical and transportation (fuel) sectors. SCAP members individually submitted comments on the plan in several areas, but with emphasis as it related to the following areas:

- Voluntary early actions should be encouraged, and the Scoping Plan should encourage the robust development of offsets (by actions which could benefit the wastewater industry in a "cap and trade" market);
- wastewater agencies agree with strategies to increase the use of recycled water, but are concerned that the Scoping Plan does not realistically or accurately address the difficulties and challenges faced in achieving this goal;

- wastewater agencies support the increase in renewable energy from this sector, but the Scoping Plan needs to address the regulatory barriers faced by these projects; and
- the Scoping Plan does not address the increased energy demands faced by wastewater and water agencies in developing advanced treatment of water and wastewater.

CWCCG

SCAP continues to be part of the California Wastewater Climate Change Group (CWCCG) composed of over 40 wastewater agencies and three wastewater associations, including SCAP. The purpose of this group is to provide a unified voice in the regulatory process, one of the most important components of which is the development of 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.

CCAR Inventory and Local Government Protocol

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) and Columbia University on a research program that would develop nitrous oxide (an important wastewater industry GHG) emission factors by testing actual facilities nationwide. The WERF-Columbia University study continues to grow in stature as now France has joined the Netherlands and Australia in N₂O monitoring programs. WERF hopes to collect and share data using somewhat consistent protocols.

CCAR, in conjunction with CARB, is also developing a Local Government Operations Protocol to establish emissions protocols for greenhouse gas emissions from government agencies, such as cities and counties. A component of the protocol is an emissions protocol for wastewater treatment facilities. CCAR is on a track to finalize this protocol by August or September. At the request of CWCCG, CCAR established a wastewater industry working group to develop the wastewater component of the overall Government protocol. SCAP members are included in this subgroup. Since the Local Government Operations Protocol is on a much quicker time frame than the CCAR wastewater protocol that CWCCG has been developing, a two-phased approach is being proposed. In the first phase, an emissions protocol would be developed utilizing standard EPA approaches to calculating greenhouse gas emissions exploring updated emission factors. This would satisfy CCAR's need to develop the Local Government protocol quickly. In the second phase, which could take up to two years, an approach would be developed based upon the WERF research which would satisfy the overall long-term needs of the wastewater industry and allow for the Local Government protocol to be amended with the new approach. The wastewater industry working group is continuing to work with CCAR and CARB on finalizing a first phase approach while the details of phase two are still under development.

Biosolids by Chair Mike Sullivan**Cross Media Checklist**

An outcome of the May 16th biosolids cross media roundtable meeting held in Sacramento with representatives from Cal EPA and various Air Districts, Regional Water Boards, Caltrans and EPA was an agreement to develop a cross media checklist for use during the development of regulations.

A steering committee has been formed and is currently soliciting volunteers for development of the cross media checklist. Knowledge or expertise is needed in at least the following areas: biosolids, compost processing, recycled water, AB 32, CEQA, regulatory processes, development of basin plans and water quality standards/ regulations, and impact assessments to air, water, and land media. The working group may be limited to less than ten people to maximize efficiency, although some additional volunteers may be selected to provide expertise in all areas and to have representation throughout the state. Since many new regulations are under development and AB 32 is moving toward implementation, an aggressive schedule may be planned for this project. Once a checklist is developed, it will be field-tested with existing or proposed rules to ensure it will be an effective and instructive tool. Volunteers that are interested should contact CASA's Greg Kester at gkester@casaweb.org.

San Joaquin Valley Air Pollution Control District (SJVAPCD) Draft Rule 4566

On August 21st, the SJVAPCD advised its Governing Board that an extension of the rule adoption deadline for Draft New Rule 4566 (Organic Waste Operations Rule, formally referred to as the Green Waste Composting Rule), would be requested. The extension will allow the SJVAPCD to conduct studies on the control effectiveness of the best management practices for composting operations. The SJVAPCD indicates that new data shows that the emissions from this category are much less than estimated in the Attainment Plan, but that data on the effectiveness of controls was lacking. The extension would allow time to generate more data on the control effectiveness.

The SJVAPCD reports that a staff report with details of the request will be made available for public review prior to the Governing Board Meeting on October 16, 2008. Further work on the draft rule will follow after the studies have been conducted and reviewed. The SJVAPCD plans to solicit input from interested parties on the details of the studies in the near future.

Update on Local Biosolids Projects

As of August 12, 2008, EnerTech reports that construction of the Rialto Regional Biosolids Facility is 86% complete. EnerTech has indicated that August will see the completion of piping and much of the electrical and instrumentation installation in the dryer area, and installation of permanent power by Southern California Edison. SlurryCarb™ piping will progress. Paving, curb and gutter, and delivery of the final major equipment, the Heat Transfer Fluid System, are other activities that will be performed in the month.

On August 8, 2008, approximately 250 people attended the town hall meeting at the Banning City Hall regarding the Liberty XXIII Renewable Energy Power Plant project. The meeting began with presentations from representatives by Liberty Energy and the City of Banning, which was followed by a question and answer session. Questions from the public focused on issues, including emissions from the plant and from the trucks hauling biosolids to the facility. Liberty Energy indicated that a 125,000 square foot building would be constructed onsite to house the feedstocks, rather than storage outdoors, increasing construction costs by \$12 million. This change has prompted an amendment to the Draft Environmental Impact Report, and will be reissued for public comment at a future date. Liberty Energy anticipates that the power plant proposal to reach the City Council for its consideration in 2009. Another town hall meeting is scheduled on September 4, also located at the Banning City Hall.

Collection Systems by Chair Ralph Palomares

Well, August reminded us to always have our earthquake preparedness kits ready for the Big One. Being that we are wastewater collections personnel and have been trained for all types of emergencies, it's no surprise that none of us had any major problems with the 5.3 quake. We have all trained over and over for years preparing for this event and any other disasters that might come our way. Millions of dollars have been spent doing so but when the big one does hit, we will all do what we have been trained for and that is to make sure our families are safe and that the water and wastewater systems that we operate on a daily basis continue to do so for the health and safety of our customers and emergency personnel, whether it be to fight fires or just to have good, reliable and safe tap water for all of us to drink.

Well, the dog days of summer are upon us and some of us will be going or have already gone on vacation. I will be doing so in a couple of weeks down on the Crystal Beach Pier on Pacific Beach in San Diego, as it's one of my favorite local spots to fish, surf, and just have some good family time together. I have talked to some of you in the last couple of weeks and you have gone to Cancun, England, Alaska, Brazil, Costa Rica, New York, Yosemite, Santa Barbara or have just stayed local and have taken some time off to fix a few things around the house and to try to shorten that honey-do list. I wish you good luck with that one.

Some of us have kids going back to school in a few weeks or maybe have already started their school year. My son is starting his final year as a senior in high school and it seems as if only yesterday that he was starting kindergarten and I had just started working here at the district. I just celebrated my 29th year on August 11th. WOW, where did the time go?

In those 29 years, I have seen the strangest things at different districts and cities. I might have to say that we have all kind of cleaned up our acts. That's not to say that we were doing bad things but that's just the way things were done back in the day!

EPA is doing audits of collections systems up north right now and the word is they will be down in Southern California in the early part of 2009, so make sure to have all your programs updated and ready for inspection. I think by now most of us have everything in place and up-to-date. If not, please go to the SCAP website if you need help or maybe some direction or assistance, as there's no sense in re-inventing the wheel.

In California on October 11, 2008, the *No Drugs Down the Drain* campaign starts. Please inform your public relations person in your agency to go to:

<http://www.ororkepr.com/NDDD/NDDD.html> for more information.

At our next October SCAP Collection Systems Committee meeting, we will have the most recent updates on the new rules and regulations that affect us all in the wastewater industry. We will e-mail you as soon as we have the date and location for our next meeting and will also post it on the SCAP website.

I hope you all had a safe and fun Labor Day weekend.

Water Issues Committee by Chair Gus Dembegiotes

Stormwater Writ of Mandate

On August 1, 2008, the Orange County Superior Court issued an order limiting the effect of its earlier Writ of Mandate released on July 2nd. The new one allows the processing of Notices of Intent (NOIs) and Notices of Terminations (NOTs). The previous Writ of Mandate had ordered the State Water Resources Control Board to "cease, desist and suspend all activities relating to the implementation, application, and/or enforcement of the Standards in the [Los Angeles Regional Water Quality Control Board's] Basin Plan, as applied or to be applied to Stormwater." This injunction had prohibited the approval of NOIs and NOTs in the Los Angeles Region under the Statewide National Pollutant Discharge Elimination System Construction, Small Linear Utility, and Industrial Storm Water General Permits. With the new court order, processing of these documents has resumed. More information can be found at:

http://www.swrcb.ca.gov/water_issues/programs/stormwater/index.shtml

***Welcome to our newest
SCAP member:***

City of Coronado, Department
of Public Services.

Stakeholders Recycled Water Policy

The Stakeholders Recycled Water Policy is due to be presented to the State Water Board at its September 2nd hearing.

Clean Beaches Initiative Grant Projects

The State Water Board released its Draft Guidelines for the Clean Beaches Initiative Grant Program. These Guidelines establish the process that the State Water Board will use to solicit and review proposals for Proposition 84 funds, and any unused or re-appropriated Proposition 13, 40 and 50 funds. The public comment period closes on August 29, 2008. The Draft Guidelines are scheduled to be adopted by the State Water Board on September 16, 2008. More information can be found at:

http://www.swrcb.ca.gov/water_issues/programs/beaches/cbi_projects

20X2020 Water Conservation

On February 28, 2008, Governor Schwarzenegger wrote to leadership of the California State Senate, outlining key elements of a comprehensive solution to problems in the Sacramento-San Joaquin Delta. The first element on the Governor's list was "a plan to achieve a 20 percent reduction in per capita water use statewide by 2020." In March 2008, the 20x2020 Agency Team was convened to develop a plan to achieve a 20 percent reduction in per capita urban water use statewide by 2020. A series of workshops will be held in the coming months. More information can be found at:

http://www.swrcb.ca.gov/water_issues/hot_topics/20x2020/index.shtml

Draft "State Fiscal Year (SFY) 2008/2009 Intended Use Plan (IUP)" for the Clean Water State Revolving Fund (CWSRF) Program

The Division of Financial Assistance is proposing adoption of the proposed SFY 2008/2009 IUP, which outlines the State Water Board's business plan for the CWSRF Program by identifying the projects it expects to fund during SFY 2008/2009. The SFY 2008/2009 IUP also includes performance measures to track the effectiveness of the CWSRF Program. The comment period for the SFY 2008/2009 IUP is August 7, 2008 through September 8, 2008. The SFY 2008/2009 IUP will be considered by the State Water Board on September 16, 2008.

The draft SFY 2008/2009 IUP [Public Notice](#) is available for public review and comment as outlined in the Public Notice at:

http://www.swrcb.ca.gov/water_issues/programs/grants_loans/srf/docs/cwsrf/notice_2008_2009iup.pdf

Proposed SIP Amendment to Establish Water Quality Objectives for Cadmium

As reported in my earlier column on July 18th, the State Water Board provided notice that it is proposing an amendment to the *Policy for the Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* to establish water quality objectives for Cadmium. The State Water Board will hold a California Environmental Quality Act (CEQA) scoping meeting to seek input on the scope and content of the environmental information that should be considered in the proposed amendment. The meeting will be held on October 6, 2008 in Sacramento. Written comments are due by **12 p.m. on October 23, 2008**. An individual informational scoping document on the proposed amendment may be obtained via the Internet on the State Water Board Web site at:

http://www.waterboards.ca.gov/publications_forms/available_documents/index.shtml

Notice of Public Hearing for Adoption of Sediment Quality Objectives

As reported in my earlier column, the State Water Board provided notice that it will hold a hearing for the adoption of the *Proposed Water Quality Control Plan for Enclosed Bays and Estuaries, Part 1, Sediment Quality Objectives*. The hearing will be on September 16th in Sacramento, which is a result of an Office of Administrative Law (OAL) decision on February 29, 2008 that revealed that the statutorily-required newspaper notification of the November 2007 hearing had not occurred. The State Water Board is, therefore, noticing and conducting a new public hearing for the proposed Plan on September 16, 2008. Written comments are due by **12**

noon on September 5, 2008. The draft Staff Report and proposed Plan may be obtained via the Internet on the State Water Board Web site at:

http://www.waterboards.ca.gov/water_issues/programs/bptcp/sediment.shtml

Regulatory Affairs by Regulatory Affairs Consultant Mary Jane Foley

Well, I thought I could get a pass this month from writing the column since I had a total hip replacement in mid July. I learned that just because I was not running around much, my brain was still very active and the computer and phone were working just fine. So in between a lot of rehab, I got involved in some pretty critical issues.

I had the opportunity to participate in two lengthy phone conferences on the Recycled Water Policy. The SCAP Water Issues Committee Chair, Gus Dembegiotes, was a key leader in the Water Industry Stakeholder group. He has done a great job and has reported on this under his column. My role was to use my experiences as a former State Waterboard Member and leader in water reclamation to weigh in on some of the more difficult issues. Due to the fact that this policy is being negotiated with the NGOs, representatives from the water industry are upfront about the policy not being "ideal" from the industry's perspective. From years of being the regulatory point person, I know that most big policy issues end up as a compromise. SCAP has sent out the latest draft for the industry feedback, and I am hopeful that many of our members weighed in. The new issues on Salt/Nutrient Management Plans are difficult ones due to the expense of such an undertaking. I believe there is an expectation that the water and wastewater agencies, along with other stakeholders, will fund these plans. These plans would be on a regional basis. Other tough issues are related to "mandates" and the most difficult one, Antidegradation. The final version of this policy will be presented to the SWRCB on Sept 2, 2008. You can watch it on the Waterboards web site as a webcast. The policy won't be adopted on September 2nd. The standard regulatory process of comment and response has to occur.

Now, back to my hip surgery recuperation time. Believe it or not, the first real journey out of the house and on the road was to a CEQA scoping meeting on the development of a policy to protect wetlands and riparian areas. This policy is more than filling in the gap from the USACOE/ Rapanos decision, which reduced the jurisdiction of the Clean Water Act over wetland and riparian areas by limiting the "waters of the United States." The SWRCB is undertaking a very broad approach to protect the water of the state. There will be three phases. The first phase deals with the definition of wetland, the mechanism for regulating wetlands and the guidelines for assessment methods for collecting wetland data, monitoring progress and evaluating program development. Why would SCAP be monitoring this? Because many of our members have engineered wetlands and O&M issues that could become really complicated by a new policy. Phases 2 and 3 will be even more interesting due to the language of intent, which would expand the definition of beneficial uses, develop water quality objectives for wetlands, and develop new definitions of beneficial uses of riparian areas throughout the watershed. The meeting materials are on the SWRCB web site at

www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml. To subscribe to future notices about the policy go to

www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml. Choose

“Wetland and Riparian Area Protection” policy. Each area of interest will have a focus group starting in the late fall. There will be focus groups for water/wastewater, municipal and county government, agriculture, NGOs, etc. Bill Orme is the lead SWRCB staff person. If you have an interest in participating in a focus group, you need to contact him.

So what else did I do during this month of recuperation? I got involved with the Perata Bill SB 2X. This bill would release over \$800 million from Prop 84. Wastewater treatment and water reclamation is included. (Yeah!) What I have been trying to get into the language is a one-liner that states salt/nutrient management plans are eligible. And then there is the new Governor’s water bond measure. There is \$800 million for groundwater, small community wastewater systems, and recycled water. I have asked SCAP members with lobbyists to insert salt/nutrient management plans as eligible. I even had the chance to meet and discuss funding for salt/nutrient management plans in the new water bond language with the SWRCB Chair Tam Doduc and Board Member Fran Weber. Hopefully, someone will get those words in so that there is no debate on using grant dollars for this purpose.

I end with one of my favorite issues to watch, emerging contaminants of concern. I see that this month the EPA has asked the National Academy of Science to advise on the potential risks of low-level drug residues in drinking water and are working with healthcare professional to see how levels might be reduced. We know a good strategy: *“No Drugs down the Drain!”*

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

Non Sequitur

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

Irene Peter

Some of our supporting SCAP Associate Members:

