



SOUTHERN CALIFORNIA ALLIANCE OF PUBLICLY OWNED TREATMENT WORKS

Monthly Update

December 2008

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Upcoming Meetings

Air Quality

Tuesday, December 9th, 10 am-12 noon, at LACSD.

Biosolids (Joint Tri-TAC)

Wednesday, January 21, 2009
10:00-2:00 pm, at Ontario CC

Collection Systems

Wednesday, February 25, 2009
10:00-2:00pm, Location TBA

Energy Management

Thursday, January 29, 2009
9:00-1:00pm, at Encina (EWA)

Water Issues

Tuesday, February 10, 2009
9:00-1:00pm, at IEUA

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A Message from the Executive Director...

I hope everyone had a wonderful Thanksgiving and were able to spend time with your families, while enjoying your well deserved time off from work. Even with the current state of the economy, unemployment woes and weather concerns, we are still truly blessed to be able to live and work in the greatest country on earth. We are all so fortunate in that the many basic needs that

we take for granted are simply not available to those in Third World countries. Namely, clean water and sanitation facilities. As we head towards the Christmas season I thought it appropriate to briefly mention a couple of worthwhile organizations within our industry that have been providing essential services to the poverty stricken around the world. The first being **Water For People** and the other being the **Global Water Brigades**.

Water For People was established to help developing countries improve their quality of life by supporting development of locally sustainable drinking water resources, sanitation facilities and hygiene educational programs. The organization has a vision whereby all people have access to safe drinking water and sanitation; a world where no one suffers or dies from water or sanitation related diseases. Reportedly, there are 884 million people worldwide without access to safe drinking water and a whopping 2.6 billion people without adequate sanitation facilities.

Global Water Brigades, on the other hand, is a separate program within the **Global Brigades (GB)**, which is the world’s largest student-led international development organization. The **GB** is a secular, non-profit organization that empowers university students and young professionals nation-wide to provide communities with sustainable solutions that improve quality of life. The **Global Water Brigades (GWB)** consists of a network of university clubs that travel to developing countries to design and implement clean water solutions. The **GWB** currently focuses on 40 rural communities throughout Honduras, concentrating its efforts on 5-year commitments to long-term sustainable development. So far they have completed two major projects involving the installation of approximately 500 meters of 3” PVC piping, water supply chlorination, cleaning valves and building pilas (cisterns). In the state of California, programs have been developed at SDSU, USD, UCSD, UC Davis and UC Berkeley.

More information about these organizations and their efforts can be found on the following websites: www.waterforpeople.org and www.globalbrigades.org.

On another note, it seems everyday someone is asking how AB32 is going to affect their agency? So I thought I would provide some clarification and update on where we all stand as of today on this issue. The Global Warming Solutions Act of 2006 (AB32) was approved by the Governor to reduce emissions in California to 1990 levels by the Year 2020. The California Air Resources Board (CARB) is charged with the task of implementing AB32 and is currently developing the programs to do so, however, full implementation of AB32 is not expected until 2012.

It appears that there a number of commonly used terms that seem to be causing confusion to many agencies when it comes to understanding the proposed regulations associated with AB32. The most common of these terms are **Early Action Items**, **Voluntary Early Action Items**, **Mandatory Reporting** and **Voluntary Reporting**.

Early Action Items are a list of 44 proposed measures to be developed by CARB staff to reduce global warming emissions. Nine of the 44 have been labeled as discrete early action items. All these measures have been incorporated into the State's comprehensive implementation strategy, known as the AB32 Scoping Plan, for achieving greenhouse gas (GHG) reductions under AB32. The Scoping Plan, which is currently open for public comment and scheduled for approval by CARB on December 11-12, 2008, contains a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives and market-based mechanisms such as a cap-and-trade system. Ultimately, the nine discrete early action items contained in the Scoping Plan will be developed into regulatory proposals by staff and presented to the Board for adoption and enforcement, prior to January 1, 2010 (the balance of the proposals must be in regulatory form by 1/1/2011). Examples of some discrete **Early Action Item** programs are: the Low Carbon Fuel Standard; Enhanced Landfill Methane Capture; Reductions from Mobile AC; High GWP Consumer Products; Tire Pressure Program and SF6 Reductions.

Because AB32 rules will not be fully implemented until 2012, there remains a lot of uncertainty around what will actually qualify for reductions and whether or not an agency should voluntarily make reductions prior to final regulation adoption. CARB is cognizant of this and to encourage agencies to take early action, it approved a Policy Statement on Voluntary Early Actions to Reduce Greenhouse Gas Emissions, at its February 28, 2008 meeting. As part of its AB32 Scoping Plan, CARB is taking the following actions to promote this policy:

- It will work with the California Climate Action Registry (CCAR) to establish a process that will allow entities taking **Voluntary Early Action Items** to document those actions so that reductions can be considered for credit once the program is in place. CARB will later determine the amount of the credit and how those credits can ultimately be used.
- It will work with interested parties to review proposed quantification methodologies for voluntary GHG reductions.
- It will work with the SCAQMD and other local air districts to promote expedited development of quantification methodologies and protocols.

Having said all that, there is still no guarantee that actions taken earlier than January 2007 will be fully credited to any entity undertaking them, including local government.

On December 6, 2007, CARB approved a regulation for the **Mandatory Reporting** of GHG emissions from major sources, pursuant to AB32. In general, mandatory reporting currently only applies to these types of facilities operated within California: cement plants; petroleum refineries; hydrogen plants; electricity generating facilities with a nameplate generating capacity greater than or equal to 1 megawatt (MW) and that emit greater than or equal to 2,500 metric tonnes of CO₂ per calendar year (after 2007); certain retail providers; certain power/electric marketers; cogeneration facilities with a nameplate generating capacity greater than or equal to 1 MW and that emit greater than or equal to 2,500 metric tonnes of CO₂ per calendar year (after 2007); and other facilities that emit greater than or equal to 25,000 metric tonnes of CO₂ from a stationary source per calendar year (after 2007). Exempted from reporting are portable equipment and emergency generation equipment permitted by a local air district, as well as certain other facilities. What this means to our wastewater agencies is that presently, only those agencies with co-generation facilities that are capable of generating 1 MW or greater of electricity and emit 2,500 metric tonnes or greater of emissions per year, fall under the mandatory reporting requirement. Those agencies with cogeneration facilities falling under the mandatory reporting requirements must begin reporting their 2008 emissions to CARB in calendar year 2009 (April) and then annually thereafter

To assist agencies with proper reporting of their emissions, CARB relied on the CCAR to develop a comprehensive protocol for quantifying GHGs from different types of government operations. On September 25, 2008, the Local

Government Operations Protocol (LGOP) was adopted by CARB. This document is now available to public agencies to provide guidance on how to inventory GHG emissions resulting from government buildings and facilities, government fleet vehicles, wastewater treatment and potable water treatment facilities, landfill and composting facilities, and other operations. In the works is the development of a Community Protocol to address community-wide emissions such as residential, commercial and industrial use of energy, transportation, industrial emissions, etc. The LGOP would be a subset of the Community Protocol, hence one must be on alert for double-counting.

For those agencies that do not fall under mandatory reporting requirements and wish to voluntarily report their emissions, the CCAR has developed a **Voluntary Reporting** program with CARB's approval. However, the CCAR has recently announced that it will soon be phasing out of this program in the next few years and it appears that another group known as, The Climate Registry (TCR), will now become the primary GHG registry for voluntary reporting in North America. Currently TCR has 298 members. Registration by government agencies is subject to an annual fee, between \$450 to \$5,000 per year, based on an agency's budgeted revenues.

The above explanation of the reporting requirements associated with AB32 is intended solely as a simple overview for informational purposes and I strongly suggest that CARB staff be contacted for more specific information or clarifications. After the AB32 Scoping Plan is adopted, there will continue to be new regulatory proposals brought forward by not only CARB staff, but likely other Cal-EPA agencies as well. Inclusion or not in cap and trade will likely become a lively debate.

Charitably Yours,

John Pastore (My best wishes to all of you and your families for this holiday season and have a Happy New Year!)

Committee Reports



Air Quality

By Chair Daniel McGivney
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Imperial County APCD

www.co.imperial.ca.us

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 ICAPCD 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.

There are currently no public workshops or hearings scheduled for December.

Mohave Desert AQMD

www.mdaqmd.ca.gov

75 members of air agencies and regulated industry attended the Mohave Desert AQMD's California Desert Air Working Group (CDAWG) Conference held on November 6 & 7, 2008 in La Quinta, CA. The Conference featured presentations on topics ranging from CR-6 Testing at Mohave Desert Cement Plants to a special Risk Communication Workshop presented by Arnold Den, Senior Science Advisor for USEPA Region 9.

The MDAQMD is hosting a free Training Session for IN-USE OFF ROAD DIESEL VEHICLE REGULATION sponsored by the California Air Resources Board. To assist fleet owners with compliance efforts, the ARB staff is conducting a series of statewide training seminars on the new regulation recently adopted by the ARB. The free training session will be held at the MDAQMD Board Chambers in Victorville, CA on December 10th. Following the general training session

fleet owners will have the opportunity to meet with an ARB staff member and obtain training on the Diesel Off-Road On-Line Reporting System (DOORS). Registration for the general training session is required and DOORS training is by appointment only.

For those of you 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.

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 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.

The SDAPCD website now includes an inventory of toxic and criteria air pollutant emissions in Adobe PDF format for those agencies in San Diego County that are required to report annually.

SDAPCD has also added a **Grants & Incentives** page to its website to better inform the public of program availability.

Santa Barbara APCD

www.sbagpcd.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 held a Community Advisory Council Meeting/Workshop on 10/22/08 to present proposed changes to Rule 316 (Storage and Transfer of Gasoline). Public input is requested. It is anticipated that the SBAPCD Board will consider adoption of the revised rule on January 15, 2009.

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

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.

Rule 70 (Storage and Transfer of Gasoline) – On 11/11/08 the VCAPCD held a workshop to discuss Rule 70 revisions.

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

www.aqmd.gov

2008 Air Quality Committee Highlights

The following are a few of the significant issues that the Air Quality Committee has been following during 2008.

SCAQMD Proposed Amended Rule 1110.2 by Daniel McGivney

In February 2008, the SCAQMD formally adopted amendments to Rule 1110.2. These amendments will and are having significant impact, both financially and

operationally, on SCAP member agencies that operate stationary internal combustion engines for prime power within the jurisdiction of the SCAQMD. Among the many new requirements is an Inspection and Monitoring plan that requires a daily check on specific engine and emissions control parameters and a weekly to monthly emissions check. Other new requirements include more frequent source testing of the engines (from every 3 years to as often as annually), a requirement for groupings of small engines to install continuous emissions monitoring systems (CEMS), and a lowering of the emission limits for both natural gas and digester gas fueled engines.

SCAQMD Rule 1309.1 (Priority Reserve)/Rule 1315 NRDC Lawsuit by Greg Adams

Kurt Wiese, SCAQMD General Counsel, gave the following report (excerpts extracted) to the Home Rule Advisory Group on October 24, 2008:

“On July 28, 2008 Superior Court [Judge] Ann Jones issued a decision finding the District’s 2007 amendment of Rule 1309.1 and adoption of Rule 1315 failed to comply with CEQA. Judge Jones’ decision stated that she intended to issue a writ, which is a type of order, instructing the District (SCAQMD) not to take any further steps to implement the rules.

Following Judge Jones’s decision, the District and the petitioners in the lawsuit, consisting of several environmental organizations, each submitted proposed writs to the judge. When the District submitted its proposed writ, we also filed a motion with Judge Jones requesting that she allow Rule 1315 to be implemented on a short-term basis.

In our motion, we set out some of the background needed to understand the importance of Rule 1315 and the need for its continued implementation. We explained that under the federal Clean Air Act, new or modified sources that are major sources are required to provide emissions offset credits to obtain a permit. Credits can be very costly, and accordingly the District has maintained an internal bank of credits that it provides at no cost to essential public services such as schools, hospitals, water treatment plants, landfills, and sewage treatment plants. Credits in the District’s internal bank are made available to essential public services through operation of District Rule 1309.1 and, until the 2007 amendments were set aside in the lawsuit, the District planned on providing credits to electrical generating facilities. Unlike essential public services, power plants would be required to pay for credits. The internal credit bank is also used to

support credit exemptions for major sources through the operation of Rule 1304.

Rule 1315 was adopted at the insistence of the US EPA, which wanted the accounting rules for the credit bank to be contained in a District regulation. Accordingly, without Rule 1315, there are no EPA-sanctioned protocols in place for operation of the credit bank, which compromises credits for essential public services and projects relying on the exemptions in Rule 1304. We have explained to the judge in our motion that without credits, sources may find it difficult if not impossible to construct or modify their projects.

The hearing on our motion was scheduled on November 3 at 8:30 a.m., in Department 40 of the Los Angeles Superior Court, 111 North Hill Street, Los Angeles. In our motion, we asked Judge Jones to allow Rule 1315 to be implemented until it can be readopted with the appropriate CEQA analysis. We estimate that it will take approximately a year to conclude the re-adoption.

We have no plans to re-adopt the 2007 amendments to Rule 1309.1 that allowed power plants to access credits from the priority reserve. We believe that the fastest and most certain path to providing credits for power plant construction is through the Legislature or the Governor’s Office. We have been working with stakeholders to fashion a Sacramento solution to the credit problem, and will do so until the problem is resolved.”

As you probably have heard, the November 3 exchange of writs did not go well for the SCAQMD. The NRDC version was accepted by the judge, among other things. SCAQMD is still formulating a counter strategy.

In the interim, most permitting is on hold at the SCAQMD with the exception of minor administrative activities (change of ownership, review of plans, etc.); there are no permitting actions surrounding New Source Review and ERCs unless net increases are less than half pound per day or private credits are tendered.

On December 11, 2008, motions to dismiss the NRDC/1315 lawsuit and intervene in the action will be entertained in federal District Court.

SCAQMD Proposed Rule 317 Clean Air Act Nonattainment Fees by Greg Adams

PR 317 would cost the 584 major sources in the 4-county area of the South Coast Air Quality Management District up to \$35 million dollars a year for

each year the Basin remains out of attainment of the 1-hour ozone standard. At a recent Mobile Source Committee meeting, board members noted that with air quality leveling off once again, we may never achieve the 1-hr standard and we would pay this fee forever. The fee is paid directly to the SCAQMD to be used for unspecified purposes. There are multiple problems with the rule.

The rule is a carryover from the 1990 amendments to the federal Clean Air Act; it was intended to be a punitive measure, to be leveled against recalcitrant stationary sources for failing to reduce their emissions. The authors never envisioned the scenario that currently exists in the South Coast, namely that mobile and federally-controlled sources, which we cannot regulate here, account for up to 80% of all the pollution on a mass basis. Most stationary sources are currently at BARCT and are being forced to move to BACT (the federal equivalent of LAER or the lowest achievable emission rate) by Control Measure MCS-01 of the 2007 AQMP. It is unconscionable to believe that Congress wanted a source, already at BACT (the best they can possibly do) to reduce a further 20% or pay \$9350 per ton for each ton over a "baseline." This proposed rule sends the worse message to business in these hard times.

The EPA has issued some guidance in a March 21, 2008 memo that would at least allow a stationary source to average their emissions looking back some years to smooth out the effect of the current economic downturn but the SCAQMD does not wish to entertain this approach. Because no implementing regulations were ever written, (since probably no one ever thought that Section 185 of the CAA would ever come about), there is no specificity in many of the requirements which we think SCAQMD can easily take advantage of. We are seeking a delay of several months until EPA issues some additional guidance.

This rule would impact the newest, 1.5 ppm NOx (state-of-the-art) power plants who would have to pay since they could not reduce throughput, all the way to a coating line operation or printer who puts out in excess of 10 TPY of VOC.

To make the rule more palatable, several permittees have suggested that we be allowed to spend the fees within our own facilities. The District wishes to address how the fees are spent outside the rule. SCAP has argued that stationary source controls with the attendant monitoring and recordkeeping are a much more sound way of reducing emissions than a Carl Moyer-type mobile source program where it is difficult to keep track of things.

Climate Change Activities by Daniel McGivney

Over the past year, the air committee has been active on many fronts in regard to ongoing climate change activities. A large part of this past year has been devoted to the California Air Resources Board development of the AB32 mandated scoping plan, a programmatic document that contains the proposed regulatory measures to be implemented over the next few years to support the attainment of AB32 mandated GHG emissions reductions to 1990 levels. The proposed plan is scheduled for an adoption hearing on December 11, 2008. Additionally, SCAP has been tracking and supporting the WERF field study that is trying to measure, quantify and ultimately model nitrous oxide emissions from wastewater nitrification/denitrification processes. The air committee also provided expertise and support to the CWCCG effort that developed a preliminary GHG (nitrous oxides and methane) emissions inventory method for inclusion in the California Climate Action Registry's Local Government Protocol. This protocol was formally adopted by the California Air Resources Board and is now being reviewed by The Climate Registry, a national entity dedicated to providing consistent and transparent emission inventory standards for entities to voluntarily determine their carbon footprints and submit them to a unified national registry.



Biosolids

By Chair Mike Sullivan
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Encina Wastewater Authority (EWA) Heat Drying Project by Michael Hogan

In October 2008, the Encina Wastewater Authority (EWA) produced its first biosolids pellets from their new Andritz Rotary Drum Heat Dryer. Functional testing of the dryer will continue through December and will be placed in full operation in January 2009. The startup of the heat dryer initiates the first phase of EWA's 5-year Biosolids Business Plan that provides a "road map" for the distribution and reuse of Class A pellets. If you are interested in subscribing to EWA's e-newsletter titled "RenEWable News" that provides updates of EWA's Biosolids Program, please visit www.encinajpa.com.

2008 Biosolids Committee Highlights by Matt Bao

The following are a few of the significant issues that the Biosolids Committee tracked during 2008.

Since 2007, the Biosolids Committee has monitored the fallout of the Senator Barbara Boxer (CA-Democrat) letter that raised issues of concern over EPA's biosolids regulatory activities. After an informal meeting between representatives from the biosolids industry and Sen. Boxer's staff, the Senator signaled her intention to conduct an oversight hearing regarding issues related to the land application of biosolids. The hearing, later downgraded to an oversight briefing, was subsequently canceled after learning that two of the witnesses scheduled to testify were using the briefing as leverage in a court case.

The Biosolids Committee tracked two Associated Press (AP) articles on biosolids during 2008. The first article described a farmer's allegations that land application of biosolids during the 1980's had caused cattle death and soil contamination. A recent court decision ordered the USDA to compensate the farmer for loss of crop production, due to a lack of adequate defense by attorneys representing USDA. The second article focused on a 2005 study funded by the Housing and Urban Development Department (HUD) in Baltimore, Md., involving the application of a biosolids derived compost on urban soils to reduce the risk of exposure to soils with high lead concentrations. HUD has since released a fact sheet in an effort to correct the recent press reports, and the AP even indicated that the original reporter had been removed from the series.

The Biosolids Committee also monitored a California legislative effort and a county ballot initiative related to biosolids in 2008. AB 1207 (Smyth) would have provided uniform standards for the land application of biosolids in California, and would have prohibited local jurisdictions from adopting or enforcing local ordinances that are inconsistent with state regulations. An amendment to the bill removed the preemption language, and after further discussion with the bill's sponsors, it was decided that the bill would not be considered. In Imperial County, Measure X passed with more than 66% of the vote in February. The measure amended the Imperial County Codified Ordinances by making it unlawful to import sewage sludge into Imperial County.

Lastly, the Committee has updated its members about major developments in the advancement of biosolids management technology throughout 2008. These updates include developments on projects such as the Encina dryer and the Rialto EnerTech facility.

EPA Problem Formulation for Human Health Risk Assessments by Matt Bao

The deadline for comments on the EPA draft problem formulation document was November 3rd. CASA, WEF, and NACWA, amongst others, have submitted comments on behalf of the industry prior to the deadline. While the EPA is pursuing the study to address the National Research Council's 2002 report (*Biosolids Applied to Land: Advancing Standards and Practice*), the wastewater and biosolids industry is urging EPA to conduct additional research and highlight existing research that has not found risk from land application, prior to commencing a lengthy pathogen risk-assessment. It has been reported that food safety and other public health groups allege that the practice contaminates food and that runoff from the land contaminates nearby waters. The EPA held a public hearing regarding the issue in Cincinnati, OH on November 19th, and the Biosolids Committee will continue to provide updates to its members regarding this developing issue.

San Luis Obispo Ordinance to Establish Regulations for the Land Application of Biosolids by Matt Bao

San Luis Obispo County has released a draft ordinance that would replace the County's interim biosolids rule that nearly eliminated the use of biosolids for land application. The public comment deadline for the ordinance has been extended to February 1, 2009, with the final ordinance becoming effective in 2010. The draft regulation is intended to be a balance between the need for management of locally produced biosolids as well as protecting human health and water quality. However, the draft ordinance limits the land application of biosolids to exceptional quality (EQ) biosolids only, and limits the total land application of EQ biosolids in the county to 1,608 cubic yards in the first year (with provisions to allow increases in subsequent years based on population levels). In addition, the ordinance states, "Only exceptional quality biosolids may be used in composted biosolids that will be land applied," which may suggest that non-EQ biosolids cannot be used even as a feedstock for composting. A copy of the draft biosolids ordinance can be viewed at: <http://snipr.com/slobiosolids>.

Update on Local Biosolids-Related Air Quality Regulations by Matt Bao

On October 27, 2008, the Mojave Desert Air Quality Management District (MDAQMD) adopted Rule 1133,

which requires composting facilities to implement several best management practices, and limits VOC and ammonia emissions. Operators of existing composting facilities must register with MDAQMD no later than 60 days after the rule adoption date.

On December 18, 2008, the San Joaquin Valley Air Pollution Control District (SJVAPCD) will hold a public hearing to consider amending the SJVAPCD 2007 Ozone Plan. SJVAPCD staff needs additional time beyond the adoption deadline specified in the Ozone Plan to complete the technical and economic feasibility analysis for Draft New Rule 4566 (Organic Waste Operations). SJVAPCD staff recommends that their Governing Board approve a State Implementation Plan (SIP) revision to the Ozone Plan in order to extend the adoption deadline for Draft New Rule 4566 from 1st Quarter of 2009 to 3rd Quarter of 2010.



Collection Systems

By Chair Ralph Palomares
rpalomares@etwd.com

Collection Systems Committee Year-End Review by Ralph Palomares

The Collection Systems Committee held four meetings in 2008, which covered a myriad of topics from the WDR/SSMP regulations and reporting to remedies for calcium buildup in VCP sewer lines. Our meetings were held in four different locations throughout southern California, in order to make them more accessible to the membership. We were rewarded by outstanding attendance at all locations, averaging approximately 40 participants at each meeting. Topics of interest included: regular legislative updates from SCAP's executive director; the Kohler toilet ad campaign; CCTV inspection of sewer lines; the flushable wipes problem; chemical treatment for root control; reviews of existing private lateral maintenance programs; calcium deposits in VCP sewers; bioremediation of grease in wet wells; smart manhole cover technology; IAMPO's proposed changes to the UPC for sizing of grease interceptors; trenchless repair/replacement of sewer laterals; odor control issues; and a report on lessons learned from last year's Wolf Creek fires in San Diego County.

Although we touched on a lot of topics this year, I continue to hear people say that they don't understand

what they need to do to comply with the regulations, particularly in terms of proper reporting of SSOs. This leads me to believe that next year we really have our work cut out for us with potential budget cuts and basically operating with less of everything, except more regulations. However, I am confident that we in the wastewater collections industry can find a way to make it work just as we did years ago when funds were directed away from us and given to other essential public services. I'm sure you can recall when the WDR/SSMP regulations were first introduced and we all feared the worst, but a funny thing happened, everything changed for the better, resulting in a significant decrease in sewer overflows statewide and a resurgence in FOG and lateral repair programs.

In addition to SCAP, I am also the Chair of other collection committees in southern California and belong to numerous wastewater organizations. This allows to me to learn what is going on with other public agencies and enables me to pass that information on to you at our SCAP meetings. This upcoming year we plan on continuing to move our committee meetings to different locales and to incorporate presentations from vendors and agency staff alike. As this year comes to a close, I would like to thank my employer, the El Toro Water District, for allowing me to spend the time chairing the SCAP collection systems committee in 2008. I would also like to thank Bob Kreg from Dudek, as well as SCAP's executive Director, John Pastore for their assistance in setting up and speaking at the collection meetings. Lastly, a big thank you to my vice chair, Sam Espinoza from LACSD, who has attended all of our meetings and helped make them a huge success. I hope to see all of you next year at our first meeting, which will likely be held in Santa Barbara or Ventura County.

CIWQS Electronic Reporting Update by Bob Kreg

On Tuesday, November 18, 2008 the SSO External UserGroup held its Southern California meeting at Orange County Sanitation District. The SSO External UserGroup was formed over a year ago with the goal of improving the California Integrated Water Quality System (CIWQS) electronic SSO reporting process. Tuesday's meeting focused on two main issues and was facilitated by Jim Fischer P.E. of the State Water Resources Control Board (SWRCB). Jim opened the meeting with a review of the progress the state has made on the current list of open issues. As the SSO External UserGroup was formed, issues and suggestions for enhancements to the CIWQS electronic SSO reporting were solicited from agencies enrolled in the program and other interested stakeholders. A prioritized listing has been created of the issues and suggested enhancements based upon

their importance and the state's ability to resolve the issue. Jim commented on each of the 18 items on the current open issues list and reported that currently emails to non compliant enrollees are being manually sent out. In January of 2009 this system will be automated with emails being sent to Legally Responsible Officials (LROs) and data submitters for enrollees who are out of compliance for not having updated their annual questionnaires, or not submitting their monthly spill or no spill reports, or who are not current in developing and implementing their SSMP elements.

Jim also reported that the state is working on upgrading the notification process, required by the SWRCB in February of 2008, to provide additional fields on the spill screens for entering contact information for the Regional Boards and local health care. Checks are also being placed in the system to prevent spill location coordinates from being incorrectly entered outside the county where the spill occurred. The state has posted a new glossary of terms on the Sanitary Sewer Overflow Program page at: http://www.waterboards.ca.gov/water_issues/programs/sso/index.shtml. This glossary of terms is intended to remove any confusion over terminology used.

After completing his review of the open issues, Jim discussed the progress of the state's new SSO Incident Maps. These maps, one for public spills and one for private property spills, show the location and spill reports for SSOs that have occurred. New features include the ability filter search queries by spill volume and spill date. Filtering by agency is anticipated and should be completed by the intended public release date sometime in December 2008. These maps will allow agencies and the public to visually see where SSOs are occurring and easily retrieve submitted spill reports.

In late August of this year the SWRCB published a spreadsheet showing the compliance status of all enrollees in the WDR program. This spreadsheet was divided into three areas of compliance: update of the annual questionnaire; submission of monthly spill or no spill reports, and progress with the development and implementation of the SSMP elements. This email was emailed to all of the LROs with out of compliance enrollees highlighted in red. Jim strongly suggests that each agency review the spreadsheet and update any areas of non compliance before the updated compliance spreadsheet is released in December. He indicated that the updated compliance spreadsheet will be placed on the SWRCB's website. The current compliance spreadsheet is available on SCAP's website (www.scap1.org) in the Member's Only section of the Collection Systems Committee.

The next meeting of the SSO External UserGroup will be held in January in Northern California. You can attend the meeting in person or by teleconference.



Energy Management

By Chair Andre Schmidt
aschmidt@lacs.org

The first meeting of the Energy Management Committee was held on October 23, 2008 and was very well attended by 35 participants. The idea of forming this committee was very well received and indications are that several more individuals are interested in attending future meetings. A diverse group of attendees including energy managers, design engineers, air quality professionals, wastewater treatment operators, consultants and utility representatives made for some lively discussion. I am pleased to announce that Chuck Rogers, City of Thousand Oaks, will be assisting with the committee as my Vice-Chair and am very much looking forward to working with him.



Mark McDannel of LACSD gave an excellent presentation on an overview technologies available for conversion of digester gas to energy. LACSD's experience with combustion turbines, internal combustion engines, microturbines and fuel cells made for an informative presentation. Gary Bankston of the Inland Empire Utilities Agency presented an inspiring overview of the energy management strategies of his agency. IEUA has committed to going "gridless" (or grid neutral) by 2020, by pursuing an expansion of renewable energy production and energy efficiency measures. A brainstorming session was conducted to discuss potential future topics, which resulted in sufficient material to keep the committee busy for years

to come. Future meetings will be held quarterly at the LACSD office in Whittier, as well at other locations where we can arrange facility tours.

On December 16, 2008, SCAP is co-sponsoring a free Innovative Energy Management Workshop in conjunction with USEPA and other co-sponsors. Please see the following notice for more information. It is our intent to conduct a similar workshop in early 2009 in southern California for our SCAP members.



Free Innovative Energy Management Workshop
How to Reduce Energy Use and Increase Savings for Water and Wastewater Treatment Plants in the Southwest

December 16, 2008 • 8:30 a.m.- 4:00 p.m.
 Federal Building
 Conference Rooms C1001 and C1002
 2800 Cottage Way, Sacramento, CA 95825-1846
 -LUNCH INCLUDED-

ICLEI Local Governments for Sustainability
SCAP Southern California Council for Public and Environmental Sustainability
Water Boards California Water Environment Association

This workshop will help utilities learn how to:

- Develop energy management programs
- Set measurable energy goals to reduce consumption
- Establish a plan to follow through on priority management goals
- Prioritize energy improvement
- Manage energy to reduce operating costs
- Understand Energy Star Portfolio Manager Benchmarking

REGISTRATION: To register online and for information:
<http://www.epa.gov/region09/water/npdes/energy-workshop/>
 Contact: Cheryl McGovern Phone: (415) 972-3415
 Email: mcgovern.cheryl@epa.gov

If you need a reasonable accommodation, please contact Terisa Williams at (415) 972-3829 or williams.terisa@epa.gov.

The next Energy Management Committee meeting is scheduled for January 29th and will be held at the Encina Wastewater Authority's facility in Carlsbad, CA. Featured at this meeting will be a presentation by Mike Hogan, Encina WA's general manager, on their agency's comprehensive energy management strategy.



Water Issues

By Chair Gus Dembgiotes
Gus.dembgiotes@lacity.org

Statewide Water Recycling Policy by Gus Dembgiotes

On November 21, 2008, the State Board released the Proposed Recycled Water Policy for public comment. The proposed Policy and the draft staff report may be obtained at:

http://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/

The Proposed Policy is the result of a collaboration of Agency and Environmental Stakeholders. This stakeholder process began in March of 2008 and ended with the submittal of the Stakeholder Proposed

Water Recycling Policy at the State Board's meeting on September 2, 2008. An adoption hearing on the Proposed Recycled Water Policy will be held on January 6, 2009 in Sacramento. Comments on the Draft Policy are due to the State Board by 12:00 noon on Monday, December 22, 2008.

State Board Workshops and Hearing regarding Regulations for Onsite Wastewater Treatment Systems (OWTS) by Gus Dembgiotes

On November 12, 2008, the State Board provided notification that it will be holding several workshops and a hearing regarding proposed rulemaking for OWTS. The workshops will solicit public comments on proposed amendments to Title 27 of the California Water Code (Division 5), regulating OWTS, the Waiver of Waste Discharge Requirements for OWTS, and the Draft Environmental Impact Report for these two regulatory actions. The three documents related to this action can be obtained at:

http://www.waterboards.ca.gov/water_issues/programs/septic_tanks/

Two workshops will be held locally, the first on January 14, 2009 in Riverside and the second in Malibu on January 15, 2009. A State Board hearing on this issue is scheduled for February 9, 2009 in Sacramento. Written comments must be received or postmarked on or before February 9, 2009.

State Board's Anti-Degradation Staff Workshop by Gus Dembgiotes

On November 17th, the State Board held a workshop in Rancho Cordova to provide a forum for public consultation on the review of Resolution No. 68-16 and its implementation procedures to assist its staff in determining the scope and content of any revisions to State's Anti-Degradation Policy. The morning session dealt with surface water while the afternoon session dealt with groundwater. Most speakers at the workshop thought the present policy has served the State well and was not in need of revision. Several speakers from the environmental community believed that the implementation procedures should be revised and expanded and promulgated as regulation. Agency representatives generally believed that the implementation procedures were adequate as is and should not be complicated. Others emphasized that the policy needs to consider the use of recycled water as a benefit. Written comments are due to the State Board by December 17, 2008. More information is available at:

http://www.swrcb.ca.gov/public_notices/comments/docs/notice_antideg_policy.pdf

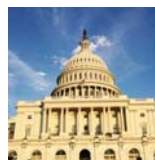
Adoption Hearing for Proposed Statewide Policy for Supplemental Environmental Project and use of the Pollution Cleanup and Abatement Account by Gus Dembegiotes

Last month, the State Water Board provided notice of a State Board hearing to be held on February 3, 2009 to consider adoption of a proposed State Policy regarding Supplemental Environmental Projects (SEPs) and the use of the State Water Pollution Cleanup and Abatement Account (CAA) for Regional Water Quality Improvement Projects. The Policy for SEPs includes two alternatives regarding limits on the amount of a SEP relative to the overall monetary value of the settlement. The first would limit a SEP, unless otherwise permitted by statute, to less than 50 percent of the total adjusted monetary assessment against the discharger. The second alternative, unless otherwise permitted by statute, would limit SEPs to less than 50 percent unless the State Board determined there were exceptional circumstances, in which case, they could exceed the 50 percent limit. Comment is sought on these two alternatives. Written comments are due to the State Board by 12:00 noon on December 15, 2008. More information is available at:

http://www.swrcb.ca.gov/water_issues/programs/enforcement/docs/statewide_policy_sep_waterpollution_caa/notice_sep_caa_enforcement%20policy.pdf

Marine Life Protection Act Initiative for the South Coast Study Region by Gus Dembegiotes

SCAP has formed a subcommittee of the Water Issues Committee headed by Mary Jane Foley called the *SCAP MLPA Working Group*. The purpose of the Work Group is to follow the Marine Life Protection Initiative process for the south coast region. Mary Jane has volunteered to be an alternate on the Regional Stakeholder Group with the goal of keeping SCAP members informed on the activities of Group. One of the goals for the South Coast stakeholder group is to look at new proposals for marine protected areas in the state waters of the south coast region. The following meetings were held in November: On November 4th, the Blue Ribbon Task Force met; On November 12th, the Science Advisory Team met; and, on November 18th, the South Coast Regional Stakeholder Group met. In Mary Jane's November update to the SCAP Work Group, she noted as a success having socio economics for coastal dependent entities, communities and interests recognized as an objective in the goal and objective setting process for the South Coast Region Marine Life Protection Process. Previously socio economics was only considered for fishery impact.



Regulatory Affairs

By Mary Jane Foley
mfoley@scap1.org

A lot has happened since the last SCAP Monthly Update. We have a new President of the United States who has inherited extremely tough issues. We have a dismal forecast for the State Budget for the next year and very active regulators on all fronts, especially water quality and air issues.

The Governor has appointed several new Regional Water Board Members. I am struck by their age, many are in their thirties. Maybe like Obama, youth is moving into high leadership roles. This reminds me: if you have any candidates for consideration to the water boards or other EPA Boards, I would be happy to mentor them. I know the ropes and the "to dos" to obtain a Governor's appointment.

The State Water Board has launched an interesting effort this month: a review of the "Statement of Policy with Respect to Maintaining High Quality Waters in California" (Anti-degradation Policy) Board Resolution no. 68-16. The purpose of this process is to assist the State Water Board in determining the scope and content of any revision to the Anti-degradation Policy or its implementation procedure, or both. Questions raised for comment are:

- Should the State's Anti-degradation Policy be revised as it pertains to surface waters? If so, how should it be revised?
- Should the implementation procedures be revised?
- Should the implementation procedures be formally adopted as guidance or regulations by the State Water Board?
- Should the implementation procedures be expanded beyond the point source discharge permitting program?
- Should the Anti-degradation Policy be revised as it applies to groundwater, if so how?

It is hard for anyone to imagine how tough this Policy could become. I remember years ago when I was the Chair of the San Diego Regional Water Board, and Fallbrook Sanitary District was going to provide reclaimed water to the Freeway. At the final moment EPA came in and said it wouldn't approve this effort because it violated the Anti-degradation Policy. A ten minute recess was called. Fallbrook and EPA were asked to work out their differences and after recess I assumed we could move forward, called for the vote, and it became an adopted practice. Later I thought to myself, what was that Anti-degradation all about? The

Regional Board was already too draconian on the approval of reclaimed water. So I hope that when the wastewater groups get together for comments we ask for the implementation procedures to be guidance not regulation. Even though guidance can be interpreted as regulation it has a little flexibility. The environmental communities want a much more stringent Anti-degradation Policy. This will be another difficult issue for the regulated community.

Another Water Board item that SCAP is following this month is embedded in the enforcement policy. The issue is the how the State Water Board will decide on Supplemental Environmental Projects and penalty money. SCAP will be collaborating with CASA and Tri-TAC on this issue as well as the Anti-degradation Policy. Comments are due for December 15, 2008. I intend to participate in the Board hearing on the SEP issue, because I was one of the originators of this SEP process when I worked as a Regional Water Board Member.

MLPA Update: The Marine Life Protection Act Stakeholders group met in Ventura on November 18 and 19. The SCAP Ocean Dischargers Ad Hoc Group to the Water Committee sent in several revisions to the MLPA Profile Document, which will be the basic reference document for this effort. One of the main issues of concern to SCAP was the lack of socio-economic attention to the impacts of a marine protected area to coastal dependent entities. During the Goal and Objective session I was successful in inserting language that MPAs would need to consider the socio-economic impact to coastal dependent entities, communities, and interests. This was a significant change to the recommendation of previous stakeholder groups. To date the socio-economic impact was analyzed only for commercial and recreational fishing. There still will be no analysis for the wastewater industry impact, but the language in the objective gives the industry a foothold into inserting such information when the time is ripe. Hopefully it won't become an issue, but there is a good indication that there will be a widespread network of marine protected areas, and I am certain some will be around the areas of SCAP's ocean discharge members. As an alternate, I will always have first-hand knowledge of what is happening. Two-day monthly meeting sessions are scheduled each month throughout 2009. Soon the stakeholders will start working on their proposals for new marine areas.

All meeting information with times, agenda, and materials are available on the MLPA website, www.dfg.ca.gov/mlpa. The meetings are webcast.

Help Desk: Want to discuss a regulatory issue and get some feedback on strategies and alternatives for dealing with a regulatory problem? E-mail me at mjfconsulting@cox.net or call at 949-493-8466. I have 25 years of experience in the water and wastewater industries, and sometimes it helps to call someone else and brainstorm around the problem to find a resolution.

Non Sequitur

The three stages of life:

1. *You believe in Santa Clause.*
2. *You don't believe in Santa Clause.*
3. *You **are** Santa Clause.*

- *Anonymous*

[Welcome New Member](#)

City of San Juan Capistrano

[SCAP Annual Holiday Luncheon](#)

If by chance you did not receive an invitation to SCAP's Holiday Luncheon scheduled for December 16, 2008, please contact the SCAP office at (760) 479-4880 by December 8th for your reservation.

Some of our Supporting SCAP Associate Members



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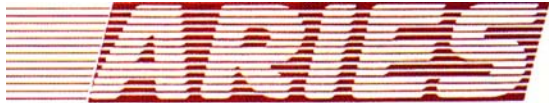
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