



SOUTHERN CALIFORNIA ALLIANCE OF
PUBLICLY OWNED TREATMENT WORKS

MONTHLY UPDATE

December 2007

A Message from the Executive Director...

It seems this month has just buzzed by. I hope all of you had a wonderful Thanksgiving and were able to spend much needed time with your family and friends. It's hard to believe that Christmas and New Years are just around the corner. Which reminds me that it's that time of year for our annual SCAP Holiday Luncheon, which is again being held at the beautiful El Niguel Country Club in Laguna Niguel. I'm looking forward to seeing all of you there. It's also that time of year to express my thanks to all of those individuals that have generously given their time and assistance in order to keep SCAP rolling along for another successful year. Our 15th year actually, as we are celebrating our 15th year of serving the Southern California wastewater community. I'd like to start by thanking each of our directors for their support and encouragement and especially our President, Rich Atwater, who graciously takes the time to advise me and to accompany me to meetings all over the state despite his hectic schedule.

Special thanks go out to all of our SCAP committee chairs and vice chairs: Dan McGivney/Greg Adams – Air Quality Committee; Karen Soares/Michelle Hetherington – Biosolids Committee; Ralph Palomares/Sam Espinoza – Collection Systems Committee; and Gus Dembegiotes/Valerie Housel – Water Issues Committee. Each of the committees has done an outstanding job this year of conducting regular meetings and numerous workshops for the benefit of our members. None of what I do would be possible without their assistance and I greatly appreciate the fact that the time they spend volunteering takes away from their regular job activities. I need to also mention the efforts of one of our Air Quality Committee members, Patrick Griffith from LACSD, who has gone beyond the call of duty to provide both the Air Quality and Biosolids committees with his presentations on climate change and the effects of AB32 on the POTW community.

It is with regret that I must announce that Karen Soares will be stepping down as chair of the Biosolids Committee after the January 17, 2008 meeting. Karen took over as chair from Diane Gilbert-Jones a few years ago and has done an outstanding job generating interest in the committee meetings from all areas of the biosolids industry. Karen will be transferring to another section within LACSD and we all wish her the best in her new assignment. Not to fear,

Upcoming Meetings

SCAP Board of Directors Meeting
– Thursday, December 6th, 9:30 am – 11:30 am at El Niguel Country Club.

13th Annual SCAP Holiday Luncheon –
Thursday, December 6th, 11:30 a.m. at El Niguel Country Club. Reservations are required. You don't want to miss this event!

Air Quality Committee Meeting –
Thursday, December 13, 10 am – 12 noon, at LACSD.

Biosolids Committee Meeting –
Thursday, January 17th, 9 am – 12 noon, at LACSD.

Water Issues Committee Mtg –
Tuesday, January 22nd, 9 am – 12 noon, at IEUA.

LACSD’s Mike Sullivan has generously volunteered to take on the Biosolids chair role following Karen’s departure. Mike is currently a Supervising Engineer II for LACSD and brings a wealth of regulatory knowledge to this position for SCAP.

Lastly, I want to thank our staff: Kris Whisenhunt and Bob Kreg, for their daily contributions in keeping SCAP operational from an administrative, financial and technological standpoint; Mary Jane Foley, our regulatory consultant, for her energy and persistence in effectively getting our message across to the regulators and legislators in Sacramento; and to our executive director emeritus, Ray Miller, which if not for his vision SCAP would not be here today. And to all of the rest of our great members, I wish you all the best holiday season ever and a great start to the upcoming new year.

Just as a reminder, be sure and review the following committee reports section as we have chosen to include a condensed version of the committees’ annual reports to the Board in lieu of their usual monthly updates with the hope that this will give you a comprehensive look at what your committees have achieved during the past year.

Thanksgivingly yours,

John Pastore

Air Quality by Chair Daniel McGivney

SCAQMD Proposed Amended Rule 1110.2

In early 2005, the SCAQMD proposed amendments to existing regulation 1110.2 which regulates emissions from prime engines (e.g. non-emergency). The SCAP Air Quality Committee and SCAP member agencies have been very active in the continued development of this proposed rule that has now lasted 3 years. Currently, the draft amended rule is scheduled to go before the SCAQMD Governing Board on January 4, 2008.

Due to our efforts and those of other entities, many favorable changes to this regulation have occurred. A few of the more prominent ones to mention include a reduction in the applicability of Continuous Emissions Monitoring Systems (CEMS), less stringent non-compliance reporting, a higher CO emission limit that will facilitate better compliance with the NOx emission limit, a technology assessment evaluating the application of emission controls on biogas engines to achieve more stringent NOx limits, and more favorable conditions surrounding the emissions monitoring programs.

However, some issues still remain. Of the few that remain, the most significant is the requirement that biogas engines utilize 90% biogas to maintain the extended compliance time

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frames for new requirements. If an operator cannot maintain that utilization rate, it must either demonstrate to the SCAQMD that it would have no other choice but to shut the engine down and flare the gas or if it cannot shut down and cannot meet the utilization rate, it would have to meet more stringent emission limits sooner (prior to completion of the technology assessment), which may require the operator to permanently remove the engine from service. Currently, the SCAQMD is informing agencies that use biogas to generate power that they would have to shut the engine down and go on the grid if they cannot meet the 90% fuel utilization rate. In recent meetings, SCAQMD has agreed to broaden the “test” by which operators can argue for a greater use of natural gas. SCAP continues to work on this and other remaining issues.

SCAQMD Rule 1309.1 (Priority Reserve)

This important rule has had a tumultuous year. The Priority Reserve provides essential public services such as POTWs, among others, with free emission reduction credits needed to offset residual emissions from infrastructure projects. Lack of emission reduction credits in California is reaching crisis proportions. The Priority Reserve has become the only practical large source of credits for entities other than essential public services such as electric generating facilities (EGFs). Investor-owned and municipally owned utilities had made the case that Southern California needed a considerable amount of in-basin power generation to avoid the rolling blackouts of 2001. Rulemaking in September 2006 triggered lawsuits from a host of environmental groups who successfully argued that environmental impacts of in-basin power plants had not been adequately addressed in the SCAQMD’s Rule 1309.1 environmental assessment. After lengthy follow-up, contentious rulemaking including provisions for collecting and re-distributing back into the communities an estimated \$400 million in mitigation fees from project developers, the amendments went through on August 3, 2007, only once again to be challenged in court. These developments are important to POTWs because SCAP is awaiting a rule revision that would specifically address biosolids handling facilities located offsite of a POTW. Recent discussions with SCAQMD staff have re-affirmed the District’s commitment to amend the rules to address biosolids once the litigation has been resolved. Right now the way the rules read, if a POTW were to construct a biosolids management facility off the POTW site and could not stay under the “community bank” emissions levels, then they would have to tender extremely expensive private credits, assuming they could find them.

Climate Change Activities

Since the passage of AB 32 (California Global Warming Solutions Act of 2006), the California Air Resources Board (CARB) has been very rapidly developing a statewide program to achieve the Governor’s goal of reducing greenhouse gas emissions (GHG) to 1990 levels by 2020. CARB’s AB 32 focus to date has been in developing an inventory to define the 1990 GHG emissions, a mandatory reporting program and early action measures to reduce GHG emissions in the short-term while CARB develops a more comprehensive Scoping Plan. Each of these components is an important part of the meeting the goals of AB 32; however, the 1990 emissions inventory is one of the most critical steps in the process. As mandated by AB 32, CARB will establish the 2020 statewide GHG emissions limit equal to the 1990 emission levels.

AB 32 sets very tight timelines to meet all its regulatory targets. The emissions inventory that is currently under development will be presented to the CARB Governing Board in January

2008. By March of 2008, CARB will begin workshops for the Scoping Plan, which is scheduled to go to its Governing Board by November 2008, with adoption of control measures beginning in 2009.

The wastewater industry has been very active in following and participating in state activities to enact AB 32. Early in 2007, the industry organized and formed a group called the California Wastewater Climate Change Group (CWCCG) comprised of 40 wastewater agencies within three wastewater organizations in California. The purpose of this group is to provide a unified voice in the regulatory process, in particular, 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. Currently, the emissions protocol is being developed under the voluntary California Climate Action Registry (CCAR). Many of the CWCCG agencies have joined the CCAR to begin the process of developing GHG inventories and emissions protocols. The protocols will help define how to determine emissions of all six Kyoto Protocol GHGs, but in particular CO₂, CH₄ and N₂O, from wastewater processes. In addition to working with CCAR, CARB will also play a hand in reviewing and approving the protocols.

Currently, CARB is proceeding with a Mandatory Reporting program for individual facility GHG emissions. One goal of CWCCG is to work with CARB and CCAR to streamline the inventory and reporting process by merging the voluntary registry with CARB's Mandatory Reporting program to have one unified reporting program. AB 32 encourages streamlining and consistency between programs, and both CCAR and CARB have expressed a willingness to move in this direction. CARB is scheduled to bring its Mandatory Reporting program to its Governing Board this December.

CWCCG members will also closely track and participate in the development of the Scoping Plan. All indications are that the wastewater industry should not be faced with regulations to reduce GHG emissions beyond what steps we already take. However, if a market system develops to reduce GHG emissions, the wastewater industry could potentially develop offsets that can be sold in this system. CWCCG members are closely watching this possibility.

Biosolids by Chair Karen Soares

Kern County – Measure E and Litigation

The Biosolids Committee continued to provide updates throughout the year on the litigation related to Kern County's Measure E that would have banned biosolids land application in unincorporated Kern County. The court ruled in favor of the Plaintiffs (treatment plants and biosolids haulers) and issued a Summary Judgment in July, stating that Measure E violated the US Constitution "Commerce Clause" and conflicted with the California Integrated Waste Management Act that is meant to promote recycling. Kern County has appealed the case to the 9th Circuit Court of Appeals in San Francisco. The plaintiffs are now seeking reimbursement for legal fees.

In the fall of 2007, Kern County initiated the preparation of an EIR supporting their existing biosolids ordinance, as required by the Tulare Superior Court in the previous 2005 litigation brought by the treatment plants and SCAP. It is expected that the SCAP Biosolids Committee will carefully monitor and provide comments on the draft EIR when it is released.

California Biosolids Legislation

Early in 2007, the Committee had been tracking two state bills related to biosolids. SB55 (Florez) would have required POTWs to certify that their biosolids meet certain pollutant standards, indemnify receiving parties, and perform extensive analytical testing. By mid 2007, the bill died after the Senate Appropriations Committee concluded the bill would cost the state prison treatment plants “multi-millions of dollars” annually. Another bill, AB 1207 (Smyth), was a bill that would have benefited SCAP agencies by establishing statewide standards for land application, was proposed but was subsequently withdrawn by its author. This was a two-year bill, and could resurface in 2008.

Air Quality Regulations and AB32 on Climate Change

During 2007, the Biosolids Committee began actively monitoring various air quality regulations related to biosolids management activities. The most significant of these was the San Joaquin Air Pollution Control District’s Rule 4565 regulating composting, land application and landfill disposal (including reuse as landfill cover) within the San Joaquin air basin, which includes Kern and Kings Counties. More recently, the Mojave Desert Air Quality Management District began discussing the possibility of developing a similar rule regulating compost sites, requiring best management practices and possibly add-on controls. The Biosolids Committee has also begun actively monitoring AB32 regarding greenhouse gas emissions, which could impact biosolids management methods used within California, and might even benefit certain biosolids reuse projects related to renewable energy or use as renewable fuel.

Local Biosolids Projects and Biosolids Technologies

In 2007, there were an unprecedented number of advanced-technology biosolids management facilities under construction in Southern California, and the Biosolids Committee has taken on the expanded role of updating its membership on the progress of these various projects. The Committee has done this through its monthly updates and e-mail distribution of relevant news articles. Also, the agenda for the July committee meeting consisted of presentations on these projects, given by each agency or associate member and, as shown by the large attendance (27 committee members attended and participated), this topic was of interest to most of the SCAP member agencies. The Committee plans to actively monitor any significant projects and new technologies being implemented locally, and will provide updates to SCAP member agencies when appropriate.

Instead of our normal monthly Agency Profile, we are highlighting an article regarding three of our member agencies during the recent wildfires in San Diego County.

Maintaining Wastewater Operations Amid Wildfire Threats

San Diego's Witch Creek wildfire threatened wastewater facilities in three separate community services districts (CSDs). The Rancho Santa Fe, Fairbanks Ranch and Whispering Palms CSDs' collective facilities include four wastewater reclamation plants, 16 sewer lift stations, and over 100 miles of pipelines to provide service within their respective boundaries.

Although residents were evacuated for up to three days, all district facilities remained operational throughout the intense fires. Chuck Duffy, general manager for the three districts, outlined the following key issues essential to the districts' emergency planning:

- **Maintain defensible space around facilities.** Consider removing or distancing aesthetic screening vegetation and other combustible materials. Duffy, who was sanitation manager for Ramona Municipal Water District during the 2003 Cedar Fire, said, "We had bark mulch around one of our treatment plant buildings to control weeds. A burning ember lit the mulch on fire, which subsequently burned and decommissioned the power conduit that fed the plant. People tend to think of treatment plants as all concrete, paving and steel, however there is quite a bit of combustible material around."
- **Ensure facilities are fire-safe.** Pumps and generators should be housed in masonry block buildings with tiled roofs and stucco eaves. Electrical lines and pipes should be buried. "Fire burned up to and completely around many of the districts' pump stations," Duffy said. "Yet, they sustained no damage, as these were eight-inch masonry block buildings with tile roofs and underground electrical lines and pumps. The flames passed by them in a hurry."
- **Prepare facilities for emergencies.** "Several years ago, we made the decision to place emergency diesel generators at each pump station and plant with switches to automatically transfer to generator power upon normal power loss," said Duffy. When the fires and the Santa Ana winds began, district operators topped generators with fuel and made sure they would start and transfer on their own.
- **Check hydrants and hoses.** "You can't have too many hydrants," explained Duffy. "We have several hydrants at our facilities, but it was tough to reach some spots. We plan to add hydrants and hoses to some sites."
- **Cross-train your employees, and know where they live.** Duffy said some district employees were evacuated from their homes or were unable to reach work due to road blocks. "Thankfully, we started cross-training our operators and collection crews for all our sites about one year ago," he said. "Our staff has now spent time in each plant, so they know how to run each one."

- **Make proper identification accessible.** “Some operators couldn’t reach the facilities to pick up district trucks, so they were driving their own vehicles in the fire areas,” said Duffy. “Police and firefighters routinely asked them who they were and why they were there. We realized that we need magnetic identification signs and district IDs that people can keep in their cars for situations such as this.”
- **Maintain your alarm system and SCADA.** Duffy said the alarm system allowed the staff to remotely monitor when power was lost and restored at facilities. He said radio-based SCADA is better suited to fire-prone areas than phone-based, which can go down if phone lines are burnt.
- **Document an emergency plan and follow it.** “It is hard to train for every contingency,” added Duffy. “Having a plan in place and key employees trained to take responsibility will provide significant benefits.”

Duffy and his staff encountered one unanticipated development at the reclamation plants following the evacuation of all residents.

“Flows went to zero,” he said. “Treatment plants need flow and organics to maintain the biological process that treats sewage, so at one point, we considered feeding organic materials to the treatment plants to keep the microorganisms alive. Believe it or not, you can actually use dog chow to provide a food source to keep the plant alive.”

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Collection Systems by Chair Ralph Palomares

Well it’s December and that means the holidays are here. The year is almost over and the SCAP Collection Systems Committee Chair Ralph Palomares, Vice Chair Sam Espinoza, SCAP’s Executive Director John Pastore and the SCAP staff would like to thank you for attending our SCAP Collection Systems Committee meetings this year. Below is a summary of the activities and issues that the committee worked on this year. As the SCAP Collection Systems Chair, I attended quite a few collections related meetings this year and it’s an honor to be representing the SCAP Collection Systems Committee at CAL-FOG, Tri-TAC, CWEA, SARBS, WDR and many others. The one event this year that really hit home was my time working at the Red Cross Shelter at El Toro High School for the fire victims from San Diego that has taught me to really be prepared for a disaster for my family and that everything else is second nature. As my first year as the SCAP Collection Systems Chair is coming to an end, I would like to thank Kris Whisenhunt at SCAP for editing my monthly articles and a big thanks to SCAP Executive Director John Pastore, Collection Systems Committee Vice Chair Sam Espinoza, OCSD’s committee representative Nick Arhontes and Dudek’s committee

representative Bob Kreg for all their terrific help in our committee meetings. Let's not forget the SCAP Board of Directors for supporting our Committee. We hope to see everyone at the SCAP Holiday Luncheon on December 6th at El Niguel Country Club.

Reminder: CIWQS Questionnaires Must be Updated Annually

All agencies who are under the requirement of the state's General Waste Discharge Requirements (GWDR) to report their SSOs electronically to the CIWQS database must also update their questionnaires annually. For agencies within Regions 4, 8 and 9 who were required to start their electronic SSO reporting on January 2, 2007, now is the time to update your questionnaire. According to Eric Maag from the State Board, questionnaires may be updated at any time but must be updated within 12 months of your last update.

Additionally, if you have not already done so, you may download a copy of the CIWQS Discharger Workbook. This is an easy to understand workbook that takes you through, screen by screen, the entire process of reporting to the CIWQS database. You can download your copy at: http://www.waterboards.ca.gov/sso/docs/discharger_workbook.pdf. If you need additional information or need to add a new Legally Responsible Official (LRO) or data submitter, you will find the necessary forms and instructions at the CIWQS help center at: http://www.waterboards.ca.gov/ciwqs/chc_sso.html.

Highlights from 2007

A One-Day Wastewater Issues Conference and Associate Members Expo was held by SCAP in March 2007 in Ontario, CA. A presentation on private lateral maintenance was given by Manuel Benitz from the City of Santa Barbara. The conference was attended by well over 100 participants and was deemed a success.

On April 25th 2007, a SCAP Collection Systems Committee Meeting was held at the El Toro Water District in Lake Forest, CA and was attended by 30 SCAP members along with one new guest who later became a new SCAP member. One topic of discussion was SCAP/CASA appealing the more stringent SSO WDR enacted by Region 9. Electronic Spill Reporting was discussed, specifically all the new changes affecting us in the upcoming months, as well as private lateral ownership, including who is responsible for easements and the potential problems associated with private plumbers digging up the city streets. Also of discussion were the new revisions to the upcoming 2008/09 UPC Table 10-3; Gravity Interceptor Sizing; Storm Drain Issues Regarding Safety Training; and how to remove H₂S from the sanitary sewer system.

On July 10, 2007, our second SCAP Collection Systems Committee meeting was held at the Los Angeles County Sanitation Districts office with 35 SCAP members in attendance. Presentations included an update on the ongoing SSMP training being conducted by Bob Kreg of Dudek Engineering. Bob explained to the group the format of the statewide training sponsored by CWEA, which he helped formulate and is now one of the instructors for the Southern California region. Chemical additives for grease interceptors were discussed along with the very hot issue of disposable wipes in the sewer system and the negative impacts to our pipes and pumps. Strategies were discussed on what we can do to prevent SSOs from occurring due to these products. How to dispose of household FOG and what type of

containers should we be using that would be acceptable to the waste haulers was discussed. It was decided that we should obtain the waste haulers input before we promote the idea to the wastewater industry. Two other topics were CCTV and slip lining and what is being done at other agencies. Lastly, an update by SCAP Executive Director John Pastore on the new SCAP website was given.

The third SCAP Collections Committee meeting was held at the Irvine Ranch Water District's Duck Club in Irvine, CA on October 22, 2007. Once again we had an update on disposable wipes and it looks like SCAP is leading the way with other groups such as Tri-TAC and the Summit Partners. This has become a nationwide issue as we discuss it more with other cities and states. It is clear that this issue will continue into 2008 and beyond. Another product discussed was "ZIPP," a root killer with copper sulfate in it, which has been banned in Northern California but is being sold in Southern California, where we have NPDES copper limits. Another root killer discussed was Vapor Rooter, which is now allowed in Los Angeles and Orange County. One product of concern is a product with Metam Sodium, also for root control, which you will be hearing more of in the near future. Legislation updates on AB800, S2080, and HR 2452 were to be presented for discussion by SCAP's Executive Director, John Pastore. Unfortunately, John Pastore could not attend due to the wild fires. I hope none of you lost your homes or property in these fires. We will update everyone in 2008 at the next SCAP Collection Systems Committee meeting.

John Pastore, Executive Director of SCAP, along with Ralph Palomares, SCAP Collections Chair, attended the Tri-TAC meeting in October 2007 in Ontario, CA and informed the group of the disposable flushable wipes issues affecting the sanitary sewers and pump stations. Tri-TAC has agreed to support SCAP in its efforts to educate the manufacturers on this issue.

SCAP members Ralph Palomares, Bob Kreg and Nick Arhontes have addressed this problem to the Orange County Waste Discharge Requirement Committee, which was organized in 2002. This group consists of cities and sanitary agencies from all of Orange County. The group meets monthly and supports the SCAP Collection Systems Committee, as does the Santa Ana River Basin/CWEA and its members.

Ralph Palomares, SCAP Collection Systems Committee Chair, addressed the CAL-FOG Committee on November 7, 2007 at LACSD's facilities on the flushable wipes and private lateral issues along with assistance from SCAP's past Collection Systems Committee Chair, Nick Arhontes of OCSD.

Water Issues Committee by Chair Gus Dembegiotes

SCAP's One Day Conference

The Water Issues Committee participated in SCAP's One Day Wastewater Issues Conference held on March 7, 2007, presenting a panel of experts to discuss emerging constituents in wastewater. The Panel consisted of Julio Lara from the Regional Water Quality Control Board - Santa Ana Region who discussed cyanide as it related to permit compliance, studies, and monitoring; Larry Chrystal from E.S. Babcock and Sons who discussed laboratory

issues related to lowered detection limits for cyanide and other constituents; Ed Filadelfia from Eastern Municipal Water District who discussed strategies for compliance related to new permit limits for aluminum; and Ashli Cooper Desai from Larry Walker and Associates who discussed how Site Specific Objective Studies could be used to help in meeting permit limits for emerging constituents. The presentations and panel discussion were well received by the attendees.

***Welcome to our newest SCAP
Associate Member:***

National Water Research Institute

Second Quarter Water Issues Committee

On April 18, 2007, the Water Issues Committee held its second quarter meeting at the Los Angeles County Sanitation Districts. The discussion at the meeting focused on endocrine disruptors and pharmaceuticals. Jeff Armstrong of the Orange County Sanitation District and Shivaji Deshmukh of the Orange County Water District, in separate presentations, provided information on endocrine disruptors and pharmaceuticals, their effect on the organisms in the environment, available testing methods, and available treatment options. Heather Lamberson of Los Angeles County Sanitation Districts discussed their program to encourage the proper disposal of pharmaceuticals and the "No Drugs Down the Drain" campaign. Heather explained how pharmacies were being asked to distribute brochures to their customers explaining their program.

Third Quarter Meeting

On July 18, 2007, the Water Issues Committee invited newly appointed State Water Resources Control Board (State Water Board) Member Frances Spivy-Weber to its meeting to discuss issues being faced at the state level. Representatives from the Santa Ana and San Diego Regional Boards were also in attendance to discuss issues relevant to their regions. One of the major topics of discussion was the impending release of the State Water Board's Water Recycling Policy and its future impact on water recycling projects. Other issues of discussion included the state's strategic planning efforts and development of the 303(d) List of Impaired Water Bodies.

Joint Meetings with Tri-TAC

The Water Issues Committee also held two joint meetings with Tri-TAC in Ontario, CA to discuss issues of interest to both organizations.

Statewide Water Recycling Policy

On March 20, 2007, SCAP members along with WaterReuse members attended a State Water Board Workshop providing comments in support of developing a Statewide Water Recycling Policy. SCAP members and others provided oral testimony to the State Water Board members, supporting the development of a statewide policy that would encourage the use of recycled water for irrigation and other purposes.

On October 2, 2007, after the release of its Draft Policy, SCAP members again attended the State Water Board's Workshop in Los Angeles to provide oral comments regarding provisions in the proposed Draft Policy. Although agencies generally supported the State Water Board's efforts, agencies expressed concern with several of the provisions in the Draft Policy that could discourage the use of recycled water. Although SCAP did not submit formal comments on the policy because of the divergence of member agency opinions, the Water Issues Committee did provide a platform for member discussion of the policy. A hearing will be held on adoption of the policy in Sacramento in January of 2008 that the Water Issues Committee will monitor.

Public Scoping Meeting for California Ocean Plan Amendments

On June 26, 2007, the State Water Board held a public scoping meeting in San Francisco to seek public input on proposed amendments to the California Ocean Plan. Some of the proposed changes to the Ocean Plan included the addition of a fecal coliform standard for waters where shellfish may be harvested; the establishment of a narrative water quality objective where salinity should not exceed a certain percentage of natural background; adoption of a water quality objective based on standards proposed by the U.S. Department of Energy; adoption of a Model Monitoring Approach with minimum requirements; modifying the suspended solids effluent limitation for secondary treatment to be consistent with 40 CFR 133 and requiring compliance within five years of adoption; and providing a narrative objective to state that ocean water shall not contain trash. SCAP Water Issue Committee members participated with Tri-TAC to develop a joint comment SCAP/Tri-TAC letter regarding several of the amendments and recommending appropriate revisions.

Workshop to Review Implementation of California's CWA 303(d) List

The Water Issues Committee monitored the State Water Board's Workshop on March 20, 2007 in Sacramento to review its implementation of the California 303(d) List for 2006 and to seek direction for its staff regarding the development of the 2008 List. The Listing Policy establishes a methodology to develop the section 303(d) list, including listing and delisting factors; the process for gathering and evaluating data and information; and total maximum daily load scheduling. State Water Board staff had recommended the continued use of the existing policy in developing the 2008 List. Agency speakers at the workshop generally supported the continued use of the existing policy and requested that the state at least go through one full cycle without changing the policy and supported the Listing Policy as creating a public set of criteria which gives more transparency to the listing decisions.

Water Quality Enforcement Policy

The State Water Board held a workshop on June 28, 2007 in Sacramento to receive information regarding the policy direction on its Water Quality Enforcement policy. The present policy has been in effect since February 19, 2002. The primary goal of this workshop was to gather input in preparation for the revision and reissuance of this policy. SCAP, CASA, Tri-TAC, and BACWA submitted a joint comment letter prior to the June 14, 2007 deadline. The joint letter stated that the policy has worked well and that the appropriate approach would be to update and make clarifying amendments rather than to undertake wholesale changes. Some of the modifications recommended in the letter were to focus enforcement actions on violations

that significantly threaten water quality; modify the policy to reflect recent statutory changes; clarify key aspects for the calculation and assessment of Mandatory Minimum Penalties (MMPs); and, encourage funding of Supplemental Environmental Projects.

Climate Change and Water Resources

On August 23, 2007, the State Water Board and the Department of Water Resources held a joint meeting to consider the effects of climate change on water resources. With the passage of AB 32, all state agencies are required to consider and implement strategies to reduce their greenhouse gas emissions. The State Water Board and the Department of Water Resources held this meeting to solicit input on: (1) how both agencies can help meet the goals of AB 32 and integrate climate change considerations into their existing policies, regulatory responsibilities, and grant programs; and (2) how climate change directly impacts various programs and what can currently be done to address those impacts. The workshop consisted of five panels, each dealing with a specific topic. One of the panels dealt with "Opportunities for California water agencies to be part of the solution." John Pastore of SCAP and Rich Atwater of the Inland Empire Utilities Agency were part of the panel. The Water Issues Committee will continue to monitor climate change issues and their potential impact on wastewater agencies.

Regulatory Affairs by Regulatory Affairs Consultant Mary Jane Foley

At this time of year, SCAP asks each committee and the Regulatory Affairs Consultant to write a "Year in Review" report for the December Board meeting packet. I have just finished mine as the Regulatory Affairs Consultant (RAC) and I have some thoughts and issues to share with you.

When I look over the year, I am constantly amazed at all the issues covered by the SCAP committees and myself. For my report, I review all the monthly meetings, state agency meetings, and legislative initiatives. I find it mind boggling how many regulatory items have been adopted, are in process or are pending and waiting for commencement of drafting and the public review process.

As a former regulator for 20 years, I am in awe at how this industry and particularly we at SCAP and our committees keep on top of the regulations that come from so many directions. There are the State and Regional Waterboards, the California Air Resources Board (CARB), the local Air Quality Management Districts, the Integrated Waste Management Board and often other CalEPA Departments. Not to forget the legislature; always busy trying to make new laws that translates into in new regulations. What I observe and admire the most in all of this mix is how the SCAP committees that I work with handle this workload. I have noticed the professional attitude of committee members, their desire to understand the goal of all these regulatory issues and to try to find a reasonable, manageable manner of making them work for the industry. I take their attitude to the top policy makers and management and try to impress on them that the professionals are in the industry trenches, not at their agencies, and they have recommendations that will work both for the regulators and the regulated.

I could go through the list of what the Water Issues, Air Quality, Biosolids and Collection Systems Committees have worked on this year, but those are in their columns and the annual report to the Board. All I can add is how lucky the SCAP membership is to have such competent professionals volunteering their time and talent on the critical issues in all the areas mentioned above.

This year I have often shared in this column the efforts that I, as well as a lot of SCAP members and CASA have embarked on to get respect and money for wastewater infrastructure in various bond rollout legislation. For the first time in a long time, the legislators are listening. As I write this, I am setting up meetings with the Department of Water Resources to add wastewater infrastructure grant needs in their chapter on pollution prevention. It may seem odd to insert reference to wastewater in a statewide water supply plan but when you “follow the ball” on where water bond language originates you learn to understand where you need to be a player and have a voice.

I started off this column talking about the year in review report to the SCAP Board. I would like to end with what I wrote as my goal for the future, next year, 2008. In 2008, I hope I can convince the SCAP membership on how much I can help them in permitting issues. I can help with most state and federal agencies. I have a passion that most people don't share: acquiring permits. In 2008, let me help you. I keep up my network with many state and federal agencies so that, when needed, I can cut through a lot of issues and get someone/agency a permit. Thus, I close every column with the Help Desk.

Merry Christmas to All!

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

As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them.

John F. Kennedy