



MINUTES

Executive Board Meeting

Thursday, October 28, 2010
9:00 a.m. – 12:00 p.m.

EBMUD Plant Lab Library
2020 Wake Ave., Oakland, CA

ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Ben Horenstein, Acting Chair (East Bay Municipal Utility District); Jim Kelly (Central Contra Costa Sanitary District); Mike Connor (East Bay Dischargers Association); Tommy Moala (San Francisco Public Utilities Commission); Kirsten Struve (City of San Jose).

Other Attendees: Gail Chesler (Central Contra Costa Sanitary District); Scott Klein (East Bay Municipal Utility District); Gary Tominaga (East Bay Municipal Utility District); Sharon Newton (City of San Jose); Jim Ervin (City of San Jose); Laura Pagano (San Francisco Public Utilities Commission); Rich Cunningham (City of Albany); Greg Baatrup (Fairfield Suisun Sewer District); Phil Bobel (City of Palo Alto); Guy Moy (Union Sanitary District); Andy Morrison (Union Sanitary District); Patricia McGovern (PME); Doug Craig (MWH); Tom Hall (Eisenberg Olivieri Associates, Inc.); Monica Oakley (RMC/Oakley Water Strategies); Jackie Kepke (CH2M Hill); Amy Chastain (BACWA); Alexandra Gunnell (BACWA).

PUBLIC COMMENT

There were no public comments.

REPORTS

Committee Reports, agenda item 1, were included in the meeting handout packet and Committee Chairs were given the opportunity to provide further clarification, as requested by meeting attendees.

- The BAPPG committee report was included in the handout packet. The Executive Director (ED) and Committee Chair, Sharon Newton, reviewed the report and discussed the following items:
 - Committee member, Melody LaBella (Central Contra Costa Sanitation District), attended the ABAG Sewer Smart Summit and it will be discussed at the next BAPPG meeting.
 - A letter from the ED to the San Francisco Board of Supervisors regarding the Safe Drug Disposal Ordinance was included in the handout packet and reviewed.
 - The Mercury Watershed Permit Dental Metrics – Executive Summary prepared by Stephanie Hughes was included with the committee report in the packet and discussed. It was mentioned that BACWA may want to investigate whether NACWA will be preparing comments on the USEPA proposed rules defining sewage sludge as solid waste, specifically as it pertains to mercury emissions resulting from incineration.
- Committee Chair, Rich Cunningham, reviewed the Collection Systems committee report that was included in the handout packet, and discussed the following items:

- A list, from the San Francisco Bay Regional Water Quality Control Board (RWQCB), of those agencies who failed to file sanitary sewer overflow (SSO) annual reports was distributed.
- The committee will continue to follow development of the State Water Resources Control Board (SWRCB) revised Sanitary Sewer System Waste Discharge Requirements (WDR).
- Potential new SSO reporting procedures and requirements will be added to the November 18, 2010 BACWA Executive Board meeting agenda for further discussion.
- Starting in November, Andy Morrison will become the Collection Systems Committee Chair and the Board expressed their appreciation to Rich Cunningham for his many years of service as the committee chair.
- The Lab committee report was included in the handout packet and reviewed by Committee Chair, Guy Moy. The report provides information about the recent EPA audit at Union Sanitary District. Information about the SWRCB initiative to revise the Whole Effluent Toxicity (WET) Assessment and Control Policy was sent to committee members. Discussion on this topic will continue at upcoming Lab and Permits committee meetings. Additional information can be found in the Permits committee report, included in the handout packet.
- The Permits committee report was included in the packet and reviewed by Committee Chair, Jim Ervin. Jim Ervin sent an e-mail to committee members synthesizing the proposed changes to the WET policy and additional information about committee efforts surrounding this issue is included in the report. Representatives from CCCSD, LWA and EOA will be attending the November 16th SWRCB workshop to discuss this matter further and the committee will also continue to discuss this topic at their upcoming committee meeting.
- The Recycled Water committee report to the Board was included in handout packet and reviewed by the ED. BACWA has been selected as the applicant for Prop 84 grant funding. Project selection criteria are currently being determined, and application preparation will commence soon. The application is due to on January 7, 2011.
- Committee Chair, Greg Baatrup updated the Board on Biosolids committee activities. The UC Davis study on Biosolids emissions has completed the testing phase of their research and analysis of the results is occurring now. The process for releasing the report from the study is unclear at this time.

For **agenda item 2**, the **Proposition 50 Grant Disbursements Status Report** prepared by Brian Campbell (EBMUD) was included in the packet.

Under **agenda item 3**, The ED referred to the **Executive Director's Report** which was included in the meeting handout packet and fielded questions from meeting attendees. It was noted that there is a typographic error on the report and "All permittees subject to risk reduction requirements are not participating."

A synopsis of the RWQCB preferred selenium (Se) data requirements was included in the report. Mike Connor distributed 2009-2010 RMP Fees for Municipal Participants table which lists metals loading data for participating agencies. Mike Connor will discuss further analysis of Se data with Bhupinder Dhaliwal (CCCSD) and the ED will forward spreadsheet information prepared by Bhupinder to Mike Connor.

Executive Board members were invited to share any items of interest under **agenda item 4, Executive Board Reports.**

The following **Chair and Executive Director Authorized Actions**, were listed under agenda **item 5.**

- a) Contract with TDC Environmental for BAPPG Green Chemistry Support from Kelly Moran, \$4,000; File 12,225.
- b) Contract with TDC Environmental for BAPPG Pesticide Regulatory Support; \$6,000; File 12,280.

CONSENT CALENDAR

*Consent calendar **agenda and items 6 through 11** were approved in a motion made by Jim Kelly and seconded by Ben Horenstein. The motion carried unanimously.*

6. Approval of Minutes from September 23, 2010 BACWA Executive Board Meeting.
7. Treasurer's Report for First Quarter Fiscal Year 2011 (July 2010 – September 2010).
8. Auditor's Report for Fiscal Year 2010, and Basic Financial Statements for 2009 & 2010.
9. Resolution adopting a vision statement for the use of wastewater as a resource for the San Francisco Bay Area; File 12,263.
10. Contract with Univision for BAPPG FOG Spanish Outreach; \$10,000; File 12,255.
11. Contract with Oakley Water Strategies/RMC for 2010 Mercury Group Reporting Support; \$20,000; File 12,281

Questions about the auditor's report should be e-mailed to the ED and AED, and an explanation of "Restricted" versus "Unrestricted" as referenced on the report, will be sent to the BACWA board.

The ED will discuss possible revisions to the mercury annual report with the RWQCB to determine the appropriate level of specificity for future reports.

Agenda item number 12 was removed from the Consent Calendar.

12. Amendment to contract with Oakley Water Strategies for Committee and As Needed Technical Support to change contractor name to include RMC; File 12,162.

BOARD DISCUSSION ITEMS

Under **agenda item 13, Executive Board Chair & Vice-Chair Nominations & Election**, the following actions were taken.

Jim Kelly nominated Ben Horenstein for Chair and Tommy Moala seconded. Mike Connor moved to close nominations and Jim Kelly seconded. The motion carried unanimously.

Tommy Moala was nominated as Vice Chair by Jim Kelly and Mike Connor seconded. The motion carried unanimously.

Patricia McGovern of PME distributed slides and reviewed them for **agenda item 14, Shellfish Beneficial Use Issue Paper Presentation & Discussion**. Monica Oakley of RMC has a database of current bacteriological permit limits for BACWA member agencies and will provide it to the ED. The paper will be finalized and distributed to the RWQCB and member agencies, as necessary. BACWA will continue to track activities surrounding this issue.

For **agenda item 15**, Jackie Kepke, of CH2M Hill, and the ED reviewed the **Energy Workshop** proposal, included in the packet. Ben Horenstein and a representative from City of San Jose will participate in the planning group for this effort. Suggested topics to be addressed in at the workshop included:

- renewable energy and greenhouse gas emissions requirements in Europe, and how they affect utility management;
- framework differences, including regulatory-related, between model facilities and those in the Bay Area that may impact a POTW's ability to undertake high energy-efficiency and sustainability performance initiatives;
- public responses to rate increases for model agencies, and public relations/marketing efforts undertaken to address rate payer concerns.

This workshop is likely to be scheduled for March or April 2011. A contract for consultant support will be brought back to the board for approval next month. Any feedback should be directed to ED prior to the November Board meeting and the ED will keep board informed as this effort moves forward.

Mike Connor distributed a handout on "Joint BACWA/PGE Meeting on Demand Management/Power Generation". Mike Connor, Greg Bastrup, and Jackie Kepke will work with Pacific Gas and Electric (PG&E) in November to schedule an upcoming workshop on 1) Client interaction and demand management; 2) Power generation and use of methane. The Board will contact Mike Connor to provide contact information of agency representatives who could attend this meeting.

For **agenda item 16, Nutrients: NACWA Summit Presentation, SCRSD Permit & General Discussion**, Gail Chesler distributed and reviewed a handout showing the building blocks for nutrient policy discussions that were created during the summit. As NACWA materials are released the ED and Gail will make them available to the Board. The ED will contact Ann Farrell to obtain additional information pertaining to the SCRSD Permit. The Board recommended that ED and Chair use their contracting authority to seek consultant support to determine necessary research efforts, specifically focused on POTW issues.

The ED will schedule the next joint BACWA/RWQCB meeting.

The ED continues to work with LWA on PCB TMDL implementation and will update the Board on their progress.

The proposed **Annual Meeting Schedule & Topics** handout was included in the packet for **agenda item 17**. The Board should direct feedback to the ED.

For **agenda item 18**, the **2011 Executive Board Meeting Calendar** was included in the handout packet. Any anticipated scheduling conflicts should be directed to the ED.

The next regular meeting is scheduled for **November 18, 2010**, 9:00 to 12:00 at the EBMUD Plant Lab Library in Oakland.

The meeting adjourned at 12:00 p.m.