



The January 10th, 2013 meeting will be a Conference Call Only.

There is **NO** General Tri-TAC Meeting in January. The Water Committee and Land Committee will be holding separate conference calls.

An Outlook Invitation will be sent out separately from Molly Ranes at mranes@casaweb.org - for participants to RSVP. If you accept the meeting invitation, you will receive the conference call in number.

9:30 a.m. – 12:00 p.m.

Water Committee

Land Committee

Next Meeting:

February 14th, 2013 at Boy Scouts Council in San Leandro



TRI-TAC MEETING

CONFERENCE CALL ONLY

THURSDAY, January 10, 2013
9:30 A.M. – 12:00 P.M.

GENERAL MEETING

There is **NO** General Tri-TAC Meeting in January. The Water Committee and Land Committee will be holding separate conference calls only. The 2013 Meeting Schedule is attached.

An Outlook Invitation will be sent out separately from Molly Ranes at mranes@casaweb.org - for participants to RSVP. If you accept the meeting invitation, you will receive the conference call in number.

9:30 A.M. – 12:00 P.M. – COMMITTEE MEETINGS

1. Land Committee Agenda (P. 6)
2. Water Committee Agenda (P. 7)
3. Committee Issue Summaries (P. 8-16)

TRI-TAC ATTENDANCE ROSTER
THURSDAY, DECEMBER 13, 2012
SAN LEANDRO, CALIFORNIA

THE FOLLOWING MEMBERS AND INTERESTED PARTIES WERE PRESENT:

Layne Baroldi, Synagro
Barbara Buikema, Carmel Area Wastewater District
Mike Connor, EBDA
Vince DeLange, EBMUD
Lorien Fono, PME/BACWA
Levi Fuller, DSRSD
Don Gray, EBMUD
Dan Gallagher, DSRSD
Tom Hall, EOA Inc.
Beverly Hann, Carollo Engineers
Eric Have, Encinca Wastewater Authority
John Hay, Black & Veatch
Bonnie Jones, SFPUC
Zachary Kay, City of Santa Rosa
Jacqueline Kepke, EBMUD
Greg Kester, CASA
Matt Krupp, City of Palo Alto
Melody LaBella, CCCSD
Jason Lofton, SRCSD
Hugh Logan, Logan Services Consulting
Carrie Mattingly, City of San Luis Obispo
Tom Meregillano, OCSD
Terrie Mitchell, SRCSD
Mitchell Mysliwicz, LWA
Karin North, City of Palo Alto
Monica Oakley, Oakley Water/RMC
Curtis Swanson, CCCSD

PROPOSED TRI-TAC LOCATIONS & SCHEDULE 2013

| TRI-TAC MEETING DATE ¹ | LOCATION/HOTEL | COMMENTS |
|-------------------------------------|---|--|
| JANUARY 10, 2013 | Conference Call | CASA – January 16 - 18 Indian Wells, CA |
| FEBRUARY 14, 2013 | Boy Scout Council 1001 Davis Street San Leandro, CA 94577 | CASA D.C. Conference February 25 – 27 |
| MARCH 14, 2013 | Carollo Engineers 2880 Gateway Oaks Drive, Suite 300 Sacramento, CA 95833 | |
| APRIL 11, 2013 | Boy Scout Council 1001 Davis Street San Leandro, CA 94577 | CWEA – April 16-19 Palm Springs, CA CASA – April 24-26 Newport Beach, CA |
| MAY 9, 2013 | Orange County Sanitation District 108 44 Ellis Avenue Fountain Valley, CA 92708 | Shuttle bus offered from John Wayne Airport at about 8:40am. |
| JUNE 13, 2013 | Carollo Engineers 2880 Gateway Oaks Drive, Suite 300 Sacramento, CA 95833 | |
| JULY 11, 2013 | Boy Scout Council 1001 Davis Street San Leandro, CA 94577 | |
| AUGUST 8, 2013 | No Meeting | CASA – August 21-24 San Diego, CA |
| SEPTEMBER 12, 2013 | Boy Scout Council 1001 Davis Street San Leandro, CA 94577 | |
| OCTOBER 10, 2013 | Orange County Sanitation District 108 44 Ellis Avenue Fountain Valley, CA 92708 | Shuttle bus offered from John Wayne Airport at about 8:40am. WEFTEC Oct. 5 – 9 Chicago, IL |
| NOVEMBER 14, 2013 | Carollo Engineers 2880 Gateway Oaks Drive, Suite 300 Sacramento, CA 95833 | |
| December meeting To Be Announced | | |

¹ If you would like to add an agenda item or schedule a presentation for an upcoming meeting, please contact one of the committee co-chairs at least 14 days before the designated meeting date

² If you would like an “after Tri-TAC” meeting noted in the agenda package, please contact Terrie Mitchell at least ten days before the designated meeting date.

★ Air Committee is meeting on an Ad-Hoc Basis.

TRI-TAC SPONSOR REPRESENTATION 2012

| League of California Cities (LOCC) | CASA | CWEA | |
|------------------------------------|--|---|---|
| Kyra Ross | Sharon Green Ben Horenstein Roberta Larson Terrie Mitchell, Tri-TAC Chair | James Clark Jim Colston Bob Gillette Tom Grovhoug Jon Hay | Chandra Johannesson Jackie Kepke, Tri-TAC Vice Chair Hugh Logan Alec Mackie Monica Oakley |

Tri-TAC Liaison Representation

BACWA: Jim Kelly CVCWA: Debbie Webster
 CASA: Roberta Larson, Greg Kester CWEA: Hugh Logan, Alec Mackie
 SCAP: John Pastore LOCC: Kyra Ross

COMMITTEES

| AIR | LAND | WATER |
|---|---|--|
| Chair: Air Committee On Ad-hoc Basis only | Co-Chairs: Vince De Lange Tom Meregillano | Co-Chairs: Sharon Greene (Interim) & Shannon Bishop Jason Lofton Finance Subcommittee Chair: Dave Bruns |

Interested Participants

Interested Participants

Interested Participants

| | | | |
|---|--|--|---|
| Gregory Adams Terry Ahn Frank Caponi Stephanie Cheng James H. Clark Sarah Desalauriers Zeynep Erdal Kris Flaig Sharon Green Patrick Griffith Bobbi Gustafson Ron Hipkiss Kirk Howard Greg Kester Vlad Kogan John Pastore Amanda Roa Lisa Rothbart Jim Sandoval Randy Schmidt Jennifer Shepardson Kevin Steet Debbie Webster | Matt Bao Layne Baroldi Stephanie Cheng James Clark Bonnie Jones Diane Jones Robert Gillette Eric Have Jon Hay Ron Hipkiss Al Javier Bonnie Jones Zachary Kay Greg Kester Matt Krup Derrick Lee Ajay Malik Mike Moore Octavio Navarrette Michelle Pla Tim Potter John Pugliarese Lisa Rothbart Mike Sullivan Caroline Quinn Sandy Warren Debbie Webster | Matt Bequette Rebecca Bjork Phil Bobel Barbara Buikema Amy Chastain Stephanie Cheng James Clark Paul Cobian Jim Colston Mike Connor Vicky Conway Linda Dorn Andy Eggleston Lorien Fono Rebecca Franklin Levi Fuller Dan Gallagher Preeti Ghuman Nicole Granquist Donald Gray (Gabb) Sharon Green Tom Grovhoug Bobbi Gustafson Tom Hall LeAnne Hamilton Lisa Haney Beverley Hann Ben Horenstein Al Javier Chandra Johannesson Jim Kelly | Jackie Kepke, Tri-TAC Vice Chair Roberta Larson Melody LaBella Hugh Logan Phil Markle Patricia McGovern Tom Meregillano Terrie Mitchell, Tri-TAC Chair Kelly Moran Andy Morrison Mitchell Mysliwicz Karen North Monica Oakley Laura Pagano John Pastore Michelle Pla Tim Potter Amanda Roa Lisa Rothbart Jennifer Shepardson Christopher Stacklin Martin St. George Curt Swanson Bonnie Teaford Melissa Thorme David Tucker Lysa Voight Debbie Webster |
|---|--|--|---|

Tri-TAC BIOSOLIDS LAND COMMITTEE

AGENDA
January 10, 2013
Conference Call

| Item No. | Topics | Lead Person | Est. Time (minutes) | Attachments |
|----------|---|---|-----------------------|-------------|
| 1. | Tri-TAC Annual Retreat | V. De Lange/ T. Meregillano | 5 | |
| 2. | Regulatory/Legislative Update | | | |
| | <ul style="list-style-type: none"> ▪ Ordinances Update <ul style="list-style-type: none"> - Imperial - San Luis Obispo - Solano (+Measure E) ▪ Kern (Measure E) | G. Kester, D. Gilbert | 10 | |
| 3. | State and Regional Update | | | |
| | <ul style="list-style-type: none"> ▪ CalRecycle FOG/Food Waste Digestion ▪ CalRecycle 75% Diversion Plan ▪ CDFA Regulations on Rendering | G. Kester G. Kester/V. De Lange G. Kester | 5 5 5 | |
| 4. | EPA and Nationwide Update | | | |
| | <ul style="list-style-type: none"> ▪ EPA Disinvestment in Biosolids ▪ Biosolids Solid Waste Definition/EPA MACT Standards ▪ Arsenic Cancer Slope Factor | G. Kester G. Kester G. Kester | 5 5 5 | |
| 5. | Regional Facilities Update | | | |
| | <ul style="list-style-type: none"> ▪ Bay Area Agencies ▪ So. Cal. & C.V. ▪ IERCF ▪ Westlake Farms ▪ TIRE | V. De Lange, B. Jones T. Meregillano/E. Have M. Bao M. Bao D. Gilbert | 5 5 5 5 5 | |
| 6. | Emerging Contaminants | | | |
| | <ul style="list-style-type: none"> ▪ Pyrethroid Working Group ▪ Trace Organics Activities | G. Kester G. Kester | 5 5 | |
| 7. | Biosolids Research | | | |
| | <ul style="list-style-type: none"> ▪ WEF Biogas Study ▪ Other | G. Kester G. Kester | 5 5 | |
| 8. | Conferences/Webinars | All | 5 | |
| 9. | Climate Change Legislation | G. Kester | 5 | |
| 10. | Information Sharing | All | 15 | |

Tri-TAC Water Committee Agenda – January 10, 2013

| Item # | Topic | Lead | Time (min) | Relevant material |
|--------------------------|-------------------------------|--------------------------------|---------------|---|
| Discussion Items: | | | | |
| Discussion Items: | | | | |
| 1. | Malibu Creek TMDL | Phil Markle | 20 | http://www.epa.gov/region9/water/tmdl/pdf/EpaMalibuCrkLagoonTMDL2012-12-12MainReport.pdf |
| 2. | SSS WDR Annual Report and MRP | Monica Oakley /Jason Lofton | 15 | http://www.waterboards.ca.gov/board_info/agendas/2013/jan/010813_3_acr_fy111212_111612.pdf |
| Updates | | | | |
| 3. | Delta Plan Finance Comments | Bobbi Larson | 10 | http://deltacouncil.ca.gov/sites/default/files/documents/files/AppO_Funding%20and%20Finance_Nov2012.pdf |
| 4. | Biological Objectives | Phil Markle | 10 | http://www.waterboards.ca.gov/plans_policies/docs/biological_objective/pn012313_bio_objectives.pdf |
| 5. | Ventura River EPA TMDL | Phil Markle | 10 | http://www.epa.gov/region9/water/tmdl/pdf/ventura-river-reaches3-4_tmdl.pdf |

| Informational Items: | | |
|--|-----------------------------------|---|
| Items that are out there: | | |
| CalEnviroScreen | Possible Future Issue for Tri-TAC | http://www.oehha.ca.gov/ej/cipa121912.html |
| DEA Draft Regulations on Disposal of Controlled Substances | | http://www.gpo.gov/fdsys/pkg/FR-2012-12-21/pdf/2012-30699.pdf |

Tri-TAC Land Committee Key Issue Summary

(as of January 2, 2013)

| Item No. | Description | Issues for POTWs | Meeting Notes/Updates | Lead(s) | Next Steps | Due Date |
|--|--|--|---|--------------------------------------|--|----------|
| Goal: Support Long-term Viability of Land Application Options | | | | | | |
| 1 | Local County Ordinances | <ul style="list-style-type: none"> Potential loss of existing and future land application practices. Increased biosolids management costs (e.g., longer hauling distances, more expensive alternative practices). | <ul style="list-style-type: none"> Imperial: No updates. San Luis Obispo: An Interim Ordinance is currently in effect in San Luis Obispo County. No more than a cumulative total of 1500 cubic yards of exceptional quality biosolids to be applied or distributed within the unincorporated areas of San Luis Obispo County during any twelve-month period beginning with the adoption of the ordinance. The County Health Department will recommend extending this until March 2017 at an upcoming Board of Supervisors meeting scheduled for January 15, 2013 rather than spending for an EIR to support their new draft ordinance. Solano: On 8/27, the Solano County Board of Supervisors adopted their revised biosolids ordinance by a unanimous 5-0 vote. The ordinance remains very reasonable and allows the continued land application of Class B biosolids as long as a portion of an agency's production also goes to either Class A or energy production. There is no sunset date in the new ordinance either. AB 845 (Ma), Solid Waste Place of Origin: Signed by Governor. Kern (Measure E): On 8/14, the 5th District Court of Appeal in Fresno accepted the NACWA and WEF briefs and issued an order requiring Kern's response to be filed by 8/24. Kern provided response. A hearing date for the Preliminary Injunction will be scheduled sometime in March 2013. | G. Kester D. Gilbert S. Saneie | <ul style="list-style-type: none"> Imperial: No updates. San Luis Obispo: Review draft ordinance language once issued. Kern (Measure E): Continue to track appeal of PI. | |
| | <ul style="list-style-type: none"> Imperial | | | | | |
| | <ul style="list-style-type: none"> San Luis Obispo: Ordinance placing restrictions on Class B Biosolids land application. | | | | | |
| | <ul style="list-style-type: none"> Solano Ordinance: Ordinance requires agencies to divert a portion of biosolids to Class A or B2E facility by 2012; annual progress reporting. Solano Measure E (1984): This measure restricts waste imported from other counties and is currently in litigation. If upheld and enforced, 90% of imported waste (up to 820,000 tpy) would be banned. AB 845, Ma, Solid Waste Place of Origin – This bill prohibits an ordinance enacted by a city or county, including an ordinance enacted by initiative by the voters of a city or county, from otherwise restricting or limiting the importation of solid waste into a privately owned solid waste facility in that city or county based on place of origin. Kern (Measure E): A voter-approved ordinance which would prevent land application of biosolids in unincorporated parts of the county. A legal challenge was brought in state court in Jan 2011 after dismissal of a federal appeal by the 9th Circuit, in Nov 2010. A Preliminary Injunction (PI) was granted by Tulare County Judge Hicks in Jun 2011. | | | | | |
| Goal: Sustain and Develop Biosolids Management Options with Focus on Sustainability | | | | | | |
| 2 | FOG/Food Waste Digestion Program Regulation | <ul style="list-style-type: none"> Ensure that existing and future programs are regulated under NPDES permit framework by State/Regional Boards rather than under solid waste regulations by CalRecycle. Review and comment on draft/proposed regulations that may impact existing and planned programs. | <ul style="list-style-type: none"> CASA and Tri-TAC member agencies continue to work with CalRecycle and SWRCB to develop language to exempt POTWs from processing/storage permits. CalRecycle is reviewing the proposed draft exemption language and will be scheduling several informal workshops with interested parties to discuss issues. | G. Kester | <ul style="list-style-type: none"> Continue to work with CalRecycle SWRCB staff to incorporate POTW exclusionary language. CalRecycle is expected to issue exclusionary language for public comment. | |
| | <ul style="list-style-type: none"> CalRecycle vs. State/Regional Board oversight | | | | | |
| 3 | CalRecycle 75% Recycling, Composting or Source Reduction of Solid Waste By | <ul style="list-style-type: none"> May prohibit agencies from claiming recycling credits for utilizing biosolids as | <ul style="list-style-type: none"> CASA and Tri-TAC member agencies continue to work with CalRecycle to address ADC issue. | G. Kester | | |

Tri-TAC Land Committee Key Issue Summary

(as of January 2, 2013)

| Item No. | Description | Issues for POTWs | Meeting Notes/Updates | Lead(s) | Next Steps | Due Date |
|---|--|--|--|--|--|----------|
| | 2020 | an Alternative Daily Cover (ADC) for landfills. | | | | |
| Goal: Sustain and Develop Biosolids Management Options with Focus on Sustainability (cont'd) | | | | | | |
| 4 | Rendering Facility Regulations <ul style="list-style-type: none"> ▪ California Department of Food & Agriculture (CDFA) | <ul style="list-style-type: none"> ▪ Ensure that existing and planned FOG acceptance programs are not subject to rendering facility permitting requirements by CDFA. | <ul style="list-style-type: none"> ▪ CDFA reintroduced POTW regulatory exemptions language, which exempts POTWs from licensing and registration requirements imposed by CDFA for POTWs that receive and process inedible kitchen grease. ▪ The exemption language in Section 1180.1(m) for POTWs has been retained. | G. Kester | <ul style="list-style-type: none"> ▪ Support CDFA regulations. | |
| 5 | Biosolids Solid Waste Definition | <ul style="list-style-type: none"> ▪ CISWI rules could have applied to POTWs utilizing methane in an internal combustion (IC) engine. | <ul style="list-style-type: none"> ▪ EPA released a clarification letter that it did not intend to define methane transported in a pipe for combustion in an IC engine to be a solid waste. | G. Kester | <ul style="list-style-type: none"> ▪ Ensure clarification letter is widely distributed. | |
| 6 | EPA Maximum Available Control Technology (MACT) Standards | <ul style="list-style-type: none"> ▪ Ability to comply with new regulations is currently uncertain. NACWA and NRDC filed a request for reconsideration and advance notice of possible litigation. | <ul style="list-style-type: none"> ▪ EPA plans to deny requests for reconsideration. | G. Kester | <ul style="list-style-type: none"> ▪ Continue to track and monitor litigation if filed. | |
| 7 | Arsenic Cancer Slope Factor <ul style="list-style-type: none"> ▪ In Feb 2010, EPA proposed a 17-fold increase in the cancer slope factor for inorganic arsenic based on questionable interpretations of available data. | <ul style="list-style-type: none"> ▪ If adopted, the new cancer slope factor would likely impact recycled water, effluent and biosolids limits. | <ul style="list-style-type: none"> ▪ CASA submitted a comment letter in opposition to the proposal in Apr 2010. Proposal remains in internal debate at EPA and the Science Advisory Board. | G. Kester | <ul style="list-style-type: none"> ▪ Continue to track, monitor, and comment as efforts proceed. | |
| 8 | South Coast AQMD Rule 1110.2 <ul style="list-style-type: none"> ▪ Upon adoption in 2008, the rule included a requirement that a technology assessment (TA) be completed by 7/1/10 to demonstrate that commercially-available technologies exist to cost effectively allow compliance with NOx, VOC, and CO limits. | <ul style="list-style-type: none"> ▪ Emission limits would jeopardize ability of IC engines to utilize methane, | <ul style="list-style-type: none"> ▪ SCAQMD has suspended Rule 1110.2, which was to become effective on 7/1/12. The TA was not completed and thus the rule was vacated. SCAQMD is now proposing to reintroduce the limits with an effective date of 7/1/14. The main argument is that the TA has still not been completed and that technologies are not available or cost effective to ensure compliance. ▪ February 7, 2013 Meeting – SCAQMD – Biogas Impacts on Rule 1110.2 | G. Kester | <ul style="list-style-type: none"> ▪ CASA will continue, along with affected agencies, to participate in workshops and track and monitor this rule. | |
| Goal: Share Information | | | | | | |
| 9 | Regional Facilities <ul style="list-style-type: none"> ▪ Bay Area Agencies: A coalition of 18+ agencies is developing a regional biosolids management facility. ▪ Southern CA & Central Valley: Biosolids projects and facilities in Southern and Central Valley regions. ▪ Inland Empire Regional Composting Facility (IERCF): Indoor composting facility located in Rancho Cucamonga, CA jointly owned by LACSD and IEUA. ▪ Westlake Farms: Covered ASP composting facility located in Kings County, CA developed by LACSD. ▪ Terminal Island: The City of Los Angeles and its partners—GeoEnvironment Technologies, and U.S. EPA—operate the Terminal Island Renewable | <ul style="list-style-type: none"> ▪ Maintain awareness of collaborative efforts to develop regional biosolids management facilities. ▪ Understand challenges and lessons learned from new facilities in startup or operation. | <ul style="list-style-type: none"> ▪ Bay Area Agencies: Bay Area Biosolids to Energy – Total of 19 Members Agencies. ▪ Southern CA & Central Valley: Nursery Products (composting) and Holloway Mines (disposal) are receiving and processing biosolids. Encina continues to make progress in marketing their Class-A product securing a contract with Kmart. ▪ IERCF: Facility continues to operate within its permitted capacity. Modifications to material conveyance are currently in design. Construction is anticipated for summer 2012 and completion in 2013. ▪ Westlake Farms: Facility is currently in construction with an anticipated startup date in 2013. ▪ Terminal Island: The City of Los Angeles approved a Subsequent Negative Declaration for the TIRE biosolids injection project, which addresses project changes. The current project is operating under the an existing Underground Injection (UIC) permit, pending approval of a | V. De Lange B. Jones T. Meregillano M. Bao D. Gilbert S. Saneie D. Lee | <ul style="list-style-type: none"> ▪ Continue to provide regional biosolids management updates. | |

Tri-TAC Land Committee Key Issue Summary

(as of January 2, 2013)

| Item No. | Description | Issues for POTWs | Meeting Notes/Updates | Lead(s) | Next Steps | Due Date |
|---|--|---|--|---|---|----------|
| | Energy (TIRE) biosolids injection project, which is designed to reduce greenhouse gas emissions and create renewable energy. | | new UIC permit application that was submitted to the U.S. EPA in Aug 2011. | | | |
| Goal: Share Information (cont'd) | | | | | | |
| 10 | Regional Associations Report | <ul style="list-style-type: none"> ▪ Foster partnerships between regional associations by sharing information regarding new issues of concern, lessons learned, project updates, training and educational programs, and public outreach efforts. | <ul style="list-style-type: none"> ▪ SCAP: Working with CASA on a statewide Biosolids Survey scheduled to be release sometime in 2013. ▪ BACWA: Joint meetings will be held when Tri-TAC meetings are in San Leandro. ▪ CVCWA: Joint meetings will be held when Tri-TAC meetings are in Sacramento. ▪ CWEA: 2013 Annual Conference (Palm Springs) April 2013 | M. Bao V. De Lange B. Gillette G. Kester J. Hay | | |
| 11 | Conferences/Webinars | <ul style="list-style-type: none"> ▪ Stay abreast of upcoming conferences, local seminars, and webinars. | | All | | |
| Goal: Address Emerging Issues of Concern | | | | | | |
| 12 | Pyrethroids <ul style="list-style-type: none"> ▪ Pyrethroid Working Group (PWG) | <ul style="list-style-type: none"> ▪ Potential impacts (positive/negative) to existing programs, public perceptions. ▪ May provide opportunities for direct participation in research/studies to address local concerns/issues. | <ul style="list-style-type: none"> ▪ Work proceeds to have PWG fund a survey of POTWs in CA to determine pyrethroid concentrations in influent, effluent, and biosolids (method development continues for biosolids). Department of Pesticide Regulation (DPR) and U.S. EPA are performing registration reviews and will use survey data to determine what is needed to reach a decision on whether use or production controls should or need to be applied to pyrethroids. ▪ Finalized Tri-TAC MOU and Pledge of Collaboration. | G. Kester | <ul style="list-style-type: none"> ▪ Continue to work with PWG, DPR, U.S. EPA, and others to make the survey possible. Will need to solicit voluntary survey participation from 20 to 30 POTWs. | |
| 13 | Trace Organics Activities <ul style="list-style-type: none"> ▪ Recognized need to fill data gaps to provide U.S. EPA data to conduct credible risk assessment on trace organics that may be present at low concentrations in biosolids. | <ul style="list-style-type: none"> ▪ Potential impacts (positive/negative) to existing programs, public perceptions. ▪ May provide opportunities for direct participation in research/studies to address local concerns/issues. | <ul style="list-style-type: none"> ▪ The Phase 2 report is complete and set for release by early summer. Phase 2 examined unpublished data (largely from manufacturers) to help fill data gaps for 62 constituents identified by U.S. EPA as high priority. Data was found for 29 of them. | G. Kester | <ul style="list-style-type: none"> ▪ Phase 3 will be scoped with an RFP developed by this fall. Will need to solicit funding from across the country, because this phase will involve actual research. | |
| 14 | Climate Change Legislation | <ul style="list-style-type: none"> ▪ Ensure development of strategic approach to climate change issues. | <ul style="list-style-type: none"> ▪ CWCCG is focused on resolving the pricing structure approach to renewable feed-in-tariffs with the CPUC. An alternative proposal has been submitted (waiting for response from CPUC). | G. Kester Z. Erdal | <ul style="list-style-type: none"> ▪ Meet with the CPUC to discuss the pricing structure approach to feed-in-tariffs. | |
| Goal: Maintain Awareness of Key Research Initiatives | | | | | | |
| 15 | Biosolids Research WEF Biogas Study: Create a robust, consensus data set regarding the current and potential production of biogas from anaerobic digestion at WWTPs in the U.S. | <ul style="list-style-type: none"> ▪ Potential impacts (positive/negative) to existing programs, public perceptions. ▪ May provide opportunities for direct participation in research/studies to address local concerns/issues. | <ul style="list-style-type: none"> ▪ WEF Biogas Study: Project team has distributed a data survey and is currently incorporating this information into a database. | G. Kester | | |

Tri-TAC Water Committee Key Issue Summary

(as of December 04, 2012)

DRAFT

| Item No. | Description | Issues for POTWs | Meeting Notes/Updates | Links | Lead(s) | Next Steps | Due Date |
|----------|---|---|---|---|---------------------------|--|----------|
| 1 | <p>Whole Effluent Toxicity</p> <ul style="list-style-type: none"> State is developing a new Toxicity Policy that will dictate how toxicity is reported and enforced. | <ul style="list-style-type: none"> Draft State Toxicity Policy issued in 2011 would establish/ require: <ul style="list-style-type: none"> numeric limits for chronic toxicity use of Test of Significant Toxicity (TST) as statistical method to determine toxicity (concerns it will lead to more false positive results); use of marine organisms in >1,000 mg/L salinity waters which affects current use of flow-through testing for acute-toxicity single test failure triggers violation and accelerated monitoring RWQCB discretion on inclusion of acute toxicity in permits and whether to allow for dilution | <ul style="list-style-type: none"> State Board held a workshop late August. Stakeholders thought that the proposed policy would initiate too many changes at once. Instead, it might be easier to breakdown the changes into phases, thus reducing impacts on stakeholders. The phasing logistics still need to be discussed and other board members need to be introduced to the idea. The initial ideas on phasing would focus on gathering a data set with the new TST without having penalties associated with the results. Stakeholders could use this data to determine the real effect of the TST in the regulatory setting. We should define the successful criteria needed to move from phase 1 to phase 2. Running the “test” of phase 1 would be expensive for POTWs, and we may want to consider running phase 1 test on POTWs over a certain size. We need to address the potential issue of anti-backsliding and the differences between acute testing versus chronic testing. Tri-TAC voiced concern with uncertainty in the WET Policy and SB plans to address our concerns to a certain degree. Storm Water representatives weren’t interested in our proposed phasing approach. | <p>State Board Page</p> | Bobbi Larson, Phil Markle | <ul style="list-style-type: none"> Work group is looking at numeric water quality standard impacts on discharges to erroneously (based on false positive tests) listed 303(d) water bodies. We may have to write a proposal for phasing the policy and present it to the Board at the hearing. Jon recommended that our proposal be specific on the phasing—it may take a lot of work to create this document. We should create a document that highlights the comments received in the comment letters and how the phased approach would address those comments (this would explain why the phasing approach is the best way to move forward.) We need to reach out to POTWs to see if they are OK with our proposal. | |
| 2 | <p>Recycled Water Policy</p> <ul style="list-style-type: none"> State Water Board is modifying the monitoring requirements for CECs in the policy to implement the Expert Panel’s recommendations. | | <ul style="list-style-type: none"> State Board revised the water monitoring requirements for recycled water. Comments are due in July on the most recent draft. State Water Board is amending the recycled water policy to address monitoring for CECs. An expert panel informed the Board and it seems that they will focus on ground water recharge and not irrigation uses of the recycled water. It seems that the policy on CECs is getting close to closure and a majority of our concerns are being addressed. | | Bobbi Larson | <ul style="list-style-type: none"> Work on draft comment letter (possibly joint letter with other associations) | |
| 3 | <p>Nutrient Policy</p> <ul style="list-style-type: none"> This effort is part of a statewide initiative, supported by the U.S. EPA Region IX and the SWRCB, to establish numeric water quality standards, expressed as NNEs, for State Waters | <ul style="list-style-type: none"> Any POTW that discharges to inland surface water will be affected under the policy. Adoption of a statewide approach to nutrient control will affect NPDES permitting, 303(d) listings, and TMDL development. Possible outcomes associated with the policy include stringent numeric endpoints for total nitrogen and phosphorus. | <ul style="list-style-type: none"> CASA held a Nutrient Summit (small workgroup) in Davis. The outcome was that we should meet with the regulators to advocate for a well thought-out approach to managing nutrients in the state. We also want to request that any nutrient management decisions include a cost-benefit analysis. The QUAL-2 model will likely result in very low nutrient numbers that are very conservative and unlikely to be regularly attainable by POTWs. . Restarting process for the SF Bay, led by R2. Will look at relationship between nutrient concentrations and harmful algal blooms. Will also look at DO, which is becoming increasingly important. Nutrient conference is being proposed for SFBay estuary. CASA/Tri-TAC have put together a packet of | | Tom Grovhoug | <ul style="list-style-type: none"> Develop a strategy Possibly investigate how the State of Utah (or other states) have addressed the nutrient standard changes. | |

Tri-TAC Water Committee Key Issue Summary

(as of December 04, 2012)

DRAFT

| Item No. | Description | Issues for POTWs | Meeting Notes/Updates | Links | Lead(s) | Next Steps | Due Date |
|----------|---|--|--|--|----------------|---|----------|
| | | | information/strategy for meeting with state board members. Bobbi is setting up an initial meeting with Jon and Rick at the State Board. | | | | |
| 4 | CECs <ul style="list-style-type: none"> Pharmaceuticals and other trace constituents of emerging concern (CECs) are ubiquitous in wastewater at low concentrations and have unknown effects on aquatic organism | <ul style="list-style-type: none"> The State Board, along with Southern California Coastal Water Research Project (SCCWRP), has been working with the Ecosystems Advisory Panel to determine next regulatory steps. The panel will recommend monitoring wastewater for CECs, and possibly bioanalytical assays to test for toxic effects | <ul style="list-style-type: none"> The Water Board is trying to decide how to implement the Ecosystem Advisory Panel report on CECs. The panel created an initial list of CECs for monitoring. However, a study needs to be done to evaluate the different types of receiving water and treatment types. There are options to pay for this study: SWAMP surcharges could increase in NPDES permit fees, state board could direct certain POTWs to pay for the study, the state board could not do the study, or stakeholders could volunteer to participate and fund the study. WERF may be a source of funding if stakeholders decide to manage the study. Jon Bishop will likely recommend that the Board accept our recommendation that POTWs initiate studies on their own accord. CECs may be an important topic for Board Member Felicia Marcus. | Draft Report | Chris Stacklin | <ul style="list-style-type: none"> Wait for final report and await Determine our preference for how this study should be conducted and funded. | |
| 5 | Statewide Mercury Policy <ul style="list-style-type: none"> Policy will likely incorporate methylmercury objectives being developed along with control plans for mercury impaired waterbodies Mercury Control Program for Reservoirs will be developed first and will address all mercury impaired reservoirs included on the 2010 303(d) list Future elements of the policy could include control programs for future impaired reservoirs, rivers/creeks/streams/enclosed bays/coastal bays/estuaries/lagoons impaired by mercury, NPDES permitted sources, and nonpoint sources | <ul style="list-style-type: none"> Any wastewater that discharges to a mercury-impaired waterbody will eventually be included under the policy The State Board is considering ways to harmonize efforts with existing TMDLs If control program for NPDES permitted sources is developed implementation measures such as mercury-specific pollution prevention, installation of amalgam separators for dental offices, and improving wastewater treatment may be required. | <ul style="list-style-type: none"> State Board will be holding CEQA Scoping Meetings: Sacramento- March 5, Oakland- March 6, Redding- March 8, and Riverside- March 12 Tri-TAC provided comments urging them to harmonize with existing TMDLs and link implementation to impairment Existing TMDLs will likely be grandfathered in | State Board Mercury Page | Tom Grovhoug | <ul style="list-style-type: none"> Continue to provide input at public meetings and submit comments | |
| 6 | Methylmercury Objectives <ul style="list-style-type: none"> State Board is developing methylmercury fish tissue objective The scientific underpinnings for the criteria development are still under consideration | <ul style="list-style-type: none"> If point source dischargers cannot comply with criteria, then an implementation strategy would be included in permits | <ul style="list-style-type: none"> State Board is restarting this effort continuing from the alternatives developed in 2006. The project will move in parallel with the Statewide Mercury Policy The objectives will likely be a part of the final Statewide Mercury Policy | State Board Mercury Page | Tom Grovhoug | <ul style="list-style-type: none"> Working with State Water Board and to iron out issues | |
| 7 | Biological Objectives <ul style="list-style-type: none"> The State Board is developing a framework to develop biological objectives (biocriteria) that assign narrative or | <ul style="list-style-type: none"> If biological impairment is found to be caused by a pollutant, it could impact how NPDES permits are written and permit limits. | <ul style="list-style-type: none"> The current evaluation will focus on invertebrates but they may add algae criteria in the future. CEQA scoping meetings were held throughout the state. There are multiple alternatives in the CEQA scoping and they are considering "best attainable" | State Board Biological Objectives Page | Phil Markle | <ul style="list-style-type: none"> Comments are due noon on October 19 regarding CEQA scoping. | |

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| | numeric benchmarks to protect aquatic life beneficial uses. | | <p>instead of "reference" conditions. An idea was proposed that this policy should only apply to high quality streams.</p> <ul style="list-style-type: none"> • John Bishop talked to CVCWA about focusing comments on the "no project" alternative as the way to proceed with this policy. If we can comment that there are no "reference" streams in certain regions, we might show that this idea won't work. • Based on conversations with the regulators, it seems that their intent is to protect high quality streams. If this is the objective, we should try to steer the BO towards that goal. • Is Tri-TAC considering reaching out to non-POTW entities to coordinate comments? • Moving away from "Index of Biological Integrity," and instead measuring count of species observed to expected based on reference locations • PM is recommending a seven year sample period to generate a baseline condition. This period of time is based on the rain year variability. • Central Valley ecoregion has almost no area that can be considered "reference" and south coast has very little, so they need way to deal with this. Highly modified channels are also a problem. • Science Advisory Panel believes they can apply a statistical method to develop biological objectives in these areas. • Everyone will have to prevent degradation of the stream that has no reference condition. | | | <ul style="list-style-type: none"> • Tri-TAC should form a workgroup – SRCSD will be involved, Dan Jackson from EBMUD. | |
| 8 | <p>SSS WDR</p> <ul style="list-style-type: none"> • The Monitoring and Reporting Program for the SSS WDR is being revised by the State Board | <ul style="list-style-type: none"> • State Water Board held a public workshop on January 24, 2012 to discuss the SSS WDR next steps. They have indicated that the next draft will contain the following revisions: <ul style="list-style-type: none"> ○ Removed some reporting requirements ○ Remove mandatory reporting of Private Lateral Spills, and require enrollees to keep internal records of them • State Board is proposing updates to the MRP in lieu of updating the entire WDR. • Require private collection systems that discharge to private treatment works to enroll, but do not require private collection systems tributary to other sanitary sewer systems to enroll | <ul style="list-style-type: none"> • We held a meeting with Tom Howard and Jon Bishop to voice our concerns with MRP. They weren't aware of the extensive changes and asked us to submit a version of the MRP with changes that we'd like to see. • At October Tri-TAC meeting, we decided to propose three categories of SSOs and align our recommendations with what was proposed in the Data Review Committee • Tri-TAC may be open to the idea of having mandatory technical reports for larger spills, but we should be wary of the requirements of the technical report (i.e. ecological assessments). | Draft SSS WDR | Bobbi Larson, Monica Oakley | <ul style="list-style-type: none"> • Monica Oakley submitted our version of the MRP to Tom Howard and Jon Bishop. • We are waiting to hear back from their staff. | |

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| 9 | Delta Issues <ul style="list-style-type: none"> Standing topic to discuss issues in the Delta that can have statewide impact. Delta plan is moving forward, 6th draft should be out in next week. Key issues is that water quality authority should reside with State and Regional Board Notice that longfin smelt is ESA smelt. Threat is low flow in SF Bay estuary and ammonia. State Board is updating Bay Delta Plan | <ul style="list-style-type: none"> Ammonia discharged from POTWs has been suggested to be disrupting the food-web, and ultimately contributing to the decline of pelagic fish populations in the Bay-Delta estuary This rationale was used by the Central Valley RWQCB to support requiring Sacramento Regional County Sanitation District to upgrade to nitrification, at an estimated cost of \$800 million Various studies to resolve uncertainties related to the impacts of ammonia are underway SRSD has very tight pathogen limits that can't be met by disinfection that may be precedent setting for other POTWs | <ul style="list-style-type: none"> Water Agencies submitted comments on draft permits for CCCSD and Vallejo, citing ammonia research and requesting nitrification In permit adopted Feb 2012, Regional Board required CCCSD to perform nutrient studies The Delta Stewardship Council released their 6th draft of the Bay Delta Plan, with a 7th draft expected out shortly State Water Board is holding three workshops to hear information for their Bay-Delta Plan update. The three workshops are focusing on the Low Salinity Zone, fish resources, and analytical tools that can be used to evaluate management decisions in the Delta. | | Terrie Mitchell | <ul style="list-style-type: none"> Continue to track issues as they emerge and act on those with state-wide significance | |
| 10 | Ocean Plan Amendment <ul style="list-style-type: none"> A California Ocean Plan amendment is proposed to address designation of, and implementation provisions for, State Water Quality Protection Areas, including both ASBS and non-ASBS (called "General Protection") SWQPAs | <ul style="list-style-type: none"> The Resolution specified that no new limiting conditions or prohibitions are to be imposed on wastewater outfalls as a result of a SWQCB-General Protection or as a result of non-ASBS SWQPAs themselves. The Resolution stated that no conditions are to be included in permits that require the removal or relocation of municipal wastewater outfalls, in recognition of the public service and investment that these facilities provide. | <ul style="list-style-type: none"> Comment letter submitted and Tri-TAC testified at State Water Board hearing The State Board seems to recognize the importance of the existing sewer infrastructure and the potential impacts of Ocean Plan changes. State Board may adopt the amendment at the second October board meeting. California Ocean Plan amendment specifies that no new regulatory requirements will be imposed on existing POTW outfalls The State Board indicated that they won't write NPDES permit requirements based only on the MPAs. Does this mean that they can find other reasons to write limits in the permit to address MPA issues? | | Sharon Green | <ul style="list-style-type: none"> Await for response to comments from State Water Board | |
| 11 | EPA Ammonia Criteria <ul style="list-style-type: none"> EPA is in process of updating the current WQC for ammonia to incorporate new data and sensitive freshwater mussel ammonia toxicity data. This latest update is intended to eventually replace their current WQC for freshwater (marine criteria are unaffected by this update) and will result in much lower WQC than the previous update. | <ul style="list-style-type: none"> In a 2009 update, EPA proposed a single national criterion for ammonia assuming freshwater mussels are present The mussels present assumption results in extremely low objectives and is not appropriate for the majority of CA waters where freshwater mussels are not present | <ul style="list-style-type: none"> EPA's request for Scientific Views "closed" in April 2010, final adoption of the criteria has not been proposed at this time. | | Tom Grovhoug/ Phil Markle | <ul style="list-style-type: none"> Track and provide comments when necessary | |
| 12 | EPA Water Quality Criteria <ul style="list-style-type: none"> EPA is proposing changes to the water quality criteria regulations regarding administrator determinations, attainable uses, triennial reviews, compliance schedules, antidegradation, and variances. | <ul style="list-style-type: none"> Key elements likely to be included in the regulation: <ul style="list-style-type: none"> Antidegradation- States must adopt binding anti degradation requirements and minimum implementation methods Attainable uses- when use is not attainable, State must specify next highest attainable use | <ul style="list-style-type: none"> The regulation is being reviewed by the Office of Management and Budget and will be released in Spring 2012 for comment. | | Shannon Bishop | <ul style="list-style-type: none"> Track and provide comments when necessary Work with NACWA on comments | |

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| | | <ul style="list-style-type: none"> • Triennial review- current criteria should be examined • Variance- requirements will be specified | | | | | |
| 13 | EPA Integrated Permitting <ul style="list-style-type: none"> • EPA effort to integrate municipal stormwater and wastewater plans in relation to the CWA. The integrated planning process will potentially identify efficiencies in implementing overlapping and competing requirements that arise from separate wastewater and stormwater projects, including capital investments and operation and maintenance requirements. | <ul style="list-style-type: none"> • The integrated permitting approach could be beneficial for POTWs because it is intended to help municipalities meet their CWA obligations by optimizing their infrastructure improvement investments through the appropriate sequencing of work. • Is there a way to harmonize with Porter Cologne in California? • EPA integrated permitting document came out as a draft. This is driven by urban mayors. There wasn't a lot of substance, although one issue raised was removing 5-yr permit cycle | <ul style="list-style-type: none"> • EPA held several listening session in January and February 2012 and is developing a draft framework document to describe the integrated planning concept, likely to be released in Spring 2012 • Had a call to set up work group to come up with list of issues that should be considered | | Ben Horenstein/ Jackie Kepke | <ul style="list-style-type: none"> • Continue tracking this effort along with NACWA • Review draft framework document when released | |
| 14 | Electronic Reporting <ul style="list-style-type: none"> • Agencies are now required to electronically report compliance data to their regional boards via CIWQS • State Board is working on eSMR 2.5 that will allow for electronic submittal of EPA required self-monitoring data | <ul style="list-style-type: none"> • Errors are often propagated when the data are made public, and they are also often presented out of context (e.g. presenting exceedences as violations) • Errors are difficult to correct • Finalization of eSMR 2.5 will require a different data file type to be submitted electronically | <ul style="list-style-type: none"> • State Board is beta-testing eSMR 2.5 • Full implementation likely required by Summer 2012 • Once released, State Board will provide training for the new program | | Shannon Bishop | <ul style="list-style-type: none"> • Working with State Water Board to beta test system • Participate in State Board CIWQS User Group | |
| 15 | EPA Dental Amalgam <ul style="list-style-type: none"> • October 26, 2011 - EPA released its 2010 Effluent Guidelines Program Plan announcing its intent to adopt guidelines on the use of dental amalgam by dentists | <ul style="list-style-type: none"> • Agencies are concerned that dentists' offices will be regulated as part of POTWs' pretreatment program • EPA will likely create a new category so that dentists will not be categorized as SIUs • They may also grandfather in existing regional dental amalgam programs | <ul style="list-style-type: none"> • EPA had planned to propose a rule in 2011 and finalize in 2012, but they appear to be behind schedule. Expect to hear something in the fall. • EPA will likely create a new category so that dentists will not be categorized as SIUs • They may also grandfather in existing regional dental amalgam programs | | Tim Potter | <ul style="list-style-type: none"> • Comment on draft guidelines when they are released | |
| 16 | Pesticides <ul style="list-style-type: none"> • Cross-media issue • Most pesticides, including pyrethroids, are currently unregulated in wastewater other than by narrative toxicity standards. Some pesticides are toxic to sensitive organisms at extremely low concentrations. • Nanoparticles and some biocides have potential to interfere with biological treatment processes • Some pesticides like triclosan, fipronil, and nanosilver are considered CECs | <ul style="list-style-type: none"> • In the future, POTWs could be regulated for pyrethroids, which they can't control and are toxic to sensitive organisms at very low levels. Engagement at this stage could steer regulators to adopt strategies favoring source control • Other pesticides may contribute to levels of regulated pollutants (e.g., copper, silver), cause or contribute to effluent toxicity, interfere with biosolids management options, challenge water recycling programs, or cause process interference. • POTWs are participating in a long-term joint program with stormwater and the water boards to work cooperatively with pesticide regulators to use their pesticide regulatory authorities prevent pesticide-related POTW compliance and operational problems. | <ul style="list-style-type: none"> • Pesticide Work Group is continuing to work with pyrethroid manufacturers and DPR toward conducting a statewide survey of pyrethroids in POTW influent, effluent, and biosolids. | | Pesticide Work Group: Greg Kester, Linda Dorn, Preeti Ghuman, Phil Markle, Dave Snyder, Melody LaBella, Karin North, Kelly Moran | <ul style="list-style-type: none"> • Comment on upcoming EPA review work plans for two pyrethroids (Resmethrin, Prallethrin). | |
| 17 | DTSC Safer Consumer Products | <ul style="list-style-type: none"> • This could be an important tool for POTWs to prevent the discharge of toxic substances to | <ul style="list-style-type: none"> • BAPPG commented on DTSC's draft Green Chemistry regulations in December 30, 2011, and Tri-TAC and | Draft DTSC Regulations | Karin North, Melody | <ul style="list-style-type: none"> • Comment on Green Chemistry regulations due on October 11th. | |

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| | Regulation <ul style="list-style-type: none"> The Department of Toxic Substances control is developing new regulations that will allow chemicals to be controlled without recourse to the legislature. | their influent. | CASA issued letter of support for these comments <ul style="list-style-type: none"> Green Chemistry workshop was held in early September and comments are due by October 11th. | | LaBella, Kelly Moran | BACWA will write letter and Tri-TAC may sign on the letter if warranted. | |