KEY REGULATORY ISSUE SUMMARY
Updated May 6, 2026

Action items for member agencies are in **bold**

Contents

New updates in this version are shown in Purple highlighting – Link to Previous Versions

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
NUTRIENTS IN SAN FRANCISCO BAY			
• San Francisco Bay receives some of the highest nitrogen loads among estuaries worldwide, yet has not historically experienced the water quality problems typical of other nutrient-enriched estuaries. • In the early 2000s, monitoring data of the Bay suggested that this historic resilience could be weakening. In 2012, stakeholders in the region formed the Nutrient Management Strategy (NMS) to prioritize scientific studies and ensure that all science to be used for policy decisions is conducted under one umbrella. • Program management of the NMS is led by the San Francisco Estuary Institute (SFEI). • In summer 2022, a harmful algae bloom in San Francisco Bay brought increased public attention to this topic.	• For FY27, BACWA is contributing $2.2M to fund scientific research by the NMS science team, fulfilling a requirement of the 2024 Watershed Permit. • In recent years, the NMS has been successful in attracting funding from other sources, such as NOAA and EPA, complementing BACWA's contributions. • The focus of current scientific efforts is improving model representation of biogeochemistry, light attenuation, dissolved oxygen, and harmful algal bloom dynamics. • In May 2025, the NMS Steering Committee finalized a multi-year 2025-2030 Science Plan, as well as a more detailed work plan for the near term in the FY26 Program Plan. Recent progress is summarized in the NMS FY26 Annual Report. • A recently completed summary of the NMS science program is available for outreach to interested community members.	• **Share outreach materials related to nutrients with the general public, such as this BACWA video on clean water infrastructure.** • **Continue to participate in NMS steering committee, planning subcommittee meetings, technical workgroups.** • **Provide funding for scientific studies via the Nutrient Surcharge.** • Provide input on two specific NMS tasks in 2026: A reconvening of the Model Advisory Group, and a plan to orient the NMS monitoring program to observe the impacts of POTW nitrogen load reductions. • Continue to leverage BACWA members and technical consultants to provide review of recent work products and charge questions for the science team. • Continue to work with NMS scientists to obtain summaries of scientific accomplishments for public use.	Science to Inform Management: An Overview of the Nutrient Management Strategy BACWA Nutrients Page SFEI Nutrient Management Strategy Page NMS Steering Committee Meeting Materials FY26 Program Plan and 2025-2030 Science Plan NMS Work Products Data Visualizations, including remote sensing of algae blooms Baywise Website

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SF BAY NUTRIENTS WATERSHED PERMIT			

• The 2024 Nutrients Watershed Permit requires:
  ○ Continued individual POTW nutrient monitoring and reporting;
  ○ Continued funding for science;
  ○ Interim performance-based effluent limits for Total Inorganic Nitrogen (TIN);
  ○ Effective in the 2035 dry season, final water quality-based effluent limits for TIN;
  ○ Continued group annual reporting for each water year (Oct. 1 – Sep. 30), with additional reporting related to the permit's 10-year compliance schedule;
  ○ Recognition of "early actors" that began implementing nutrient removal projects before October 1, 2024; and
  ○ A regional planning study.
• Final effluent limits in the 2024 Nutrients Watershed Permit are 40% lower than actual loads from the 2022 dry season, when the Bay experienced a harmful algae bloom.
• More information related to previous Nutrients Watershed Permits is available on the BACWA website.
• Through the nutrient surcharge levied on permittees, BACWA funds compliance with these provisions of the 2024 Nutrients Watershed Permit on behalf of its members:
  ○ Funding for scientific studies
  ○ Group Annual Reporting
  ○ Regional Planning Study
	• BACWA, supported by a consultant team at HDR, is preparing a Regional Planning Study to describe region-wide plans for Permit compliance. The study is due in March 2029.
	• The Freshwater Trust is furthering their 2025 Water Quality Trading Feasibility Assessment by developing details of a proposed trading framework. In March 2026, BACWA submitted a coalition grant proposal to EPA's San Francisco Bay program to fund this and other innovative regional efforts to reduced nutrients.
	• The most recent Group Annual Report summarizes POTW nutrient loading trends. Agency planning for TIN load reductions is summarized in Attach. 2.
	• The 2024 Permit contains a 10-year compliance schedule for complying with the final effluent limits. Some agencies will have difficulty meeting this deadline due to the magnitude and complexity of anticipated projects.
	• The Regional Water Board is working on a Basin Plan Amendment that will allow compliance schedules longer than 10 years in limited circumstances. An informal draft Basin Plan Amendment was shared with BACWA members in August 2025, and BACWA provided comments.
	• The Regional Water Board is working on refinements to the draft Basin Plan Amendment, which will lead to a public draft of the Basin Plan Amendment and related CEQA effort. BACWA plans to provide financial support for the CEQA consultant.
		• **Participate in a Water Quality Trading Framework workshop planned for late summer 2026.** The workshop will provide an opportunity for BACWA members to learn about the proposed trading framework, ask questions, and hold peer-to-peer discussions in a facilitated setting.
		• Follow guidance on reporting 5-month average dry season TIN loads to CIWQS with each agency's annual self-monitoring report. BACWA provided members with updated tips for reporting TIN loads in December 2025, reflecting a minor permit modification related to TIN reporting.
		• BACWA will continue to facilitate information-sharing on technical topics, such as the 2024 technical seminar on nutrient removal technology at Bay Area wastewater treatment plants, and the June 2025 tour of innovative treatment technologies at Linda County Water District. In June 2026, BACWA is planning to hold an information-sharing session where members will share outcomes of recent optimization efforts to remove TIN.
		• Work with the Regional Water Board to support completion of CEQA Substitute Environmental Documentation for the planned Basin Plan Amendment.
			2024 Nutrients Watershed Permit
			
			2024 Resolution on Extending Compliance Schedule
			
			December 5, 2025 Minor Permit Modification
			
			BACWA Nutrients Page
			
			Resources from Dr. David Jenkins Technical Series Nutrient Seminar (2024)
			
			Scoping Plan for Regional Planning Study
			
			2025 Water Quality Trading Feasibility Assessment
			
			Group Annual Report submitted April 1, 2026

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OCEAN ACIDIFICATION & HYPOXIA			
• Ocean acidification (low pH) is one of the potentially harmful effects of climate change in water bodies. It is caused by the uptake of carbon dioxide from the atmosphere and other sources. Ocean acidification threatens the survival of many marine organisms, especially those with carbonate shells which can dissolve under low-pH conditions. • Nutrients from wastewater and other sources can cause algae blooms which can lead to hypoxia (low dissolved oxygen) when the algae decays and exerts biological oxygen demand. This process can also lead to acidification when the carbon from the algae is released into the ocean as carbon dioxide. Because nutrient inputs and algal production can contribute to both problems, they are grouped together under the umbrella term "Ocean Acidification & Hypoxia" (OAH). • State Water Board policy regarding discharges to the Ocean are contained in the California Ocean Plan. Currently, no regulations in the Ocean Plan directly address OAH caused by wastewater discharges. However, future regulations could limit coastal discharges of nutrients in order to reduce the potential for OAH. • The Ocean Protection Council (OPC) is the main State agency supporting scientific efforts related to Ocean OAH along the California coast.	• The Ocean Protection Council has funded the Southern California Coastal Water Research Project (SCCWRP) to conduct research and modeling on OAH due to nutrient pollution in southern California and along the San Francisco and Monterey coasts. Early modeling results show that the anthropogenic nutrient contributions to OAH is small in this region. • In 2023-2024, the National Water Research Institute convened an expert review panel to review the modeling efforts led by SCCWRP. Stakeholders are now implementing the expert panel's recommendations to improve the model and make it suitable for application in a regulatory context. • In FY26, BACWA is financially contributing to a CASA-led study of POTW nutrient loading to the coastal ocean between Monterey Bay and the Golden Gate. The study also includes an independent review of the ROMS-BEC model. • OPC's Strategic Plan for 2026-2030, calls for "multi-benefit infrastructure upgrades" to "reduce nutrients to California's coast and ocean." • As of April 2026, the State Water Board is soliciting data related to ocean acidification and hypoxia to inform the assessment in the 2030 listing cycle of the California Integrated Report (303(d) List). The Water Boards are also considering use of ROMS-BEC model outputs for this assessment.	• Continue to track refinement of SCCWRP's modeling tools, which could be used to establish State Water Board policy on nutrient discharges to the coastal ocean. The wastewater community is advocating for model improvements to accurately capture the impacts of wastewater discharges, and to inform monitoring work that will support our understanding of ocean impacts of nutrients. • Continue to participate in the San Francisco Bay Nutrient Management Strategy, which is already addressing many related issues.	State Water Resources Control Board's California Ocean Plan Timelines for Planning, Policy, and Permitting Efforts at the State and Regional Water Boards Ocean Acidification and Hypoxia - California Ocean Protection Council Strategic Plan for 2026-2030, California Ocean Protection Council National Water Research Institute - Expert Review Panel Data Solicitation for 2030 303(d) Listing Cycle

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PESTICIDES			
• Pesticides are regulated via the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and not the Clean Water Act. POTWs do not have the authority to regulate pesticide use in their service area, but may be responsible for pesticide impacts to their treatment processes or to surface water. • EPA reviews all registered pesticides at least once every 15 years. Each review allows an opportunity for public comment. • Through the Bay Area Pollution Prevention Group (BAPPG) Pesticides Committee, BACWA aims to proactively support a scientific and regulatory advocacy program so that pesticides will not impact POTWs' primary functions of collecting and treating wastewater, recycling water, and managing biosolids, or impact receiving waters via the "down the drain" route. • BACWA continues to fund consultant support to write comment letters advocating for the consideration of POTW and surface water issues by EPA and the California Department of Pesticide Regulation (CalDPR). • The Regional Water Board leverages BACWA's efforts to provide their own comment letters.	• The BAPPG Pesticides Committee has developed a workplan for outreach on pet pesticides (see Jan. 2025 presentation). • Based on the most recent (May 2026) BAPPG/BACWA Pesticide Watch List, the pesticides of highest concern in wastewater are Pyrethroids (21 chemicals), Fipronil, Imidacloprid, and Chlorpyrifos. The "moderate concern" tier includes pesticides with copper, zinc, and silver, the preservative carbendazim, and Quaternary Ammonium Compounds. • CalDPR is beginning to implement its Sustainable Pest Management Roadmap by setting up a process for pesticide prioritization. In April 2026, CalDPR announced formation of a new Scientific Prioritization and Review Committee (SPARC) to provide science-based recommendations for addressing potential risks to human health and the environment from pesticide use. One of the SPARC members has worked with the BAPPG Pesticides Committee. • In December 2025, CalDPR released a draft aquatic life risk assessment for fipronil in pet products. Fipronil is one of BACWA's the highest-concern pesticides; CalDPR monitoring data shows fipronil is typically present in treated effluent at levels that exceed toxicity thresholds. BACWA submitted a comment letter with specific recommendations for reducing the risk of aquatic toxicity, and requested similar analysis for imidacloprid to avoid regrettable substitution.	• **BACWA members are encouraged to conduct public and veterinary office outreach using flea and tick outreach toolkits.** Baywise.org has flea and tick control messaging for pet owners and veterinarians. In addition, the BACWA website offers member agencies toolkits for conducting outreach to pet owners and veterinary offices. BAPPG's spring 2026 digital ad campaign was targeted at pet pesticides, and the campaign graphics are available for member use. • Advocate for implementation of specific actions from the CalDPR Sustainable Pesticide Management Roadmap. • Continue to comment on and develop summaries of EPA pesticide re-registrations and CalDPR actions. • Engage with EPA on proposed changes to the regulatory approval process for pesticides. • Work with veterinary associations on messaging with respect to flea and tick control alternatives. • Look for opportunities to work with CalDPR on pesticides research. • Work with other regional associations, such as CASQA, to collaborate on funding pesticide regulatory outreach.	BACWA Pesticide Regulatory Support Page Toolkits for Member Outreach on Flea and Tick Pest Control Baywise flea and tick pages CalDPR Sustainable Pest Management Roadmap BAPPG/BACWA Pesticides Watch List (2026) January 2025 Presentation from S. Hughes to BAPPG on Pesticides February 2025 Pesticides Update to BACWA Executive Board CalDPR Aquatic Life Risk Assessment for Fipronil in Pet Products (Draft, December 2025) BACWA Comment Letter on CalDPR Aquatic Life Risk Assessment for Fipronil Materials from BACWA's Spring 2026 Public Outreach Campaign on Pet Pesticides

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MERCURY AND PCBS			
• The Mercury & PCBs Watershed Permit is based on Total Maximum Daily Loads (TMDLs) for San Francisco Bay for each of these pollutants. • The Mercury & PCBs Watershed Permit was most recently reissued in December 2022, and it continues to require discharger support for risk reduction activities. BACWA is funding risk reduction activities on behalf of its members to comply with this permit provision. • Aggregate mercury and PCBs loads have been well below waste load allocations through 2023, the last year for which data have been compiled. • EPA Method 1668C for measuring PCB Congeners has not been promulgated by EPA. Effluent limitations are based on PCB Aroclors quantified using EPA Methods 625.1 or 608.3. BACWA prepared a guidance document to assist members with reporting results from EPA Method 1668C, which Water Board staff endorsed. • In 2017, EPA adopted federal pretreatment program rules requiring dental offices to install dental amalgam separators. The rule is intended to reduce dental office discharge of mercury. The compliance date was in 2020.	• The Regional Water Board plans to designate three new beneficial uses for Bay Area water bodies: Tribal Tradition and Culture (CUL), Tribal Subsistence Fishing (T-SUB) and Subsistence Fishing (SUB). Water bodies with these beneficial uses could also be assigned lower mercury objectives. • In April 2026, the Regional Water Board adopted a Basin Plan Amendment to incorporate tribal and subsistence fishing beneficial uses into the Basin Plan. The next step is to seek State Water Board approval. A subsequent Basin Plan Amendment will be required to designate the new beneficial uses for specific water bodies within the Bay Area. • In 2024, SFEI worked with stakeholders to develop a fish consumption survey for subsistence fishers that is needed for designation of the new beneficial use. In 2025, BACWA contracted with SFEI to complete a pilot study of the fish consumption survey in 2025-2027. • In late 2024, EPA proposed a Methods Update Rule that would withdraw the existing analytical methods for Aroclors (PCB mixtures) and promulgate a new method for PCB Congeners (Method 1628). The Mercury & PCBs permit uses Aroclors for compliance monitoring. Even if the proposed rule were finalized, there would be no change to monitoring until the Permit is reissued (2027+). • The Regional Water Board tentatively plans to re-open the Mercury TMDL in 2028, and to re-open the PCBs TMDL in 2030.	• Keep members up-to-date on progress of the fish consumption survey that SFEI is piloting. This effort is being used to satisfy the risk reduction activities required for BACWA members to comply with the Mercury & PCBs watershed permit. • Work with Regional Water Board staff to understand the potential impact of a withdrawal of the EPA analytical method for PCBs Aroclors. • Continue to track Basin Plan Amendments that will designate specific water bodies as supporting tribal and substance fishing beneficial uses. BACWA identified implementation challenges in its March 2026 comment letter on the Basin Plan Amendment incorporating these beneficial use definitions into the Basin Plan. • Continue outreach to dentists BAPPG and BACWA's pretreatment committee. Per federal rules, all dental facilities were required to submit one-time compliance reports by October 2020.	2022 Mercury & PCBs Watershed Permit (Effective Feb. 1, 2023) BACWA Risk Reduction Materials Mercury and PCB Load Trends 2013- 2024 Updated July 2025 Basin Plan Amendment - Tribal and Subsistence Fishing Beneficial Uses Fish Consumption Survey of Subsistence Fishers BACWA Guidance on PCB Congeners Sampling, Analysis, and Reporting Protocols (October 2024) EPA Methods Update Rules

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STATE WATER BOARD TOXICITY PROVISIONS			
• The State Water Board adopted the Statewide Toxicity Provisions in 2021 as state policy for water quality control for all inland surface waters and estuaries. The Provisions establish: ○ Use of Test of Significant Toxicity (TST) as statistical method to determine toxicity, replacing EC25/IC25; ○ Numeric limits for chronic toxicity for POTWs >5 MGD and with a pretreatment program; smaller POTWs will receive effluent targets and only receive limits if Reasonable Potential is established; ○ Regional Water Board discretion on whether to require RPAs for acute toxicity; ○ For POTWs with *Ceriodaphnia dubia* as the most sensitive species, numeric targets rather than limits were initially in effect until completion of a statewide quality assurance study in 2023. • The Statewide Toxicity Provisions became effective in June 2023, following EPA approval. Individual NPDES permits reissued in the San Francisco Bay Region are implementing the Toxicity Provisions and requiring use of the TST for chronic toxicity testing. Reissued permits no longer require acute toxicity monitoring.	• EPA has not yet approved the Alternate Test Procedure for whole effluent toxicity testing. Until the Alternate Test Procedures are approved, the Regional Water Board has advised that dischargers should use the full five-concentration series for all tests, including routine monitoring and Species Sensitivity Screening Studies. • The State Water Board collaborated with stakeholders on a special study to improve the quality of *Ceriodaphnia dubia* testing. Upon completion of the study, the State Water Board compiled resources related to the study for dischargers that plan to use *C. dubia* for monitoring. • In 2024, the State Water Board received a staff report on implementation of the provisions, which stressed the importance of laboratories being ready to complete 3 chronic toxicity tests within a calendar month when there is a "fail" result. • In 2025, the BACWA Permits Committee provided member training on using the TST to interpret test results. • In August 2025, a California Appellate court ruled that the TST is not authorized under the federal Clean Water Act, but that it was properly adopted under State law. The State Water Board appealed the decision, and in November 2025 the CA Supreme Court granted the State Water Board's petition for review. • Pending the CA Supreme Court's review, the Regional Water Board is continuing to reissue NPDES permits that contain effluent limitations and monitoring requirements based on the TST.	• **Conduct toxicity testing using the Statewide Toxicity Provisions.** All member agencies with individual NPDES permits reissued after August 2022 have transitioned to the new toxicity testing requirements. • **Plan to conduct a species sensitivity screening** to comply with the Toxicity Provisions, which require a study no more than 10 years old be used to determine a "Tier I" species for use in compliance monitoring. The BACWA laboratory committee has compiled tips related to sensitivity screening studies for member agencies' use. As a reminder, agencies should plan to begin using the most sensitive test species once the screening study is complete. • Continue to follow progress of the CA Supreme Court case regarding the validity of the TST as an approved method under the Clean Water Act. • Members hiring a contract laboratory to perform testing using *Ceridaphnia dubia* should utilize the Ceriodaphnia dubia Quality Assurance Guidance Recommendations from the multi-laboratory study, including the performance metrics listed in Appendix E of the report.	State Water Board Toxicity Page EPA Approval of Statewide Toxicity Provisions Ceriodaphnia dubia Study Resources, including link to *Quality Assurance Guidance Recommendations* CASA Webinar on Lessons from Ceriodaphnia Study Lab Committee Tips on Sensitive Species Screening State Water Board November 2024 Status Report on Implementation of Toxicity Provisions February 2025 Permits Committee Training on Using the Test of Significant Toxicity (McCampbell Analytical) CA Supreme Court Docket for State Water Board's appeal of Fifth Appellate District opinion

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CONTAMINANTS OF EMERGING CONCERN (CECS)			
• Pharmaceuticals and other trace contaminants of emerging concern (CECs) are ubiquitous in wastewater at low concentrations and have unknown effects on aquatic organisms. • The San Francisco Bay region has a CECs strategy focusing on monitoring/tracking concentrations of constituents with high occurrence and high potential toxicity. The State Water Board has also expressed support for similar risk-based monitoring strategies for use around the state. • The Regional Water Board has stated that wastewater agencies' voluntary and representative participation in RMP CECs studies is key to avoiding regulatory mandates for CECs monitoring. These studies are informational and not for compliance purposes. • BACWA developed a White Paper on representative participation to support facility selection for these studies. The white paper was updated in 2024 to include statistical information about POTWs to assist with future CECs study design.	• Bay dischargers are continuing to provide supplemental funding for RMP CECs studies through the NPDES Permit Amendment adopted in 2021 by the Regional Water Board (R2-2021-0028). • In the Bay Area, the RMP has designated organophosphate esters (OPEs) and PFAS as CECs of "high" concern. • CECs of "moderate" concern include alkylphenols and alkylphenol ethoxylates, bisphenols, fipronil and its degradates, imidacloprid, and microplastics. Carbendazim, a preservative used in paints and other products, was added to the "moderate" concern tier in 2024. • Quaternary Ammonium Compounds (QACs) are one of several classes of chemicals categorized as a "potential concern" due to lack of data. Monitoring studies of Bay water and stormwater are planned in coming years. A report on QACs in wastewater was published by SFEI in 2024. • In 2024, both the RMP Annual Meeting and the RMP's annual publication, *The Pulse of the Bay*, focused on CECs in San Francisco Bay. • In 2026, RMP scientists began work on a study to quantify the expected CECs removal benefits of planned treatment upgrades for nutrient removal in the Bay Area. The first phase of the study is focused on a literature review.	• Continue to participate in the RMP Emerging Contaminants Workgroup. • Participate in RMP studies by collecting wastewater samples at member facilities. For 2026, the Emerging Contaminants Workgroup is focusing mainly on stormwater-related studies, including a study of PFAS in precipitation. The workgroup also plans to conduct wastewater and stormwater monitoring of biocidal preservatives, including carbendazim and isothiazolinones. Budgeting for the workgroup's 2027 studies is not yet finalized, but proposed future projects include a study of parabens in wastewater, as well as a study of QACs in wastewater and upstream industrial sources. • Work with RMP staff to assist with study design for any new studies of CECs in wastewater.	RMP Emerging Contaminant Workgroup RMP Emerging Contaminant Workgroup April 2026 Annual Meeting Materials BACWA CECs White Paper (2024 version) 2021 NPDES Permit Amendment for Monitoring and Reporting State Water Board CECs webpage SFEI Report on QACs in Wastewater The Pulse of the Bay 2024 – Contaminants of Emerging Concern RMP 2024 Annual Meeting Materials RMP Report: Contaminants of Emerging Concern in San Francisco Bay – A Strategy for Future Investigations (2024 version) Emerging Contaminants Update from SFEI (Presentation to BAPPG) August 2025

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MICROPLASTICS			
• Microplastic pollution is an environmental threat with the potential to impact wastewater disposal and reuse, as well as biosolids end uses. • Microplastics have been a focus of the RMP in recent years. One conclusion of the RMP work is that POTWs contribute much lower microplastic loads than stormwater. As a result, the RMP is focusing future microplastics sampling efforts on stormwater pathways. • In 2022, the Ocean Protection Council (OPC) adopted a Statewide Microplastics Strategy that calls for increased water recycling, additional monitoring of wastewater, source control in wastewater, and additional scientific research. • OPC funded a study of microplastic removal through wastewater treatment processes, with participation from several BACWA member agencies. The study was completed in August 2024 and found overall removal efficiencies between influent and effluent averaged 95% 99%, and 99.9% for primary, secondary, and tertiary treatment, respectively. • Ongoing microplastics investigations by the RMP are focused on tire particles in stormwater.	• The 2024 California Integrated Report (303(d) List) adopted by the State Water Board notes that San Francisco Bay is "potentially threatened" by microplastics. Due to data limitations, the Bay was not listed as an impaired water body during this listing cycle. • Unlike the 2024 Integrated Report, the 2026 Draft California Integrated Report (303(d) List) did not include an assessment of impairment due to microplastics. • Additional research to improve scientific understanding of microplastics in aquatic ecosystems will be needed to support a future impairment determination for the Bay. The Water Boards and OPC are supporting allocation of funding towards these research efforts. • In 2025, the Governor vetoed AB 823. The legislation would have expanded the existing ban on microbeads in rinse-off personal care products (per AB 888 (2015)) to include cleaning products and leave-on personal care products. • In February 2026, the OPC and SFEI released a draft strategy for monitoring macro- and microplastics in California's aquatic environments. The draft strategy recommends continued wastewater and stormwater monitoring to understand upstream sources and relative loads, but also notes challenges with sample collection and analysis.	• Continue to participate in the RMP Microplastics Workgroup. The workgroup is currently focused on monitoring efforts in the Bay and in urban stormwater. • Review and share the results of CASA-funded work being completed at the Southern California Coastal Water Research Project (SCCWRP) that is an add-on component to the recently completed OPC microplastics study. The add-on study assessed how well autosampling equipment, typically used by POTWs to collect wastewater samples for monitoring and compliance purposes, may provide representative samples for microplastics. As of March 2026, the final report for the add-on study report was undergoing stakeholder review. • Continue tracking State Water Board and Ocean Protection Council actions via the CASA Microplastics Workgroup.	BACWA Microplastics Fact Sheet RMP Microplastics Workgroup Ocean Protection Council Microplastics Strategy SCCWRP Report on Microplastics in California Wastewater Treatment Plants (2024) 2024 California Integrated Report / 303(d) List 2026 Draft California Integrated Report / 303(d) List OPC Plastics Monitoring Strategy (Draft, February 2026)

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PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS)			
• Per- and polyfluoroalkyl substances (PFAS) are a group of human-made substances that are very resistant to heat, water, and oil. PFAS are used in surface coating and protectant formulations. Common PFAS-containing products are non-stick cookware, cardboard/paper food packaging, water-resistant clothing, carpets, and fire-fighting foam. PFAS in consumer products are a major source of PFAS to POTWs. • Perfluorooctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) are two types of PFAS no longer manufactured in the US; however, other types of PFAS are still produced and used in the US. • PFAS are persistent in the environment, can accumulate within the human body, and have demonstrated toxicity at relatively low concentrations. • Potential regulatory efforts to address PFAS focus on drinking water in order to minimize human ingestion of these chemicals, although regulators have also expressed concern about uptake through food, especially fish. • In 2020, the State Water Board issued an investigative order for POTWs. At that time, BACWA obtained approval to fund and conduct a Regional PFAS Study in lieu of the investigative order. • In 2021, EPA released a PFAS Strategic Roadmap.	• In 2024, EPA finalized Maximum Contaminant Levels (MCLs) for several PFAS compounds in drinking water. In 2025, EPA announced its intent to retain the MCLs for PFOS and PFAS only, and to rescind the MCLs for the other PFAS compounds. The CA Division of Drinking Water California is working to adopt state drinking water limits, a 2026 priority. Drinking water limits could be used in NPDES permits for inland dischargers. • In 2024, EPA released draft national recommended human health water quality criteria for PFOS, PFOA, and perfluorobutanesulfonic acid (PFBS). • The Water Boards are working with stakeholders to develop a strategy for controlling PFAS in wastewater, particularly PFAS from industrial sources. • EPA identified industrial source control actions under Preliminary Effluent Guidelines Program Plan 16, but these efforts may be deferred by the current federal administration. • In April 2026, EPA shared Interim Guidance on the Destruction and Disposal of PFAS, a technical reference document that POTWs may find useful. • The Department of Toxic Substances Control (DTSC) plans to list floor maintenance products containing PFAS as a priority product, and is considering other PFAS-containing products for future listings. • OEHHA is developing recommended thresholds for fish consumption at various PFAS concentrations. The effort could be complete in 2026 or 2027.	• **Member agencies are encouraged to support PFAS source control efforts, including legislation, regulations, and public outreach.** BACWA is focused on source control as the best way to reduce PFAS in wastewater. A source control approach can be used for residential, commercial, and industrial sources, as well as legacy sources like landfill leachate and contaminated groundwater. BACWA will continue to share resources on this topic, such as those shared at a BACWA webinar in November 2025. • **Members should use Clean Water Act methods (EPA Method 1633 or 1621) for monitoring effluent, biosolids, or industrial wastewater.** • Work with Members and SFEI to develop a Sampling and Analysis plan for Phase 3 of BACWA's regional PFAS study. The effort will support the "PFAS Sources to Solutions" project being led by SFEI and DTSC. The project will be carried out in 2026 and 2027 and will be focused on sewershed sources of PFAS, such as specific residential or industrial loads. • Work the BACWA Pretreatment Committee, the State Water Board, and the Regional Water Board to develop concepts for controlling industrial sources of PFAS in wastewater.	BACWA PFAS Study Summary State Water Board PFAS Resources EPA PFAS Resources EPA NPDES Permitting Guidance (Dec. 2022) Presentation on BACWA's Regional PFAS Study at RMP 2023 Annual Meeting "PFAS Sources to Solutions" Project Overview Baywise Website for PFAS BACWA PFAS Materials Regional Water Board Environmental Screening Levels for 16 PFAS compounds Resources from November 2025 BACWA PFAS Webinar DTSC Priority Product Listing Timeline USEPA Interim Guidance on the Destruction and Disposal of PFAS (April 2026)

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SANITARY SEWER SYSTEMS			

• In 2022, the State Water Board reissued the statewide Sanitary Sewer Systems General Order (SSS-WDR). The reissued order replaced the 2006 Order and the 2013 Monitoring and Reporting Program.
• The 2022 SSS-WDR became effective in June 2023 and contains numerous new and modified requirements, such as:
  ○ A prohibition on discharges to groundwater
  ○ Reduced spill reporting requirements for small spills (spills from laterals or <50 gallons)
  ○ New spill monitoring requirements such as photo documentation and faster water quality sampling
  ○ New requirements for preparation of Sewer System Management Plans (SSMPs), including a focus on system resiliency, prioritizing corrective actions, and coordinating with stormwater agencies
  ○ Modified annual reporting requirements
  ○ New mapping requirements
• Modified timelines for preparation of audits and SSMPs. The State Water Board has prepared an online tool to assist agencies in determining compliance dates for audits and SSMPs.
	• The SSS-WDR requires agencies to report information about sanitary sewer spills to CIWQS. The State Water Board has prepared guidance documents and videos that explain the requirements for spill reporting, Annual Reports, and related compliance topics.
	• Maintaining an updated SSMP is a core requirement of the SSS-WDR. SSMP updates are required every six years, and must contain the 11 elements described in the reissued SSS-WDR. BACWA has prepared a *Guide for Developing and Updating SSMPs*, now available through the BACWA and State Water Board websites.
	• Sewer system agencies were required to provide the State Water Board with a Geographic Information System (GIS)-based service area boundary map by December 31, 2025. In the future, the State Water Board intends to share these sewershed maps via an online platform. Agencies that have changes to their service area boundary should provide an updated GIS map along with their Annual Report.
	• The California Underground Safety Board is developing GIS standards for subsurface installations, including sewer pipelines. In July 2025, the Board released draft GIS Regulatory Language for stakeholder comment. Formal rulemaking will follow at a later date.
		• Participate in review of GIS regulatory language applicable to installation of new sewer system infrastructure. So far, the Underground Safety Board has collected comments on an initial draft.
		• Work with State Water Board staff to review online viewing tools for sewershed mapping, as such tools are developed.
		• Continue to use the Collections System Committee as a forum for discussing best practices for completing audits and SSMPs.
		• Continue to coordinate with CASA and CWEA on training opportunities for members to address compliance with new requirements in the 2022 SSS-WDR.
		• Additional actions related to sea level rise and other climate-related flood risks are listed under Climate Change Adaptation (see page 13).
			State Water Board SSS-WDR page, including recently updated videos and guidance documents
			
			Reissued SSS-WDR (General Order 2022-0103-DWQ), Effective June 5, 2023
			
			Materials from Clean Water Summit Partners Webinars on Reissued SSS-WDR
			
			SSMP and Audit Due Dates Lookup Tool from State Water Board
			
			Guide for Developing and Updating Sewer System Management Plans (2024)
			
			BACWA Private Sewer Lateral Survey Results (2024)
			
			Underground Safety Board Draft GIS Regulatory Language and Staff Report

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
LABORATORY ACCREDITATION			
• In 2020, the State Water Board adopted new regulations for the Environmental Laboratory Accreditation Program (ELAP). • The new ELAP regulations replaced the previous state-specific accreditation standards with a national laboratory standard established by The NELAC Institute (TNI). • Compliance with TNI standards was required beginning **January 1, 2024**. • The TNI standards pose a particular challenge to small laboratories, many of which have closed because they cannot economically meet the new standards. This reduction has contributed to significant ELAP fee increases for the remaining laboratories. • From 2021 to 2024, the BACWA Lab Committee hosted 30 virtual sessions on the TNI standards. Diane Lawver of Quality Assurance Solutions, LLC, provided the training. The training sessions were recorded, and are available to download with a password (available upon request).	• The TNI standards apply to every ELAP-certified laboratory, regardless of certificate expiration date and regardless of location. Labs must maintain a TNI-compliant Quality Assurance manual. • In FY25, ELAP restructured its fees to increase fees for large laboratories with more than 500 fields of accreditation. Smaller laboratories had no fee increase. No significant increases to ELAP fees are expected in FY27. • In March 2026, ELAP announced plans to become a TNI-accrediting body, and to offer full TNI accreditation. This new full TNI accreditation would be entirely optional. ELAP would continue to require TNI-2 accreditation for all labs. ELAP is conducting a survey to gauge lab interest in this new accreditation option. • ELAP is now implementing EPA's 2021 Method Update Rule, and labs were required to update any outdated methods by February 2024. • In April 2024, EPA finalized a routine Methods Update Rule (rMUR 2). In October 2024 and April 2025, the BACWA Laboratory Committee provided member training on changes to Standard Methods affected by this Methods Update Rule. This Methods Update Rule will be implemented by ELAP at a later date. • In December 2024, EPA proposed Methods Update Rule 22 to promulgate EPA Method 1633A for 40 PFAS compounds, EPA Method 1621 for adsorbable organic fluorine, and Method 1628 for 209 PCB Congeners. The action also proposes to withdraw the existing methods for PCB Aroclors.	• Continue to work through BACWA's Laboratory Committee to support members as they navigate laboratory accreditation under the new TNI standards. • Keep members up-to-date on proposed changes to Clean Water Act methods as part of the EPA Methods Update Rule 22. • Publicize training opportunities offered by consultants, ELAP, and others.	State Water Board's ELAP regulations page, including links to timeline and relocation guidance tools ELAP Implementation of 2021 Method Update Rule EPA Methods Update Rules ELAP Fees – Stakeholder Meeting Information Materials from BACWA TNI Training Sessions 2021-2024 - *request password from BACWA staff* BACWA Laboratory Committee Meeting Materials

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
BIOSOLIDS			
• Regulatory drivers are leading to the phase-out of biosolids used as alternative daily cover (ADC) or disposed in landfills. SB 1383, requiring reductions in the amount of organic material deposited in landfills, went into effect in 2022. CalRecycle is the state agency responsible for implementation. • Local enforcement of SB 1383 began in 2024, and compliance was required by January 1, 2025. Requirements include: ○ Diverted biosolids must be anaerobically digested and/or composted to qualify as landfill reduction. ○ CalRecycle can determine whether specific treatment technologies qualify as landfill reduction (per Article 2 of SB 1383). ○ Local ordinances restricting land application are disallowed. • While the regulations implementing SB 1383 do not explicitly forbid biosolids disposal/reuse in landfills, it is assumed that since biosolids are a relatively "clean" waste stream that can be easily diverted, landfills will stop accepting biosolids. • The Bay Area Biosolids Coalition (BABC) was formed to find sustainable, cost-effective, all-weather options for biosolids management.	• Jurisdictions that divert organic waste must also procure the end products of diversion, such as biogas, biomethane, and compost (but not biosolids). Proposed State legislation (AB 643) would widen the procurement options to include CA-licensed fertilizers made from organic residuals such as biosolids. • In September 2025, EPA affirmed its determination of PFOA and PFOS as CERCLA hazardous substances. Congress is considering liability protections for "passive receivers" – entities that did not manufacture or use PFAS – through HR 1267. • Concern over PFAS in biosolids is leading some other states to introduce restrictions on land application. For example, in April 2026, Virginia passed use restrictions for biosolids containing more than 25 µg/kg of PFOA or PFOS. The Bay Area Biosolids Coalition (BABC) is working with other biosolids stakeholders to support completion of technical analysis on the full economic and environmental costs of potential state-by-state land application bans, which can result in increased landfilling of biosolids (example: New York Biosolids Capacity Report, Feb. 2026). • In early 2025, EPA released a draft risk assessment for PFOA and PFOS in biosolids. EPA is now reviewing the numerous comments submitted by those in the wastewater sector and beyond. Many commenters found EPA's approach to estimating the risk of PFOA and PFAS in biosolids was overly conservative.	• **All members are invited to participate in the Bay Area Biosolids Coalition.** In 2025, the Bay Area Biosolids Coalition (BABC) merged with BACWA and became BACWA's biosolids committee. The committee discusses topics such as communication, scientific research, land application, and regionalization of biosolids treatment. BABC is currently supporting research projects related to PFAS removal through thermal drying, the impacts of biosolids land application bans, and the National Collaborative PFAS Project. BACWA and BABC are also preparing public outreach materials related to the benefits of biosolids. • Continue to follow emerging science and regulatory developments regarding PFAS, including EPA's draft risk assessment and potential CERCLA liability exemptions for passive receivers. • Engage through CASA and BABC to follow new legislation affecting biosolids processing and disposal. • Actively work through CASA with State agencies to develop sustainable long-term options for biosolids beneficial use. • Meet with Air District staff regularly to discuss alignment of state and local regulations that affect biosolids treatment and end uses.	BACWA Biosolids Trends Surveys Bay Area Biosolids Coalition CASA White Paper on SB 1383 Implementation CalRecycle - Short-Lived Climate Pollutant Reduction Strategy CalRecycle Procurement FAQ (Updated by AB 1985) SB1383 Article 2 Determination EPA National Sewage Sludge Survey EPA Draft Risk Assessment for PFOA and PFOS in Biosolids National Collaborative PFAS Project

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
CLIMATE CHANGE ADAPTATION			
• The California Climate Change Assessment is the scientific foundation for climate-related vulnerability, including details specific to the Bay Area region. The Fifth Climate Change assessment will come out in stages over the summer and fall of 2026. • Climate change and water resilience are strategic priorities of both the State and Regional Water Boards. The Regional Water Board's 2026 Strategic Workplan calls for NPDES Permits and Waste Discharge Requirements (WDRs) to encourage infrastructure resiliency and address potential effects of climate change. As of 2026, the State Water Board is preparing updates to its Climate Change Resolution. • The State's Climate Adaptation Strategy is updated every three years, mostly recently in September 2025. • Bay Area coordination occurs through Bay Adapt, the Bay Area Climate Adaptation Network (BayCAN), and other venues. BACWA has signed a letter of support for the Bay Adapt Joint Platform. • Groundwater level rise is a concern in low-lying Bay Area communities. Information about groundwater level rise is available from Pathways Climate Institute and SFEI (five counties) and Valley Water (Santa Clara County).	• In 2024, the Ocean Protection Council (OPC) adopted updated Sea Level Rise guidance. • In 2024, the Bay Conservation and Development Commission (BCDC) adopted Sea Level Rise planning guidelines for the Bay Area as part of the Regional Shoreline Adaptation Plan. To comply with SB 272, the Plan requires cities and counties to develop subregional sea level rise adaptation plans by 2034. BCDC offers a Plan Resources website and training videos. • In late 2024, the California Coastal Commission updated its sea level rise policy guidance to conform to OPC's new guidance. The guidance document also contains specific recommendations related to wastewater infrastructure. • SFEI offers resources to support planning of nature-based shoreline adaptation projects, such as the Baylands Resilience Metrics Mapbook. • OneShoreline (San Mateo County) is developing Resilient Public Infrastructure Guidance to help local stormwater, wastewater, and transportation agencies adapt to changing climate conditions. • The Regional Water Board is modifying the Basin Plan to address climate change and wetland policy. The changes will occur through multiple Basin Plan amendments, such as the recent Climate Change Basin Plan amendment addressing shoreline dredge and fill procedures.	• **Understand and participate in the development of Subregional Shoreline Adaptation Plans**. These adaptation plans are required for cities and counties per BCDC's 2024 Regional Shoreline Adaptation Plan; special districts should also participate in their development. Plans are due by 2034. • **Use the OPC's 2024 Sea Level Rise Guidance** for planning scenarios. • Continue to develop committee content on technical topics related to climate change, such as sea level rise projections and changes in precipitation. For example, OneShoreline (San Mateo County) is developing infrastructure guidance. • Work with Regional Water Board staff and BACWA members to update and revisit the Climate Change Information Request first sent to NPDES permittees in 2021. • Continue to work with Regional Water Board and other resource agencies to look for regulatory solutions to encourage wetlands projects for shoreline resiliency. SFEI recently began developing a decision support tool to help accelerate the implementation of nature-based shoreline projects.	Regional Water Board Basin Plan Amendment on Climate Change and Aquatic Habitat OPC 2024 Sea Level Rise Guidance California Coastal Commission Sea Level Rise Policy Guidance Update (Nov. 2024) California Climate Adaptation Strategy (2025) BayCAN Funding Tracker BCDC Resources for Regional Shoreline Adaptation Plans Bay Adapt SFEI Shallow Groundwater Mapping (March 2025) Valley Water - Groundwater Response for Santa Clara County SFEI - Baylands Resilience Metrics Mapbook OneShoreline Resilient Public Infrastructure Guidance

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
CLIMATE CHANGE MITIGATION			
• The California Air Resources Board's (CARB's) 2022 Climate Change Scoping Plan Update lays out the approach for the State to meet its greenhouse gas (GHG) emissions, including policies addressing short-lived climate pollutants, carbon sequestration, and the largest emitters (transportation, electricity, and industrial sectors). • CalRecycle is implementing SB 1383 (Short-Lived Climate Pollutant Reduction) to reduce methane emissions. SB 1383 requires diversion of organic waste from landfills, and re-routing organics from landfills to digesters at POTWs is one way to accomplish this. • The Bay Area Air District developed a Clean Air Plan that outlines local strategies to address climate pollutants. The Air District is currently leading an effort to develop a Comprehensive Climate Action Plan for eight counties in the region. • The Air District proposed the development of Regulation 13 (climate pollutants) targeting methane and nitrous oxide reductions. After a pause of several years, the Air District began revisiting Regulation 13 in 2024. • The State Water Board's Climate Change Resolution addresses adaptation, ecosystem resilience, water use and efficiency, and greenhouse gas emissions.	• CARB has pursued rapid fleet conversion to zero-emission vehicles (ZEVs), including medium and heavy-duty vehicles, through the Advanced Clean Fleets Regulation. • In 2025, CARB withdrew its waiver requests to EPA for key portions of the Advanced Clean Fleets rule. CARB has initiated new rulemaking (Drive Forward Fleet) to replace the withdrawn rules. CARB plans to continue to enforce the State and Local Government Agency Fleets portion of the regulation. • In 2024, CARB re-opened the Advanced Clean Fleets regulations to incorporate requirements of AB 1594 by expanding ZEV purchase and daily usage exemptions for public agency utilities. In the context of these amendments, CASA is advocating for the use of renewable natural gas (biomethane) as a transportation fuel. • Pipeline injection of biomethane is another potential end use. In March 2026, CPUC proposed changes to the renewable gas procurement program to control costs and extend procurement timelines. • As a first step in revisiting climate pollutant regulations (Regulation 13), the Air District is developing a white paper on anaerobic digesters and potentially associated emissions. Air District staff plan to share a draft later in 2026. • The State Water Board is crafting a new Climate Change Resolution that will address Water Boards actions on climate change mitigation and adaptation. A draft is expected later in 2026.	• Continue to track implementation of the Advanced Clean Fleets rule via coordination with CASA. In April 2026, CARB released a revised draft regulatory package (15-day notice) for amendments to the Advanced Clean Fleets and Low Carbon Fuel Standards regulations. CASA submitted a comment letter raising concerns about new contractor requirements and procurement eligibility rules for biomethane-fueled vehicles. • Support the Air District's development of a white paper on anaerobic digestion by providing applicable information on digestion and associated energy generation infrastructure. Review and provide comments on the draft white paper once it is released later in 2026. • Work with PG&E and the Air District to explore options for POTWs to inject biogas into PG&E pipelines under the utility's state-mandated biomethane procurement program. • Work with CASA to review and provide comments on the State Water Board's Climate Change Resolution.	CARB Climate Change Scoping Plan CARB Low Carbon Fuel Standard Amendments (Effective July 1, 2025) CARB Advanced Clean Fleets Rule CARB Rulemaking on Advanced Clean Fleets to incorporate AB 1594 (April 2026) CARB's ZEV Purchase Exemption List CalRecycle and SB 1383 Bay Area Clean Air Plan Bay Area Comprehensive Climate Action Plan Bay Area Air District's Regulation 13 for Climate Pollutants EPA Renewable Fuel Standards PG&E Procurement Carbon Mapper (methane emissions visualization)

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
TOXIC AIR CONTAMINANTS			
• Regulation 11, Rule 18 (Rule 11-18), adopted in 2017, is the Air District's local effort to protect public health from toxic air pollution from existing facilities, including POTWs. • Per the Rule, the Air District will determine each facility's prioritization score (PS). Health Risk Assessments (HRAs) will be conducted for all facilities with a cancer PS>10 or non-cancer PS>1. Facilities verified to be above a threshold will have to implement a Risk Reduction Plan. • AB 617 (Community Air Protection Program) requires CARB to harmonize community air monitoring, reporting, & local emissions reduction programs for air toxics and GHGs. POTWs within communities already impacted by air pollution may have to accelerate implementation of risk reduction measures. • AB 2588 (Air Toxics "Hot Spots" Program) established a statewide program for the inventory of air toxics emissions from individual facilities, as well as requirements for risk assessment and public notification. • Since 2022, Air District staff and BACWA representatives have been meeting about 3-4 times per year to address concerns related to toxic air contaminants and associated rule-making. Workgroup materials are available on the AIR Committee website.	• In 2024, the Air District finalized updated Implementation Procedures for Rule 11-18 describing how the Air District will conduct HRAs. It also established rules for contractors to conduct HRAs, if allowed by the Air District. In March 2026, the Air District released draft amendments to Rule 11-18 that aim to improve program efficiency and accelerate the preparation of HRAs by requiring facility owners to conduct HRAs (rather than the Air District). • To comply with provisions of AB 617 and AB 2588, the wastewater sector has until 2028 to perform a Pooled Emissions Study to update outdated default emission factors for toxic air contaminants. CASA is directing the Pooled Emissions Study with consultant support from Yorke Engineering. 27 BACWA member agencies are participating in the study, and are providing financial support totaling about $620,000 in FY26. • Throughout 2025, the project team met with CARB and staff from regional Air Districts to discuss the study plan. Regulator approval of the study plan is required before sampling can begin. The draft study plan for the Pooled Emissions Study was submitted to CAPCOA (a coalition of regional air district staff) in Fall 2025, and CAPCOA has indicated agreement with many elements of the draft study plan. After the draft study plan is modified to address CAPCOA's comments, it will be submitted to CARB. The draft study plan is available to participating BACWA members upon request.	• **Review the proposed amendments to Rule 11-18.** So far, BACWA's AIR Committee has provided written comments on the March 2026 version of the proposed amendments. BACWA's April 2026 comment letter on the draft amendments requests extended timelines for public agencies to meet new requirements. The Air District will formally consider the amendments at its June 3rd meeting. • **Review and understand the updated Rule 11-18 Implementation Procedures and Timelines.** For most POTWs with lower prioritization scores, the HRAs will not be required right away. These POTWs will likely be able to use updated emissions factors from the statewide poled emissions study, as described below • **Report "business as usual" for air toxics through 2028 (through year 2027 data).** The wastewater sector has until 2028 to perform the statewide Pooled Emissions Study. • Continue participating in the BACWA-Air District workgroup to discuss toxic air contaminants, rule development, and related air quality regulatory issues.	Bay Area Air District Facility Risk Reduction Program Amendments (Rule 11-18) BACWA Comment Letter on Rule 11-18 Amendments Bay Area Air District New Source Review of Toxic Air Contaminants (Rule 2-5) CARB page on AB 617 and AB 2588 and Final Statement of Reasons CASA Handout on Pooled Emissions Study CARB List of Approved Independent Contractors for Test Methods Timing of Rule 11-18 vs. Process for AB 617 July 2024 BACWA Update to Air District Stationary Source Committee BACWA AIR Committee website

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
AIR DISTRICT PERMITTING			
• Best Available Control Technology (BACT) is a requirement for major new or modified sources of air pollution. • BACT is defined locally as part of the Air District's Rule 2-2, "New Source Review." BACT is established based on the most stringent level of emissions control that is achieved in practice and that is technologically feasible & cost effective. • CARB is working on proposed amendments to the off-road new diesel engine standards, called "Tier 5" rulemaking. The Tier 5 rulemaking aims to reduce oxides of nitrogen (NOx), particulate matter, and may also include first-time carbon dioxide (CO_2) emissions standards. • The Bay Area Air District has launched a three-year Engineering Program Manager Pilot Program with the intent of improving the permitting process for complex applications. This program will dedicate two Air District managers to work with selected facilities on challenging permit applications to ensure more efficient reviews, better communication, and improved transparency. Participating facilities will pay to cover the costs of Air District personnel.	• BACWA has been working with the Air District to provide better transparency for future BACT determinations. The Air District hired a Consistency Coordinator in March 2026 to support the effort. • BACT for all standby generators >50 bhp is now Tier 4 emissions standards. The Air District issued a BACT determination for Tier 4 emissions standards for large standby generators (≥ 1,000 bhp) in 2020, and for midsize standby generators (> 50 bhp and < 1,000 bhp) in 2024. Options to comply include: (a) an EPA-certified Tier 4 engine (b) a Tier 4-compliant engine that is packaged by the engine manufacturer with abatement equipment, or (c) A lower tier engine that has been retrofitted with after-market abatement equipment to meet Tier 4 standards. • In 2024, CARB began working on proposed amendments to the off-road diesel engine emissions standards (Tier 5 rulemaking). Based on a workshop held in February 2026, optional Tier 5 standards would go into effect for 2031 Model Year engines, and manufacturers would have to comply beginning with 2036 Model Year engines. • BACWA is participating in an early, no-fee phase of the Engineering Program Manager Pilot Program throughout the first half of 2026, which could expedite permit processing for three participating BACWA members. • The Air District established a Permit Efficiency Taskforce that is meeting monthly with stakeholders to address efficiency issues in the permit process.	• **Design new or modified standby generators to meet Tier 4 emissions standards.** • Continue to coordinate with CASA to participate in review and public comment on CARB's Tier 5 rulemaking. • Consider executing a Memorandum of Understanding with the Air District to fund wastewater agency participation in the Engineering Program Manager Pilot Program. The project is currently in a free, beta-testing phase. • Participate in the Air District's Permitting Efficiency Taskforce. Member agencies are able to view the meetings virtually.	Air District BACT/TBACT Workbook Air District October 2024 Workshop on BACT Determination Slides and Video CARB Tier 5 Rulemaking Air District Engineering Program Manager Pilot Program Flyer and Webinar Recording Air District Strategic Plan Air District Permitting Efficiency Taskforce

Background Highlights	Challenges and Recent Updates	Next Steps for BACWA	Links/Resources
RECYCLED WATER			
• Approximately 10 percent of the municipal wastewater of Bay Area POTWs is currently recycled. Expansion of recycled water projects is a goal of many BACWA members, but implementation is slowed by high costs and administrative requirements. • In 2018, the State Water Board adopted uniform water recycling criteria for two types of Indirect Potable Reuse: surface water augmentation and groundwater augmentation. • In 2023, the State Water Board adopted uniform water recycling criteria for two types of Direct Potable Reuse: raw water augmentation and treated water augmentation. • As of 2020, virtually all recycled water in the Bay Area was produced at centralized facilities using municipal wastewater, and was treated to meet standards for non-potable reuse. There are not yet any Indirect or Direct Potable Reuse projects in the Bay Area, although several are in the planning stage.	• The State Water Board's regulations for Onsite Nonpotable Reuse were approved by the Office of Administrative Law in April 2026 and are now in effect. Local jurisdictions (Cities and Counties) can now establish local programs that reference the regulations. The regulations will next be adopted into the state's building code by the CA Dept. of Housing and Community Development. The State Water Board is also planning to revise the regulations soon to allow onsite reuse in cooling towers. • In 2023, BACWA completed a Regional Evaluation of Potential Nutrient Discharge Reduction by Water Recycling, as required by the 2nd Nutrients Watershed Permit. • In 2024 the Regional Water Board finalized a Basin Plan Amendment that will allow greater flexibility for NPDES permitting of reverse osmosis concentrate discharges to San Francisco Bay. • Direct Potable Reuse regulations were finalized in 2024 and are now in effect. • In October 2025, Governor Newsom signed SB31, which aims to provide more flexibility for the use of disinfected tertiary recycled water in outdoor eating areas, residential common areas, decorative water bodies, and around food handling facilities. The State Water Board plans a regulatory update to incorporate SB31 into Title 22 regulations in 2027 or beyond.	• Assist with implementation of the new Onsite Nonpotable Reuse regulations by working with regulators and other stakeholders on guidance for wastewater agencies. • Continue to provide members with technical resources related to interagency coordination, such as cost-sharing agreements and permitting. These topics are based on feedback from BACWA's 2023 workshop on interagency collaboration in which wastewater and water agency representatives convened to discuss challenges and opportunities for expanding water recycling in the Bay Area. • Continue to track the role of recycled water projects in diverting nutrient loads from San Francisco Bay. Significant nutrient load reductions and annual reporting on recycled water nutrient load diversions are required by the 2024 Nutrients Watershed Permit. BACWA will continue to compile information on recycled water nutrient load diversions as part of the Regional Planning Study due in 2029 (see page 2). • Track California legislation with potential impacts on recycled water funding, mandates, or regulations.	Water Boards Recycled Water Policy and Regulations Direct Potable Reuse Regulations Rulemaking for Onsite Nonpotable Reuse Regulations (updated April 2026) BACWA Special Studies of Recycled Water and Nature-Based Systems California's Water Supply Strategy (2022) Basin Plan Amendment affecting Water Recycling (now also incorporated into the Basin Plan) Meeting Materials from April 2025 Joint Workshop with WateReuse Northern California State Water Board Division of Drinking Water Priorities for 2026

Previously covered issues with no updates can be found in previous BACWA issues summaries.

ACRONYMS

ADC	Alternate Daily Cover
BABC	Bay Area Biosolids Coalition
BACT	Best Available Control Technology
BCDC	Bay Conservation and Development Commission
bhp	brake horsepower
CalDPR	California Department of Pesticide Regulation
CARB	California Air Resources Board
CASA	California Association of Sanitation Agencies
CEC	Compound of Emerging Concern
CIWQS	California Integrated Water Quality System
CWEA	California Water Environment Association
DTSC	Department of Toxic Substances Control
EC25/IC25	25% Effect Concentration/25% Inhibition Concentration
ELAP	Environmental Laboratory Accreditation Program
ELTAC	Environmental Laboratory Technical Advisory Committee
EPA	United States Environmental Protection Agency
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FY	Fiscal Year
GHG	Greenhouse Gas
HFPA-DA	Hexafluoropropylene Oxide (HFPO) Dimer Acid, also known as GenX
MCL	Minimum Contaminant Level (Drinking Water)
MGD	Million Gallons per Day
NELAC	National Environmental Laboratory Accreditation Conference
NMS	Nutrient Management Strategy
OAH	Ocean Acidification and Hypoxia
OEHHA	Office of Environmental Health Hazard Assessment
OPC	Ocean Protection Council
PCB	Polychlorinated Biphenyl
PFAS	Per- and Polyfluoroalkyl Substances
PFHxS	Perfluorohexane Sulfonic Acid
PFNA	Perfluorononanoic Acid
PFOA	Perfluorooctanoic Acid
PFOS	Perfluorooctane Sulfonic Acid
POTW	Publicly-Owned Treatment Works
PS	Prioritization Score
QAC	Quaternary Ammonium Compound
RMP	Regional Monitoring Program
RPA	Reasonable Potential Analysis
SF Bay	San Francisco Bay
SFEI	San Francisco Estuary Institute
SSMP	Sewer System Management Plan
TMDL	Total Maximum Daily Load
TIN	Total Inorganic Nitrogen
TNI	The NELAC Institute
TST	Test of Significant Toxicity
WDR	Waste Discharge Requirements
WQO	Water Quality Objective
ZEV	Zero-Emission Vehicle