15,004

BACWA EXECUTIVE BOARD MEETING
Thursday, May 3, 2012, 9:00 a.m. – 11:00 a.m.

HANDOUTS

Handout Packet is available on the BACWA website (www.BACWA.org).

Pages	Handout Title	Agenda Item #
1 – 2	Agenda	
3 – 6	Meeting Minutes from BACWA Executive Board Meeting of March 22, 2012, File 15,003	1
7 – 12	February 2012 Treasurer's Report	2
13 – 21	Board Action Request – Approve Resolution Adopting Prop 84 Budget and Workplan for Administration of the Proposition 84 Grant; File 12,711.	3
22 – 41	AIR Newsletter	4
42 – 47	BAPPG Report	4
48 – 49	Biosolids Committee Composting Tour Flyer	4
50	Collection Systems Committee Report	4
51 – 52	Lab Committee Report	4
53 – 54	Permits Committee Report	4
55 – 63	Executive Director Report	6
64 – 65	Chair and Executive Director Authorizations a. Executive Director Authorization for Chinook advertisement to support BAPPG outreach campaign, not to exceed $1,900; File No. 12,698. b. Executive Director Authorization for agreement with Jennifer Jackson to support BAPPPG Baywise.org outreach, not to exceed $4,999.00; File No. 12,710.	7
66	North Bay Dischargers and BACWA Membership Dues	8c
67 – 79	Board Action Request – Approval of BACWA and Special Programs 2012-2013 Budget and Workplan	9
80 – 87	Board Action Request – Discussion of BACWA Succession Planning	10

Executive Board Meeting Agenda

Thursday, May 3, 2012, 9:00 a.m. – 11:00 a.m.
EBMUD Lab Library, 2020 Wake Ave., Oakland, CA

ROLL CALL AND INTRODUCTIONS (9:00 a.m. – 9:05 a.m.)

PUBLIC COMMENT (9:05 a.m. – 9:10 a.m.)

CONSENT CALENDAR (9:10 a.m. – 9:15 a.m.)

1. March 22, 2012 BACWA Executive Board Meeting minutes
2. February 2012 Treasurer's Report
3. Resolution Adopting Prop 84 Budget and Workplan for Administration of the Proposition 84 Grant, File 12,711

REPORTS (9:15 a.m. – 9:30 a.m.)

4. Committee Reports (Written reports will be included in handout packet but will not be discussed due to time constraints.)
5. Executive Board Reports
6. Executive Director Report
7. Chair & Executive Director Authorized Actions
    a. Executive Director Authorization for Chinook advertisement to support BAPPG outreach campaign, not to exceed $1,900; File No. 12,698.
    b. Executive Director Authorization for agreement with Jennifer Jackson to support BAPPPG Baywise.org outreach, not to exceed $4,999.00; File No. 12,710.
    c. Executive Director Authorization to utilize existing contract with HDR to provide as needed support for NNE comments; File No.12,568.

OTHER BUSINESS (9:30 a.m. – 11:00 a.m.)

8. Nutrients (9:30 a.m. – 10:15 a.m.)
    a. Strategy Development Presentation, David Senn, San Francisco Estuary Institute
    b. Discussion: BACWA response to 13267 Letter
    c. Suisun Bay follow-up
    d. NNE Comment Letter
9. Approval of BACWA and Special Programs 2012-2013 Budget and Workplan
10. <u>Discussion:</u> Succession Planning
    a.ASC/SFEI Board Representation

NEXT REGULAR MEETING

The next meeting of the Board is tentatively scheduled for May 24, 2012.

ADJOURNMENT (11:00 a.m.)

Executive Board Meeting Minutes

Thursday, March 23, 2012, 9:00 a.m. – 2:30 p.m.
EBMUD Operations Center
2020 Wake Avenue, Oakland, CA

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Ben Horenstein, Chair (East Bay Municipal Utility District); Laura Pagano (San Francisco Public Utilities Commission); Mike Connor (East Bay Dischargers Authority); Ann Farrell (Central Contra Costa Sanitary District); Bhavani Yerrapotu (City of San Jose).

Other Attendees: Dave Williams (East Bay Municipal Utility District); Brian Campbell (East Bay Municipal Utilities District); Jim Kelly (Central Contra Costa Sanitary District); Jim Ervin (City of San Jose); Karl Royer (East Bay Dischargers Authority); Amanda Roa (Delta Diablo Sanitation District); Denise Conners (Larry Walker Associates); Monica Oakley (RMC Water and Environment); Holly Kennedy (HDR Engineering); Don Yee (San Francisco Estuary Institute); Rachel Allen (San Francisco Estuary Institute); Amy Chastain (BACWA); Alexandra Gunnell (BACWA).

PUBLIC COMMENT

There were no public comments.

PRESENTATION

Under **agenda item 1,** the Executive Director (ED) presented background information on selenium regulatory issues for POTW's in the Bay Area as an introduction to **Don Yee's presentation, an update on the Selenium Effluent Characterization Study conducted by San Francisco Estuary Institute (SFEI)**.

Agenda item 2, a presentation on **Recycled Water Statutory Re-Write by Bobbi Larson of WateReuse** was removed from the agenda**.**

CONSENT CALENDAR

*Consent calendar **agenda items 3 - 5** were approved in a motion made by Bhavani Yerrapotu and seconded by Laura Pagano. The motion carried unanimously.*

3. February 23, 2012 BACWA Executive Board Meeting minutes
4. January 2012 Treasurer's Report
5. Amendment 1 to agreement with SFEI for Selenium Sampling and Analysis; no cost extension to December 31, 2012; File 12,314

REPORTS

Committee Reports for **agenda item 6** were included in the meeting handout packet and attendees were invited to elaborate on their reports or respond to questions.

As noted in the Permits/Lab Committee Report, in response to the Nutrients 13267 letter, the Permits Committee will be distributing a form to gather agency-specific information by April 6. This will be used to develop a sampling plan that will be submitted to the Regional Water Quality Control Board (RWQCB) by April 30, 2012. It was suggested that BACWA may want to consider

developing reporting template.

The Board requested that committee representatives attending conferences funded by BACWA provide a written report upon their return.

BACWA Executive Board members were invited to share any items of interest under **agenda item 7**, **Executive Board Reports.**

- Dave Williams updated attendees about continued efforts to merge the Aquatic Science Center (ASC) and San Francisco Estuary Institute (SFEI) boards and noted that BACWA will need to appoint representative to replace positions previously held by Kirsten Struve and Amy Chastain. In response to financial constraints, the indirect cost rate for administrative services provided by SFEI to ASC may increase for fiscal year 2012 – 2013.
- Central Contra Costa Sanitary District informed attendees that they are continuing to dedicate considerable time and effort to meet the deadlines and requirements of their NPDES permit while still addressing staffing changes.
- San Francisco Public Utilities Commission (SFPUC) held a meeting with RWQCB staff to discuss the impact of upcoming regulations on their facility improvement plans. As reported by the local media, SFPUC is working to replace seals on their north shore pipeline.
- San Jose (SJ) is reorganizing personnel and Jim Ervin will be filling the role of Environmental Health and Safety Officer. As part of a Power Purchase Agreement (PPA), San Jose has installed a 1.4 megawatt fuel cell at their treatment facility. To assist with master plan auditing requirements, SJ may be requesting information from contacts at other Principal agencies.
- East Bay Dischargers Authority is currently working on master planning.
- Board members were asked to notify the ED of their availability for a joint meeting with RWQCB on April 16th.

For **agenda item 8**, the **Executive Director's Report**, was included in the meeting handout packet and reviewed by the ED. Meeting attendees were given the opportunity to discuss the contents of the report. The ED distributed the final version of the 2011 Mercury Watershed Permit Group Report to attendees.

The following **Chair & Executive Director Authorized Actions** were made since the February 23, 2012 BACWA Board Meeting (**Agenda item 9**).

a. Executive Director Authorization for Lab Committee Chair to incur travel expenses to attend PITTCON; $3,015.00.
b. Chair Task Authorization, using as-needed contract for RMC, to prepare regional nutrient sampling plan; $10,000.

A**genda item 10, Amendment 1 to Day, Carter, Murphy Prop 84 agreement to increase contract total to $50,000** *was approved in a motion was made by Ben Horenstein and seconded by Karl Royer The motion passed unanimously.*

For **agenda item 11**, the Board **authorized the Chair to retain services of James M. Kelly for interim Executive Director Services.** *The motion was made by Bhavani Yerrapotu, seconded by Ben Horenstein, and passed unanimously.* It was noted that legal counsel has reviewed the agreement.

For **agenda item 12**, **Chair/Executive Director authorization to contribute $50,000 for pesticides analysis to the SWAMP Suisun Bay Workplan Effort**, the Board requested that the interim Executive Director conduct further research into this issue and bring it back to the next Board meeting for approval. It was suggested that other Suisun Bay dischargers may be invited to contribute.

For **agenda item 13**, **NPDES Permit Petition Dismissal** materials were included in the handout packet and discussed. The Chair, ED and interim ED will consult with co-petitioners and return to the Board in April with a recommendation and any formal request to dismiss petitions.

Under **agenda item 14**, the Executive Director provided **Regulatory Updates on the following issues: Mercury/PCBs Watershed Permit; Whole Effluent Toxicity Permit; Triennial Review; and Nutrients**. Issue summaries were included in the handout packet and reviewed.

For the **Mercury/PCBs Watershed Permit**, it was mentioned that BACWA may want to consider addressing the risk reduction requirement during the triennial review, and continue discussions about this requirement at the 2012 Pardee Technical Seminar. BACWA may also want to consider their role in providing a draft of the Mercury/PCBs watershed Permit.

Jim Ervin will continue to serve as the BACWA representative on the Tri-TAC / CASA **Whole Effluent Toxicity (WET) Permit** workgroup. It was mentioned that BACWA may want to develop a comment letter template.

The Chair, Mike Connor, ED, and interim ED will work together to outline technical support needs for the upcoming **Triennial Review**, and whether a member survey would help determine priorities.

Under the topic of **Nutrients** outstanding issues and concerns were discussed, including the following.

- Developing an understanding of the direction that nutrient issues may take for SFPUC and CCCSD, how that relates to other BACWA agencies and possible implications;
- preparing for upcoming regulatory decisions;
- clarifying the specifics of and timeframe for deliverables from San Francisco Estuary Institute;
- determining how BACWA provides support for Suisun Bay dischargers in conjunction with serving the rest of the BACWA member agencies;
- considering the issues from an engineering/ facilities planning perspective; and
- investigating inclusion of this issue in the triennial review and possibly amending the Basin Plan to codify nutrient limits that would be implemented in agency permits.

The Chair took a moment to convey Board appreciation to Amy Chastain for her outstanding performance and significant contributions as BACWA Executive Director.

For **agenda item 15, FY 2012 – 2013 Budget Discussion,** the Chair provided a presentation and distributed supporting materials to attendees. Recommended revisions will be incorporated into a final budget that will be presented to the Board for approval in April.

The next regular BACWA Board meeting will be held on April 26, 2012 at the EBMUD Treatment Plant Operations Center from 9 a.m. – 12 p.m.

The meeting adjourned at 2:30 p.m.

Bay Area Clean Water Agencies
A Joint Powers Public Agency
Leading the Way to Protect our Bay

April 4, 2012

MEMO TO: Bay Area Clean Water Agencies Executive Board
MEMO FROM: Eric L. Sandler, Director of Finance, East Bay Municipal Utility District
SUBJECT: Eight Month Treasurer's Report

As required by section eight of the Joint Powers Agreement establishing the Bay Area Clean Water Agencies (BACWA) and California Government Code Sections 6500 et seq., attached is the BACWA Treasurer's Report for the period covering **July 1, 2011 through February 29, 2012** (eight months of Fiscal Year 2011-2012). This report covers expenditures, cash receipts, and cash transfers for the following BACWA funds:

- Bay Area Clean Water Agencies (BACWA),
- BACWA Training Fund (Trng Fnd),
- Air Issues and Regulation Group (AIR),
- Bay Area Pollution Prevention Group (BAPPG),
- BACWA Legal Reserve Fund (Legal Rsrv),
- Water Quality Attainment Strategy (WQA CBC),
- BACWA Operating Reserve Fund (BACWAOpRes),
- Regional Water Recycling (RWR),
- BACWA Reserve (Reserve),
- Water/Wastewater Operator Training (WOT),
- Prop84 Bay Area Integrated Regional Water Mgmt (PRP84),
- WQA Emergency Reserve Fund (WQA Emerg),
- WQA Tech Action Fund (TechAction),
- CBC Operating Reserve Fund (CBC OpRsrv), and
- Prop50 Bay Area Integrated Regional Water Mgmt (PRP50)

Fund Balances as of month end 2/29/12

DESCRIPTION	BEGINNING FUND BALANCE 7/1/11	TOTAL RECEIPTS	TOTAL DISBURSEMENTS	ENDING FUND BALANCE 2/29/12	OUTSTANDING ENCUMBRANCES	UNOBLIGATED FUND BALANCE 2/29/12
BACWA	493,687	588,989	289,144	793,532	211,905	581,626
TRNG FND	251,387	789	5,000	247,176	-	247,176
AIR	26,584	88,849	60,273	55,159	52,552	2,607
BAPPG	19,711	79,120	42,997	55,834	13,096	42,738
LEGAL RSRV	301,664	953	-	302,617	-	302,617
WQA CBC	141,691	444,730	244,618	341,804	237,945	103,860
BACWAOPRES	151,785	480	-	152,265	-	152,265
RWR	16,608	52	-	16,660	-	16,660
RESERVE	120,000	-	-	120,000	-	120,000
WOT	93,270	118,315	89,500	122,085	-	122,085
PRP84	-	51,020	21,455	29,565	8,545	21,020
WQA EMERG	402,219	1,270	-	403,489	-	403,489
TECHACTION	251,387	794	-	252,181	-	252,181
CBC OPRSRV	162,899	514	-	163,413	-	163,413
PRP50	549,577	694,538	1,067,805	176,310	48,287	128,023
	2,982,470	2,070,415	1,820,792	3,232,092	572,331	2,659,762

BACWA Revenue Report for February 2012

DEPARTMENT	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
			DIRECT	INVOICED	JVS	DIRECT	INVOICED	JVS	ACTUAL	
Bay Area Clean Water Agencies	BDO Member Contributions	450,000	-	150,000	-	-	421,500	(1,500)	420,000	30,000
Bay Area Clean Water Agencies	BDO Fund Transfers	25,000	-	-	-	-	-	11,395	11,395	13,605
Bay Area Clean Water Agencies	BDO Interest Income	5,000	-	-	-	-	-	2,344	2,344	2,656
Bay Area Clean Water Agencies	BDO Assoc.&Affiliate Contr	162,000	-	-	-	-	153,750	1,500	155,250	6,750
BACWA TOTAL		**642,000**	**-**	**150,000**	**-**	**-**	**575,250**	**13,739**	**588,989**	**53,011**
BACWA Training Fund	BDO Interest Income	-	-	-	-	-	-	789	789	(789)
TRNG FND TOTAL		**-**	**-**	**-**	**-**	**-**	**-**	**789**	**789**	**(789)**
AIR-Air Issues&Regulation Grp	BDO Member Contributions	84,828	-	12,000	-	-	83,754	5,000	88,754	(3,926)
AIR-Air Issues&Regulation Grp	BDO Interest Income	-	-	-	-	-	-	95	95	(95)
AIR TOTAL		**84,828**	**-**	**12,000**	**-**	**-**	**83,754**	**5,095**	**88,849**	**(4,021)**
BAPPG-BayAreaPollutnPreventGrp	BDO Member Contributions	80,505	-	-	-	-	28,259	50,746	79,005	1,500
BAPPG-BayAreaPollutnPreventGrp	BDO Interest Income	3,079	-	-	-	-	-	115	115	2,964
BAPPG TOTAL		**83,584**	**-**	**-**	**-**	**-**	**28,259**	**50,861**	**79,120**	**4,464**
BACWA Legal Reserve Fnd	BDO Interest Income	-	-	-	-	-	-	953	953	(953)
LEGAL RSRV TOTAL		**-**	**-**	**-**	**-**	**-**	**-**	**953**	**953**	**(953)**
WQA-WtrQualityAttainmntStratgy	BDO Member Contributions	450,000	-	120,000	-	-	444,030	-	444,030	5,970
WQA-WtrQualityAttainmntStratgy	BDO Other Receipts	114,751	-	-	-	-	-	-	-	114,751
WQA-WtrQualityAttainmntStratgy	BDO Interest Income	1,600	-	-	-	-	-	700	700	900
WQA CBC TOTAL		**566,351**	**-**	**120,000**	**-**	**-**	**444,030**	**700**	**444,730**	**121,621**
BACWA OperatingRsrve Fnd	BDO Interest Income	-	-	-	-	-	-	480	480	(480)
BACWAOPRES TOTAL		**-**	**-**	**-**	**-**	**-**	**-**	**480**	**480**	**(480)**

BACWA Revenue Report for February 2012

DEPARTMENT	REVENUE TYPE	AMENDED BUDGET	CURRENT PERIOD			YEAR TO DATE				UNOBLIGATED
			DIRECT	INVOICED	JVS	DIRECT	INVOICED	JVS	ACTUAL	
Regional Water Recycling	BDO Interest Income	-	-	-	-	-	-	52	52	(52)
RWR TOTAL		**-**	**-**	**-**	**-**	**-**	**-**	**52**	**52**	**(52)**
WOT - Wtr/Wwtr Operat Training	BDO Member Contributions	150,000	-	56,500	-	-	124,746	(6,746)	118,000	32,000
WOT - Wtr/Wwtr Operat Training	BDO Interest Income	-	-	-	-	-	-	315	315	(315)
WOT TOTAL		**150,000**	**-**	**56,500**	**-**	**-**	**124,746**	**(6,431)**	**118,315**	**31,685**
Prop84BayAreaIntegRegnlWtrMgmt	BDO Interest Income	-	-	-	-	-	-	20	20	(20)
Prop84BayAreaIntegRegnlWtrMgmt	Agency Prefunding Admin Exp	-	-	-	-	-	29,500	21,500	51,000	(51,000)
PRP84 TOTAL		**-**	**-**	**-**	**-**	**-**	**29,500**	**21,520**	**51,020**	**(51,020)**
WQA Emergency Resrve Fnd	BDO Interest Income	-	-	-	-	-	-	1,270	1,270	(1,270)
WQA EMERG TOTAL		**-**	**-**	**-**	**-**	**-**	**-**	**1,270**	**1,270**	**(1,270)**
WQA Tech Action Fund	BDO Interest Income	-	-	-	-	-	-	794	794	(794)
TECHACTION TOTAL		**-**	**-**	**-**	**-**	**-**	**-**	**794**	**794**	**(794)**
CBC Operating Resrve Fnd	BDO Interest Income	-	-	-	-	-	-	514	514	(514)
CBC OPRSRV TOTAL		**-**	**-**	**-**	**-**	**-**	**-**	**514**	**514**	**(514)**
Prop50BayAreaIntegRegnlWtrMgmt	BDO Interest Income	-	-	-	-	-	-	1,207	1,207	(1,207)
Prop50BayAreaIntegRegnlWtrMgmt	BDO Administrative Expense	-	-	-	-	-	19,661	-	19,661	(19,661)
Prop50BayAreaIntegRegnlWtrMgmt	Contra Costa Regional Intertie	-	-	-	-	-	-	-	-	-
Prop50BayAreaIntegRegnlWtrMgmt	EBMUD Richmond RWP	-	-	-	-	-	-	-	-	-
Prop50BayAreaIntegRegnlWtrMgmt	Pacifica RWP	-	-	-	-	-	669,960	-	669,960	(669,960)
Prop50BayAreaIntegRegnlWtrMgmt	Montara Groundwater Project	-	-	-	-	-	3,710	-	3,710	(3,710)
Prop50BayAreaIntegRegnlWtrMgmt	Alameda Creek Phase 2 Fish	-	-	-	-	-	-	-	-	-
PRP50 TOTAL		**-**	**-**	**-**	**-**	**-**	**693,331**	**1,207**	**694,538**	**(694,538)**

BACWA Expense Report for February 2012

DEPARTMENT	EXPENSE TYPE	AMENDED BUDGET	CURRENT PERIOD ENC	CURRENT PERIOD PV	CURRENT PERIOD DA	CURRENT PERIOD JV	YEAR TO DATE ENC	YEAR TO DATE PV	YEAR TO DATE DA	YEAR TO DATE JV	OBLIGATED	UNOBLIGATED
Bay Area Clean Water Agencies	BC-Collections System	25,000	-	-	-	-	13,283	11,717	-	-	25,000	-
Bay Area Clean Water Agencies	BC-Permit Committee	25,000	-	-	-	-	13,735	11,265	-	-	25,000	-
Bay Area Clean Water Agencies	BC-Water Recycling Committee	18,000	-	-	-	-	4,026	13,744	-	-	17,770	231
Bay Area Clean Water Agencies	BC-Biosolids Committee	5,000	-	-	-	-	-	-	-	-	-	5,000
Bay Area Clean Water Agencies	BC-InfoShare Groups	25,000	(1,705)	1,705	-	-	17,130	7,871	-	-	25,000	-
Bay Area Clean Water Agencies	BC-Laboratory Committee	7,000	-	-	-	-	-	-	-	-	-	7,000
Bay Area Clean Water Agencies	BC-Miscellaneous Committee Sup	61,000	4,329	420	-	-	32,217	13,382	-	-	45,599	15,401
Bay Area Clean Water Agencies	TS-Media Relations Support	-	-	-	-	-	-	-	-	-	-	-
Bay Area Clean Water Agencies	TS-Consultant Support	-	-	-	-	-	-	-	-	-	-	-
Bay Area Clean Water Agencies	LS-Regulatory Support	4,000	-	-	-	-	3,254	746	-	-	4,000	-
Bay Area Clean Water Agencies	LS-Executive Board Support	2,000	-	-	-	-	2,000	-	-	-	2,000	-
Bay Area Clean Water Agencies	CAS-CWAA	10,000	-	-	-	-	-	-	1,000	-	1,000	9,000
Bay Area Clean Water Agencies	CAS-CPSC	5,000	-	-	-	-	-	-	5,000	-	5,000	-
Bay Area Clean Water Agencies	CAS-PSI	500	-	-	-	-	-	-	500	-	500	-
Bay Area Clean Water Agencies	CAR-BACWA Annual Report	15,000	-	-	-	-	1,903	13,997	1,052	-	16,952	(1,952)
Bay Area Clean Water Agencies	CAR-BACWA Website Development/	10,750	(63)	63	-	-	7,030	2,471	1,220	-	10,720	30
Bay Area Clean Water Agencies	AS-BACWA Admin Expense	15,000	-	-	325	-	-	-	1,937	-	1,937	13,063
Bay Area Clean Water Agencies	CAR-Other Communications	5,000	-	-	-	-	-	-	-	-	-	5,000
Bay Area Clean Water Agencies	SP-BAPPG Contribution	50,000	-	-	-	-	-	-	-	50,000	50,000	-
Bay Area Clean Water Agencies	GBS-Contingency	88,950	-	-	-	-	-	-	10,000	-	10,000	78,950
Bay Area Clean Water Agencies	GBS- Meeting Support	17,000	(98)	98	618	-	721	279	8,703	-	9,703	7,297
Bay Area Clean Water Agencies	AS-Executive Director	139,000	-	-	-	-	58,237	80,703	-	-	138,940	60
Bay Area Clean Water Agencies	AS-Assistant Executive Directo	70,000	-	-	-	-	36,296	31,904	-	-	68,200	1,800
Bay Area Clean Water Agencies	AS-EBMUD Administrative Servic	40,000	-	-	-	-	22,075	17,925	-	-	40,000	-
Bay Area Clean Water Agencies	AS-Insurance	3,800	-	-	-	-	-	-	3,729	-	3,729	71
BACWA TOTAL		**642,000**	**2,463**	**2,286**	**943**	**-**	**211,905**	**206,003**	**33,141**	**50,000**	**501,049**	**140,951**
BACWA Training Fund	BDO Fund Transfers	-	-	-	-	-	-	-	-	5,000	5,000	(5,000)
TRNG FND TOTAL		**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**5,000**	**5,000**	**(5,000)**
AIR-Air Issues&Regulation Grp	BDO Administrative Expense	4,040	-	-	-	-	-	-	-	4,040	4,040	-
AIR-Air Issues&Regulation Grp	BDO Contract Expenses	80,790	-	-	-	-	52,552	55,733	500	-	108,785	(27,995)
AIR TOTAL		**84,830**	**-**	**-**	**-**	**-**	**52,552**	**55,733**	**500**	**4,040**	**112,825**	**(27,995)**
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Fog	20,800	(9,997)	9,997	-	-	3	18,996	81	-	19,080	1,720
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Mercury	8,500	-	-	-	-	4,924	2,116	-	-	7,040	1,460
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Pesticides	10,000	-	-	-	-	-	-	10,000	-	10,000	-
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Copper	9,000	-	-	-	-	4,181	1,728	-	-	5,909	3,091
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Pharmaceutical	7,499	-	-	-	-	-	-	-	-	-	7,499
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-General P2	1,500	-	-	-	-	80	1,420	-	-	1,500	-
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Emerging Issues	8,000	-	-	-	-	2,000	-	-	-	2,000	6,000
BAPPG-BayAreaPollutnPreventGrp	BAPPG-CE-Other	11,000	1,700	-	-	-	1,909	4,842	-	-	6,750	4,250
BAPPG-BayAreaPollutnPreventGrp	BDO Administrative Expense	3,815	-	-	-	-	-	-	-	3,815	3,815	-
BAPPG TOTAL		**80,114**	**(8,297)**	**9,997**	**-**	**-**	**13,096**	**29,102**	**10,081**	**3,815**	**56,094**	**24,020**

BACWA Expense Report for February 2012

DEPARTMENT	EXPENSE TYPE	AMENDED BUDGET	CURRENT PERIOD				YEAR TO DATE				OBLIGATED	UNOBLIGATED
			ENC	PV	DA	JV	ENC	PV	DA	JV		
WQA-WtrQualityAttainmntStratgy	WQA-CE-Technical Support	344,934	115,776	9,368	-	-	204,315	89,499	9,999	-	303,813	41,121
WQA-WtrQualityAttainmntStratgy	WQA-CE-Collaborations & Sponso	90,000	-	-	-	-	-	-	98,750	-	98,750	(8,750)
WQA-WtrQualityAttainmntStratgy	WQA-CE-Commun. & Reporting	47,000	9,097	902	-	-	32,075	14,924	-	-	46,999	-
WQA-WtrQualityAttainmntStratgy	WQA-CE-Other	100,000	(1,999)	-	10,000	-	1,555	21,446	10,000	-	33,001	66,999
WQA CBC TOTAL		**581,934**	**122,874**	**10,270**	**10,000**	-	**237,945**	**125,869**	**118,749**	-	**482,562**	**99,371**
WOT - Wtr/Wwtr Operat Training	BDO Administrative Expense	2,500	-	-	-	-	-	-	-	2,500	2,500	-
WOT - Wtr/Wwtr Operat Training	BDO Contract Expenses	140,000	-	-	-	-	-	-	87,000	-	87,000	53,000
WOT TOTAL		**142,500**	-	-	-	-	-	-	**87,000**	**2,500**	**89,500**	**53,000**
Prop84BayAreaIntegRegnlWtrMgmt	BDO Administrative Expense	-	-	-	-	-	8,545	21,455	-	-	30,000	(30,000)
PRP84 TOTAL		-	-	-	-	-	**8,545**	**21,455**	-	-	**30,000**	**(30,000)**
Prop50BayAreaIntegRegnlWtrMgmt	BDO Fund Transfers	-	-	-	-	-	-	-	-	21,500	21,500	(21,500)
Prop50BayAreaIntegRegnlWtrMgmt	BDO Administrative Expense	-	-	-	-	-	1,551	449	366	1,040	3,406	(3,406)
Prop50BayAreaIntegRegnlWtrMgmt	BDO Contract Expenses	-	(7,598)	7,598	-	-	46,736	18,576	-	-	65,312	(65,312)
Prop50BayAreaIntegRegnlWtrMgmt	Contra Costa Regional Intertie	-	-	-	-	-	-	-	50,000	-	50,000	(50,000)
Prop50BayAreaIntegRegnlWtrMgmt	Regional Conservation	-	-	-	-	-	-	-	18,500	-	18,500	(18,500)
Prop50BayAreaIntegRegnlWtrMgmt	EBMUD Richmond RWP	-	-	-	-	-	-	-	212,760	-	212,760	(212,760)
Prop50BayAreaIntegRegnlWtrMgmt	South Bay Advanced Regional RW	-	-	-	-	-	-	-	5,786	-	5,786	(5,786)
Prop50BayAreaIntegRegnlWtrMgmt	Pacifica RWP	-	-	-	-	-	-	-	673,117	-	673,117	(673,117)
Prop50BayAreaIntegRegnlWtrMgmt	Montara Groundwater Project	-	-	-	-	-	-	-	5,241	-	5,241	(5,241)
Prop50BayAreaIntegRegnlWtrMgmt	Alameda Creek Phase 2 Fish	-	-	-	-	-	-	-	60,469	-	60,469	(60,469)
PRP50 TOTAL		-	**(7,598)**	**7,598**	-	-	**48,287**	**19,025**	**1,026,240**	**22,540**	**1,116,093**	**(1,116,093)**

BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 3
FILE NO.: 12,711
MEETING DATE: May 3, 2012

TITLE: Proposition 84 Budget and Workplan Approval

☐ **MOTION** ☒ **RESOLUTION** ☐ **DISCUSSION**

ACTIONS UNDER CONSIDERATION

Approve a resolution adopting a budget and workplan for the administration of Proposition 84 as a BACWA Program of Special Benefit.

SUMMARY

Proposition 84 (Prop 84) (the Safe Drinking Water, Water Quality, and Supply, Flood Control, River and Coastal Protection Bond Act) was passed in 2006 and provides $1 billion for IRWM planning and implementation. In September 2010 the BACWA Executive Board adopted a resolution agreeing to serve as the applicant and authorizing the Chair to execute all agreements necessary to administer Prop 84 grant funds to Local Project Sponsors (LPSs), in September 2011 DWR awarded BACWA approximately $30 million in Prop 84 funds, and in October 2011 BACWA accepted this award. On April 16, 2012 the BACWA Board approved a resolution authorizing the Chair to execute agreements with the Local Project Sponsors.

The BACWA Joint Power Agreement (JPA) distinguishes programs of general benefit from those of special benefit. The former are those programs that benefit all member agencies in the same general proportions as assumed in the calculation of member dues. The latter are those whose benefits are significantly greater for some member agencies than for others. The costs related to programs of special benefit must be allocated to agencies accordance with the programs' benefits. The budget and workplan for a program of special benefit requires approval by a majority of the members of the Executive Board plus the affirmative vote of all members participating in the program of special benefit. In this case the participating members are EBMUD, SFPUC, and CCCSD all of whom will receive Prop 84 grant funds.

A resolution approving the budget and workplan for administration of the Prop 84 grant funds is attached and, after approval, will be incorporated into BACWA's annual budget and workplan. The full costs of administering this grant are to be paid by the LPSs or grant reimbursement. Advance funding has already been provided to cover the costs to date of negotiating the agreements. Future costs including for preparing invoices, submitting progress reports, and conducting final inspections will be covered by the LPS through the provision of the implementation agreements.

FISCAL IMPACT

Local Project Sponsors contribute to the Prop 84 account to cover grant administration costs, which are specified in the attachment, *Prop84 IRWM Grant to Bay Area Administration Budget*.

ALTERNATIVES

This action does not require consideration of any alternatives.

ATTACHMENTS

1. Resolution Adopting Budget and Workplan for Administration of the Proposition 84 Grant, File 12,711;
2. Prop 84 Budget and Workplan.

BAY AREA CLEAN WATER AGENCIES

Resolution No. 12,711

Resolution Amending Annual Work Plan And Budget for Fiscal Year 2011-2012 to Adopt Part C for a Specific Benefit Program to Administer State of California Grant Agreement No. 4600009715 (Safe Drinking Water, Water Quality and Supply, Flood Control, River And Coastal Protection Bond Act Of 2006 ("Prop 84"))

WHEREAS, those Member Agencies of Bay Area Clean Water Agencies ("BACWA") identified in Column 2 of Attachment 1 hereto (the "Participating Members", which are also Local Sponsors), along with other entities not members of BACWA (the "Local Sponsors") and BACWA, have been awarded a grant by the State of California under Prop 84;

WHEREAS, acceptance of such grant and administration of the grant funds by BACWA is desired by such Participating Members, is consistent with the purposes of BACWA under Section 2 of the BACWA Joint Powers Agreement (the "JPA") and is within the power and authority of BACWA under Section 4 of the JPA;

WHEREAS, administration of such Prop 84 Grant pursuant to California Grant Agreement No. 4600009715 and Implementation Agreements between BACWA and the Participating Members would constitute a program of specific benefit to such Participating Members (the "Prop 84 Grant Administration Special Benefit Program") and should be identified as such by amendment to BACWA's Annual Work Plan for fiscal year 2011-2012, and BACWA's Annual Budget for such fiscal year should be amended to adopt a budget for such Prop 84 special benefit program, as Part C to such Annual Budget, allocating the costs thereof to such Participating Members.

NOW, THEREFORE, BE IT RESOLVED that the Executive Board of BACWA hereby:

1. Amends the BACWA Annual Work Plan for fiscal year 2011-2012 to adopt the Prop 84 Grant Administration Special Benefit Program as a special benefit program for the benefit of the Participating Members. Such Prop 84 Grant Administration Special Benefit Program shall be carried forward into subsequent fiscal year Annual Work Plans as a special benefit program for the Participating Members to the extent not completed in fiscal year 2011-2012 until completed, without further action required by the BACWA Executive Board.

2. Adopts as Part C to the BACWA Annual Budget for fiscal year 2011-2012 administration of the Maximum State Grant Funds referenced in Column 7 of Attachment 1 hereto in accordance with the Part C Budget attached hereto as Attachment 2, allocating the costs and liabilities (except as between BACWA and Participating Members and other Local Sponsors, as provided in Section 64 of the Implementation Agreements) thereof to the Participating Members and other Local Sponsors in the ratio that such Maximum State Grant Funds to each Participating Member and other Local Sponsor bears to the total of the State Prop 84 Grant to such Participating Members and other Local Sponsors, less the grant to BACWA of $590,000.00 for administration. Such Part C Budget, to the extent not completed in fiscal year 2011-2012, shall carry forward as a Part C budget in

subsequent fiscal year Annual Budgets until completed, without further action required by the BACWA Executive Board.

3. Agrees to follow the terms of the Implementation Agreements, including Section 64 entitled, "Additional Indemnification of BACWA; Proportional Responsibility for Financial Shortfall," to satisfy any and all claims against BACWA under the Prop 84 Grant Administration Special Benefit Program prior to pursuing any separate right of action for same against Participating Members under the BACWA Joint Powers Agreement.

CERTIFICATION

The undersigned Secretary of Bay Area Clean Water Agencies hereby certifies that the foregoing Resolution was duly adopted at a noticed meeting of the Executive Board of Bay Area Clean Water Agencies held on _____, 2012.

By:_____

ATTACHMENT 1

Bay Area Integrated Regiaonl Water Management (IRWM) Proposition 84 Grant, Round 1

No.	Column 1 Project Title	Column 2 Implementing Agency / Local Project Sponsor	Column 3 Participating BACWA Member	Column 4 Estimated Total Project Cost	Column 5 Estimated Non-State Cost	Column 6 Other State Funds	Column 7 Requested State Grant Funds	Column 8 Required Non-State Cost	Column 9 5% Retention by DWR
1	Water Efficient Landscape Rebate	Sol CWA / Partner Agencies[1]	**EBMUD**	$2,617,609	$1,237,984	$0	$1,379,625	$52,690	$68,981
2	Bay Friendly Landscape Training	Sol CWA / StopWaste.org		$470,979	$240,732	$0	$230,247	$30,000	$11,512
3	Weather Based Irrigation Controller	Sol CWA / Partner Agencies[1]	**EBMUD**	$1,183,847	$532,622	$0	$651,225	$34,636	$32,561
4	High Eff. Toilet & Urinal Rebate	Sol CWA / Partner Agencies[1]	**EBMUD**	$3,151,325	$1,403,825	$0	$1,747,500	$1,169,171	$87,375
5	High Eff. Toilet & Urinal Direct Install	Sol CWA / Partner Agencies[2]	**CCSF**	$3,756,950	$1,065,725	$0	$2,691,225	$1,065,725	$134,561
6	High Eff. Clothes Washer Rebate	Sol CWA / Partner Agencies[1]	**EBMUD**	$3,846,848	$1,925,985	$0	$1,920,863	$1,925,985	$96,043
7	Napa Co. Rainwater Harvesting	Sol CWA / Napa Co. RCD		$328,335	$78,335	$0	$250,000	$0	$12,500
8	Conservation Program Administration	Sol CWA / Partner Agencies		$322,785	$1,785	$0	$321,000	$1,785	$16,050
9	CCCSD-Concord Recycled Water Pipe	Central Contra Costa Sanitary Dist	**CCCSD**	$4,230,000	$3,200,000	$0	$1,030,000	$1,100,000	$51,500
10	Central Dublin Recycled Water Distrib.	Dublin San Ramon Services Dist	**DSRSD**	$4,587,000	$3,457,000	$0	$1,130,000	$1,200,000	$56,500
11	East Bayshore Phase 1A - I-80 Pipe	East Bay Municipal Utility Dist	**EBMUD**	$2,152,000	$1,411,000	$0	$741,000	$600,000	$37,050
12	Novato North Service Area Project	Novato Sanitary District		$11,392,000	$10,767,000	$0	$625,000	$2,900,000	$31,250
13	Novato So.S.A.-Hamilton Field, Stage 1	Las Gallinas Valley Sanitation Dist		$14,342,111	$13,717,111	$0	$625,000	$3,600,000	$31,250
14	Napa State Hospital Pipeline, Stage 1	Napa Sanitation District	**Napa SD**	$3,057,000	$2,432,000	$0	$625,000	$800,000	$31,250
15	Sonoma Valley RWP, Stage 1	Sonoma Valley Co Sanitation Dist		$5,000,000	$4,375,000	$0	$625,000	$1,300,000	$31,250
16	Harding Park Recycled Water Project	S.F. Public Utilities Commission	**CCSF**	$7,436,000	$5,322,000	$0	$2,114,000	$2,300,000	$105,700
17	South Bay Adv RW Treatment, R.O.	Santa Clara Valley Water District		$7,676,700	$5,191,700	$0	$2,485,000	$4,455,446	$124,250
18	Sears Point Wetland Restoration	State Coastal Conservancy		$17,080,121	$8,576,371	$7,238,750	$1,265,000	$4,280,000	$63,250
19	Bair Island Restoration	State Coastal Conservancy		$2,982,180	$1,717,180	$0	$1,265,000	$750,000	$63,250
20	South Bay Salt Pond 16A/17 Habitat	State Coastal Conservancy		$7,549,918	$5,625,000	$659,918	$1,265,000	$1,900,000	$63,250
21	Regional Green Infrastructure Project	S.F. Estuary Partnership (SFEP)		$4,481,259	$2,165,378	$0	$2,315,881	$300,000	$115,794
22	Hacienda Avenue Green Street Proj.	SFEP / City of Campbell		$4,632,555	$2,632,555	$0	$2,000,000	$1,200,000	$100,000
23	Watershed Partnership Tech Asst	SFEP / S.F. Estuary Institute		$200,000	$50,000	$0	$150,000	$65,000	$7,500
24	Stream Restoration w/ No.Bay Schools	SFEP / Point Reyes Bird Observ.		$264,976	$65,000	$0	$199,976	$0	$9,999
25	Flood Infrastructure Mapping Tool	SFEP / S.F. Estuary Institute		$840,000	$185,000	$0	$655,000	$185,000	$32,750
26	Storm Water Improvem-Pilot Bay Pt.	SFEP / Watershed Project		$163,000	$3,000	$0	$160,000	$3,000	$8,000
27	Richmond & San Pablo Flood Project	SFEP / Urban Tilth		$219,989	$134,989	$0	$85,000	$134,989	$4,250
28	Pescadero Integrated Flood Reduction & Habitat Enhancement Project	SFEP / San Mateo Co. RCD		$256,090	$36,780	$0	$219,310	$36,780	$10,966
29	Restoration Guidance and San Francisquito Watershed Restoration	SFEP / Community for Green Foothills		$292,000	$62,000	$0	$230,000	$62,000	$11,500
30	S.F. Estuary Steelhead Monitoring Program	SFEP / Center for Ecosystem Mgt & Research (CEMAR)		$498,537	$120,371	$0	$378,166	$120,371	$18,908
31	Watershed Program Administration	SFEP		$123,574	$0	$0	$123,574	$0	$6,179
32	Grant Administration	Bay Area Clean Water Agencies		$770,000	$130,000	$50,000	$590,000	$108,000	$29,500
		GRAND TOTAL		**$115,905,688**	**$77,863,428**	**$7,948,668**	**$30,093,592**	**$31,680,578**	**$1,504,680**

Notes: 1. EBMUD to receive a total of $863,100 in grant funds from four conservation program elements

2. SFPUC to receive $863,1000 in grant funds from one conservation program element.

Part C BACWA Workplan and Budget for Prop 84 Integrated Regional Water Management (IRWM) Grant Administration And Benefits to BACWA Members

Objective

The objective of this Workplan and Budget is to assist Local Project Sponsors receive grant approximately $30.1 million in grant funding from DWR to implement a variety of water resource management projects in the Bay Area. Specific grant amounts for each participant are identified in the Budget Exhibit.

Workplan

The main elements of this Prop 84 IRWM Workplan include developing and administering agreements for the Prop 84 IRWM grant:

1. Legal review of the proposed DWR grant agreement;
2. Coordination with Local Project Sponsors (beneficiaries of the DWR grant);
3. Negotiation of the final DWR grant agreement language to be approved by BACWA and Local Project Sponsors;
4. Draft and final implementation agreements between BACWA and each of the Local Project Sponsors;
5. Preparation of BACWA budgets for grant administration;
6. Work with EBMUD Accounting to set up the Prop 84 Chart of Accounts, invoice Local Project Sponsors to fund the Account, track administrative revenue and expenditures, track grant invoices submitted to DWR and grant payments received from DWR;
7. Arrange support services, including legal services, to prepare the agreements, and consulting services to assist with report preparation, participant coordination, field visits, and responding to information requests from DWR.
8. Annual auditing of the Prop 84 Account, carried out in conjunction with the regular audit of all BACWA accounts;
9. Preparation of disbursement authorizations for approval by the BACWA Board Chair and BACWA Treasurer to issue checks to Local Project Sponsors after grant funding is received from DWR, less any applicable deductions;
10. Extensive coordination with EBMUD project management staff on administration to help assure requirements and conditions of the DWR Grant Agreement and Local Project Sponsor Agreements are met.

The Schedule for carrying out the Workplan is:

Date of Conditional Grant Award – August 2011
Develop Agreements – September, 2011 to March 2012

BACWA Approves DWR Grant Agreement – April 2012
First Progress Report to DWR – April 30, 2012
First Invoice to DWR – April or May 2012
First Grant Disbursement to participants – July 2012 (est.)
Continue Quarterly Reports and Invoicing - July 2012 to December 2015
Grant Closeout – early 2016

The Board will receive regular updates on the status of the Prop 84 IRWM grant, including financial updates in the Board packet covering revenues, expenditures, grant funds received, grant funds disbursed and administrative costs. Detailed briefings to the Board can be arranged upon request at any time during the grant.

Benefits to BACWA Members of the Prop 84 Grant Administration

1. Benefits to BACWA Members are as stated in Resolution No. 12,711 which amends the Annual Workplan for Fiscal Year 2011-2012 and the Annual Budget for BACWA, Part C.

2. The BACWA Members that are participating in the BACWA Special Program for Administration of the Prop 84 IRWM Grant are: Central Contra Costa Sanitary District (CCCSD), Dublin San Ramon Services District (DSRSD), East Bay Municipal Utility District (EBMUD), and City and County of San Francisco (CCSF or SFPUC) because each will receive a share of the Prop 84 IRWM grant to fund projects in their respective service areas.

3. The BACWA Budget to provide administrative support for the Prop 84 Grant during the grant period of August 2011 to 2016 is $400,000 (Budget Attached). The BACWA Budget includes a line item for indirect costs, consistent with the Board's Indirect Cost Policy, approved in November 2009.

4. If the Budget exceeds this amount, project proponents are obligated through their Local Project Sponsor Agreements to fund such higher costs, not BACWA.

5. The total budget for grant administration funded by the Prop 84 Grant is $640,000. The BACWA portion is $400,000 and $240,000 is for EBMUD to provide project management services during the grant term to assist with coordination among participants, EBMUD Accounting and DWR.

6. During the grant period, the cost of administration will be funded by a combination of Local Project Sponsor payments and grant reimbursement to BACWA.

7. The benefit to Principal Member CCCSD is a grant for:

Project	Agency	Grant Amount
CCCSD-Concord Recycled Water Pipeline Project	CCCSD $1,030,000	

8. The benefit to Principal Member EBMUD is a grant for:

Project	Agency	Grant Amount
East Bayshore Phase 1A – I-80 Pipeline Project	EBMUD $741,000	
Water Conservation – Landscape Rebates, Irrigation Controllers, High Efficiency Toilets, Washers	EBMUD $863,100	

9. The benefit to Principal Member CCSF is a grant for:

Project	Agency	Grant Amount
Harding Park Recycled Water Project	SFPUC (benefits in CCSF)	$2,114,000
Water Conservation – High Efficiency Toilets & Urinals	SFPUC (benefits in CCSF)	$863,100

10. The benefit to Associate Member DSRSD is a grant for:

Project	Agency	Grant Amount
Central Dublin Recycled Water Distribution & Retrofit Project	DSRSD $1,130,000	

11. The benefit to Associate Member Napa Sanitation District is a grant for:

Project	Agency	Grant Amount
Napa State Hospital Pipeline Construction Stage 1 Project	Napa SD	$625,000

Date: April 16, 2012

BAY AREA CLEAN WATER AGENCIES
FY 2011 - 2012 BUDGET
Prop 84 Grant

Prop 84 Administration (BACWA Costs)		
REVENUE 2011-12 (and future FYs)		
	Projected Revenue	**Notes**
Participating Agencies	$100,000	Participants invoiced in 2011
Grant Funds or Participating Agencies	$300,000	Use grant funds or invoice Partic.
Total Revenue	**$400,000**	
EXPENDITURES 2011-12 (and future FYs)		**Notes**
	Projected Cost	
Consultant	$157,000	Assist w/ reporting to DWR & coord.
BACWA Legal	$51,000	Based on actual costs for Prop 50
BACWA Staff	$57,000	
BACWA Accounting & Auditing	$51,000	
ODCs - Website, Mail-Ship, Telecom	$35,000	
Indirect Costs (5% of direct costs)	$18,000	Per BACWA Policy on Indirect Costs
Contingency/Reserve for Uncertainties	$31,000	
Total Expenditures	**$400,000**	

1. Participants may adjust budget line items in future fiscal years to reflect updated costs and projections.

Additional Administration Costs to be funded by the Prop 84 Grant.

Prop 84 Administration (EBMUD Costs)		
EBMUD Grant Manager	$180,000	Including allowable overhead
Administrative Support	$60,000	Including allowable overhead
Total Expenditures	**$240,000**	

2. EBMUD or Others to provide these resources and bear risk of repayment from DWR.

TOTAL PROP 84 ADMINISTRATION BUDGET **$640,000**
(BACWA & EBMUD Portions)

AIR

AIR ISSUES & REGULATIONS COMMITTEE

A Committee of the Bay Area Clean Water Agencies

Spring 2012

Anril 2012

Section Index

CARB Adopts Mandatory Reporting Modifications

By Jim Sandoval/CH2M HILL

On December 14, 2011, the California Air Resources Board (CARB) adopted modifications to its Regulation for the Mandatory Reporting of Greenhouse Gas Emissions (Division 3, Chapter 1, Subchapter 10, Article 2, sections 95100 to 95133, title 17, California Code of Regulations) in order to align with the Federal Mandatory Reporting Regulation (title 40, Code of Federal Regulations, Part 98) adopted by USEPA, and to support California's new cap and trade program. The changes with the greatest potential impacts (positive and negative) to wastewater agencies are as follows:

- CARB is lowering the reporting threshold for general stationary combustion (GSC) emissions from 25,000 mton/year (mton/yr) of CO_2 to 10,000 mton/yr of carbon dioxide equivalents (CO_2e), including both biomass and fossil fuel combustion emissions. Note that the reporting thresholds are now in units of CO_2e, which includes emissions from methane, nitrous oxide and other potent GHGs converted to CO_2e.
- Those facilities with emissions between 10,000 and 25,000 mton/yr of CO_2e will be able to file an abbreviated report and will not be required to undergo 3rd party verification.

Under the new regulation, CARB has done away with the cogeneration category. Therefore, any facility that previously reported because its cogeneration system was greater than 1 MW and emitted more than 2,500 mton/yr CO_2, no longer has to report emissions if their facility's GSC emissions are less than 10,000 mton/yr CO_2e.

These changes kick in for the emissions of the 2011 operating year, which are reported to CARB in 2012. If your facility is subject to the modified mandatory reporting requirements, the reporting deadlines are as mentioned below.

For additional information on dates, please visit: http://www.arb.ca.gov/cc/reporting/ghg-rep/ghg-rep-dates.htm.

General information on the mandatory reporting program can be found at: http://www.arb.ca.gov/cc/ccei.htm

Reporting Deadlines for Modified Mandatory Reporting

- *April 10, 2012*: Reports are due for facilities and suppliers of fuels and carbon dioxide, except when subject to Abbreviated Reporting
- *June 1, 2012*: Reports are due for Electric Power Entities, and current reporters subject to Abbreviated Reporting. Facilities that have not previously reported to CARB do not have to file reports until June 1, 2013 (per Title 17, CCR 95103(a)(7))
- *September 1, 2012*: Final verification statements due (emissions data and product data)

BACWA AIR Committee Roundtable with Brian Bateman of BAAQMD, January 25, 2012

By: Divya Bhargava/CH2M HILL

On January 25th the BACWA AIR Committee met with Brian Bateman, Director of Compliance and Enforcement at the Bay Area Air Quality Management District (BAAQMD). The purpose of the meeting with Brian was to get an overview of proposed or existing BAAQMD regulations that may impact your facilities. Overall the dialogue with him was good, and we had a useful discussion on air issues and regulatory updates at the local, State, and Federal levels. We hope to have a continued future dialogue with the BAAQMD through these roundtable meetings. The key topics discussed included:

- EPA Tailoring Rule (Title V and PSD Permit)
- Federal Plan for GHG control
  - Mandatory Reporting Regulation
  - Cap and Trade Regulation
  - `Stationary Refrigeration Management Regulation
- BAAQMD 2010 Clean Air Plan
  - BAAQMD NSR/PSD Rule Amendments
  - BAAQMD Composting Rule
  - BAAQMD Diesel Backup Generator rule
- Ozone NAAQS update
- $PM_{2.5}$ NAAQS Planning Activities
- BAAQMD CEQA Guidelines
- OEHHA Health Risk Assessment Guideline revisions

Fuel Cell Tour at Next BACWA AIR Committee Meeting

The next BACWA AIR Committee meeting will be conducted on May 16, 2012, at the San Jose/Santa Clara Water Pollution Control Plant, and will include a tour of their new fuel cell facility. *Stay tuned for additional details about this meeting!*

[Continued on page 2]

- May 2011 BAAQMD "boiler rule" amendments (Regulation 9, Rule 7)
- Boiler MACT update
- Sewage Sludge NSPS/EG
- Reciprocating IC Engine rules
- Portable Equipment Registration Program (PERP)
- BAAQMD "Production System" update
- BAAQMD Budget update
- BAAQMD Cost Recovery Policy / Permit fee amendments

For details on the topics discussed, AIR committee members can see the meeting summary in the BACWA AIR web page and nonmembers may request a copy from Divya Bhargava at divya.bhargava@ch2m.com or Jim Sandoval at jim.sandoval@ch2m.com.

BACWA AIR Committee – Year in Review

By: Divya Bhargava/CH2M HILL

The AIR Committee focuses on air quality and climate change related issues, research, and regulations that affect sanitation agencies, including Local, State and Federal regulations relating to greenhouse gas emissions regulation, stationary source rule development, climate change adaptation, and grant funding opportunities.

Contacts:

- Randy Schmidt, Committee Chair, rshmidt@centralsan.org
- Nohemy Revilla, Committee Vice Chair, nrevilla@sfwater.org
- Jim Sandoval, Consultant, jim.sandoval@ch2m.com
- Divya Bhargava, Consultant, divya.bhargava@ch2m.com

Meeting Information:

- Meets quarterly on the third Wednesday of the month, at 10:00 a.m.
- Scheduled 2012 dates are May 16, July 18, and October 17

2011-2012 Highlights:

- An in-person discussion with BAAQMD Director of Compliance and Enforcement, Brian Bateman at the January 2011 and 2012 Committee Meeting
- The AIR Committee 2011 and 2012 Annual Spring Newsletters
- An on-site meeting at SFPUC's Oceanside Wastewater Treatment Plant in July 2011 that included a presentation/tour of SFPUC's FOG and bio-energy/fuels renewable programs, which showed how they convert FOG from restaurants & households into biodiesel using a patented technology
- Workshop attendance and comment letters to the California Bay Conservation Development Commission regarding the Bay Plan Amendment to address climate change
- Continuous tracking of regulatory issues affecting large and small POTWs through regular committee-wide emails, keeping the AIR website updated, and the AIR Issues matrix. The regulatory issues include:
    - Changes to BAAQMD Rules regulating engines and boilers
    - Changes to CARB's in-use, off-road diesel regulation
    - Final Federal air toxic standards for industrial, commercial, & institutional boilers & process heaters
    - Workshop attendance on behalf of AIR to track the revisions to BAAQMD New Source Review and Title V Permitting Programs (i.e., amendments to District Regulation 2 – Rules 1, 2, 4 & 6)
- Coordination with CWCCG to track State and National climate change issues including:
    - CARB Mandatory GHG Reporting and Cap-and-Trade Programs
    - EPA GHG Tailoring Rule, which regulates GHGs under the Clean Air Act
    - Renewable energy advocacy for the POTW community working with the California Public Utilities Commission and California Energy Commission

Reporting Tool for California GHG Emissions

By: Jim Sandoval/CH2M HILL; Adapted from information provided by CARB on February 3, 2012, at http://www.arb.ca.gov/cc/reporting/ghg-rep/tool/ghg-tool.htm

If your facility's general stationary combustion GHG emissions exceed 10,000 mton CO_2e/year, then you will need to utilize the new California Electronic Greenhouse Gas Reporting Tool, or Cal e-GGRT, which was deployed in February. "Designated Representatives" will receive an email from the reporting tool providing information needed to create a primary facility user account and assign other users. The tool must be used for submitting 2012 reports on 2011 data, and all subsequent data submissions.

The Cal e-GGRT reporting framework and "look and feel" is similar to the U.S. EPA e-GGRT system. However, Cal e-GGRT includes numerous modifications to support cap-and-trade, verification, and other CARB programs. Because of the differences between CARB and U.S. EPA reporting requirements, data submitted to U.S. EPA will not meet CARB reporting requirements. Therefore, separate reporting to Cal e-GGRT is required.

Presentation material for Cal e-GGRT trainings held in March and other reporting information are published on CARB's website: http://www.arb.ca.gov/cc/reporting/ghg-rep/tool/ghg-tool.htm. Because of similarities between the U.S. EPA and CARB reporting tools, knowledge of the EPA tool is beneficial. U.S. EPA training materials are located at the link below: http://www.epa.gov/climatechange/emissions/training.html.

CARB also has a Cal e-GGRT training site that can be used for learning about the new system without entering actual facility data. This site can be accessed at https://ssldev.arb.ca.gov/Cal-eGGRT/login.do. If you do not have an account to Cal e-GGRT, you'll need to register at this site. The previous CARB reporting tool will remain active for generating reports and approved data revisions, but it will no longer accept new data. All data from 2011 onward will be reported via Cal e-GGRT.

Mandatory Reporting of GHGs – What's next for Cogen Facilities?

By: Jim Sandoval/CH2M HILL

At the last BACWA AIR meeting the question was raised about whether former cogeneration reporters that emitted less than 10,000 metric tons CO_2e of general stationary combustion (GSC) emissions in 2011 need to keep reporting for any specific period to prove they are under this new 10,000 metric ton threshold. On February, 7, 2012, I spoke to Patrick Gaffney, the responsible staff person of CARB's Climate Change Reporting Section. In summary he said the following:

- Facilities within this category do not need to report or contact CARB at this time, and it is unlikely in the future
- However, the issue of cessation for facilities in this category is under review within CARB
- If CARB staff determine that further reporting is required for these facilities, they will notify the facility's designated manager
- When the new reporting webtool rolls out on February 22nd, facilities with cogeneration emissions greater than 8,000 metric tons of CO_2e in prior years may get notices indicating that they may be subject to reporting to confirm the facility emissions do not exceed the new GSC threshold

Other Recommended Measures for Former Cogen Reporters

If your facility no longer needs to report under the modified mandatory reporting regulation, it is recommended that you take the following measures to ensure continued compliance with the regulation at minimal costs.

1. Document Retention and Record Keeping Requirements

Retain CARB GHG reporting records in accordance with the provisions of 17 CCR §95105 of the *pre-modified* regulation. 17 CCR §95105(a) states the following:

> "Reporting entities with a compliance obligation under the cap-and-trade regulation in any year of the current compliance period must maintain all records specified in 40 CFR §98.3(g), and records associated with revisions to emissions data reports as provided under 40 CFR §98.3(h), for a period of ten years from the date of emissions data report certification. The retained documents, including GHG emissions data and input data, must be sufficient to allow for verification of each emissions data report. Reporting entities that do not have a compliance obligation under the cap-and-trade regulation during any year of the current compliance period must maintain such records for a period of five years from the date of certification." (CCR, 2012)

2. Continue to Informally Estimate GSC GHG Emissions

Under the updated CARB mandatory reporting regulation, cogeneration facilities no longer have to enter emissions into the CARB's reporting webtool if their GSC GHG emissions are less than 10,000 mtons CO_2e/year. To be prudent, it is recommended that facilities in this category do an annual informal emissions inventory to verify total GSC emissions do not exceed the threshold. If this estimate is less than the threshold, the emissions would not be reported to CARB but simply utilized as a documented internal record in case CARB chooses to verify your facility's GSC emissions in the future. Accordingly, it is recommended that facilities continue to measure and document the fuel consumption at the facility.

3. High Heat Value (HHV) Measurements

If your facility is substantially below the threshold, you may want to forego the expense of monthly HHV measurements and simply utilize the highest monthly measured HHV recorded for your facility's biogas. Or to be conservative, you can use the Tier 1 reporting default HHV of 841 Btu/scf from Table C-1 of 40 Code of Federal Regulation §98, which is now utilized by CARB in their updated mandatory reporting regulation.

If your facility is projected to have an increase in GSC emissions in a future calendar year that could result in CO_2e emissions exceeding 10,000 mtons/year, then you should highly consider reverting back to doing monthly HHV measurements.

CLIMATE CHANGE

Cap and Trade

By: Jim Sandoval/CH2M HILL; Adapted from CARB's website http://www.arb.ca.gov/cc/capandtrade/capandtrade.htm

The California Air Resources Board (CARB) adopted the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms, otherwise known as "cap and trade" on October 20, 2011. The program became effective January 1, 2012, and will have an enforceable compliance obligation beginning with the 2013 greenhouse gas (GHG) emissions generated at facilities. Cap and trade is a market-based regulatory framework in which regulated entities can trade permits ("allowances") for their CO_2 emissions.

The AB 32 Scoping Plan identifies a cap and trade program as one of the strategies California will employ to reduce the GHG emissions that cause climate change. This program will help put California on the path to meet its goal of reducing GHG emissions to 1990 levels by the year 2020, and ultimately achieving an 80% reduction from 1990 levels by 2050. Under cap and trade, an overall limit on GHG emissions from capped sectors will be established by the cap and trade program and facilities subject to the cap will be able to trade permits to emit GHGs.

California is working closely with British Columbia, Ontario, Quebec and Manitoba through the Western Climate Initiative (WCI) to develop harmonized cap and trade programs that can deliver greater GHG emission reductions at lower costs than could be realized through a California-only program. WCI has formed a non-profit corporation, WCI, Inc., to provide coordinated administrative and technical services for the state and provincial emissions trading program.

Most wastewater treatment agencies in California will not have a compliance obligation because emissions from combustion of biomass do not count toward the 25,000 metric tons CO_2e/year emissions threshold. This means that emissions associated with burning landfill or digester gas are excluded, and there is currently only one wastewater treatment plant in California that emits more than the threshold based on fossil fuel combustion alone. The program also excludes methane and nitrous oxide emissions from wastewater treatment processes from the compliance threshold.

For details on the cap and trade program, go to http://www.arb.ca.gov/cc/capandtrade/capandtrade.htm.

LAO Report: "Evaluating the Policy Trade-Offs in ARB's Cap-and-Trade Program"

By: Jim Sandoval/CH2M HILL

The California's Legislative Analyst's Office (LAO), California's non-partisan fiscal and policy advisor, published a report on February 9, 2012, that analyzes the design of the cap and trade program as adopted by CARB. It examines the policy choices made by CARB in the design of the program, some specific policy trade-offs inherent in those decisions, and options for program design changes that the Legislature may wish to make depending on its policy priorities. It recommends to the Legislature the following modifications to the program with "little downside from a policy standpoint": "(1) make producers of offset credits liable for offset project failures, (2) eliminate holding limits [on compliance instruments] to improve the way the carbon market functions, and (3) reduce uncertainty about how and if the cap-and-trade program would operate after 2020." The report is available at: http://www.lao.ca.gov/laoapp/PubDetails.aspx?id=2559.

California Wastewater Climate Change Group – 2011 Year in Review

By: Kris Flaig/City of LA; Republished from the Southern California Alliance of POTWs (SCAP) December 2011 Newsletter

2011 has been a year that required continuous efforts by the California Wastewater Climate Change Group (CWCCG) to monitor and participate in the on-going rule and regulation activities by the California Air Resources Board (CARB), California Public Utilities Commission (CPUC), and California Energy Commission (CEC) in regards to regulation of greenhouse gases (GHG) and renewable energy. As during the past few years, several CWCCG member agencies contributed significant talent to that of our consultant in submitting comments, attending and participating in workshops, meeting with regulator staff, and updating CWCCG members. These contributors include staff of our CWCCG partners in the Bay Area Clean Water Agencies (BACWA), Central Valley Clean Water Association (CVCWA), and California Association of Sanitation Agencies (CASA); as well as several of our SCAP members, especially Frank Caponi and Vlad Kogan.

2011 could have been a very challenging year with the unexpected hand-off by our consultant (CH2M HILL) from Jackie Kepke to Zeynep Erdal, except that all involved worked with dedication to make this transition relatively seamless. I want to make special mention of Zeynep with her efforts to maintain significant contact during her first month on the job, even though she was on a previously planned trip overseas. Zeynep also took early opportunities to meet with me and others to gain a sense of CWCCG member needs and desires. While there have been occasional hiccups, Zeynep and CH2M HILL have made an appreciated effort to make this a seamless transition. So, while we sincerely miss Jackie's dedication and personable approach, we are growing to admire Zeynep's similar talents.

Earlier in the year, CWCCG's efforts revolved around several issues, with which you may now be familiar:

- Comments submitted on implementation of USEPA's Tailoring Rule
- Testimony for a full exemption for wastewater from the Cap & Trade rule
- Comments submitted to CPUC requesting incentives for utilization of biogas, and incentives to make the renewables markets more cost-effective for POTWs
- Discussions with CARB staff on Offset Protocols.
- Comments to CARB on the Cap and Trade Program, and GHG Mandatory Reporting Requirements
- Communications with USEPA regarding the RTI (USEPA) report that misrepresented POTW GHG emissions
- Comments and discussions with regulators on the Sewage Sludge Incinerator (SSI) rule and the solid waste definition

[Continued on Page 5]

Those efforts resulted in:

- USEPA's deferment for 3 years of permitting requirements (Tailoring Rule) for biogenic CO_2 emissions
- Some favorable language in regards to biogas and biomass definitions on the State level
- Reconsideration by the CPUC of rules that could have significantly reduced POTW ability to eventually qualify for renewable energy incentives
- Verbal promises from CARB staff that 15-day notices on the adopted Cap and Trade Program will include favorable biogas or wastewater language
- Intent expressed by USEPA to consider biomass fuel combustion as BACT for GHGs
- USEPA recently relabeled the RTI non-peer reviewed report as "Draft" with a request by USEPA for comments

It is important to re-list our earlier accomplishments in light of the significant additional efforts required by CWCCG to regain ground that we once tentatively held, then lost, due to lobbying by other interested parties. Most significant are the rival priorities of NGOs and utilities in regards to GHG and renewable energy, respectively. These entities, and even CARB and CPUC, seem to be working from a different set of criteria, data, and studies. Certainly, CWCCG and its members must expend significant effort to appreciate our adversaries' positions, but also to educate regulators and adversaries on good science and economic realities of our essential public services.

Hence, CWCCG's efforts during the last half of 2011 are split between those following directly from earlier work and several more recent activities. The following are major issues addressed during the past several months through letters and meetings:

- CPUC on SB2 1X (R11-05-005) on RPS requirements for utilities, including:
  - RPS Portfolio Categories
  - Feed-in Tariff
  - REC valuation
- CPUC on Rule 21 requirements for interconnection to the Grid by electricity generators
- CARB continuing revisions
  - Mandatory Reporting Requirements
  - Cap & Trade Program

While the CWCCG and member agencies are making some headway, we face the limited priorities of the necessity to reduce GHG emissions with severely limited budgets and adversarial initiatives that do not fully appreciate the essential public services of POTWs, particularly our ability to provide reliable baseload electricity through utilization of biogas/biomass. Continuing efforts of adversarial utilities and NGOs have wrought us the following challenges and tasks:

- CARB, CPUC, and CEC reluctance to fully recognize biogas/biomass as a full partner in renewable energy
  - Clarify and correct misinformation on biogas reliability and sufficiency
- CPUC current favoring limiting POTW biogas and biomass energy to Category Three
- CPUC Feed-in Tariff pricing and market:
  - Address market proposals that put POTWs at a disadvantage
    - ✓ Renewable Auction Mechanism (RAM) by CPUC staff.
    - ✓ Market Price Referent (MPR) by others
- CPUC development of Rule 21 interconnection requirements
- CARB up-coming revisions for MRR and C&T

While GHG emissions affect everyone, NGOs and other interested parties continue to lobby CARB to make it more difficult for POTWs to follow what seems to be good science and good economics (e.g., life-cycle evaluations). If NGOs and others are successful, POTWs may be forced to pursue plant modifications or other expensive operational alternatives.

While renewable energy issues affect the larger agencies, the trend is that rival interests are doing everything they can to persuade regulators to adopt rules and regulations that favor only their industries. The result may be that non-favored industries are excluded by regulation from sharing in incentives to develop renewable energy or other benefits. If CWCCG and its member agencies are not successful in the coming year, all POTWs may suffer, no matter how little biogas we produce.

While the meteorological weather may call for progressively warmer weather in decades to come, the regulatory climate does not favor POTWs, with tempests rising and falling on the East Coast, and alternating sun and drizzle prompting few helpful evaluations and results in Sacramento.

As SCAP Air Quality Committee Chair, I would like to thank the agencies who have contributed to the CWCCG effort. Our accomplishments and on-going struggles are an indication that regulators do listen. At the same time, I am respectfully requesting all other agencies to consider contributing even the smallest sum to this effort.

RENEWABLES

Self-Generation Incentive Program Modifications

By: by Andre Schmidt/LACSD; Republished from the Southern California Alliance of POTWs (SCAP) December 2011 Newsletter

The California Public Utilities Commission (CPUC) approved final modifications to the Self-Generation Incentive Program (SGIP) on September 8, 2011. The modifications institute legislative changes mandated in Senate Bill 412, most notably that technology eligibility be based on greenhouse emissions reductions. SCAP was active with CWCCG in filing comments with the CPUC during the rulemaking process advocating for the wastewater industry. The new SGIP Handbook, which describes the terms of the new SGIP, was issued on October 10, 2011 and can be found at the following website: http://asset.sce.com/Documents/Shared/2011_SGIPHandbook.pdf.

The CPUC began accepting applications for the new SGIP on November 15, 2011. The most notable change for the modified program was the eligibility of IC engines and microturbines.

The SGIP now provides the following incentives:

- Wind Turbine - $1.25/watt
- Pressure Reduction Turbine (micro-hydro) - $1.25/watt
- Conventional Combined Heat and Power (CHP)
  - IC Engine with CHP - $0.50/watt
  - Microturbine with CHP - $0.50/watt
  - Gas Turbine with CHP - $0.50/watt
- Emerging technologies
  - Advanced Energy Storage - $2.00/watt
  - Biogas - $2.00/watt (this is an adder that may be used in conjunction with fuel cells or any conventional CHP technologies)
  - Fuel Cell (CHP or Electric Only) - $2.25/watt

Other terms of the SGIP include:

- System Size - No minimum or maximum size restrictions given that project meets onsite load
- Payment Structure – 50% upfront payment, 50% performance-based payment based on actual kWh generation over the first five years of operation
- Tiered Incentive Rates – 100% incentive for projects under 1 MW, 50% for 1 to 2 MW, 25% for 2 to 3 MW
- Incentive Decline – 10% decline in incentive levels per year for emerging technologies and 5% for other technologies, beginning January 1, 2013
- Maximum Project Incentive - $5 million
- Minimum Customer Investment – 40% of eligible project costs
- Energy Efficiency Audit – Is mandatory for participation. Any measures with a payback period of two years or less shall be implemented prior to receipt of the upfront incentive payment

SGIP funds are available on a first-come, first-served basis throughout the calendar year (January 1 through December 31, 2012). Reservations received after total funds have been committed for a calendar year will be placed on a wait list.

POTW Case Studies in Net Energy Production Webcast

By: Andre Schmidt/LACSD; Republished from the Southern California Alliance of POTWs (SCAP) February 2012 Newsletter

The Water Environment Federation (WEF) National Biosolids Partnership recently held a webcast entitled *Renewable Green Energy from Wastewater and Biosolids - POTW Case Studies Attempting to Achieve Net Energy Production*. The webcast included a presentation entitled *East Bay MUD's Journey to Become a Net Energy Producer*.

A link to the webcast is available at: https://www1.gotomeeting.com/register/427613080. When prompted, enter your email address and then hit submit. You will then be taken to the registration page. Complete the form and then hit register now. You will then be able to view the audio/video link by clicking on the View Recorded Webinar button.

The following people presented during the webcast; their PDF Power Point slides are available at the following link: http://www.wef.org/NBPIntegratedWebcast_120711.

- Bob Forbes - *WEF Renewable Energy Generation from Wastewater Position Statement Overview*
- Alicia Chakrabarti - *East Bay MUD's Journey to Becoming a Net Energy Producer*
- Robert Ostapczuk - *From a Liability to an Asset, Co-digestion and Achieving Zero Net Energy at a NY Wastewater Treatment Facility*

CPUC Decides Against High Values for Unbundled RECs

By: Jim Sandoval/CH2M HILL; Adapted from articles by Andre Schmidt/LACSD in the January and February 2012 SCAP Newsletters

During the December 15, 2011 California Public Utilities Commission (CPUC) business meeting, a Final Decision was approved on the Portfolio Content Categories for the new 33 percent Renewables Portfolio Standard (RPS). This Decision implements rules for Senate Bill 2 (1x), which was signed by the Governor in April 2011, and legislated the increase of California's RPS, which mandates electric utilities to increase their renewably generated electricity to 33 percent by 2020.

This law also established three portfolio content categories that define the types and quantities of eligible renewable energy that retail electricity sellers must use to meet the 33 percent requirement. The bundled renewable energy products were placed under "Category 1" and the "unbundled RECs" were placed under "Category 3."

RECs, i.e., renewable energy credits, are certificates issued for the renewable attributes associated with renewable energy production. Bundling RECS is a means of tethering renewably generated electricity to its environmental attributes so that the renewable energy can be tracked after it is commingled with other conventionally generated power on the grid. When RECs are sold or procured separately from the energy associated with them, they become "unbundled" RECs. Specifically for POTWs, unbundled RECs can be claimed for renewable generation that is consumed onsite at the treatment plant.

The CPUC's decision to place all unbundled RECs in Category 3 is of importance to POTWs because this category is the least valuable and it faces a decreasing cap, with utilities being limited to meeting no more than 10 percent of their RPS obligations from it by 2020. CWCCG and SCAP had sought for the law to be interpreted as allowing unbundled RECs from in-state generators that use the energy onsite (e.g., numerous California POTWs generating power from biogas) to be included in Category 1, which is for generation that is in-state or directly delivered to California, and is the most valuable of the three categories because 1) it is uncapped, 2) utilities must supply at least 75 percent of their RPS obligations from it by 2020, and 3) the market value of Category 1 RECs is about ten times greater than Category 3 RECs.

Unbundled RECs can be created from renewable generation at POTWs that is produced and consumed onsite at the treatment plant. Sale of these RECs can create an additional revenue stream for onsite generation facilities. Unfortunately the value of these unbundled RECs will be severely limited based on this Decision. CPUC Commissioners expressed a desire for a wide and deep market for RECs; however they felt that the exact wording of the statute did not allow for this. Commission President Peevey stated that the placement of all unbundled RECs in Category 3 will unnecessarily increase the cost of RPS compliance. However, he stated that the statute is ambiguous regarding the placement of unbundled RECs and advised that if the legislature introduces a cleanup bill, it should clarify if some unbundled RECs belong in Category 1.

This issue is a priority for California POTWs. CASA is seeking to introduce a legislative amendment that would allow for unbundled RECs from onsite generators fueled by digester gas and landfill gas to be included in Category 1. Additionally, the SCAP Energy Management Committee is finalizing a white paper that details the history and status of the issue.

Federal Report Provides Update on Key Energy Issues and Financial Opportunities in California

By: Andre Schmidt/ LACSD; Republished from the Southern California Alliance of POTWs (SCAP) February 2012 Newsletter

The US Department of Energy has published the *California Energy Incentive Programs* report for 2011. This report is an annual update on key energy issues and financial opportunities for Federal sites in California. It offers a good synopsis of key legislation, incentives, and opportunities across energy efficiency, renewable energy, and demand response programs. While the report is written for Federal sites, most of the information is applicable to POTWs. The report is available at www.femp.energy.gov/pdfs/2011_ca_incentives.pdf.

EPA Energy Management Webcast

By: Andre Schmidt/LACSD; Republished from the Southern California Alliance of POTWs (SCAP) February 2012 Newsletter

US EPA recently held a webinar titled: *Energy Management Webcast Series for Water and Wastewater Utilities: Reducing Operating Costs with Energy Use Assessments and Auditing*. A recording of the webcast including a copy of the slides is available at the following website: http://cfpub2.epa.gov/npdes/courseinfo.cfm?program_id=0&outreach_id=618&schedule_id=1145. Many useful resources are mentioned during the webcast. Below is a list of some of these resources and web links:

- Maine DEP Sample RFP: http://www.epa.gov/npdes/outreach_files/webcast/dec12011/maine_dep_modelenergyaudit_rfp.doc
- Radar graph: http://www.epa.gov/npdes/outreach_files/webcast/dec12011/assessment_ems_spider_tool.xls
- DSIRE: www.dsireusa.org
- Portfolio Manager: www.energystar.gov/benchmark
- Portfolio Manager training webinar: www.energystar.webex.com
- EPA Office of Water Energy Use Assessment Tool (in pilot phase): email EnergyUseTool@epa.gov
- NYSERDA: www.water.nyserda.org
- EPRI audit guide: www.cee1.org/ind/mot-sys/ww/epri-audit.pdf
- DOE Industrial Assessment Centers (IAC): http://www1.eere.energy.gov/industry/bestpractices/about_iac.html
- Massachusetts Energy Insight Tool: www.massenergyinsight.net/

[Continued on page 8]

- EPA Office of Water website: http://water.epa.gov/infrastructure/sustain/energyefficiency.cfm
- EPA Region 1: http://www.epa.gov/region1/eco/energy/mitigation-efforts-epane.html#EnergyWaterInfrastructure
- EPA Region 9: Home page: http://www.epa.gov/region9/waterinfrastructure/index.html and energy audit page: http://www.epa.gov/region9/waterinfrastructure/audit.html

You also may check www.epa.gov/npdes/training for updates regarding upcoming EPA webcasts.

Fats, Oil & Grease (FOG) Handling at the Oceanside Water Pollution Control Plant

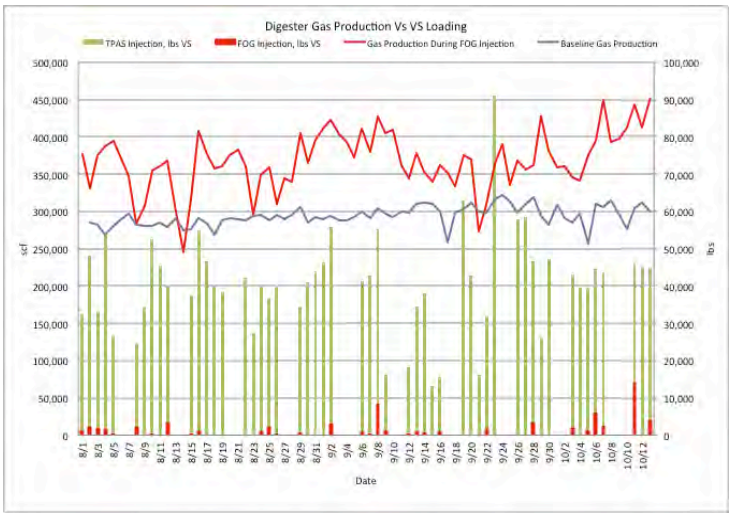
By: Alexandre Miot and Bonnie Jones/San Francisco Public Utilities Commission

As part of the San Francisco Public Utilities Commission FOG-to-biodiesel project[1], the Oceanside Water Pollution Control Plant hosted a Brown Grease Dewatering Pilot capable of processing up to 10,000 gallon of restaurant trap waste per day. The goal of the pilot was to generate an estimated 300 gallons of brown grease daily to be used as a feedstock for biodiesel production or sold as fuel oil #4 or #6 replacement.

Because of the relatively low brown grease recovery of the system (20-50%) and because trap waste was not continuously dewatered, there was a significant amount of FOG in the process by-products. The average total volatile solids concentration of the stream would range between 1 and 25% with an average concentration of approximately 4.5%.

A preliminary FOG co-digestion pilot study conducted in two 30-gallon anaerobic digesters show no toxicity effect and a significant increase in methane production at equivalent loading. As a result the Oceanside management team decided to experiment full-scale co-digestion starting November 2010.

The figure below shows that an average increase in digester volatile solids (VS) loading from FOG of 3% between August 1st 2011 and October 13th 2011 resulted in an average gas production increase of 25% (compare to baseline production without FOG injection) in acclimated digesters. This significant gas production yield can be explained by the facts that digestion of lipids generates more methane than equivalent mass of proteins and carbohydrates found in primary and secondary sludge. FOG VS are also reduced to a greater extent.



Based on these results it was estimated that 25,000 gallons of trap waste would be sufficient to produce 420 kW of electricity (existing co-generation engine capacity) and additional heat for the plant.

Moving forward, the team will conduct lab experiments to: 1) support full-scale findings, 2) model OSP digesters gas production and 3) evaluate maximum loadings.

The Brown Grease Dewatering pilot was also converted in a permanent facility and the team will continue receiving trap waste and working on improving process recovery. SFPUC understands that brown grease production is more difficult to operate but present even greater advantages than co-digestion alone in terms of energy conversion and carbon footprint reduction potentials.

[1] Founded by SFPUC, DOE, CEC PIER and EPA with SFPUC and URS as Co-PI.

EPA Releases Document on Energy Efficiency in Local Government Operations

Republished from Feb 7, 2012, U.S. EPA email press release

EPA's State and Local Climate and Energy Program has released a final version of the document 'Energy Efficiency in Local Government Operations: A Guide to Developing and Implementing Greenhouse Gas Reduction Programs. This document can be found at the link below:

http://www.epa.gov/statelocalclimate/documents/pdf/ee_municipal_operations.pdf

This guide describes how local governments can lead by example and achieve multiple benefits by improving the energy efficiency of their new, existing, and renovated facilities and their day-to-day operations. It is designed to be used by facility managers, energy and environment staff, other local government agencies, and mayors and city councils.

Readers of the guide will come away with an understanding of options to improve the energy efficiency of municipal facilities and operations, and how to motivate the private sector and other stakeholders to follow suit. Readers will also understand the steps and considerations involved in developing and implementing these energy efficiency improvements, as well as an awareness of expected investment and funding opportunities.

This document is part of the *Local Government Climate and Energy Strategy Series,* which is designed to help policy makers and program staff plan, implement, and evaluate cost-effective climate and energy projects that generate economic, environmental, social, and human health benefits.

State and local officials interested in additional information about developing and implementing cost-effective climate and energy strategies that help further environmental goals and achieve public health and economic benefits may visit: http://www.epa.gov/statelocalclimate.

WESTWeb Water Energy Sustainability Tool

By: Jim Sandoval/CH2M HILL

UC Berkeley has developed the following three tools on life-cycle energy & environmental impacts of water and wastewater systems:

- *WEST (Water-Energy Sustainability Tool)*: evaluates the life-cycle energy and environmental effects of potable and recycled water systems
- *WWEST (Wastewater-Energy Sustainability Tool)*: evaluates infrastructure and chemical manufacturing and energy production
- *WESTWeb (a streamlined, web-based tool):*
    - specifically focuses on the life-cycle effects of manufacturing major infrastructure components, producing treatment chemicals, providing energy from electricity, natural gas, gasoline, and diesel, and specifically for wastewater, sludge disposal and methane generation in the treatment process directly
    - provides results for energy consumption and greenhouse gas emissions, as well as other environmental impacts
    - can be used to answer a variety of questions about wastewater systems including water source selection, process selection, operational optimizations, energy source selection, disposal options

These tools are publicly available and are free of charge.

To obtain copies of the tools, email the developers at ucbwaterlca@gmail.com and include your name, email, phone number, employer, the tool(s) you are using, and the purpose for which you intend to use the tool.

For details on the tools, visit http://west.berkeley.edu/.

BCDC's Climate Change Bay Plan Amendment

By: Divya Bhargava/CH2M HILL

On October 6, 2011, the San Francisco Bay Conservation and Development Commission (BCDC) modified its coastal management program for the San Francisco Bay segment of the California coastal zone. The San Francisco Bay Plan contains the policies that the BCDC uses to determine whether permit applications can be approved for projects within the Commission's jurisdiction. BCDC updated the 22-year-old sea level rise findings and policies in the Plan and added a new section dealing more broadly with climate change and adapting to sea level rise. This Bay Plan Amendment (No. 1-08) incorporates the findings of climate change adaptation to protect the Bay and critical infrastructure from the potential impacts of sea level rise.

Specifically, the Commission amended the Bay Plan as follows:

- amended the Tidal Marshes and Tidal Flats findings and policies
- added a new Climate Change findings and policies section at the beginning of Part IV "Developing the Bay and Shoreline Findings and Policies"
- amended the Safety of Fills findings and policies
- amended the Protection of the Shoreline findings and policies
- amended the Public Access findings and policies

The California Office of Administrative Law approved this amendment on December 20, 2011, and it is now effective for State permitting purposes. CH2M HILL had been tracking the progress of the BCDC climate change Bay Plan amendment and advocating for policies that offer protection to POTWs from the potential impacts of climate change. We believe this amendment provides this protection.

Below are some of the key points and language in the amendment that protect the infrastructure and ongoing operational activities of POTWs:

- "important public shoreline infrastructure, such as wastewater treatment facilities are at risk of flood damage that could require costly repairs, or result in the interruption or loss of vital services or degraded water quality."
- "..protecting infrastructure that is crucial to public health or the region's economy, such as wastewater treatment facilities."
- "..specific types of projects that have regional benefits, including critical infrastructure that is necessary for existing development should be encouraged."
- "..protecting and minimizing risks to critical infrastructure by using effective and innovative adaptation approaches."
- "..specific types of projects should be encouraged if they do not negatively affect the Bay, which includes repairs of an existing facility."

What is the Extent of BCDC's Jurisdiction?

By: Jim Sandoval/CH2M HILL; Adapted from BCDC's website http://www.bcdc.ca.gov/

As we began tracking the Bay Conservation and Development Commission's (BCDC) Bay Plan Amendment, some AIR Committee members became curious about BCDC's role and geographic jurisdiction. This article provides a summary.

What is BCDC's role?

BCDC is a State agency created by the California Legislature in 1965 with the mission to protect and enhance the San Francisco Bay and encourage responsible use of the Bay. Its 27 commissioners are appointed from local, State and Federal agencies, including five gubernatorial appointees that include a chair and vice chair.

BCDC permits are typically needed for planning a project along the shoreline of San Francisco Bay in the following counties: Alameda; Contra Costa; Marin; Napa; San Francisco; San Mateo; Santa Clara; Solano; Sonoma. The following activities within BCDC's jurisdiction require a permit.

- Placing solid material, building or repairing docks, pile-supported or cantilevered structures, disposing of material or mooring a vessel for a long period in San Francisco Bay or in certain tributaries that flow into the Bay
- Dredging or extracting material from the Bay bottom
- Substantially changing the use of any structure or area
- Constructing, remodeling or repairing a structure
- Subdividing property or grading land

For more specifics on the types of projects requiring a BCDC permit, visit http://www.bcdc.ca.gov/permits/obtain_permit.shtml.

Where is the Commission's jurisdiction?

BCDC's approval is needed prior to undertaking any of the activities listed and referenced above in any of the following geographic areas:

- The open water, marshes and mudflats of greater San Francisco Bay, including Suisun, San Pablo, Honker, Richardson, San Rafael, San Leandro and Grizzly Bays and the Carquinez Strait
- The first 100 feet inland from the shoreline around San Francisco Bay
- The portion of the Suisun Marsh-including levees, waterways, marshes and grasslands- below the ten-foot contour line
- Portions of most creeks, rivers, sloughs and other tributaries that flow into San Francisco Bay
- Salt ponds, duck hunting preserves, game refuges and other managed wetlands that have been diked off from San Francisco Bay

For specific information on BCDC's jurisdiction, go to the following link and see section 66610 of the McAteer-Petris Act: http://www.bcdc.ca.gov/laws_plans/laws/mcateer_petris.shtml#2.

REMINDER--BAAQMD Reg. 9, Rule 8 Limits for 50 bhp Stationary ICEs Now in Effect

By: Divya Bhargava/CH2M HILL

As of January 1, 2012, smaller stationary internal combustion engines (ICEs) with an output of 50 brake horsepower (bhp) or greater are being regulated. In addition, no specific fuel type will be exempted. Previous to 2012, engines fired exclusively by liquid fuels were exempt. Emergency standby engines will remain exempt.

Below are the changes to the regulation that went into effect on January 1st:

*Spark-Ignited, Fossil Fuel**

	Effective January 1, 2012
Rich Burn Engines, NO_x	70 ppmv
Lean Burn Engines, NO_x	70 ppmv
CO	2000 ppmv (remains unchanged)

*Spark-Ignited, Waste-Derived Fuels or Combination of Fuels**

	Effective January 1, 2012
Rich Burn Engines, NO_x	25 ppmv
Lean Burn Engines, NO_x	65 ppmv
CO	2000 ppmv (remains unchanged)

*Compression-Ignited, Effective January 12, 2012**

	Effective January 1, 2012
Engines ≤ 1000 bhp	All engines that operate less than 100 hours in a 12-month period
Engines > 1000 bhp	All engines that operate less than 100 hours in a 12-month period

Low Use Limited Exemption

	Effective January 1, 2012
Engines ≤ 1000 bhp	All engines that operate less than 100 hours in a 12-month period
Engines > 1000 bhp	All engines that operate less than 100 hours in a 12-month period

**All emissions levels as corrected to 15% oxygen, dry basis*

Emergency Standby Engines for Essential Public Services

- May operate for emergency use for an unlimited number of hours
- Effective January 1, 2012, reliability-related activities may not exceed 100 hours per calendar year or limitations contained in permit, whichever is lower.

During the AIR Committee's roundtable on January 25, 2012, with Brian Bateman, BAAQMD's Director of Compliance and Enforcement, he indicated that no facilities to date have formally expressed any limitations or concerns with meeting the requirements of this rule. Delayed compliance until 2016 is an option for some qualifying engines if they are reported.

See the following website for further details:
http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/Rules%20and%20Regs/reg%2009/rg0908.ashx

LOCAL REGULATORY NEWS

BAAQMD Regulation 9, Rule 7: Effective January 1, 2013, Updated NO_x and CO Limits for Boilers, Steam Generators & Process Heaters

By: Divya Bhargava/CH2M HILL

Regulation 9, Rule 7 requires manufacturers to pre-certify new, natural-gas fired devices rated between 2 – 10 million BTU per hour (MM BTU/hr) for sale in the Bay Area. However, by January 2011, no manufacturer had certified to the standards and therefore no manufacturer-certified devices were available locally. Since no one was able to comply with this rule, BAAQMD extended the compliance dates for devices rated >2 to <10 MM BTU/hr.

The updated deadlines are the following:

- NO_x and CO emission limits compliance date for new & existing devices rated > 2 – 5 MM BTU/hr: January 1, 2013 (extended 2 years)
- NO_x and CO emission limits compliance date for new & existing devices rated > 5 - 10 MM BTU/hr: January 1, 2013 (extended 1 year)
- Stack temperature limits compliance date for new & existing devices: January 1, 2013 (extended 2 years)
- Certification deadline for all new devices sold or installed: January 1, 2012

These changes were accepted by BAAQMD in May 2011. However, meeting the new requirements of Regulation 9, Rule 7 may prove to be a challenge for some municipal wastewater treatment facilities.

For more information on this rule, please visit the following website: http://www.baaqmd.gov/?sc_itemid=D39A3015-453E-4A0D-9C76-6F7F4DA5AED5.

Revisions to BAAQMD New Source Review and Title V Permitting, District Regulation 2: *Rules 1, 2, 4, & 6*

By: Jim Sandoval/CH2M HILL; Adapted from BAAQMD Rules Workshop Website

On behalf of the BACWA AIR Committee, CH2M HILL attended a public workshop and follow-on technical working group on February 22nd and 28th respectively, held by BAAQMD District staff, to discuss proposed amendments to Regulation 2, Rules 1, 2, 4 and 6. The District is proposing to amend the regulations for permitting stationary sources to incorporate recent U.S. EPA mandated requirements for nitrogen dioxide (NO_2), particulate matter less than 2.5 micrometers ($PM_{2.5}$), and Greenhouse Gases (GHG) Prevention of Significant Deterioration (PSD) and Title V permitting.

BAAQMD is amending Regulation 2 to make it consistent with recent changes in Federal requirements. Regulation 2 must be consistent with these Federal requirements in order for BAAQMD to issue PSD and New Source Review (NSR) permits; and so BAAQMD can obtain approval of its State Implementation Plan (SIP). The Clean Air Act requires SIPs for areas in non-attainment of air quality standards.

The major amendments include:

- Revise the New Source Review Rule (Regulation 2-2) to incorporate new Federal PSD requirements, including the National Ambient Air Standard (NAAQS) for NO_2 (1-hour) and $PM_{2.5}$ (24-hour and annual) and GHG PSD review requirements.
- Incorporate EPA $PM_{2.5}$ requirements for NSR (i.e., BACT requirement for $PM_{2.5}$ at a 10 lb/day threshold) and emission banking.
- Incorporate EPA Title V permitting requirements for Major Sources of GHGs (Tailoring Rule)
- Clarifying language has been added to match the Statewide Portable Equipment Registration Program (PERP).
- Clarifying language has been added to permit exemptions that may have been previously misinterpreted or where clarification is needed.
- Clarifying language has been added to further detail the procedure of determining a modified source and the calculation of emission increases.

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Tailoring Rule Summary

- ***Title V applicability***
  - GHG's must be included in all "Title V anyway" permits
  - GHG emissions > 100,000 ton/yr (tpy) CO_2e and 100 tpy mass basis trigger Title V for GHGs and other regulated pollutants for "non-anyway" sources
- ***PSD Applicability for New projects*:***
  - GHG potential to emit (PTE) > 100,000 tpy CO_2e or "PSD anyway" sources > 75,000 tpy CO_2e
- ***PSD Applicability for Modified sources*:***
  - "PSD anyway" source with GHG PTE > 75,000 tpy CO_2e,
  - Existing PTE > 100,000 tpy and increase and net increase both > 75,000 tpy CO_2e, or
  - Existing minor source** with GHG PTE > 100,000 tpy CO_2e
- ***Rule of thumb**:* facility that has the potential to use a bit more than 1,700,000 MM BTU/year of natural gas would generate > 100,000 short tons CO_2e. If the USEPA decides to include biogenic GHG emissions from biogas or landfill gas (LFG) in the Tailoring Rule in the future, all CO_2e generated from natural gas, biogas and LFG that is utilized as fuel at your POTW would be factored into the Title V or PSD thresholds.

**Sum of GHGs on a mass basis must also exceed certain triggers – relevant mostly to projects with large fluorinated gas emissions*

***Loophole in regulations versus guidance may negate this trigger – not recommended to pursue it!*

[Continued on page 19]

Statewide Portable Equipment Registration Program (PERP): *New Fleet Emission Requirements Effective January 1, 2013*

By: Jim Sandoval/CH2M HILL; Adapted from CARB's PERP/ATCM website http://www.arb.ca.gov/portable/perp/2013changes.pdf

Beginning January 1, 2013 portable diesel engines registered in PERP or operating under air district permits must comply with weighted particulate matter (PM) emission fleet averages expressed as grams per brake horsepower-hour (g/bhp-hr). These requirements are part of the Airborne Toxic Control Measure (ATCM) for diesel PM from portable engines. You can have up to three different fleets depending on the size of the engines in your inventory. The ATCM has emission standards for each fleet depending on engine size range. The table below shows the standards effective January 1, 2013.

Engine Size Category in Fleet	**50 to less than 175 hp**	**175 to 750 hp**	**Greater than 750 hp**
Weighted PM Fleet Average	0.3 g/bhp-hr	0.15 g/bhp-hr	0.25 g/bhp-hr

How to Determine Compliance?

Determine the weighted PM emissions averages for all the engines within each of the three categories to check if the emissions comply with the applicable standard (exclude engines below 50 hp). This can be done by using CARB's Fleet Calculator (on line or downloadable) or by calculating the weighted PM emissions yourself. You will need engine family name and horsepower of each engine. Refer to your registration or district permit. Other exemptions such as emergency engines and low use engines may apply. Refer to the ATCM.

To use the CARB Fleet Calculator or to calculate weighted PM fleet average yourself, see the second page of the following link: http://www.arb.ca.gov/portable/perp/2013changes.pdf

What if your fleet average emissions are above the standard?

You must clean up your fleet by using the following options:

- Replace older, dirtier engines with newer, cleaner engines
- Replace diesel engines with electric power
- Install add-on controls to engines such as an approved diesel particulate filter (DPF)

Report the following information to CARB by March 1, 2013

- Statement of compliance by responsible official
- Summary of each engine in fleet with the emission rate
- Engine make, model, serial # and year
- Low use and emergency engines
- PERP registration number or district permit numbers

Important Information

- Fleet emission requirements apply to portable engines registered with PERP or operating under air district permits.
- Be proactive-check compliance with fleet emission requirements promptly. This will allow time to adjust your fleet before the **January 1, 2013** deadline.
- Fleet emission requirements will become more stringent in January 2017 and 2020. Plan accordingly.
- Obtain PERP/ATCM information at www.arb.ca.gov/portable/portable.htm. .
- If you need help, call (916) 324-5869 or e-mail portable@arb.ca.gov

One of the most helpful sites to understand PERP background information and basics is CARB's Frequently Asked Questions site: http://www.arb.ca.gov/portable/perp/perpfaq.pdf.

Upcoming training courses can be found at the link below:

http://www.arb.ca.gov/training/courses.php?course=302.

STATE REGULATORY NEWS

Stationary Refrigerant Management Program Regulation

By: Divya Bhargava/CH2M HILL; Adapted from CARB's website http://www.arb.ca.gov/cc/reftrack/reftrack.htm#new

Leaking refrigeration systems are California's single largest source of high-Global Warming Potential (GWP) gases such as chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), hydrofluorocarbons (HFCs), and perfluorocarbons (PFC). In December 2009, the ARB adopted a regulation (known as the Refrigerant Management Program [RMP]) to reduce greenhouse gas (GHG) emissions from stationary sources through refrigerant leak detection and monitoring, leak repair, system retirement and retrofitting, reporting and recordkeeping, and proper refrigerant cylinder use, sale, and disposal. This regulation became effective on January 1, 2011, and requires facility registration, leak detection and monitoring, leak repair, retrofit or retirement, and recordkeeping for any facility owner or operator with a stationary, non-residential refrigeration system using more than 50 pounds of a high-GWP refrigerant. This regulation applies only to systems used wholly or in part for refrigeration and process cooling. It does not apply to systems used exclusively for comfort cooling, i.e. air conditioning.

Although this regulation has been adopted, it has not yet been enforced. ARB is trying to defer enforcement of this regulation to the local Air Districts, and the Air Districts may either adopt a rule of equivalent emission reduction benefit under local authority, or may enforce Statewide regulation under agreements with the ARB. Under this regulation, refrigeration systems are classified as Large (systems using 2000 pounds or more of a high GWP-refrigerant), medium (using 200 pounds or more), and small (using 50-200 pounds). Registration and reporting for large facilities with are due by April 1, 2012; and by March 1, 2014, for medium facilities. Also, the annual implementation fee is $370 and $170, for large and facilities, respectively. Facilities with small systems are not required to register until 2016; there are no annual reports or fees for facilities with small systems.

CARB recently developed a web-based tool for implementing the registration, reporting, and fee payment provisions of this regulation. The online tool is known as the "Refrigerant Registration and Reporting System (R3)" and can be accessed at www.arb.ca.gov/rmp-r3. In addition, R3 offers the public a means to view select preformatted reports of refrigerant emissions.

Climate Change Handbook for Regional Watershed Planning

By Divya Bhargava/CH2M HILL; Adapted from DWR's website **http://www.water.ca.gov/climatechange/CCHandbook.cfm**

The California Department of Water Resources (DWR), USEPA, the Resources Legacy Fund, and the U.S. Army Corps of Engineers have cooperatively developed the Climate Change Handbook for Regional Water Planning. This handbook provides a framework for considering climate change in water management planning, and serves as a guide to resource managers and planners to develop means of adapting their programs to a changing climate.

The handbook uses the DWR's Integrated Regional Water Management (IRWM) planning framework as a model into which analysis of climate change impacts and planning for adaptation and mitigation can be integrated. In addition, the handbook provides a checklist for identifying and prioritizing the vulnerability of local watersheds. The handbook includes topics such as evaluating the energy-water connection and greenhouse gas emissions, assessing regional vulnerability to climate change, measuring regional impacts, evaluating projects, resource management strategies, and IRWM Plans with respect to climate change. The handbook can be viewed at the following link: http://www.water.ca.gov/climatechange/CCHandbook.cfm.

SAVE THE DATE, May 30th -- Digesting Urban Organics Residuals: A Forum on Technology, Economics, & Permitting

Republished from January 25, 2012, CalRecycle Conversion Technology Listserv email press release

On May 30, 2012, from 8:30 AM to 5:00 PM, CalRecycle will be hosting a full day event designed for jurisdictions considering Anaerobic Digestion (AD) projects for the organic fraction of their urban waste stream and other stakeholders. The event will be located at the Cal/EPA Building at 1001 I Street in Sacramento, California. The forum will showcase project implementation progress in California, and highlight the benefits and challenges of AD technology. Building on successful AD workshops in November 2009 and April 2010, the program will include case studies, permitting pathways, technology options and financing. The event is organized collaboration with the California Biomass Collaborative, the California Organic Recycling Council, and the City of San Jose. The forum agenda and additional details are posted at http://www.calrecycle.ca.gov/Organics/Conversion/Events/Digesting12/default.htm.

Status Update on CalRecycle's proposal to Regulate Anaerobic Digestion at POTWs

By: Greg Kester/CASA Biosolids Program Manager

The California Integrated Waste Management Board (CIWMB now CalRecycle) published a guidance document in September 2009 titled "How Anaerobic Digestion Fits Current Board Regulatory Structure". This was based in large part on an earlier guidance document from December 2007 entitled "How Conversion Technologies Fit Current Board Regulatory Structure". The 2009 document defines compost by temperature rather than process and includes anaerobic digesters operating in the thermophilic temperature range (>50 degrees C) as compost facilities. Moreover, the guidance document opines that anaerobic digesters (1) operating at lower temperatures, as most POTW digesters do and (2) that receive any hauled in waste that would normally be conveyed through the sewerage system (i.e., Fats, Oils and Grease (FOG) or food waste) may, at the discretion of the Local Enforcement Authority (LEA), need to obtain a solid waste Transfer Station/Process Facility (TSPF) permit. CASA has been in direct communication with CalRecycle since the document's publication to educate CalRecycle about the current regulatory scheme for POTWs and to persuade CalRecycle to reconsider these positions. POTWs are already effectively regulated in all respects by permits issued by the Regional Water Quality Control Boards, local air districts, and the United States Environmental Protection Agency.

[Continued on Page 19]

EPA Proposes Rules & Reconsideration of Boiler Emission Standards

By: Cynthia Finley/NACWA Director of Regulatory Affairs, and Jim Sandoval/CH2M HILL

EPA published two proposals in the December 23, 2011 Federal Register on the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for area source and major source boilers that would reconsider and clarify aspects of the final rules that were published on March 21, 2011. After publication of the final rules, EPA announced its intention to reconsider parts of the rules, and later also postponed the effective dates of the final rule for major source boilers until either the Agency's reconsideration or judicial review was completed. The December 23rd proposals asked for public comment by February 21, 2012, on specific portions of the final rules for area and major source boilers, and also propose amendments and technical corrections to clarify the final rules. Neither NACWA nor BACWA AIR received any comments from their members about the proposed boiler standards amendments, and no comment letters were submitted to EPA.

In January 2012, EPA Administrator indicated that EPA will not enforce rules at this time and will issue a "No Action Letter", and that the rules will become effective three years after adoption.

All background information, related information and sequence of events related to the rules can be found at the link below:
http://www.epa.gov/ttn/atw/boiler/boilerpg.html#DOC

The Issuance of a Stay and Delay of Effective Date can be found at the link below:
http://www.gpo.gov/fdsys/pkg/FR-2011-05-18/pdf/2011-12308.pdf.

Major sources emit 10 TPY of any air toxic (HAP) or 25 TPY of any combo of air toxics. Area sources emit < 10 TPY of any air toxic or < 25 TPY of any combination of air toxics. The area source rule DOES NOT apply to boilers that burn gaseous fuels or solid waste, including biogas.

NACWA Confirms Regulatory Status of Biogas

By: Jim Sandoval/CH2M HILL; Adapted from the February 24, 2012, NACWA Cleanwater Currents

In addition to commenting on the EPA's reconsideration of, and proposed revisions to its March 21, 2011 final Non-Hazardous Secondary Materials (NHSM) rule (76 *Fed. Reg.* 80452; December 23, 2011), NACWA's letter to EPA supported the Agency's clarification that it did not intend to change its previous statements and interpretations regarding contained gases. Background materials associated with revisions to the commercial and industrial solid waste incinerator rules suggested that EPA was changing its interpretation of contained gas, which had the implication of including the biogas generated during the anaerobic digestion process used to treat biosolids in the category of solid waste. Specifically, EPA stated in the December 23rd proposed revisions, that "the burning of gaseous material, such as in fume incinerators (as well as other combustion units, including air pollution control devices that may combust gaseous material) does not involve treatment or other management of a solid waste (as defined in RCRA section 1004(27)." Based on this clarification and discussions with EPA staff, NACWA understands that digester gas or biogas generated during the treatment of sewage sludge that is burned for energy recovery and any gaseous material that is flared as an air pollution control measure is not subject to the requirements for combustion or treatment of a solid waste. NACWA also requested and received direct confirmation of this from EPA in a policy letter received on February 15, 2012.

NACWA Provides Input on Solid Waste Rulemaking

By: Jim Sandoval/CH2M HILL; Adapted from the February 24, 2012, NACWA Cleanwater Currents

In February, NACWA commented on EPA's reconsideration of, and proposed revisions to, its March 21, 2011 final Non-Hazardous Secondary Materials (NHSM) rule (76 *Fed. Reg.* 80452; December 23, 2011). While the Association disagrees with EPA's finding that all sewage sludge is a solid waste when combusted, and has filed a judicial challenge of that decision, the rule remains in effect. NACWA is optimistic that some of the rule's provisions can be modified to reduce barriers to using biosolids as a renewable fuel. The proposed revisions to the NHSM rule do not impact EPA's determination that sewage sludge is a solid waste when burned, and will not benefit sewage sludge incinerators.

The additional clarification and proposed categorical non-waste determination process, however, could make it easier for utilities interested in burning dried solids or pellets as a fuel or fuel substitute. Utilities who wish to dry and burn their own biosolids for energy recovery can do so through the self-implementing provisions of 40 CFR 241.3 by demonstrating that their biosolids have been sufficiently processed and can meet EPA's legitimate fuel criteria. The proposed revisions to 241.3 help to clarify elements of EPA's legitimate fuel criteria and should make it easier to make this demonstration. For utilities that want to provide their sludge to a third party for use as a fuel, a petition for a non-waste determination must be filed with the appropriate EPA Regional Administrator. NACWA was encouraged to learn that a community in Michigan has already successfully gone through the petition process. EPA's formal non-waste determination letter is posted on the EPA website at http://www.epa.gov/epawaste/nonhaz/define/pdfs/delhi-charter.pdf.

Speciation and Ozone Forming Potential of VOCs from Biosolids Composting Facilities: A Report by WERF and CASA

By: Divya Bhargava/CH2M HILL; Adapted from CASA's website http://www.casaweb.org/biosolids/research/volatile-organic-compounds

Many volatile organic compounds (VOCs) react with Oxides of Nitrogen (NOx) in the presence of sunlight to form ozone, a Clean Air Act criteria pollutant with significant negative impacts on human health and on plants. The reactivity of any given VOC influences its ozone formation potential. Researchers have classified most common VOCs using a reactivity index, and the USEPA has exempted certain very low reactivity compounds from Clean Air Act regulations.

Biosolids co-composters have come under scrutiny from air quality officials because of the emission of VOCs during the natural decomposition processes of composting piles of feedstocks. Research was recently conducted by Dr. Peter Green at UC Davis, which examined different VOCs emitted during the biosolids composting process to determine each one's reactivity or ability to act as precursor to the ground level formation of ozone. A report has been published jointly by WERF and CASA documenting this research on speciation and ozone forming potential of VOCs from biosolids composting facilities, and assessing their similarity to those from green waste composting.

This report concerns assessment of biosolids co-composting which is the combined composting biosolids with green waste. Because of the low overall ozone formation potential of the VOC emissions profile from green waste composting operations, it is expected that reducing biosolids co-composting pile emissions would be similar. The report concludes that more than 95% of the emissions were of three alcohols which were all of low reactivity and thus not significant contributors to ground level ozone formation. Here is a link to the final report: http://casaweb.org/documents/2011/werf2c10_web.pdf.

CASA met with the Air Division, along with the Water Division, at USEPA Region 9 and will continue the dialogue to allow flexibility when meeting permit limits.

EPA's New Tool to Access Greenhouse Gas Emissions Data

By: Divya Bhargava/CH2M HILL; Adapted from the EPA's January 11, 2012, Press Release at http://yosemite.epa.gov/opa/admpress.nsf/0/8890DDDC08B1B82785257982005CCACD

For the first time, comprehensive greenhouse gas (GHG) data reported directly from large facilities and suppliers across the country are now easily accessible to the public through EPA's GHG Reporting Program. The 2010 GHG data includes public information from facilities in nine industry groups that directly emit large quantities of GHGs, as well as suppliers of certain fossil fuels and high global warming gases. This information can be used by communities to identify nearby sources of GHGs, help businesses compare and track emissions, and provide information to State and local governments.

EPA's online data publication tool allows users to view and sort GHG data from over 6,700 facilities in a variety of ways—including by facility, location, industrial sector, and the type of GHG emitted. The tool displays data in two distinct sections - "Direct emitters" (facilities that combust fuels) and "Suppliers" (entities that supply certain fossil fuels which, when combusted, released or oxidized emit greenhouse gases into the atmosphere). EPA's Data Publication Tool can be accessed from: http://epa.gov/climatechange/emissions/ghgdata/.

California also publishes the GHG emissions reported by facilities through the Mandatory Reporting Program—see http://www.arb.ca.gov/cc/reporting/ghg-rep/reported_data/ghg-reports.htm. These emissions represent approximately 40 percent of the State's GHG emissions. California also publishes facility emissions for criteria and toxic air pollutants at http://arb.ca.gov/ei/disclaim.htm.

EPA Regulatory Relief Act of 2011

By Divya Bhargava/CH2M HILL

The House of Representatives Energy and Commerce Committee approved the H.R.2250 Bill, also known as the "EPA Regulatory Relief Act", on September 26, 2011. It is currently being read by the Senate. The purpose of the Bill is to provide additional time for the Administrator of the EPA to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes.

The Bill, if passed, would block EPA from issuing revised air pollution and solid waste rules for boilers and incinerators. It would provide a legislative stay of four interrelated EPA rules, commonly referred to as the "Boiler MACT rules," that govern emissions of mercury and other hazardous air pollutants from approximately 200,000 boilers and incinerators nationwide. These rules are:

- National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters
- National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers
- Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units
- Identification of Non-Hazardous Secondary Materials That Are Solid Waste

The Bill would also provide for the replacement of the Boiler MACT rules, and would stop the EPA from issuing the proposed rules for 15 months after the bill is passed, and would give regulated industry five years to comply rather than the three years included in the Clean Air Act.

Current Status: On October 18, 2011 the Bill was read for the second time by the Senate and has been placed on the Senate Calendar. CH2M HILL will continue to track the status of the bill and keep members updated.

EPA's Clean Energy Financing Decision Tool and Guide

By: Divya Bhargava/CH2M HILL; Adapted from EPA's website: http://epa.gov/statelocalclimate/state/activities/financing.html

States and communities are increasingly investing in energy efficiency and renewable energy to achieve their air quality, economic, and energy goals. They can do this by adopting clean energy financing programs that can make efficiency and renewable energy more affordable for their residential, commercial, and municipal sectors.

EPA's State and local Climate and Clean Energy Program is supporting these efforts with the launch of a new online Financing Program Decision Tool and a Financing Program Decision Guide. These financing Web pages are designed for State and local government staff working to encourage clean energy improvements, either in their own facilities or in their residential and commercial sectors.

Financing Program Decision Tool

The Financing Program Decision Tool will help State and local staff identify clean energy financing programs suited to their target market and available resources. It is an ideal place to start designing or revising a clean energy financing program. The tool requires answers to some simple questions, and it the most promising program options for the State or local jurisdiction's specific needs.

Financing Program Decision Guide

This Guide complements the Tool, and includes the basics on financing-program options, as well as key considerations and factors for States and communities to weigh as they start up or expand their clean energy financing programs.

For more information about these tools, please visit:

http://epa.gov/statelocalclimate/state/activities/financing.html

GRANT OPPORTUNITIES

California Financing Coordinating Committee Funding Fairs

By: Divya Bhargava/CH2M HILL; Adapted from CFCC press release: http://cfcc.ca.gov/res/docs/FINAL_2012_CFCC_Flyer(2).pdf

The California Financing Coordinating Committee (CFCC) is holding free funding fairs at six locations to educate the public about the financial and technical resources available for eligible critical infrastructure projects, including wastewater, solid waste and energy efficiency. The fairs will provide opportunities for public works, local government, and economic development professionals to obtain information about grant, loan and bond financing options that are available. The fairs will occur between March and May in San Diego, Riverside, Fresno, Santa Cruz, Redding, and Sacramento. For more info about these Funding Fairs, visit the web link above.

The CFCC was formed in 1998 and is made up of eight State and Federal funding members: State Water Resources Control Board, California Department of Public Health, United States Department of Agriculture, California Department of Housing and Community, Development, California Department of Water Resources, United States Environmental Protection Agency, California Infrastructure and Economic Development Bank (I-Bank), and the Bureau of Reclamation. CFCC Members facilitate and expedite the completion of various types of infrastructure projects helping customers combine the resources of different agencies. Project information is shared between members so additional resources can be identified.

EPA's FY 2013 Budget Proposal Focuses on Core Environmental and Human Health Protections

By: Divya Bhargava/CH2M HILL; Adapted from the EPA's February 13, 2012, Press Release at http://yosemite.epa.gov/opa/admpress.nsf/0/D38E604EF465557A852579A3005F4630

The Obama Administration proposed a FY 2013 budget of $8.344 billion for the U.S. Environmental Protection Agency (EPA) on February 13, 2012. This budget reflects a government-wide effort to reduce spending and find cost-savings. The FY 2013 budget is the result of EPA's ongoing efforts to carefully consider potential cost savings and reductions while continuing its commitment to core environmental and health protections safeguarding Americans from air, water, and other types of pollution. Two of the key 2013 budget highlights that support the infrastructure of clean water agencies include:

***Supporting State Governments*:** The budget proposes $1.2 billion in categorical grants for states that are on the front lines implementing environmental statutes such as the Clean Air Act and the Clean Water Act, and includes nearly $66 million for State and Tribal Air Quality Management grants, nearly $27 million for Pollution Control (Clean Water Act Section 106) grants, and about $29 million for the Tribal General Assistance Program.

Protecting America's Waters: The proposal provides $2 billion for Clean Water and Drinking Water State Revolving funds (SRFs). This will allow the SRFs to finance over $6 billion in wastewater and drinking water infrastructure projects annually. EPA will work to target assistance to small and underserved communities with limited ability to repay loans, while maintaining State program integrity.

State Water Board's Clean Water State Revolving Fund Program

By: Divya Bhargava/CH2M HILL; Adapted from the State Water Board's website:
http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/expanded_use.shtml

The Clean Water State Revolving Fund (CWSRF) program was established under the Clean Water Act and is available to fund a wide variety of water quality projects including all types of nonpoint source, watershed protection or restoration, and estuary management projects, as well as more traditional municipal wastewater treatment projects. Under this program, the EPA provides grants to all 50 states to capitalize State loan funds. The States, in turn, make loans to communities, individuals, and others for high-priority water-quality activities.

The CWSRF program offers low interest financing agreements for water quality projects. Annually, the program disburses between $200 and $300 million to eligible projects. Eligible projects include construction of publicly-owned facilities, including wastewater treatment, local sewers, sewer interceptors, water reclamation facilities, and stormwater treatment. Any city, town, district, or other public body created under State law is eligible for this program. Applications for this program are being accepted on a continuous basis, and can be submitted by completing the State Water Board's on-line Financial Assistance Application Submittal Tool (FAAST): https://faast.waterboards.ca.gov/help/FAASTUserManual.htm.

Carl Moyer On-Road Voucher Incentive Program

By Divya Bhargava/CH2M HILL

The On-Road Voucher Incentive Program (VIP) provides funding opportunities for fleets with 10 or fewer vehicles to quickly replace or retrofit their older heavy-duty diesel vehicles. VIP is a part of ARB's Carl Moyer Program Fleet Modernization program. The Carl Moyer Memorial Air Quality Standards Attainment Program provides incentive grants for cleaner-than-required engines, equipment and other sources of pollution providing early or extra emission reductions. The VIP provides a streamlined approach to reduce emissions by replacing existing, high-polluting vehicles with newer, lower-emission vehicles or by installing retrofits.

Fleet owners that operate vehicles with 2002 or older model year diesel engines may be eligible for funding towards the purchase of a replacement vehicle that has a 2007 or newer engine. Fleet owners that operate vehicles with 1994-2006 model year diesel engines may be eligible for funding towards the purchase of an exhaust retrofit. The following heavy-duty vehicle projects are eligible for funding:

- New Replacement Vehicle Purchase: The purchase of a new 2007 model year or later vehicle with a certified engine
- Used Replacement Vehicle Purchase: The purchase of a used 2007 model year or later vehicle with a certified engine
- Retrofit Purchase and Installation: The purchase and installation of a qualifying retrofit device that is verified by the ARB for the specific engine family in the existing vehicle

VIP funding is now available Statewide. For more information on the VIP, please visit:
http://www.arb.ca.gov/msprog/moyer/voucher/voucher.htm

Revisions to BAAQMD New Source Review and Title V Permitting, District Regulation 2: *Rules 1, 2, 4, & 9* (Contd. From Page 12)

- Removed permit exemption for space heaters
- Reorganize Regulation 2 and Rules 1, 2, 4 and 6 so that it is easier to read; applicable definitions are now located in Rule 1 and standards are now located in the most appropriate rules
- Add public noticing requirements for new facilities and modifications to existing facilities that may result in a significant increase of criteria pollutants

Most of the changes will affect major facilities, such as refineries and power plants. In addition, facilities that apply for new or modified permits for sources of $PM_{2.5}$ will be subject to a new Best Available Control Technology (BACT) trigger level. Sources of $PM_{2.5}$ are generally sources which combust fuel (e.g., boilers, steam generators, engines, turbines) and/or handle solid materials (e.g., quarries, asphalt plants, landfills and refineries). In general, the proposed rule changes will incorporate existing PSD requirements and codify existing District procedures and practices. Smaller facilities that are not applying for new or modified permits will not be affected by the rule changes.

BAAQMD staff will take the final proposed amendments to Regulation to the Board for approval this summer. The amendments will be fully adopted after they are approved by the California Air Resources Board in December 2012 and the USEPA in 2013 or later.

Additional details regarding the proposed Regulation 2 amendments can be found at http://www.baaqmd.gov/Divisions/Planning-and-Research/Rule-Development/Rule-Workshops.aspx.

Status Update on CalRecycle's proposal to Regulate Anaerobic Digestion at POTWs (Contd. From Page 14)

The patch quilt regulatory landscape that would result would create a disincentive for POTWs to receive this waste even though the waste greatly enhances renewable energy production, reduces solids production, and provides an excellent repository for this organic waste stream.

CASA has worked successfully with the State Water Board to craft language to be included in a permit, permit application or a permit application addendum describing and explicitly regulating this activity. State Water Resources Control Board Executive Director Tom Howard sent a letter on December 6, 2011 to new CalRecycle Director Caroll Mortensen seeking cooperation between the agencies and requesting that CalRecycle issue a blanket exemption for this activity.

He included as an appendix the language to be inserted into permits as they are reissued. On December 20th, Greg Kester and Mike Dillon of CASA met with new CalRecycle Director Caroll Mortensen. During the meeting with Director Mortensen, Kester addressed the issue of solid waste handling at POTWs and explained how POTWs handle solid waste daily via bar screens at lift stations, screening at the headworks, grit removal, etc., and noted that virtually every POTW accepting hauled in waste for injection into their digester would first have a screening step of some kind (screen, rock trap, chopper pump, etc.) and that the wastewater agencies are adept at properly handling organic waste in compliance with existing State and Federal standards and permits. According to Greg, she totally understood the position of the wastewater community and appeared to agree that a blanket exemption would be the best path forward. Dialogue continues with CalRecycle and the SWRCB and CASA will continue to provide updates.

For more information on this issue, please contact Greg Kester at gkester@casaweb.org.

Important Dates

Next BACWA AIR Committee Meetings:

- May 16th, 2012
- July 18th, 2012
- October 17th, 2012

Other important dates:

Next BACWA Executive Board Meeting is scheduled for Thursday, April 26, 2012 from 9:00 a.m. - 12:00 p.m. at the EBMUD Treatment Plant Operations Center, 2020 Wake Avenue, Oakland, CA

About Our Organization

BAY AREA CLEAN WATER AGENCIES (BACWA)

BACWA agencies are the day to day urban water resource managers and the stewards of the San Francisco Bay estuary. As such, it is the goal of BACWA to ensure that local and regional decisions makers understand and use scientifically sound data to make management decisions that will result in improvements and enhancement of the Bay estuary.

It is the goal of BACWA that all resource managers and decision makers understand the watershed dynamics and embrace a regional approach to water quality issues recognizing that regional problems call for regional solutions.

AIR ISSUES & REGULATIONS COMMITTEE (AIR)

The Air Issues and Regulations Committee (AIR) develops, analyzes and distributes scientific information regarding air pollution and climate change issues related to operation and maintenance of publicly owned treatment works.

A BIG THANKS to our Contributing Authors

ALEXANDRE MIOT & BONNIE JONES (SFPUC)

Alexandre and Bonnie authored an article about SFPUC's progressive approach to FOG waste collection and digestion. Thanks to both of you!

ANDRE SCHMIDT (LACSD)

Andre authored several articles on renewable energy and energy-related webcasts, including self-generation incentive program modifications. Thank you Andre!

CYNTHIA FINLEY (NACWA)

Cynthia co-authored an article about EPA's reconsideration of boiler emission standards. Thank you Cynthia!

GREG KESTER (CASA)

Greg authored an article about the status update on CalRecycle's proposal to regulate anaerobic digestion at POTWs. Thank you Greg!

KRIS FLAIG (City of Los Angeles)

Bob authored an article about the year in review for the California Wastewater Climate Change Group, describing the efforts and accomplishments of the group. Thank you Kris!

Prepared By
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BAPPG Committee Report to BACWA Board

Meeting Date: May 3, 2012
Prepared By: Sarah Scheidt, City of Sunnyvale
BAPPG Committee Chair

Project Updates

Project	Update	Completion Date
Contaminants of Emerging Concern	BAPPG submitted a letter of support to the Senate Rules Committee for Debbie Raphael's confirmation as Director of the Department of Toxic Substances Control (DTSC). The letter is attached for reference.	April 2012
Copper	BAPPG's updated Copper fact sheet has been finalized and is attached for review. The brochure will be used in next fiscal year's training provided to plumbing industry groups.	April 2012
General P2	BAPPG sent a letter to the EPA expressing our strong support for the Greener Pesticides for Cleaner Waterways Campaign, proposed by the San Francisco Estuary Partnership. BAPPG indicated that it will leverage the project with $20,000 in Our Water Our World program support. The Grant application is due May 4, 2012. The letter is attached for reference.	April 2012

Next BAPPG Meeting

June 6, 2012, 10am – 12 pm
Elihu Harris State Building
1515 Clay Street, 2nd Floor, Room 12
Oakland, CA

BAY AREA POLLUTION PREVENTION GROUP
BAPPG
A Committee of Bay Area Clean Water Agencies

Fax

To:	The Honorable Darrell Steinberg President Pro Tem, California State SenateChair, Senate Rules Committee	**From:**	Sarah Scheidt, Chair- Bay Area Pollution Prevention Group
Fax:	*916-445-1830*	**Pages:**	2
Phone:		**Date:**	April 10, 2012
Re:	Confirmation of Debbie Raphael as Director of Department of Toxic Substances Control - Support	**CC:**	*Members of the Senate Rules Committee:* *Senator Bob Dutton, Vice Chair, 916-327-2272 (f)* *Senator Jean Fuller, 916-322-3304 (f)* *Senator Elaine Alquist, 916-324-0283(f)* *Senator Kevin DeLeon, 916-327-8817 (f)*

Please find the attached letter of support.

BAY AREA POLLUTION PREVENTION GROUP
BAPPG
A Committee of Bay Area Clean Water Agencies

April 10, 2012

The Honorable Darrell Steinberg
President Pro Tem, California State Senate
Chair, Senate Rules Committee
State Capitol
Sacramento, CA 95814
Submitted via facsimile: 916-445-1830

Re: Confirmation of Debbie Raphael as Director of Department of Toxic Substances Control - Support

Dear Senator Steinberg,

The Bay Area Pollution Prevention Group (BAPPG) appreciates the opportunity to submit this letter of support for Debbie Raphael's confirmation as Director of the Department of Toxic Substances Control (DTSC).

The membership of the Bay Area Pollution Prevention Group, which includes forty-three wastewater treatment plants serving millions of Bay Area residents, are charged with safeguarding our receiving waters. Our members have been involved in the Green Chemistry Initiative, with the hope that the resulting regulations can stem the tide of harmful chemicals that all too often make their way down drains to our wastewater treatment plants.

During the short time since her appointment, Ms. Raphael has reinvigorated the development of the Safer Consumer Products regulations that are critical to the advancement of the California Green Chemistry Initiative. The previous administration threatened to scuttle two years of strong stakeholder involvement, by releasing a a draft regulation that at the last minute diverged drastically from previous versions and offering only an extremely abbreviated comment period.

By contrast, Ms. Raphael has sought to rebuild stakeholder trust in the process by issuing a new set of informal preliminary draft regulations with ample time to comment, encouraging stakeholder input that will inform the draft, and ensuring transparency with regard to the Department's decision making process.

We support Ms. Raphael's confirmation and look forward to continuing to work with her and her staff in the future.

Sincerely,

Sarah Scheidt, Chair
Bay Area Pollution Prevention Group

cc: *Members of the Senate Rules Committee:*
Senator Bob Dutton, Vice Chair, 916-327-2272 (f)
Senator Elaine Alquist, 916-324-0283 (f)
Senator Jean Fuller, 916-322-3304 (f)
Senator Kevin DeLeon, 916-327-8817 (f)

BAY AREA POLLUTION PREVENTION GROUP
BAPPG
A Committee of Bay Area Clean Water Agencies

April 18, 2012

Ms. Luisa Valiela, SFBWQIF Lead
EPA Region 9 (WTR-3)
75 Hawthorne Street
San Francisco, CA 94105

RE: Support for Greener Pesticides for Cleaner Waterways Campaign

Dear Ms. Valiela:

I am writing to express our strong support for the Greener Pesticides for Cleaner Waterways Campaign, proposed by the San Francisco Estuary Partnership on behalf of a consortium of agencies for implementation throughout the Bay Area.

The Bay Area Pollution Prevention Group (BAPPG) brings together representatives from 43 wastewater treatment facilities in the San Francisco Bay Area and beyond, working to prevent pollution in San Francisco Bay. BAPPG is a participant in the Bay Protection and Behavior Change campaign and consortium, and we support the consortium's goal of unifying outreach on stormwater and wastewater pollution prevention throughout the nine-county region of the Bay Area. The consortium will soon complete its development of the regional pollution prevention brand, and we look forward to doing our part to promote the Greener Pesticides for Cleaner Waterways Campaign under this new brand.

In the proposal before you, the communication strategies involve not only strengthening point-of-purchase information, but also rely on grassroots promotional tactics from the consortium agencies. BAPPG members stand ready to leverage the alternative pesticides messages of this campaign through our communication channels, including our local events and partner channels. With all of the consortium's public agencies taking a similar message-leveraging approach, we can look forward to strong message saturation in our large region, leading to increased awareness and behavior change in our target audience to using less-toxic pesticides.

BAPPG will leverage the project with $20,000 in Our Water Our World program support.

BAPPG thanks the US EPA for this opportunity and looks forward to working with San Francisco Estuary Partnership and our other Bay Area partners on this regional pesticide campaign.

Sincerely,

Sarah Scheidt
BAPPG Chair

Why proper design and installation are so important—

To protect our water supply

Plumbing installation practices can impact drinking water quality. Copper is an acute contaminant that can cause gastrointestinal upset and other health problems. Installing copper pipe incorrectly can increase the copper concentration in drinking water above the national water quality standard. Metal shavings left in the pipe can also impact taste and odor.

To protect our environment

Like other heavy metals that accumulate in San Francisco Bay, excessive copper has a negative environmental impact. ***Of the copper discharged to the Bay from wastewater treatment plants, about 60% is believed to be from copper pipe corrosion.*** Copper is acutely toxic to plankton, and accumulates in shellfish, affecting their reproduction and growth. Impacts to these and other species can upset the natural balance of species.

STOCKBYTE/PHOTOS.COM SHERYL GRIFFIN/PHOTOS.COM

BAPPG BAY AREA POLLUTION PREVENTION GROUP

The **Bay Area Pollution Prevention Group (BAPPG)** is a committee of the Bay Area Clean Water Agencies (BACWA) that develops Bay Area-wide pollution prevention programs. (BACWA is a joint public powers authority whose members include public utilities that collect and treat municipal wastewater from the nine Bay Area counties.) To this end, BAPPG initiated a public education program focused on promoting pollution prevention through individual actions.

Visit **www.baywise.org** to learn more about how you can reduce water pollution and protect local creeks, the San Francisco Bay, and the Pacific Ocean. This website has information on a wide range of pollutants, such as pharmaceuticals, copper, mercury, used cooking oil, and household and gardening products.

Graphics Sources:

Copper Tube Handbook, Copper Development Association (CDA), 2002.

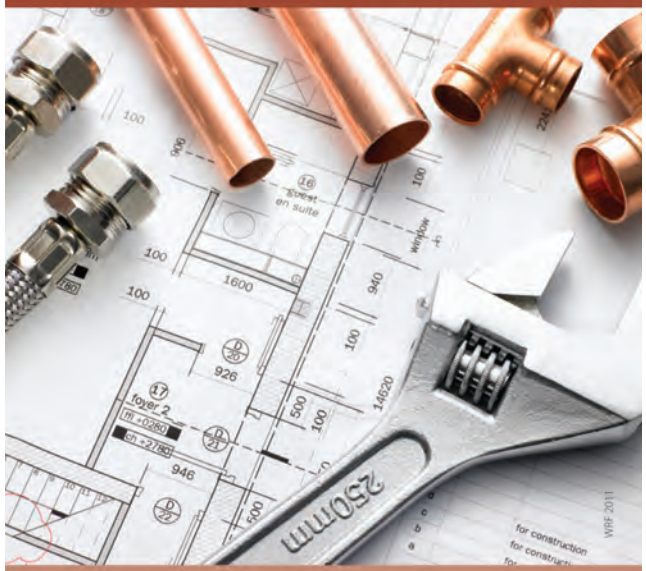
Edwards et al., "Lead and Copper Corrosion Control in New Construction," Water Research Foundation (WaterRF), 2011.

Lewis, Richard, "A White Paper Review: History of Use and Performance of Copper Tube for Potable Water Service," Washington Suburban Sanitary Commission, 1999.

Yeager, Thomas, "Copper Corrosion Reductions Associated with the Design and Construction Practices of Piping Systems, Heating Systems, Cooling Systems, and Hot Water Circulating Systems," Kennedy/Jenks, June 1995.

4/12

Proper Copper Pipe Installation



✔ protects drinking water

✔ protects the Bay

Proper Design and Installation Steps

☐ **System design**
- ✔ Minimize direction and size changes.
- ✔ Avoid stagnant sections.
- ✔ Minimize velocity (< 8 ft/s in cold lines, and <4-5 ft/s in hot lines).

☐ **Storage Protection**
- ✔ Protect pipe from weather and damage.

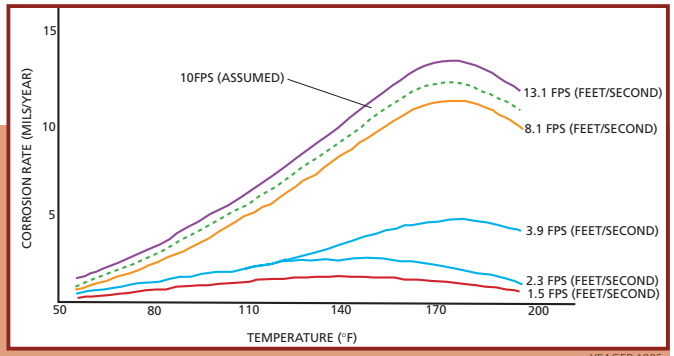
☐ **Careful reaming and cleaning**
- ✔ Eliminate small burrs created from pipe cutting. This prevents metal shavings from causing taste/odor issues and reduces turbulence, thereby decreasing corrosion.
- ✔ Remove all oxides, debris, and surface soil from tube ends.

☐ **Select the correct flux, and avoid excess**
- ✔ Select only flux with the "ASTM B813" standard to limit flux corrosivity.
- ✔ ***Avoid*** petroleum-based flux as it cannot be effectively flushed out of the pipe.
- ✔ ***Avoid*** ammonia-based flux as it attracts bacteria, which may impact taste and odor.
- ✔ ***Avoid*** zinc-based flux due to water quality impact.
- ✔ ***Avoid*** using excess flux; residue can increase pipe corrosion.

☐ **Immediately flush the system**
- ✔ Remove aerator and strainer screens.
- ✔ Flush system at a velocity of 3.6 feet/second for at least 30 minutes.

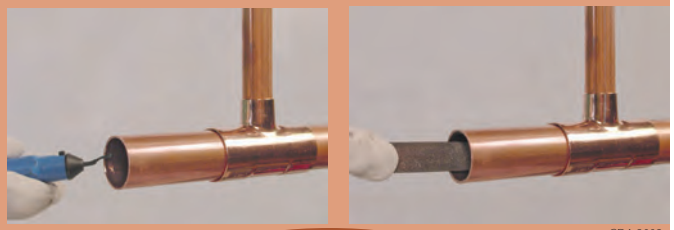
☐ **Building commissioning and operation**
- ✔ Avoid "shock chlorination" unless required by code.
- ✔ Minimize hot water temperature; a system temperature of 125°F is recommended.
- ✔ For inactive buildings, flush the system once a month. Stagnant water corrodes pipe.

Physical factors, such as flow velocity and water temperature, significantly affect pipe corrosion rate.

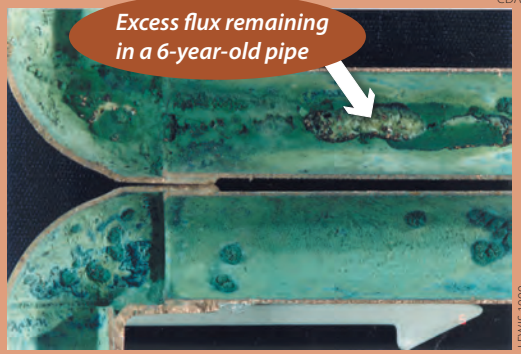


YEAGER 1995

Skilled reaming, prior to soldering, removes burrs and rough edges. This removes spots where turbulence can occur, thereby reducing corrosion. It also removes metal shavings that could affect taste and odor.


CDA 2002

Appropriate choice of flux and careful reaming and cleaning are key to avoiding pipe corrosion. Excess flux that has not been effectively flushed can create physical pitting in the pipe, increasing copper corrosion.



LEWIS 1999

For line flushing, how much is 3.6 feet/second?

½ inch pipe	2.2 gal/min
¾ inch pipe	5 gal/min
1 inch pipe	8.8 gal/min
1½ inch pipe	20 gal/min
2 inch pipe	35 gal/min

WaterRF 2011

If flux is not flushed, a visible water quality impact occurs in water that is stagnant for three weeks.

The corroded pipe at right is from a 500-unit condominium complex. This corrosion was rapid, occurring prior to wallboard installation.


WRF 2011

What happened?
The installer used a flux that was not ASTM B813 compliant, and did not flush excess flux after installation.

Biosolids Compost Facility Tour
Santa Rosa, CA

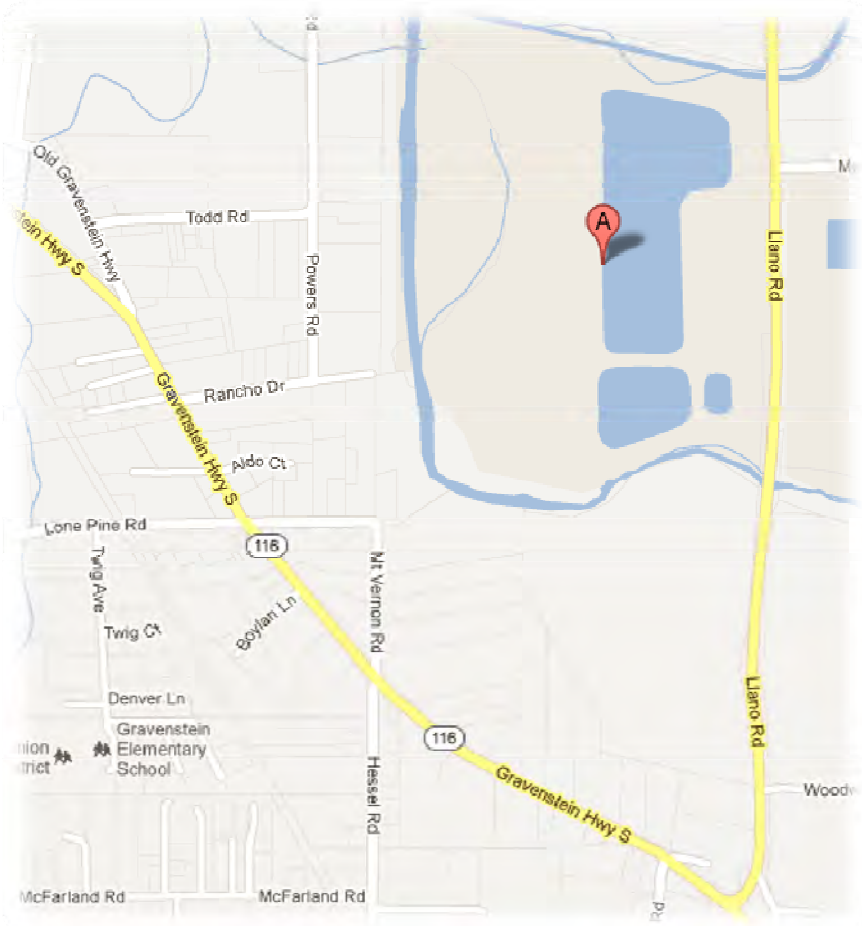
When: Wednesday, May 9, 2012
1:30pm to 3:30pm

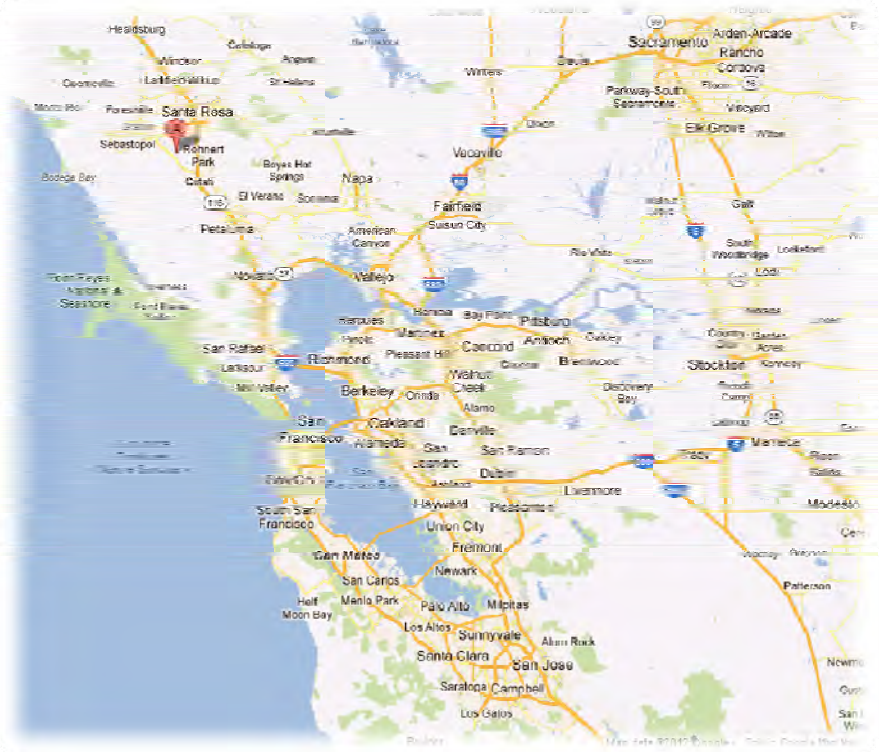
Where: Santa Rosa Wastewater Treatment Plant,
4301 Llano Rd, Santa Rosa, 95407
Administration Building, Estuary Room

Join **Zachary Kay**, Biosolids Manager with the City of Santa Rosa, on a tour of the Bay Area's leading facility on delivering Class A biosolids compost. As a member of the National Biosolids Partnership and active BACWA participant, Santa Rosa will help show you best practices on creating and marketing biosolids compost.

Who should attend: Wastewater treatment plant managers, biosolids managers, solid waste professionals, farmers, landscapers, and interested community members.

Please RSVP with Matt Krupp, BACWA Biosolids Chair at matt.krupp@sanjoseca.gov or (408) 945-5182





City of Santa Rosa California

BACWA BAY AREA CLEAN WATER AGENCIES

Directions to the Santa Rosa Wastewater Treatment Plant at 4301 Llano Rd, Santa Rosa:

From the south or east:

1. Take 101 North to San Rafael/Santa Rosa
2. When you enter the City of Cotati, take exit 481B for CA-116 W toward Rohnert Park/Sebastopol
3. Turn left onto CA-116 W/Gravenstein Hwy (signs for Sebastopol) - Drive approx 4 miles
4. Turn right onto Llano Rd - Drive approx .8 miles
5. As soon as you cross the bridge (guard rail section of road) take the first entrance on your right - Drive approx .2 miles
6. The Administration Building parking lot will be straight ahead
7. Go to the front desk and ask for the location of the Estuary Room

Collection Systems Committee Report to BACWA Board

April 25, 2012
From: Andy Morrison, Committee Chair
Prepared By: Andy Eggleston

Committee Request for Board Action:

None

Highlights of New Items Discussed and Action Items

SSS WDR Revisions Update

The State Water Board announced on April 11 that a decision had been made to postpone proceeding with proposed updates to the Sanitary Sewer System Waste Discharge Requirements (SSS WDR) until a later (unspecified) date. However, the State Water Board does have plans to prepare an amended Monitoring and Reporting Program (MRP) for the SSS WDR, to be released in September 2012. Russell Norman, State Water Board staff, presented the proposed changes at the California Water and Environment (CWEA) Annual Conference (April 17-20). The changes being considered include proposals to add specific water quality monitoring requirements, require submittal of an SSO Reduction Plan, add a number of record-keeping requirements, and to revise reporting categories to differentiate between Category 1 spills that reach surface water and those that do not. State Water Board staff indicated that feedback on the proposed revisions would be solicited through the Data Review Committee and various stakeholder groups (including BACWA).

California Water/Wastewater Agency Response Network (CalWARN)

Steve Dennis, Alameda County Water Agency and Coastal Region Chair of CalWARN, gave a presentation at the April 12 Collection Systems Committee meeting about CalWARN. Participation in CalWARN provides a platform for water and wastewater agencies to borrow and lend equipment and share staff resources more easily during an emergency. Each member agency signs an agreement that sets up terms under which others may borrow or lend. The agreements are compliant with National Incident Management System (NIMS) and California Emergency Management Agency (CalEMA) Standardized Emergency Management System (SEMS) standards, and with requirements to apply for reimbursement consideration by the Federal Emergency Management Agency (FEMA). CalWARN has over 250 members statewide. More information about the organization, including a list of member agencies and instructions for joining, are available at www.calwarn.org. There is no cost to join CalWARN.

Technical Topics Brainstorming

During the April 12 Collection Systems Committee meeting, attendees brainstormed and voted for technical topics to address at upcoming meetings. Technical topics receiving the most votes included: large force main condition assessment, manhole rehabilitation, emergency response equipment, corrosion control, and annual sewer system management plan (SSMP) audits.

Upcoming Conferences and Meetings

There are a number of upcoming collection system-related events, including:

- May 8 and May 15 – Sanitary Sewer Overflow (SSO) Volume Estimation (webinar): www.cwea.org/conferences
- May 22 – Creek and Waterway Protection and Spill Mitigation Training (Foster City): http://www.cwea.org/scv/
- May 22 – National Association of Sewer Service Companies (NASSCO) Pipeline Assessment & Certification Program (PACP) recertification class (Burlingame): http://nassco.org/training_edu/te_traincal_pacp.html
- June 6 – Collection System Technologies Vendor Fair (Union Sanitary District): http://cwea.org/sfb/

Next BACWA Collection Systems Committee Meeting

Our next meeting will be held on Thursday, May 10, 2012, from 1:30 – 3:00 PM at the Boy Scouts Facility in San Leandro.

Lab Committee – Report to BACWA Board

Reporting Date: April 24, 2012
Executive Board Meeting Date: May 3, 2012
Prepared By: Kenneth Lee, Committee Chair

Committee Request for Board Action:

None

Business Discussed and Action Items:

Business	Discussion
Pittcon 2012 Exposition, annual Pittsburgh Conference on Analytical Chemistry and Applied Spectroscopy, Orange County Convention Center, Orlando, FL, March 11 – March 15.	The Exposition is international in scope with approximately 20% of the exhibiting companies headquartered in 29 countries outside of the United States such as the United Kingdom, Canada, Japan, China, France, Germany, and Italy that provide products, services, and support for all facets of laboratory operations in the industrial, academic, and government sectors. The exposition displayed the latest technologies and instrumentation used by scientists in all areas. There were three specialized areas on the exposition floor, New Exhibitor, Life Science, and Laboratory Informations (LIMS). In addition to the exposition, various technical programs and workshops covering various subjects (environmental, health science, food, forensic, etc.) were offered. Technical Programs/Workshops of particular interest: 1. Paperless Laboratory 2. Emerging contaminants (pharmaceuticals, personal care products, etc. in drinking water, environmental samples, and tissues/blood) 3. EPA Method 1664B utilizing automated solid phase extraction – formalized various currently techniques such as SPE. 1664B is finalized in the latest MUR 4. Effective Communication in the Lab 5. PCBs Analysis using GC/MS/MS meeting EPA 1668 quality control criteria - Advantages for the laboratory are the reduction in cost of the equipment relative to high-resolution GC-MS systems. Alternative Testing Procedure (ATP) approval may be necessary 6. Homeland Security/Forensics 7. LC & LC/MS and Mass Spectroscopy (e.g., triple quad MS detectors) Emerging Analytical Instrumentation Technologies: 1. New Technique for Wastewater treatment process control – using on-line TOC analyzer using an ultra-efficient Supercritical Water Oxidation (SCWO) technique. The manufacturer, GE Analytical Instruments, claims that this new technique is able to run many wastewater samples continuously with no recalibration, no system maintenance, and no replacement parts. By continuously monitoring the TOC

	of the influent and effluent, treatment process can be monitored and modified in real time. 2. Hyphenated technique of LC to ICP/MS for improved detection of Cr VI in the environment (LC-ICP/MS) 3. Portable Mercury Meter for ambient air, gases, and waters 4. Nanotechnology GC-On-A-Chip – microcolumn separation of vapor matrix 5. Emerging contaminants in water and wastewater using high performance time-of-flight mass spectrometry (TOF-MS).
BACWA Nutrient 13267 Letter Sampling and Analysis Plan	Andy Eggleston of RMC Water was a guest for the Lab Committee Meeting. Feedbacks and comments were provided to Andy for incorporation in the Sampling and Analysis Plan.
CIWQS eSMR 2.5 Update	As reported previously, the Board expected to begin testing in late December 2011 or early January 2012. The implementation date has been discussed and postponed to most likely third or fourth quarter of 2012.
Updated instructions for DMR Submittal	An updated set of instructions has been issued by the DMR Processing Center from Sacramento. In summary, one hard copy DMR with original wet signature must be submitted through the mail to the Processing Center. The submittal must include only the DMR completely filled out. If the DMR is self-generated, the form must match the original exactly to avoid processing issues.

Permits Committee – Report to BACWA Board

Reporting Date: 4/11/12
Executive Board Meeting Date: 4/26/2012
Committee Chair: Jim Ervin

Committee Request for Board Action: None.

Adoption of Permits/Permit Amendments –

Apr – Rodeo Sanitation District was adopted on consent calendar.
Jun – Central Marin Sanitation Agency

Continuous Chlorine Monitoring: As a result of Water Board Staff inspection of a discharger's reported "Total Chlorine Residual" exceedance that occurred in October 2011, the Water Board NPDES group followed up by requiring that this discharger report the maximum residual chlorine concentration from continuous monitoring recorded each day. This reporting approach is in conflict with current NPDES permits, which now include language indicating that, for agencies that use continuous monitoring, the standard reporting protocol is to record the concentration at the top of the hour, and report the maximum of those readings as a daily value in the monthly Self-Monitoring Report. Typical NPDES permit language currently indicates: 1) Discharger shall report the maximum residual chlorine concentration observed following dechlorination on a daily basis, 2) ALTERNATIVELY, Discharger may evaluate compliance with this requirement by recording discrete readings from continuous monitoring equipment every hour on the hour, or by collecting grab samples every hour …, 3) … Regional Water Board reserves the right to use all other continuous monitoring data for discretionary enforcement.

Reporting the maximum Total Chlorine Residual recorded on a continuous monitoring device is problematic. The chlorine limit is 0.0. Any instantaneous glitch would be reported into State and EPA databases as a violation regardless of reality. This could create an incentive for dischargers to a) not use continuous monitoring devices for chlorine monitoring and control, or b) over-dose their effluent with dechlorinating agent, which is also not desirable in the receiving water.

So far, this new chlorine policy was not incorporated in any new permits and only affects one discharger as a response to a single exceedance.

Nutrients 13267 letter released 2 March: The nutrient 13267 letter requires that listed POTWs provide a Sampling and Analysis Plan (SAP) by 30 April and begin monitoring a suite of nutrient and nutrient-related parameters by 1 July. The 13267 letter encouraged POTWs to "collectively submit one sampling plan."

SAP: Forms for the development of a BACWA joint Sampling and Analysis Plan (SAP) were emailed to all BACWA agencies discharging to San Francisco Bay on Tuesday, March 27, and the forms were due on Friday, 6 April. All Bay Area municipal agencies have now submitted forms as requested. RMC is on track to submit the joint SAP by the 30 April due date. SAP issues that were discussed at the BACWA Permits Committee meeting 10 April are as follows:

- Orthophosphate –USEPA is getting ready to issue changes to 40 CFR 136 that will require filtration of orthophosphate ***grab*** samples within 15 minutes. The regulations are silent on composite samples. There was some concern by committee members about filtering samples in the field, and committee members generally agreed that filtration in the lab is a superior option.
- Urea – Only the five principal dischargers are required to monitor urea. San Jose and EBMUD are working on in-house method development. There is no EPA approved method that will detect down to 0.2 mg/l.
- Total N and P – The SAP may recommend that only Total N and Total P will be monitored in influent. Also, we expect the SAP to indicate that Nitrate and Nitrite in effluent may be monitored as one constituent.
- ELAP Certification – Water Board staff has confirmed that analyses under the Nutrient 13267 letter do not require ELAP certification if performed in-house, but a split sample should be analyzed once per year at an ELAP certified lab. This approach will also be included in the SAP.

The 13267 letter also requires that dischargers indicate what type of historical data is available since 1975 via FTP submission to Water Board by 1 June. Historical data that is available electronically must be submitted to Water Board 90 days later: 1 September. BACWA Executive Board may want to consider contract assistance for evaluation of historic and current nutrient data generated under the nutrient 13267 letter. The large amount of data provided to Water Board Staff and SFEI will be useless without some amount of synthesis. Dischargers may want to characterize and explain historic process changes that would have caused changes to their effluent nutrient profile.

Nutrient Numeric Endpoint (NNE): A NNE meeting was held at Water Board on 29 March. A Draft Nutrient Strategy

was released for comment by 10 May. The NNE workgroup expects to release a work plan this summer. There was some discussion about hiring a process coordinator to help organize processes to develop a nutrient policy on a dual track with the development and synthesis of the science. The new BACWA Executive Director expects that BACWA will submit comments on the NNE Draft Nutrient Strategy.
Trienniel Review –comments due 17 April: The Triennial Review workshop was held on 27 March. Water Quality objectives for Toxicity, Dissolved Oxygen, and Nutrients are topics of concern for BACWA. Permits committee chair drafted and EOA drafted a comment letter that was provided for Executive Board review on 13 April.
Toxicity Policy / Toxicity Workgroup: The second Toxicity Workgroup meeting was held at SF PUC on 15 March. Toxicity testing using Echinoderms was demonstrated. The next workgroup meeting at EBMUD in May will discuss Toxicity Reduction Evaluation (TRE) procedures with Water Board Staff present. The Toxicity Workgroup will begin development of a TRE manual or lessons-learned document with the goal of creating a better understanding of what should and should not be done during TRE and how to determine when the TRE is finished.
Next BACWA Permits Committee Meeting: Tuesday, May 8th, 2012, at EBMUD Plant Library.

Director's Report to the Board

April 1, 2012 – April 27, 2012
Prepared for the May 3, 2012 Executive Board Meeting

STARTUP: Setup Webmail, Reviewed Website, Still to working to access BACWA's electronic files on Box.net cloud storage.

TRIENNIAL REVIEW OF BASIN PLAN: BACWA comments were submitted. Great job by Jim Ervin and Tom Hall with excellent guidance from the Permit Committee.

NUTRIENT 13267 LETTER RESPONSE: Revised draft in response to input from Board, RWQCB and RMC. Follow-up meeting with RWQCB will be required to finalize parameter for plant influent.

NNE COMMENT LETTER: Rough draft prepared, and copy of draft to be distributed to the Board before the May 3rd meeting. Submittal is due May 10th. Temporary Executive Director (TED), based on consultation with BACWA Chair, engaged HDR to help draft response.

MEETINGS ATTENDED: Permit Committee, IEP annual Science Meeting, CCCSD/RMA Model demonstration. TED met with Isle Utilities and requests Board feedback on attached *Proposal for Technology Approval Group in California.*

RWQCB/BACWA MEETING: TED requests Board feedback

SUISUN BAY ISSUES: Followed up Board direction re local participation. This will be further discussed at the May 3rd Board Meeting.

NEXT MONTH

NUTRIENT 13267 LETTER RESPONSE: Follow up with RWQCB to finalize influent parameters

NNE COMMENT LETTER: Incorporate feedback from Board and others and submit comments

SUISUN BAY ISSUES: Meet with potential participants, and present issue for Board consideration at the May 24th Board Meeting

James Kelly
BACWA
PO Box 24055, MS702
Oakland, CA 94623

Louise Elliott
Isle Utilities
louise.elliott@isleutilities.com

20th April 2012

Dear James

Proposal for TAG in California

Further to our meeting this week, please find below our proposal for BACWA and their members to join our Orange County TAG group. I trust that this proposal is in line with your requirements; however we welcome the opportunity to discuss any comments or queries you may have.

BACKGROUND

Isle Utilities is an independent technology and innovation consultancy. We have a strong track record in identifying emerging technologies and accelerating their market uptake and we do this through our innovation forum called the Technology Approval Group (TAG).

TAG is a global innovation forum of the world's leading water utilities. The TAG model was first launched in the UK in November 2005, and over the last 7 years it has gone from strength to strength. TAG accelerates the market uptake of "step-change" technologies by engaging the industry during the pre-commercial stages of development and also by leveraging external investment from venture capital investors. We now have TAG groups operating in North America, Europe, Australia and Singapore with over 50 water utilities participating globally.

Following the success of TAG in Europe and Australia, over the coming months Isle Inc will be established as a separate business specifically to deliver the TAG model in North America. We believe that TAG presents an excellent opportunity for BACWA and their members to become part of a growing network of TAG members at the forefront of innovation, sharing in a novel approach to adopting new technology.

WHY TAG?

TAG addresses a "gap" in the market: it promotes strategic level innovation, supports the development and commercialisation of new technology, and helps to secure external VC investment into the water sector. This is completely unique model for the water sector worldwide. Isle's track record to date includes:

- Over **150** technologies approved and formally presented to forum members since November 2005
- More than **75%** of these technologies have been taken forward by the members through trials or pilots
- Over **50** products are now commercially successful
- More than **$300m** of external investment has been leveraged through the forum.

PROPOSAL FOR TAG MEMBERSHIP

TAG consists of a continuous, on-going programme of activities initiated by the TAG meetings. These activities include the preparation and delivery of the TAG meetings themselves but also the one-to-one follow-up with our TAG members and appropriate technology companies. We also introduce the technology companies that are supported by the TAG members to investors and supply-chain partners to ensure that they have the necessary resources and delivery routes in place.

Descriptions for these activities are outlined below.

TAG Kick-off meeting: This is a meeting held with each TAG member to better understand the opportunities for innovation and their capital and operational programmes for the coming year.

Technology search: Isle proactively searches for new technologies to match our TAG members' requirements. The search includes technologies from all around the world, and more importantly also includes step-change technologies developed in other sectors (such as oil & gas, automotive, renewable energy, manufacturing, etc.).

TAG meeting preparation: Isle undertakes due diligence on each technology and works closely with the TAG members to select five high-potential technologies to present at each TAG meeting.

TAG Meetings: The five selected technologies pitch to the TAG members. Each presentation is 20 minutes long followed by 10 minutes of Q&A. This is followed by an open discussion without the technology company to provide TAG members with the opportunity to provide candid feedback and to discuss potential trials and projects.

TAG Follow-up: Opportunities for trials and other projects emerge during the TAG meetings. Facilitating introductions and/or one-to-one meetings between TAG members and technology companies, including those who were not invited to the TAG meetings but which still received interest.

Access to the online Technology Portal with over 1,500 technologies. As a TAG member you will have exclusive access to Isle's online Technology Portal. This online platform will include Isle's technology database, technology presentations, brochures, technology feedback, published reports and discussion forums.

TIMESCALES AND COSTING

As discussed in our meeting we would propose a fee of **$100,000** for BACWA and its members to join the Orange County TAG.

The next TAG meeting for Orange County takes place on **14th May** which we would like to invite you to attend so you can see it works in practice. I have also attached the long list of proposed technologies and the agenda for this meeting.

Technology Approval Group

OCSD's Plant 1, 10844 Ellis Avenue, Fountain Valley, CA 92708
Meeting 3 – Monday 14th May 2012

Attendees

Jeff Brown	OCSD	Dave Heinz	OCSD
Jim Burror	OCSD	Jim Herberg	OCSD
Kim Christensen	OCSD	James Ruth	OCSD
Carla Dillon	OCSD	Rob Thompson	OCSD
Michelle Hetherington	OCSD	Ed Torres	OCSD
Tom Meregillano	OCSD	Jason Bethke	GWR
Andre Miller	OCSD	Andrea Gysin	Isle Utilities
Y.J. Shao	OCSD	Stuart Moss	Isle Utilities
Nick Arhontes	OCSD	Louise Elliott	Isle Utilities
Bob Ghirelli	OCSD		

Agenda

09:00AM	Reception & coffee	
09:30AM	Welcome & introductions	Louise Elliott
	Recap around the TAG process	Andrea Gysin
	Updates from previous TAG meeting	Stuart Moss
10:30AM	Capilix	Evert Van de Werfhorst
11.15AM	EPi	Chris Lee & Mike Roberts
12:00PM	Lunch	
1.00PM	SuperOx	Brad Williams & Todd Graham
1:45PM	In-Pipe	John Williams
2:30PM	BioGill (via video conference)	John West
3:00PM	Summary & feedback	
3:30PM	Closing remarks & depart	

OCSD TAG 3 – Proposed Technologies

Board Room, OCSD Plant 1
Monday 14th May 2012

Wastewater

Emefcy Bio-energy| Passive Aeration System — Israel

Emefcy was founded in 2008 with a vision of fundamentally changing the energy economics of wastewater treatment. In March, Emefcy received a 2012 New Energy Pioneer award from Bloomberg New Energy Finance. Emefcy has developed SABRE (Spiral Aerobic Biofilm Reactor), an early stage passive aeration technology for wastewater treatment. SABRE claims to decrease the energy needed for aeration by 95% as it eliminates the need to blow compressed air through the wastewater. The reactor is based on breathable membranes rolled in a spiral, where air is continuously distributed through the spirals in the axial direction. Oxygen diffuses through the breathable membrane into the wastewater. On the water side of the membrane, an aerobic biofilm develops. Deeper inside the water, an anoxic biofilm develops. SABRE also reduces sludge production by 30% - 50% compared to conventional processes. In total, it reduces WWTP operational costs by 30% - 40% and provides nitrification and de-nitrification (TN below 3 mg/l) while designed as an encapsulated modular and odorless system. Emefcy is currently focusing on small municipal WWTP (400–3,000 m^3/day, or 0.1 – 0.8 MGD) but is about to embark on research into a scalable application for larger volumes. With this in mind, Emefcy are keen to explore the opportunities in developing the SABRE with potential partners in the USA.

SuperOx |Supersaturated oxygenated water injection — USA

SuperOx has developed a technology that produces and delivers supersaturated oxygenated water. This patented and proprietary process creates a water stream ready for injection into the aeration basin, with oxygen saturation levels of 400 – 1,200% or more under atmospheric conditions, depending upon the application. More than 60% of the treated water flow from the SuperOx Box contains molecular oxygen in solution, like sugar mixed in water, at concentrations of up to 60 mg/l or more. As a result of the SuperOx process, this oxygen rich solution remains entrained in the water for an extended period of time, enhancing the system efficiency of delivering highly usable oxygen to the wastewater facility. Of the remaining, about 20% of the water flow is embedded and entrained with submicron or nano-size oxygen bubbles providing for a very efficient transfer of oxygen. In the final 20% of the water flow the oxygen is delivered in a combination of fine and coarse bubbles. In the two plants where the SuperOx Box has been installed to date, the process was able to produce less sludge and odor without dosing chemicals. SuperOx also allows the operator to turn blower consumption down or off resulting in an improved carbon footprint.

The units typically treat 0.25 – 1 MGD each; however, SuperOx are currently contracted to install on a 10 MGD plant. In this scenario 6.5 MGD are being treated, which requires 1 SuperOx Box on each of the 6 aeration basins on the plant. The footprint of each box is 13 ft x 7 ft.

Based on successful trials and commercial installations, SuperOx is looking for business partners and investors in the US with their current operations based in Houston, Texas.

Sludge Processing

EPi Ltd | Efficient pyrolysis unit for post AD biosolids UK

Environmental Power International Ltd (EPi) has developed and commercialized a unique pure pyrolysis system. The process produces energy rich and low carbon fuel gas, and a carbon char suitable for a range of different markets depending on feedstock. For most waste streams, there is no residual requiring disposal to land. The system comprises material feed process, core pyrolyser and gas clean up, and is modular (hence scalable), each module capable of processing up to 1.1 tons per hour (dependent on feed material) and capable of producing up to a 1 MW net electrical energy when the gas is fed directly to engine. 1 to 1.5 MW thermal is also available per MW electrical, and the vast majority of this is high grade heat suitable for a range of industrial applications (e.g. material drying) or further electricity generation via organic rankine cycle. Due to its unique patented heating system, (using electricity as its parasitic source), material feed process, and unique gas clean up, the EPi pyrolysis produces significant volumes of high calorific value gas, clean enough to be utilized directly in gas engines and with no emissions to air from the core process. The only emissions are when the gas is combusted in a gas engine and, due to the cleanliness of the gas, the emissions profile is broadly similar to natural gas combustion. A range of proven technologies exist for back end emissions control should local conditions require. Recent trials have been carried out with the UK water companies Thames Water and Southern Water. These trials, processing dried post-digestion sludge have proved impressive, producing large quantities of very high calorific value gas (average = 480 BTU/ft^3). EPi is keen to explore opportunities in the USA for partners in the wastewater sector.

This was proposed for the last TAG workshop. We expressed some interest in it, but it wasn't one of the presentations, so it's back on the list of possibilities.

BCR Environmental | Sludge conditioning and composting USA

BCR Environmental Corporation is a clean technology company focused on wastewater treatment processes that convert organic waste streams into safe, valuable, and marketable end products. BCR's patented technologies include its CleanB and CleanB-AC systems. Each system is modular, overcoming economy-of-scale limitations associated with traditional organic waste treatment systems and therefore the technologies can be applied at very small treatment plants. Each technology safely treats sludge with chlorine dioxide to eliminate odors, enhance dewatering performance, and potentially increase methane production. CleanB-AC is an Accelerated Composting system that produces high-quality commercial compost from sludge in approximately 30 days. BCR has an existing installed base of six systems in Florida. When compared to traditional sludge treatment systems, these technologies provides significant savings on both a capital and on operating cost basis. In one installation, operating costs were reduced by 40% through the implementation of a BCR system. The average sizes of their commercial plants are 5 wet TPD; however, they have also built a plant capable of processing 20 wet TPD.

BCR has identified the US West Coast as a market where CleanB and CleanB-AC would provide significant benefits. BCR Environmental desires to work with a system in order to demonstrate the process and gain traction in the region.

Collection systems

In-Pipe Technology| Bacillus Dosing USA

In-Pipe have developed a bio-augmentation product through their in-house laboratory. The manufacturing of the bacteria (bacillus) is undertaken by themselves in a spore state. In-Pipe increases the operating efficiencies of a plant by reducing influent organic loading and the costs associated with sludge handling and disposal, expensive chemicals, energy usage, and FOG. In-Pipe has abundant case studies proving reduction in H_2S, odor, and corrosion, and extending and protecting the life of the existing infrastructure by converting the sewer collection system into an active, beneficial part of the wastewater treatment process. In addition, proven performance in significant reduction of nitrogen within effluent samples has been recorded.

Note from Isle: We felt that In-Pipe would be relevant to OCSD (following the interest in Biowish at iTAG workshop #1) but recognized that monitoring the performance of the technology is difficult and that this has previously been identified as a weakness in others. We have been in discussions with In-Pipe to better understand their performance, which is demonstrated through a range of case studies, albeit by comparing data pre- and post-application.)

Monitoring

Capilix | Online measurement of ionic composition Netherlands

Capilix is located in Leeuwarden, The Netherlands and was established to commercialize microchip capillary electrophoresis (CE) technology for on-line applications in water and wastewater processes. Capilix's vision is to bring the laboratory to the process, rather than waiting for the results of laboratory samples before changing process parameters. The technology is useful for determining concentrations of many different metal ions and other small ions present in aqueous samples, which can be measured simultaneously, i.e., in one run and online. This online profiling of metal ion composition has several potential applications such as process control in wastewater treatment; capabilities include NH_4, NO_3, H_2PO_4, Fe^{3+}. Furthermore, the same instrument can be used for analysis of different classes of ions (e.g., inorganic anions or volatile fatty acids) simply by using adapted assay formats. There are a number of advantages to the Capilix technology including a short response time (2 minutes), on-line application, one instrument for multiple components, and a wide range of cations and anions that can be monitored. Capilix is currently undertaking a trial monitoring VFA specification and total VFA in order to control anaerobic digester facilities and improve the biogas yield. Capilix is keen to explore opportunities in the US.

This is another technology that had been proposed previously. The individual TAG members' interest ratings ranged from very high to very low, but the average was high enough for it to be included our list of requested presentations (but ultimately it wasn't presented), so it's being considered again.

Artesis | Motor Condition Monitoring UK

The Artesis MCM system monitors the condition, identifies and diagnoses faults of motor driven equipment (such as pumps), thereby using the motor as a sophisticated transducer. The MCM system enables early warning of motor faults before a fault becomes a catastrophic failure. The MCM system requires only a connection into the motor's electrical supply and does not require any additional specialized sensors on the plant. The system is permanently installed to provide continuous fault monitoring. In addition to the monitoring technology itself, Artesis have also developed a library of operational and maintenance "events" for electric motors. This enables the system to accurately identify the key cause of a motor fault and the timeframes within which this event needs to be rectified. MCM allows the operator to plan maintenance of motor driven equipment at the most convenient times rather than reacting to faults, it also can reduce the amount of maintenance that is undertaken as monitoring will flag up when maintenance is required. The MCM technology is well-established in the energy utilities sector; however their experience in the water industry is limited and is something they would like to expand in the coming years. Within a number of existing applications in the oil and gas sector, payback has been realized in under 1 year. The saving is predominantly due to a reduction in maintenance costs.

In the USA, Artesis will be represented by its team in Ohio, who is keen to work with agencies in validating the benefits that can be derived from the use of the MCM technology in the water sector. While the technology has been proven, there are very few applications in water/wastewater (three water installations in the US), and they have found that there is a general resistance from the procurement departments in water companies in the UK and Australia (i.e., engagement through R&D departments has been essential to facilitate acceptance). Artesis are keen to partner with an agency that has the capacity to support R&D to confirm specific applications for wastewater treatment plants.

EasyFill| Haulage Data Collection Australia

Data Collect Australia has developed a simple and easy way for automating tracking, accounting, and reporting of sludge, FOG, and biosolids disposal. Their product, EasyFill, tracks and quantifies loads from the plant to disposal sites so authorities can verify that permit restrictions and environmental controls are being followed. The system is comprised of a GPS data logging communication device, a control unit and an automated load sensor. These are fitted to the hauler's vehicles, and once activated, the units send a continuous stream of data to the EasyFill System's secure servers. The data is received by the EasyFill application and converted into load and drop information and displayed graphically on an interactive map. The time the load or drop occurred and the load or drop location is also determined and recorded. At the same time, the information is monitored for various alerts and exceptions such as a hauler disposing at a non-approved location. This information is then made available as downloadable reports and screen displays through a secure web interface. The EasyFill system will allow agencies to adapt to the changing regulations within each state for sludge, FOG and biosolids disposal options. EasyFill is being developed to support best management practices specific to FOG as well as biosolids and is being designed to enhance the National Biosolids Partnership's (NBP's) Environmental Management System (EMS) program. The EasyFill technology has been successfully deployed in Australia in the water hauling sector, and Data Collect is currently looking for agency partners for a pilot project.

The Easy Fill system can be integrated into existing biosolids tracking systems (BTSs) and a web service enables the agency to view data in real time. There is no capital expenditure; payment is based on usage rate (every time a truck undertakes one trip, a cost will occur to the client). This model also means a warranty exists on all devices throughout the term of this payment structure.

EasyFill requires a GPS, but there has been resistance from installing the devices with contractors in the past. Importantly, unless desired from the contractor or client, there is no tracking information uploaded to the database between loads. The information that is logged includes time and place of location and size of drop; in addition, all billing and accounting can be included within the database, thereby creating an audit trail.

The key areas of benefit, whether aligned to the existing BTS system or used as an alternative, are around the statistical data collated for interpretation; this can be used for route optimization. Interfaces can be added to reflect different types of loads (e.g. raw or digested biosolids) and to support permit compliance with loads like FOG.

GWR| Optimization suite for Utilities USA

FATHOM™ is a utility optimization suite of services that drives operational efficiencies by improving data and business processes associated with billing, customer service, asset management, and operations. The FATHOM™ Customer Information System (CIS) module allows utilities to access FATHOM's state-of-the-art billing and consumer interface systems, while the Asset Management System (AMS) combines real-world spatial data with consumer and meter data to allow for streamlined field service operations.

The main opportunities for OCSD include:

- Applying geo-spatial data to customer service, including reporting spills, odor and other issues;
- Monitoring new connections, ensuring that the inventory and characteristics are correct at all times;
- Integrating data from sewer meters for commercial accounts;
- Providing advanced analytics on flow to identify and report operational anomalies;
- Integrating on-line sensors and/or LIMS data to ensure correct constituent loading fees are collected;
- Integrating pipeline inspection and monitoring programs into AMS;
- Integrating plant-side documentation and control via AMS (Plant 4D).

The main benefit is in turning asset management data into real-time information to support operational decisions, so this would work together with OCSD's existing asset management database and GIS systems. FATHOM™ is actively being deployed and is looking to continue to improve the platform by using it across a number of industry segments.

BACWA CHAIR / EXECUTIVE DIRECTOR AUTHORIZATION REQUEST

FILE NO.: 12,698

DATE: March 21, 2012

TITLE: Chinook Book Advertising Baywise.org for BAPPG FY2011/2012.

RECOMMENDED ACTION

Chair authorization for an agreement with Chinook Book in an amount not to exceed $1,900 for advertising for BAPPG Unplanned Issues FY[2011/2012 to be completed by June 30, 2012.

SUMMARY

This contract will provide outreach support for the Bay Area Pollution Prevention Committee's Baywise website through advertising in the two San Francisco Bay Area Chinook Books (East Bay and Silicon Valley). The Chinook Books are a book providing coupons for local green business as well as tips for the general public on how to reduce pollution and protect the environment. Advertising in theses Guides will increase the visibility of BAPPG's website campaign by targeting receptive local residents; BAPPG has negotiated a substantial decrease in the costs of the advertisements.

This work will be carried out under the supervision of Karin North, Palo Alto.

FISCAL IMPACT

Even though it not included in the Fiscal Year 2011-2012 BAPPG budget and workplan, there are sufficient funds in the BAPPG Unplanned Issues account to pay for this project. Therefore, this project will not cause BAPPG's actual year-end expenses to be greater than that for which they budgeted.

ALTERNATIVES

No other alternatives were considered as the BACWA contracting policies authorize a sole source selection process for contracts under $50,000.

Attachments:

1. Scope of Work
2. Purchase Order

Approved By: Amy Chastain	Date: 3/23/2012

BACWA EXECUTIVE DIRECTOR AUTHORIZATION REQUEST

FILE NO.: 12,710

DATE: April 10, 2012

TITLE: Jennifer Jackson for Baywise.org & Steering Committee Support for BAPPG FY 2011/2012.

RECOMMENDED ACTION

Executive Director authorization for an agreement with Jennifer Jackson in an amount not to exceed $4,999 for Baywise.org content development and other BAPPG Steering Committee support from BAPPG FY2012 Budget, to be completed by June 30, 2012.

SUMMARY

This contract will provide outreach support for the Bay Area Pollution Prevention Group's public website Baywise.org, as well as as-needed assistance by the BAPPG Steering Committee.

This work will be carried out under the supervision of Melody LaBella, Central Contra Costa Sanitary District and Karin North, City of Palo Alto.

FISCAL IMPACT

This project is included in the approved BAPPG FY 11-12 and Workplan.

ALTERNATIVES

No other alternatives were considered as the BACWA contracting policies authorize a sole source selection process for contracts under $50,000.

Attachments:

1. Scope of Work
2. Purchase Order

Approved By:	Date:
/s/ Jim Kelly, BACWA Executive Director	4/11/2012

North Bay Dischargers and BACWA Membership Dues

The table below lists POTWs that discharge to the North Bay and Carquinez Strait area, their annual BACWA membership dues, and Clean Bay Collaborative (CBC) contributions for fiscal year 2011-12.

- Agencies that are not BACWA members show an "NA" under the fee columns.
- BACWA Annual Membership rates are $90,000 for Principals, $7,500 for Associates, and $1,500 for Affiliates (based on size of agency).
- CBC Fees vary for BACWA members and, similar to RMP annual fees, are calculated based on metals loading.

Map ID	Discharger	Contact	Title	BACWA Membership Annual Fee	CBC 2012 Fee
15	Napa Sanitation District	Tim Healy	General Manager/District Engineer	$7500	$3946
1	American Canyon	Peter Lee	Wastewater Systems Manager	$1500	$500
21	City of Pinole-Hercules WPCP	Dean Allison	Public Works Director	$1500	$3334
21a	Rodeo Sanitary District	Steve Beall	Engineer-Manager	NA	NA
33	Vallejo Sanitation & Flood Control District	Ron Matheson	District Manager	$7500	$7829
7	Contra Costa County Sanitary District No. 5 (Port Costa WTP)	Dale McDonald	General Manager	NA	NA
2	Benicia Wastewater Treatment Plant	Charlie Knox	Public Works & Community Development Director	$1500	$2022
14	Mt. View Sanitary District	Mike Roe	District Manager	$1500	$1615
11	Fairfield-Suisun Sewer District	Greg Baatrup	General Manager	$7500	$6815
8	Delta Diablo Sanitary District	Gary Darling	General Manager	$7500	$9273

Reference Map:
http://baywise.org/Portals/0/documents/SFBayPOTWmap.pdf

BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 9
FILE NO.: 12,717
MEETING DATE: May 3, 2012

TITLE: Fiscal Year 2012-13 Budget & Workplan

☒ **MOTION** ☐ **RESOLUTION** ☐ **DISCUSSION**

ACTION UNDER CONSIDERATION

Approve the budget and workplan for the fiscal year covering July 1, 2012 through June 30, 2013.

SUMMARY

The Joint Powers Agreement establishing BACWA requires approval of a budget and workplan for the coming fiscal year's activities no later than June of the preceding fiscal year. In practice, the budget and workplan must be approved at least sixty days in advance of the start of the fiscal year to allow time for BACWA's Treasurer to enter the budget into the accounting systems. This budget can be amended by the Executive Board at any time in the future.

The attached budget is based on the assumption that revenues for the coming year will be the same as those for the Fiscal Year 2011 – 2012, to which the Executive Board agreed at the February 23, 2012 regular Board meeting.

FISCAL IMPACT

ALTERNATIVES

BACWA's contracting policy does not apply to this situation, therefore no alternatives were considered.

ATTACHMENT

1. 2012-13 Budget & Workplan

Table of Contents

INTRODUCTION

The Bay Area Clean Water Agencies (BACWA) is a joint public powers agency created by a 1984 Joint Powers Agreement (JPA) between the Central Contra Costa Sanitary District (CCCSD), the East Bay Dischargers Association (EBDA), the East Bay Municipal Utility District (EBMUD), the City of San Francisco, and the City of San Jose (collectively, "the Principal Agencies"). The JPA requires approval of an annual budget and workplan divided into three parts: overhead (Part A), general benefit programs (Part B), and special benefit programs (Part C).

The JPA requires that revenues for each fiscal year be equivalent to anticipated expenditures. Expenditures for Management & Administration (Part A), and General Benefit Programs (Part B) are funded by all BACWA members because these programs are carried out on behalf of all member agencies. BACWA currently has two General Benefit Programs: the core BACWA program to support member agencies and the Clean Bay Collaborative. Expenditures for Special Benefit Programs (Part C) are funded by those agencies that elect to fund those programs because those benefits accrue primarily to those participating agencies. BACWA currently has five Special Benefit Programs: the Air Information and Resources Committee, the Bay Area Pollution Prevention Committee, Water Operator Training, Proposition 50 Administration, and Proposition 84 Administration.

The purpose of this document is to fulfill the requirements of the JPA for the 2012 – 2013 Fiscal Year (2012 FY). This workplan and budget specify the purpose of each of BACWA's programs during the 2012 FY, the methods by which they will be carried out, the products that will be developed, and the persons responsible for implementation. The schedule for implementation of these programs is July 1, 2012 through June 30, 2013.

STRATEGIC PLAN

BACWA adopted its first strategic plan and accompanying workplan in 2009 and subsequently refined it in 2011. The strategic plan states the mission, values and goals of the organization as demonstrated in the work undertaken annually by the agency.

Mission

Through leadership, science and advocacy, BACWA provides an effective regional voice for the clean water community's role in stewardship of the San Francisco Bay environment.

Values

Leadership
Environmental Stewardship
Collaboration
Transparency
Fiscal Responsibility
Member Service

Goals

Member Service

1. Members are informed of critical issues and activities.
2. Members comply with applicable rules and regulations.

Informed Regulation

3. Environmental regulations and policies reflect the best available scientific, technical, and economic information.
4. Regulations consider environmental, social and economic sustainability.

Environmental Stewardship

5. Members optimize the value available from wastewater.
6. Watershed management principles are applied to address San Francisco Bay management challenges.

MANAGEMENT AND ADMINISTRATION (PART A)

BACWA has administrative and management expenses that are necessary for the agency to carry out its non-program related core functions (JPA, Section 9). They include expenses related to financial management, insurance, and organizational support. Administration of BACWA is carried out by an Executive Director and Assistant Executive Director selected by the Executive Board. Treasurer services are provided by EBMUD who manages BACWA's finances and performs an annual audit. The objective of these expenditures is to ensure effective, efficient, and transparent management of BACWA, which serves all of BACWA's goals.

Management & Administration				
Objective	**Deliverables/Outcomes**	**Lead**	**FY13 Budget**	**Budget Line**
A. Effectively and efficiently manage BACWA as an organization	**A.1.** Executive Board meetings	ED, AED	6,000	Mtg Expenses
	A.2. Monthly Treasurer Reports, annual audit	ED, AED, EBMUD	$40,000	Financial Services
	A.3. Compliance with organization legal requirements	ED, AED	$2,000	EB Legal Support
	A.4. Insurance to manage organizational risk	ED, AED	$4,000	Insurance
	A.5. Administrative support services for organization (incl. file hosting)	ED, AED	$137,720	ED (40%), AED Services, Admin Exp.
		TOTAL	**$189,720**	

GENERAL BENEFIT PROGRAMS (PART B)

There are two general benefit programs: the core BACWA Member Agency program and the technically –focused Clean Bay Collaborative (CBC) program.

BACWA MEMBER AGENCY PROGRAM (PART B.1.)

The **BACWA Member Agency Program** serves the following of BACWA's goals: (1) Members are informed of critical issues and activities, (2) Members comply with applicable rules and regulations, and (3) Environmental regulations and policies reflect the best available scientific, technical, and economic information.

These goals are accomplished by providing member agencies with information on regulations, scientific and technical developments; forums for participating in policy discussions and collaborating on mutually beneficial projects; and opportunities to engage with the larger Bay Area environmental community. Program expenses include support for committee facilitation and special projects; member workshops and trainings; membership in state and national organizations that disseminate information to

members; and communication expenses such as the website, newsletters, the annual report, and the annual meeting.

Bay Area Clean Water Agencies				
Objective(s)	**Deliverables/Outcomes**	**Lead**	**FY13 Budget**	**Budget Line**
A. Provide forums for members to share information, learn, participate in policy and regulatory discussions, and collaborate on mutually beneficial projects **(Comm. Support)**	**A.1.** Collection System Meeting Support	Chair, Consultant	$25,000	CS Comm.
	A.2. Permits Comm. Meeting Support	Chair, Consultant	$0	Permits Comm.
	A.3. Recycled Water Comm. Support	Chair, Consultant	$10,000	RW Comm.
	A.4. Biosolids Comm. Support - Conference attendance - Workshop/Training	Chair	$5,000	Biosolids Comm.
	A.5. Laboratory Comm. Support - Conference attendance - Workshop/Training	Chair	$7,000	Lab. Comm.
	A.6. Infoshare Groups	Consultant	$25,000	Infoshare Groups
	A.7. IRWM Plan Update Support	ED, Chairs, Consultant	$40,000	Misc. Comm. Support
	A.8. Executive Director (60%)	Board Chair	$96,000	Misc. Comm. Support
	A.9. Regulatory Program Manager	ED, Board Chair	$100,000	Misc. Comm. Support
	A.10. Legal Support	ED	$2,000	Misc. Comm. Support
B. Increase direct communication with members regarding regulatory developments and BACWA accomplishments **(Commun.)**	**B.1.** Monthly newsletter	ED	$2,000	Commun. & Reports
	B.2. Annual Report	ED, AED Consultant	$15,000	Commun. & Reports
	B.3. Annual Meeting	ED, AED	$7,000	Commun.
	B.4. Website	ED, AED, Consultant	$10,000	Commun.
	B.5. Misc. media support	ED	$3,000	Commun.
C. Encourage partnerships and relationships that further BACWA's strategic goals. **(Collaborations)**	**C.1.** CWAA	ED, AED	$1,000	Collaborations
	C.2. State of the Estuary Conf.	ED, AED	$20,000	Collaborations
	C.3. CPSC	ED, AED	$5,000	Collaborations
	C.4. PSI	ED, AED	$500	Collaborations
	C.5. ReNUWIt ERC IAB	ED, AED	$10,000	Collaborations
	C.1. BAPPG	ED, AED	$50,000	Special Programs
D. Contingency			$30,000	Contingency
		TOTAL	**$463,500**	

CLEAN BAY COLLABORATIVE PROGRAM (PART B.2.)

The purpose of the **CBC program** is to respond to current regulatory requirements and to develop scientific, technical and industry information to inform future regulations and policies affecting Bay Area POTWs and the environment. Program expenses include the costs of special studies and reports requested by regulatory agencies, policy strategy development and implementation, and collaborations with statewide organizations to do the same. The goals of the CBC are to ensure that (1) regulations and policies reflect the best available scientific, technical, and economic information; (2) regulations consider environmental, social and economic sustainability; (3) members optimize the value available from wastewater; and (4) watershed management principles are applied to address San Francisco Bay management challenges.

Clean Bay Collaborative				
Objective(s)	**Deliverables/Outcomes**	**Lead**	**FY13 Budget**	**Budget Line**
A. Further **nutrient** related science and management goals for SF Bay	**A.1.** SFEI	ED, SFEI	$175,000	Tech. Support
	A.2. Nutrients workshop	ED, Consultant	$10,000	Tech. Support
	A.3. To be determined	ED	$140,000	Tech. Support
B. Inform development and implementation of **Whole Effluent Toxicity** regulations	**B.1.** Comments on draft policy	ED, Consultant	$20,000	Tech. Support
	B.2. Consultant assistance with implementation (experts, workshops)	ED, Consultant	$10,000	Tech. Support
C. Ensure compliance with the **Mercury/PCBs Permit**	**C.1.** Annual mass report	ED, Consultant	$20,000	Commun. & Reporting
	C.2. Risk reduction contribution	ED, Consultant	$15,000	Tech. Support
	C.3. Successful permit renewal	ED, Consultant	$15,000	Tech. Support
D. Advance understanding of the impacts of and controls for **Chemicals of Concern**	**D.1.** Participate in statewide Green Chemistry/Pesticide regulation efforts	ED, Consultant	$15,000	Tech. Support
E. Ensure Climate Change regulations reflect POTW perspectives	**E.1.** Participate in CWCCG	ED, Consultant	$50,000	Collaborations & Sponsorships
	F.1. Maintain sewer rate database	ED, Consultant	$6,000	Commun. & Reporting
F. Other	**F.2.** Contingency	ED, Board	$45,000	
		TOTAL	**$521,000**	

SPECIAL BENEFITS PROGRAMS (PART C)

BACWA has five active special benefit programs: the Bay Area Pollution Prevention Group (BAPPG), the Air Committee, Proposition 50, Proposition 84 Administration, and Water Operator Training (WOT). Member dues for BAPPG, the Air Committee, and WOT are optional and are established on an annual basis by the entities (the BAPPG Executive Committee, the Air Committee Chair, and the Central Contra Costa Sanitary District in conjunction with Solano Community College, respectively) that manage those programs. Proposition costs are paid for by the agencies that receive the grants from the Department of Water Resources.

BAY AREA POLLUTION PREVENTION GROUP (PART C.1.)

BAY AREA POLLUTION PREVENTION GROUP ($80,114)		
Deliverables/Outcomes	**Manager**	**FY13 Budget**
Fats, Oils, Grease • Spanish holiday outreach ($8,000). • Asian holiday outreach ($6,000).	Comm. Rep, Consultant	$14,000
Pharmaceuticals • No Drugs Down the Drain ($4,999). • Disposal campaign ($2,500). • Kaiser Partnership ($0)	Comm. Rep, Consultant	$7,499
Copper • Copper Algaecide Outreach ($5,000).	Comm. Rep, Consultant	$5,000
Dioxins • Partnership with Air District	Comm. Rep, Consultant	$2,000
Pesticides • "Our Water Our World" Program ($10,000). • Permetherin Outreach ($0).	Comm. Rep, Consultant	$10,000
Sanitary Sewer Overflows • Outreach re toilet is not a trash can	Comm. Rep, Consultant	$3,000
Multi-Pollutant • Parents Groups/Neighborhood Outreach ($0) • Hospital P2 audits ($1,500) • Training/outreach to professional orgs ($16,000) • Outreach to demo contractors ($1,500)	Comm. Rep, Consultant	$19,000
Misc. • Agency coord. For P2 week ($1,500) • Regional msg coord. ($0) • Nutrients cross-comm. work ($0) • BAPPG website ($6,000)	Comm. Rep, Consultant	$7,500
Unplanned Issues		$8,000
Administration	AED	$3,800
	Total	$79,799

AIR RESOURCES & INFORMATION GROUP (PART C.2.)

AIR INFORMATION & RESOURCE GROUP		
Deliverables/Outcomes	**Manager**	**FY13 Budget**
Provide member agencies with assistance regarding air quality related issues, research and regulations as they affect the operation and maintenance of Bay Area POTWs.	Chair, Consultant	To be determined by member interest.

WATER OPERATOR TRAINING (PART C.3.)

WATER OPERATOR TRAINING		
Deliverables/Outcomes	**Manager**	**FY13 Budget**
Encourage development of a skilled workforce by offering classes.	CCCSD, Solano Community College, AED	To be determined by member interest.

PROPOSITION 50 ADMINISTRATION (PART C.4)

PROPOSITION 50 ADMINISTRATIVE SUPPORT		
Deliverables/Outcomes	**Manager**	**FY13 Budget**
Continue administration of Proposition 50 to fund projects that benefit the environment and BACWA members by ensuring timely generation of invoices and progress reports to DWR, and distribution of grant funds to participating agencies.	EBMUD, Consultant, AED, ED	Annual budget to be determined by DWR schedule. See expense summary for entire project budget.

PROPOSITION 84 ADMINISTRATION (PART C.5)

PROPOSITION 84 ADMINISTRATIVE SUPPORT		
Deliverables/Outcomes	**Manager**	**FY13 Budget**
Continue administration of Proposition 84 to fund projects that benefit the environment and BACWA members by ensuring timely generation of invoices and progress reports to DWR, and distribution of grant funds to participating agencies.	EBMUD, Consultant, AED, ED	Annual budget to be determined by DWR schedule. See expense summary for entire project budget.

REVENUE AND EXPENSE ACCOUNT SUMMARY

BACWA	2013 Budget	Notes
REVENUES	**597,000**	No change from 2012 proj
Principals' Contributions	420,000	
Assoc. & Aff. Contributions	162,000	
Other	10,000	Carryforwards to be added later
Interest Income	5,000	
EXPENSES	**653,220**	
BACWA Committees	**212,000**	
Collections System	25,000	
Permit Committee	0	Moved to RPM
Water Recycling Committee	10,000	
Biosolids Committee	5,000	
InfoShare Groups	25,000	
Laboratory Committee	7,000	
Misc. Tech. & Reg	140,000	
IRWMP Update assistance	*40,000*	
Regulatory Program Manager	*100,000*	
Legal Support	**4,000**	
Regulatory Support	2,000	
Executive Board Support	2,000	
Collaboratives and Sponsorships	**36,500**	
CWAA	1,000	
State of the Estuary	20,000	
CPSC	5,000	
PSI	500	
Stanford ERC	10,000	
Communications and Reporting	**30,720**	
Annual Report	15,000	
Website Development/Maintenance	10,720	
Power DNN	*500*	
Box.net	*720*	
Circlepoint (web)	*8,000*	
Adammer as-needed	*1,500*	
Other Communications	5,000	
I-contact	*2,000*	
Media relations support	*3,000*	
Special Programs	**50,000**	
Contribution to BAPPG	50,000	
General BACWA Support	**43,000**	
Contingency	30,000	5% of revenues
Meeting Support	13,000	
EB Catering	*1,000*	
Annual Meeting	*7,000*	
Pardee	*5,000*	

Administrative Support	**277,000**	
Executive Director	160,000	Assumes new ED @ 175k
Assistant Executive Director	70,000	
EBMUD Financial Service & Audit	40,000	
Administrative Expenses	3,000	
Insurance	4,000	
TOTAL	(56,220)	Will be funded through reserves or the projected 2012 surplus

CBC	**2013 Budget**	**Notes**
REVENUES	**451,600**	No change
Principals' Contributions	300,000	
Assoc. & Aff. Contributions	150,000	
Interest	1,600	
EXPENSES	**521,000**	
Technical Support	**385,000**	
Nutrients	325,000	
SFEI 2012/2013	*175,000*	
Annual workshop	*10,000*	
To be determined	*140,000*	
PCBs/Hg	15,000	Permit Rewrite
Whole Effluent Toxicity	30,000	
Comments on draft policy	*20,000*	
Implementation Assistance	*10,000*	
Risk Reduction	15,000	
Collaborations & Sponsorships	**65,000**	
CWCCG	50,000	
CECs	15,000	
Commun. & Reporting	**26,000**	
Hg Emissions Report	20,000	
Rate database	6,000	
Contingency	**45,000**	10% of revenues
TOTAL	(69,400)	Deficit funded through reserves

BAPPG	2013 Budget	Notes
REVENUES	**80,000**	No change
Member Contributions	80,000	
EXPENSES	**79,799**	
Mercury	0	
FOG	14,000	
Pharmaceuticals	7,499	
Copper	5,000	
Dioxin	2,000	
Pesticides	10,000	
SSOs	3,000	
Unplanned Issues	8,000	
Multi-Pollutant	19,000	
Misc.	7,500	
BACWA Indirect Costs	3,800	Per BACWA Policy
TOTAL	201	

AIR	2013 Budget	Notes
REVENUES	**85,000**	
Participant's Contributions	85,000	Est. depends on member interest.
EXPENSES	**85,000**	
Contract expenses	81,000	Est. depends on member interest.
BACWA Indirect Expenses	4,000	Per BACWA Policy
TOTAL	0	

WOT	2013 Budget	Notes
REVENUES	**160,500**	
Participant's Contributions	160,500	Est. depends on member interest.
EXPENSES	**160,500**	
Contract expenses	158,000	Est. depends on member interest.
BACWA Indirect Expenses	2,500	Per BACWA Policy
TOTAL	0	

Prop 50 Admin	2012-2015 (est) Budget	Notes
REVENUES	**265,245**	
Grant Funds	250,000	Includes pre-funding
Interest	15,245	
EXPENSES	**265,245**	
Consultant	109,000	
BACWA Legal	50,000	
BACWA Staff - Direct	40,000	
BACWA Accounting	15,000	
Other Direct Costs	12,000	
EBMUD Grant Manager	15,000	New for 2013. In-kind contribution prior
EBMUD Admin Support	0	
Indirect Costs	8,025	Per BACWA policy
Contingency	16,220	
TOTAL	0	

Prop 84 Admin	2012-2017 (est) Budget	Notes
REVENUES	**640,000**	
Agencies' Pre-funding	100,000	
Grant Funds	540,000	Reimbursement of admin costs; or invoice agencies again if necessary
EXPENSES	**640,000**	
Consultant	157,000	Assist with DWR reporting and coord.
BACWA Legal	51,000	
BACWA Staff - Direct	57,000	
BACWA Accounting	51,000	
Other Direct Costs	35,000	Mailing, shipping , telecom, etc.
EBMUD Grant Manager	180,000	Includes allowable overhead
EBMUD Admin Support	60,000	
Indirect Costs	18,000	Per BACWA policy
Contingency	31,000	
TOTAL	0	

BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 10
FILE NO.: NA
MEETING DATE: May 3, 2012

TITLE: Succession Planning

☐ **MOTION** ☐ **RESOLUTION** ☒ **DISCUSSION**

RECOMMENDED ACTION

1) Consider changes to BACWA representation on the Aquatic Science Center/SFEI governing board;
2) Review current BACWA succession plan for accuracy and vacancies.

SUMMARY

The Aquatic Science Center (ASC) and San Francisco Estuary Institute (SFEI) are developing a plan to combine their two boards into one governing Board. The BACWA Board is being asked to consider having BACWA's three representatives on the Board include one POTW from the central valley and storm water.

Due to recent personnel changes at BACWA principal agencies and hiring of an interim Executive Director it is necessary to evaluate whether BACWA has sufficient representation on the BACWA Executive Board and Committees, Summit Partners, and RMP committees and workgroups.

Aquatic Science Center (ASC)

Section 4 of the Aquatic Science Center Joint Powers Agreement (JPA) states that

> *… Together, the representatives from each Signatory agency shall establish a Governing Board of Directors (Board) for the Aquatic Science Center, which at a minimum is composed of the following*
>
> *(1) Deputy Director, Division of Water Quality, State Resources Control Board;*
> *(2) Executive Officer, San Francisco Bay Region Water Quality Control Board;*
> *(3) Executive Officer, Central Valley Regional Water Quality Control Board;*
> *(4) Division Director, Water Division, U.S. Environmental Protection Agency, Region IX; and*
> *(5) Three directors appointed by BACWA.*
>
> *… Three directors shall constitute a quorum.*

Currently BACWA has three representatives: Dave Williams, Mike Connor, and Laura Pagano. ASC and SFEI have developed a Joint Governance Committee that is currently working to combine the SFEI and ASC boards into a single governing Board. Concerns have been raised about potential imbalances in stakeholder composition. The Joint Governance Committee has asked the BACWA Board to consider having BACWA's three representatives on the new combined governing Board include one POTW from the central valley and storm water.

Meetings are held quarterly at the San Francisco Estuary Institute in Richmond; 2012 meetings are tentatively scheduled for June 14, September 13 and December 5.

BACWA Executive Board and Officers

According to section 5 of the BACWA Joint Powers Agreement (JPA)

> *(BACWA)…shall have an Executive Board composed of five (5) members serving their individual capacities as members of the Executive Board. The members of the Executive Board shall be the General Managers or persons of equivalent position of each of the five signatory agencies.*
>
> *Each member agency shall officially designate their member of the Executive Board. Each member agency shall also designate an alternate to serve in the absence of the member.*
>
> *… A majority of Executive Board Members shall constitute a quorum.*

Section 7 of the JPA states that the Association shall have a Chairman and Vice Chairman chosen by the Executive Board, from the members of the Executive Board, for a term of one year coinciding with the fiscal year. The Vice Chairman shall serve as Chairman in the absence of the regularly elected Chairman.

As described in BACWA policies and procedures, the Chair signs contracts, approves invoice payments, convenes and manages meetings of the Executive Board, and serves as a member of the Finance Committee. The Vice Chair also serves as a member of the Finance Committee and has historically succeeded the Chair at the end of his term.

The BACWA Board will need to elect a Chair and Vice Chair before July 1, 2012.

Clean Water Summit Partners

This group meets quarterly in Sacramento and consists of two representatives from each of the following organizations: BACWA, California Association of Sanitation Agencies (CASA), Central Valley Clean Water Association (CVCWA), California Water Environment Association (CWEA), and Southern California Alliance of Publically Owned Treatment Works (SCAP).

Regional Monitoring Program (RMP) Committees and Workgroups

Meg Sedlak, of SFEI, is scheduled to attend the May 24th BACWA Executive Board meeting to discuss current BACWA representation in RMP committees and workgroups.

FISCAL IMPACT

None, this is a discussion item only.

ALTERNATIVES

This action does not require consideration of any alternatives.

ATTACHMENTS

1. SFEI/ASC Joint Governance Committee Summary and Action Items, 4/18/2012
2. BACWA Succession Plan 2012-04

From: Williams, David
Sent: Wednesday, April 25, 2012 09:27 AM
To: Horenstein, Bennett
Subject: FW: Draft Governance Committee Summary & Action Items

Ben, not sure if I mentioned this to you or not. In the merging of the ASC/SFEI Boards a steering committee is looking at how to make that happen. One issue is the balance of representation on the new joint Board. ASC's Bylaws says that BACWA should have three representatives (don't have to be from the POTW community) that to date have been from the BACWA principles. The intent of the merged board is to have broad representation so central valley dischargers and storm water are being considered. The assignment you see for me in the minutes or our last conference call is for me to raise to the BACWA Board the possibility of having BACWA's 3 representatives on the Board include one POTW from the central valley and storm water. The concern is that if these two were simply added, it might end up in the discharger community having a disproportionate representation on the joint ASC/SFEI board. Pls ad this to the next BACWA agenda for discussion.

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SFEI | AQUATIC SCIENCE CENTER

Joint Governance Committee Conference Call
April 18, 2012
1:00pm-2:30pm

DRAFT
Summary and Action Items

In Attendance:
SFEI- Jim Fiedler, Dave Williams, Trish Mulvey, Pamela Creedon
Staff- Rainer Hoenicke, Stephanie Seto
Consultant- Leyna Bernstein

Ms. Bernstein completed Board interviews with Ms. Mulvey, Ms. Salzman, Dr. Nichols, Mr. Ritchie, Mr. McGrath, and Mr. Ramo.

Ms. Bernstein suggested that the Board structure and revision of stakeholder spots be developed by the Governance Committee and Board job descriptions and recruitment plan be developed by both Boards at the July workshop.

The new Charter and any proposed Bylaws changes will be introduced and approved by both Boards at the July meeting.

Ms. Bernstein suggested that revisions to the Bylaws revisions less specific.

The Committee re-affirmed that for the foreseeable future, SFEI and ASC will remain as two separate legal entities. Therefore, each will have its own Board, but the composition of membership will be the same for both.

Ms. Bernstein recommended going beyond 15 members on the Board.

The Governance Committee agreed to give additional thought to broader stakeholder representation along the lines of:

- More geographic diversity
- Stronger scientific presence
- Industry not represented now

- Questions about who to invite and whether representatives from larger environmental organizations (with a national or international focus) would to advance the mission of the Institute differently than smaller organizations with a more regional focus.

There was a consensus to increase representation from the Delta and Central Valley, and have environmental NGO representation on the merged Board.

Action Items

#	Action Item	Who?	When?	Status
1	Have mechanics endorsed by an Attorney	RH	By July 12 Board Workshop	
2	Consider discharger representation from someone outside of BACWA membership to avoid any potential imbalances in stakeholder composition - Raise issue with BACWA Board and obtain feedback	DW	By June 5 GC Meeting	
3	1-2 page(s) memo of discovery from April call. Committee Members review and respond via email to prep for next Committee meeting and discuss recommendations for June meeting.	LB	In advance of June 5 GC Meeting	
4	Discuss Brown Act Compliance for merged Board	RH and LB	Talk offline in advance of June 5 GC Meeting	
5	Re-schedule May 31 meeting	SS	April 19	Done April 23
6	Draft of unified Board structure	LB	In advance of June 5	

		GC Meeting and delivered at July 12 Board meeting	
7 Revised stakeholder slots	LB	By June 5 GC Meeting and delivered at July 12 Board meeting	
8 Draft agenda for Board workshop in July	LB	By June 5 GC Meeting	
9 Charter for Governance Committee ongoing	RH, LB	By June 5 GC Meeting and delivered at July 12 Board meeting	
10 GC will evaluate benefits of including industry representation on the Boards and examples of what that would look like.	GC	By July 12 Board meeting	

BAY AREA CLEAN WATER AGENCIES
SUCCESSION PLANNING
May 3, 2012

A. BACWA Principal Representation

Agency	Representative	Title & Roles
EBMUD	Ben Horenstein	BACWA, Chair BACWA, Finance Committee Tri-TAC Chair SFEI, Board Member
	Dave Williams (Alternate)	Aquatic Science Center, Board Member Summit Partners, Representative
	Ed McCormick (Alternate)	
SFPUC	Tommy Moala	
	Laura Pagano	BACWA, Vice Chair BACWA, Finance Committee Aquatic Science Center, Board Member
City of San Jose	Jim Ervin	Permit Committee, Chair
	John Newby (Alternate)	
	Joanna De Sa (Alternate)	
	Kerrie Romanow (Alternate)	
EBDA	Mike Conner	Aquatic Science Center, Board Member
	Karl Royer (Alternate)	
	Rich Currie (Alternate)	
CCSD	Ann Farrell	
	Margaret Orr (Alternate)	

B. Other BACWA Representation

Agency	Representative	Successor/ Alternate	Notes
SFEI	Ben Horenstein		Chuck Weir also on Board
RMP Technical Committee	Rod Miller & Francoise Rodigari		Both generally attend the meetings.
RMP Steering Committee	Ben Horenstein		Ken Kaufman from SBSA and Dan Tafolla from VSFCD are also POTW members of the Committee
Summit Partners	Dave Williams		
Aquatic Science Center	Mike Connor		
	Dave Williams	Laura Pagano	

C. BACWA Committees

Committee	Chair	Vice Chair	Potential Succession Date	Comments
AIR	Randy Schmidt, CCCSD	Nohemy Revilla, SFPUC	7/2012	Represents BACWA on CWCCG
Biosolids	Matt Krupp, San Jose	Zachary Kay, City of Santa Rosa	7/2012	
BAPPG	Sarah Scheidt, Sunnyvale	Catherine Allin, City of Millbrae	7/2012	
Collection Systems	Andy Morrison, Union Sanitary	Dan Stevenson, City of Sunnyvale	7/2012	
Laboratory	Kenneth Lee, SFPUC		7/2012	Chair rotates each year among the five principals
Permits	James Ervin, San Jose			
Water Recycling	Cheryl Munoz, SFPUC	Linda Hu, EBMUD	7/2012	Coordinates with IRWMP
Info Share Groups	Mike Barnes, Kennedy Jenks (Consultant)			