



SOUTHERN CALIFORNIA ALLIANCE OF
PUBLICLY OWNED TREATMENT WORKS

MONTHLY UPDATE

A Message from the Executive Director...

August 2007

Okay, enough of the hotness already – bring on the cool weather and rain. Just kidding! Really, it’s been a pretty mild summer so far for many of us, except of course those living and working in the inland and desert regions. For those of you in these areas, you have my sincere admiration. Mention the term “global warming” to these hearty souls and they probably will say, “What global warming? It can’t get any hotter than this.” Or drier for that matter. Not only is Los Angeles experiencing its driest year on record, so is most of the southwestern United States. Lingering drought conditions in the upper basin states of Colorado, New Mexico, Utah and Wyoming, coupled with record high temperatures, support recent climate models projecting a continuing temperature rise in these regions.

Having resided on this wonderful planet for more than 50 years now, I’ve seen my share of natural disasters and climate changes. But honestly, I’ve never seen the current level of worldwide concern expressed over a future event such has been shown over global warming. Even Y2K pales in comparison. If I’m not mistaken, there already has been a number of benefit concerts held throughout the world promoting awareness of its potential impacts. Whether the current drought conditions have any relationship to global warming or not remains to be seen; however, it has resulted in placing a premium on water recycling and conservation. Governor Schwarzenegger’s recent declaration of a state of emergency in Riverside County because of the severe drought conditions may be a portent of things to come. Those of us in the water/wastewater industry have always known the value of water and that it cannot be simply measured in dollars and cents. Water is one of the fundamental elements of life, just as important to our existence as the air we breathe. Just ask those who live in areas of the world where their daily survival depends upon their ability to search for and find water. Thank goodness for charitable organizations like Water for People, whose mission it is to provide relief to these areas by constructing much needed water infrastructure.

I can remember when water recycling was first being promoted, back when it was originally called reclaimed water. It was considered a lofty goal by many at the time and critics viewed it as nothing more than an unnecessary and expensive alternative to increased importation and production. Thankfully, the leaders in our industry have always been forward thinkers and realized the future scarcity of this precious resource. With the Earth’s population having

Upcoming Meetings

Air Quality Committee Mtg

– Thursday, August 2nd, 10 a.m. – 12 noon at LACSD.

Biosolids Committee Mtg –

Thursday, October 11th, 9 a.m. Joint meeting with Tri-TAC at Ontario Convention Center.

Collection Systems

Committee Mtg – Thursday, October 25th, 10 am-2 pm at OCSO.

Water Issues Committee

Mtg – Thursday, October 11th, 9 a.m. Joint meeting with Tri-TAC at Ontario Convention Center.

doubled since 1950, the amount of fresh water unfortunately has remained the same. Coupled with increased demand and ever increasing contamination from just about every source imaginable, it's no wonder that the concern over the world's water supply ranks right up there with air quality issues. Which leads me back to all of the recent commotion over global warming and its expected environmental impacts. The State of California's Global Warming Solutions Act of 2006, otherwise known as AB32, has already spawned the need for the California Climate Registry, the California Wastewater Climate Control Group (of which SCAP is a party to), and numerous other subcommittees of CARB, the SWRCB, and IWMB, some of which are still in the formation stage. In an effort to reduce redundancy and avoid conflicting regulations, SCAP and the Summit Group partners have volunteered to host a one-day workshop in spring 2008 for the benefit of the Cal-EPA agencies and staff. The plan is to provide a forum whereby we can present the regulators with specific examples of air, water, and biosolids permit requirements that are unattainable due to conflicting interagency regulations. We realize that it will take much work to effect any meaningful changes with these agencies, but we are encouraged nonetheless by the willingness of many of the regulatory board members who have agreed with the need for this dialogue. I will soon be asking our various SCAP committees to assist with developing issues for discussion and any ideas they may have regarding the workshop format. As I've said many times before, cooperation is the key to success.

Optimistically Yours,

John Pastore

Air Quality by Chair Daniel McGivney

Green House Gas/AB 32 Program Update

Over the past year, the California Air Resources Board (ARB) has been diligently working to implement the requirements of AB 32. The two biggest areas have been to compile a list of "early actions" and develop a mandatory GHG emissions reporting program.

The early actions comprise a list of emission reduction measures that can be implemented expeditiously in order to get a quick start on reducing GHGs. A few examples of measures included on this list are the development of a low carbon fuel standard, improved methane capture at landfills, manure management, electrification of stationary agricultural engines, and truck stop electrification. On June 21, these recommended early action measures were adopted by the ARB. The full report identifying all the early action measures can be viewed at: http://www.arb.ca.gov/cc/042307workshop/early_action_report.pdf

Additionally, the ARB has been working on the development of initial concepts for a mandatory GHG emission reporting program. Due to the short time frame that a program must

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be developed and implemented, the ARB decided to focus this reporting program on the following sources: oil refineries, general stationary combustion sources, power/utilities, landfills and the cement industry. Initially, SCAP Air Quality Committee members only loosely monitored the general stationary combustion and power/utility groups as we did not expect the water or wastewater industry to be picked up in these early rounds of reporting. However, recently both of these groups have released initial regulatory concepts that, among other things, propose to include any source generating 1 MW of power. This includes cogen sources and power production for on-site use only. Currently, SCAP is lobbying for changes to this threshold. These concepts can be viewed at the ARB GHG program websites: <http://www.arb.ca.gov/cc/ccei/presentations/presentations.htm>.

Lastly, the California Wastewater Climate Change Group (CWCCG), comprised of sanitation districts from all over California, are currently reviewing a draft white paper that discusses options for the development of emission inventory protocols for use by wastewater agencies to compile and report GHG emissions. The focus of this paper is on the development of emission inventory methods for methane (CH₄) and nitrous oxide (N₂O) specifically. The draft report will be discussed at the CWCCG's next meeting in August. After finalizing the paper, the CWCCG will begin discussions with the California Climate Action Registry to take over protocol development so that any final protocol will be recognized by the State of California under provisions contained in AB 32.

California ARB Scheduled to Adopt ATCM for Off-Road Mobile Sources

On May 25, the ARB heard testimony regarding the adoption of the ATCM for off-road mobile sources. Based upon that testimony, the Board postponed the final hearing until the July 26 hearing. For a summary of this proposed regulation, please refer to last month's SCAP newsletter. To review the actual regulation or the ARB staff report, please visit the following ARB website: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>.

Governor Schwarzenegger Appointees

In the past month or so, Governor Schwarzenegger has filled two appointed board seats related to air quality. On June 28, the Governor appointed Joseph K. Lou, Ph.D. to the South Coast Air Quality Management District Board (<http://www.aqmd.gov/news1/2007/joelyoupr.html>) and on July 3, he appointed Mary Nichols as Chair of the State of California Air Resources Board (<http://gov.ca.gov/index.php?/press-release/6863/>). Both of these individuals are pro-environmental and will have a significant impact on the direction of future air quality regulations. Joseph Lou is an expert on environmental justice and is currently the Executive Director of the California Environmental Rights Alliance, a public interest organization dedicated to achieving environmental justice and improving public health. Mr. Lou's bio may be viewed on the SCAQMD website (http://www.aqmd.gov/bios/bm_lyou_joe.html). Ms. Nichols is a past assistant administrator for the U.S. EPA Office of Air and Radiation during the Clinton Administration and has served as director of the University of California, Los Angeles Institute of the Environment since 2004. Ms. Nichols has also served as the secretary for the State of California's Resources Agency from 1999 to 2003 and holds a law degree from Yale Law School.

Biosolids by Chair Karen Soares

Kern County Initiative and Litigation

The Summary Judgment hearing took place on July 9th in the U.S. District Court in Los Angeles. Judge Fees stated that his tentative ruling was to grant the motion brought by the plaintiffs (POTWs), for judgment on their claim that Measure E conflicts with the California Integrated Waste Management Act (IWMA). The court did not entertain arguments on the plaintiffs' other claims, involving the Commerce Clause, Equal Protection Clause and the local police power, since granting a summary judgment on the IWMA claim alone would provide the plaintiffs the relief they seek. While the judge took the matter under submission and has agreed to review certain arguments made by Kern's attorneys, he gave no indication of backing away from a ruling in favor of the plaintiffs. A final written decision on the summary judgment is anticipated within the next 30 days.

Arizona Article 10 - Rule Concerning Disposal, Use, and Transportation of Biosolids

The Arizona Department of Environmental Quality (ADEQ) has informed us that they intend to update Article 10, mainly to clarify language in the original 2003 version, and perhaps modify certain specific requirements in the rule; for example, requiring more detailed information when registering a new land application site. ADEQ had expected to initiate this effort in mid 2007, but we recently learned that they will now delay any activity on this until at least the fall of 2007.

Imperial County Ballot Measure

A local citizens group called Imperial Valley Residents for Health and Safety First has collected more than 4,000 signatures on a petition for a ballot measure that would create a county ordinance banning importation of biosolids. In their July 3rd Board meeting, the Board of Supervisors approved the initiative, "Measure X," to be placed on the February 2008 ballot.

SCAP Biosolids Committee Meeting

The Biosolids Committee quarterly meeting was held on July 26th at IEUA. The agenda included updates on the various biosolids projects being developed within Southern California, most of them by SCAP member agencies or SCAP associate members. Updates were provided by EnerTech, Biosoils, Synagro – South Kern Composting, City of Los Angeles (TIRE Project), Inland Empire Regional Composting Facility, and Ventura. The meeting was very well attended, with 26 committee members participating. Due to the high level of interest in these ongoing projects, we will be including more information on them in future SCAP newsletters. The next Biosolids Committee meeting will be held in conjunction with the regular Tri-TAC meeting on October 11th at the Ontario Convention Center. More information and an agenda will be sent out prior to the meeting.

Collection Systems by Chair Ralph Palomares

Collection Systems Committee Meeting – July 10, 2007

Well, it's hard to believe that in five months it will be Christmas, but for now it's a hot California summer with lots to do and another water drought! Our SCAP Collection Systems Committee meeting was a huge success on July 10th at LACSD's main facilities. Once again, we had a full house of SCAP members attend with an agenda that included the SSO electronic reporting, what is being proposed for the future and the 16 workshops throughout the state of California held by CWEA and its Summit Group Partners. The workshop in Anaheim being held on August 1st was a sellout within a few days. There was another workshop held on July 26th in San Diego. For a schedule of all future workshops, go to www.cwea.org for more information on these events.

At the SCAP Collection Systems Committee meeting, a PowerPoint presentation was given on disposable wipes. It was determined by the committee to get more feedback from CASA and other groups and to possibly have a meeting with the makers of these products to see how we can maybe regulate their use in California. Other topics discussed included odors and whether chemicals work to eliminate the gases caused by the odors, etc. The private lateral issue remains just that, an *issue*. Do we, the sanitation agencies and cities, complete the repairs ourselves or do we let the homeowner hire a plumber to do the work and, if it's not to our standards, then what? The Region 9 SSO-WDR Appeal was discussed for a few minutes and, hopefully, we can have more info on it next month. There were a lot of discussions about other issues facing the wastewater industry but too many to mention in this column. I'm asking you as a member of SCAP, to please attend our next meeting and bring any topic that you would like to have addressed by the committee. Any questions raised will try to be answered by a committee member and or someone in attendance. I like to run these meetings like a town hall meeting where everybody feels at home and you can ask anything that you would like and nobody feels left out. We are all in this together to learn about our industry's new rules and regulations that are changing daily.

We will have an update on the new SCAP website at our next meeting at OCSD's facility on October 25th 2007. In the meantime, look up SCAP's current website (www.scap1.org) for any information that you might need.

Again, a big thanks to John Pastore, Bob Kreg, Nick Arhontes, Sam Espinoza and Kris Whisenhunt for all their help in putting this meeting together. A special thank you to LACSD for the wonderful use of their facility once again. Have a safe and wonderful summer with your families and friends.

Water Issues Committee by Chair Gus Dembegiotes**Water Issues Quarterly Committee Meeting**

On July 18th, the Water Issues Committee held its quarterly meeting. State Water Resources Control Board Member Frances Spivy-Weber updated meeting attendees on issues being considered at the State Water Board. Issues discussed included the state's forthcoming Water Recycling Policy, the state's proposed Water Quality Enforcement Policy, the development of the 2008 303d List of Impaired Waterbodies, proposed amendments to the California Ocean Plan, and attendees' questions were answered on several other statewide issues.

Climate Change & Water Resources Public Meeting

The State Water Board, along with the Department of Water Resources, will hold a public meeting on Climate Change and Water Resources on August 23, 2007. The meeting will be held in Sacramento and will consider the effects of climate change on water resources. The State Water Board may consider adopting a resolution directing staff to explore specific options, but no regulatory action will be taken at the meeting. More information is available at:

<http://www.waterboards.ca.gov/workshops/climate.html>

Public Scoping Meeting for California Ocean Plan Amendments

A joint CASA, TriTAC, BACWA, and SCAP comment letter was sent to the State Water Resources Control Board (State Water Board) commenting on the proposed amendments to the California Ocean Plan. The letter comments on proposed changes to the Ocean Plan including: supporting the inclusion of a model modeling framework without the inclusion of minimum monitoring requirements; supporting the preliminary requirement to modify acute toxicity definition to account for control survival and eliminate the potential for zero TUa values; arguing against revising Table A Suspended Solids WQO and requesting a 10-year implementation schedule instead of a 5-year schedule provided in the amendment to meet the secondary requirements of the CWA; supporting the fecal coliform standard for shellfish and applying the standard only in commercial shell fishing harvesting zones; and, recommending the deferring of the development of a new radioactivity objective in Table B. Written comments were due to the State Water Board on July 27, 2007.

Agency Profile

City of Los Angeles – Bureau of Sanitation

www.lacity.org

Overview

The City of Los Angeles' Bureau of Sanitation is responsible for operating and maintaining one of the world's largest wastewater collection and treatment systems. Over 6,500 miles of sewers serve more than four million residential and business customers in Los Angeles and 29 contracting cities and agencies. These sewers connect to the City's four wastewater and water reclamation plants that process an average of 550 million gallons of wastewater each day of the year.

TIRE Biosolids Injection Project

For Enrique C. Zaldivar, executive officer (assistant director) for the Bureau of Sanitation, the Terminal Island Renewable Energy (TIRE) Program is one of the most interesting projects underway – not only for the bureau but for the entire wastewater industry.

"This research project has the promise to give us a real alternative for diversifying our management of biosolids," Zaldivar said.

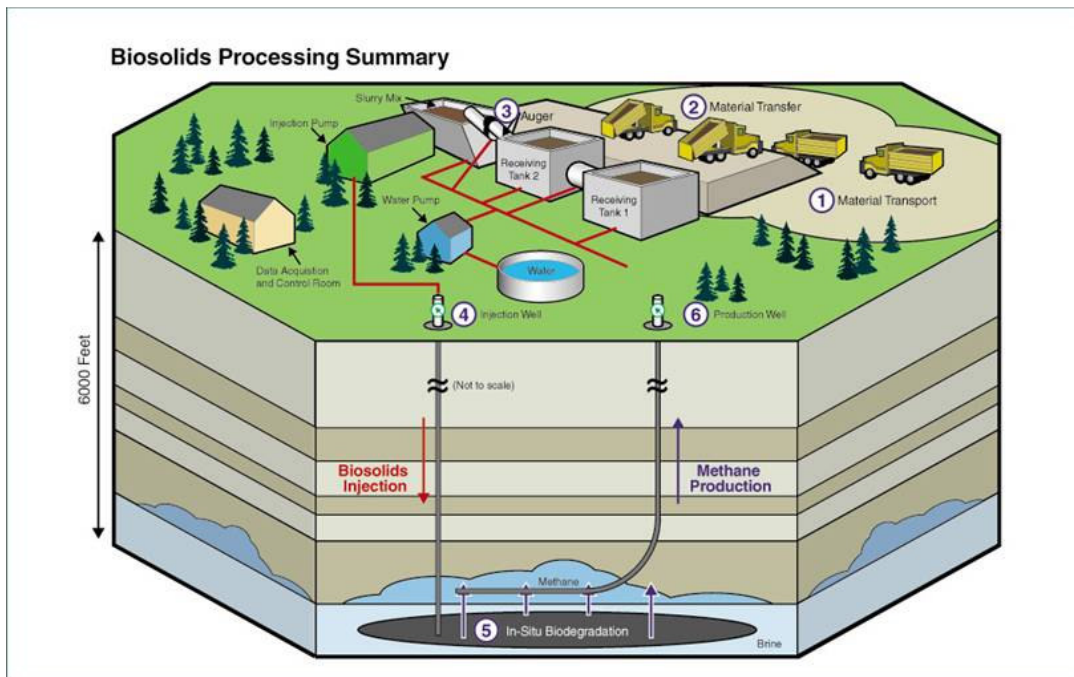
The City broke ground last April on the nation's first project to use deep well injection to produce green energy from biosolids. Wells are being drilled at this time, with actual injection operations estimated for early 2008.

"The TIRE project has been six years in the making," said Omar Moghaddam, director of regulatory affairs of the Bureau of Sanitation. "During that time, it has been subject to rigorous technical, academic, and regulatory scrutiny and has been vetted by the local neighborhood councils and the regional environmental community."

Located at the Terminal Island Water Reclamation Plant, the project will inject biosolids from Terminal Island and the Hyperion sewage treatment plant into depleted oil and gas reservoirs more than a mile underground. High temperature and pressure in those pockets will compress the biosolids material into methane gas that will be captured to power fuel cells on the surface.

Zaldivar said engineers estimate the resulting energy will produce electricity for about 3,000 homes while also reducing track traffic on local roadways and cutting greenhouse emissions.





“The City produces about 700 tons of biosolids a day,” Zaldivar said. “We are approaching this project conservatively and estimate it will handle 50 tons of biosolids a day initially and can grow from there. We are looking at the TIRE project to diversify how we handle biosolids in addition to land application.”

City officials have estimated that when the TIRE project is operational, truck trips to Kern County to haul biosolids could be cut from 38 to 16 each day with annual savings of \$1.6 million for hauling costs.

Zaldivar said the project is being done in partnership with the City’s Harbor Department and Department of Water and Power and the project operator, Terralog Technologies.

“Several SCAP member agencies attended the ground-breaking,” Zaldivar said. “We would invite any SCAP member to follow this closely as we will be sharing with them what we learn.”

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Regulatory Affairs by Regulatory Affairs Consultant Mary Jane Foley

Hallelujah! AB 1489 (Huffman and Wolk), Resource Bond Funds, has the word "WASTEWATER" included for the Integrated Regional Water Management Plans under Prop 84. This is what many of us have been working on for the past year. Our hope is that it remains there. In reading about the Senate Republicans' budget stalemate, I noticed they had some concerns over bond language. By the time you read this, the budget should be passed and our success in getting wastewater in AB1489 preserved. Of course, the bill has a ways to go. I have been corresponding with the legislative author's staff and one of them wanted me to call the Governor's office. Luckily, I have a good friend working in the Governor's legislative area so I put in a call and explained SCAP's interest in this bill and said I would continue to communicate with them.

Welcome to our newest SCAP members:

- City of El Cajon
- City of Montclair
- Cucamonga Valley Water District

Other happenings this month included a SWRCB hearing on the SRF Policy. Staff wanted to have a 2.5% loan retention requirement due to some agencies not submitting project certification reports or corrective action reports on time. The Board deleted this 2.5% loan retention requirement but added language to the Policy that staff should notify loan recipients of the need to submit these reports using a 13267 letter. When this Policy is finalized, SCAP will send out an FYI so that the membership understands how to be in compliance with new requirements in the Policy.

In June, the SWRCB had a scoping session on amendments to the California Ocean Plan (COP). Tri-TAC, CASA, BACWA, and SCAP provided a 9-page comment letter that is available through the SCAP office. Many of member agencies discharge to the Pacific Ocean based on the requirements of the COP. SCAP members and I attended the scoping workshop in June in San Francisco. Since this scoping was related to CEQA requirements, SWRCB staff gave alternatives for all 11 items in the scoping document. The most detailed part of the scoping document was an appendix related to proposed standard monitoring procedures. The POTWs agreed with the inclusion of a model monitoring framework into the standard monitoring procedures but did not agree with the alternative chosen by staff. Support was given for a model monitoring framework without minimum monitoring requirements, which are better left defined by local entities more familiar with the issues and needs of their region. A lot of technical reasons and examples were submitted in the comment letter. The POTW associations really did a great job in the comment letter. The next step is for a staff draft to be circulated for comments, which will be sometime in mid 2008.

The Water Recycling Policy should be out in August for review. Anti-degradation is becoming a hot topic. I understand an environmental group has done a petition on anti-degradation issues. At the recent SCAP Water Issues Committee meeting, SWRCB Board Member Fran Weber stated that "being vague about anti-degradation isn't serving us well." I remember when I was a member of the SWRCB and I often asked why we didn't define things more precisely. I learned that sometimes it is in everyone's best interest to not be too prescriptive in a definition. It allows some flexibility and good judgment to be exercised.

The State Waterboard is having a workshop on August 23rd to discuss Climate Change (AB32). All agencies have to come up with AB32 plans.

I have related some of the current events on the water side of our regulatory affairs. The Water Issues, Air Quality, Biosolids and Collection Systems committee columns hit the other hot topics of the month. There is never a slack time. It was interesting to read my local Senator's comments on the budget stalemate. He said that the Republican Senators wanted some relief on environmental issues for industry. Where would they begin? As we know, it often seems like a regulation a minute. One thing we know for sure: The water and wastewater industry works 24/7 to be in compliance, and it takes a lot smart people to keep up with all of the requirements and protect the public and environmental health of our communities. Good job everyone!

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

If you asked me to name the three scariest threats facing the human race, I would give the same answer that most people would: nuclear war, global warming and Windows.

Dave Barry