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| Permits Committee – Report to BACWA Board | Permits Committee Meeting on: 3/10/15Executive Board Meeting Date: 3/20/15Committee Chair: Meg Herston  |

**Committee Request for Board Action: None**

**19 attendees representing 12 BACWA member agencies**

**Lila Tang and Bill Johnson from the Regional Water Board in attendance**

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| **Regional Water Board Report-out**Lila Tang reported that Chevron requested that CCCSD be named as a responsible party for a groundwater cleanup site. CCCSD was not added because they were able to document a well-performing maintenance program on their collection system. |
| **Adoption of Permits/Permit Amendments:** **March –** Fairfield Suisun Sewer District – FSSD is generally pleased with their tentative order. BACWA submitted a [comment letter](http://bacwa.org/Portals/0/HomePageDocuments/BACWA%20Comment%20Letter%20on%20FSSD%20Permit%2026-Jan-2015.pdf) asking for the removal of SSO language from the Fact Sheet of their TO, since their sewer system is covered by the State SSS WDR. The Regional Water Board responded by updating the SSO table to provide more context.**May –** Las Gallinas Valley Sanitation District (LGVSD) – At the behest of EPA, LGVSD was given numeric chronic toxicity limits, in addition to triggers in their tentative order. The EPA is reviewing toxicity data from each discharger whose permit is due for renewal and letting the Regional Water Board know if the EPA is likely to object. In calculating their limits, the Regional Water Board granted LGVSD the same dilution they get for cyanide (3.25:1) resulting in limits of 2.7 TUc avg monthly and 5.3 TUc max day. Reasonable potential was determined qualitatively based on 30 data points. The one high toxicity value (8 TUc) was used to confirm reasonable potential, although the agency says that it was likely a spurious hit. Several BACWA representatives met with Dave Smith, EPA, to discuss their position. While the EPA is firm on requiring numeric chronic toxicity limits, they are open to implementation alternatives. BACWA submitted a [comment letter](http://bacwa.org/Portals/0/Committees/Permit/Library/BACWA%20Comment%20Letter%20to%20RWQCB%20-%20Las%20Gallinas%203-9-15.pdf) which suggested changes in implementation, including how limits are calculated, how reasonable potential is determined, mixing zones, removal of triggers, and removal of acute toxicity limits where no reasonable potential is found. BACWA also suggested that a watershed permit for toxicity may make sense in the San Francisco Bay area. Another issue that was not raised in time to make it into the letter is that single sample maximum limits are not appropriate for toxicity. Bill Johnson had briefly reviewed the BACWA letter and reported that he would be open to at least some of BACWA’s proposed changes. EBMUD – Tentative order is expected later in the week. |
| **Dry Season Discharge Prohibitions**Nine out of 15 shallow water dischargers in the North Bay are prohibited from discharging during the dry season. However, there is inconsistency in how this prohibition is implemented in terms of the dates of the dry season, criteria exceptions, and methods to obtain approval to discharge. Lila Tang passed around a sheet with proposed language for making the prohibition uniform. Denise Connors brought up that insufficient dilution in the receiving water could limit discharge exceptions, and Lila responded that there are workarounds, such as using SIP-calculated dilution rather than an arbitrary dilution. Mary Cousins stated that there needs to be clarity in setting discharge conditions so that agencies can design appropriate storage to supply recycled water users and prevent dry season discharge. Lila Tang will set up a meeting with agencies who have a discharge prohibition, and will alert the permits committee. |
| **Water Sector Greenhouse Gas Gap Analysis**BAAQMD is looking for ways to reduce greenhouse gas (GHG) emissions across industry sectors. They have released a [Water Sector Gap Analysis](https://bacwa.box.com/s/owz2o1agwryv34g7oprvg2w8il5ouds4) document on that they are asking for feedback on. Committee members that reviewed it felt that their assumptions are too broad. Agencies who have already completed GHG estimates are requested to provide their reports to Elyse Engel. The document will be discussed at the next AIR committee meeting (unscheduled), which will be held at BAAQMD offices in San Francisco. Robert Schlipf of the Regional Water Board called the BAAQMD to alert them to potential future nutrient treatment requirements that will impact wastewater sector GHG emissions. |
| **Nutrients*** Optimization/Upgrade studies - Site Visits for optimization/upgrade studies will begin in April.
* BACWA Nutrient Submittal for Prop 84 funds - The Department of Water Resources has updated the schedule for the Proposition 84 2015 Integrated Regional Water Management (IRWM) Implementation Grant Program solicitation. The DWR Updated schedule can be found at <http://www.water.ca.gov/irwm/grants/index.cfm>. Approximately $40M is available for the SF Bay Area across all functional areas. It is now confirmed that this will not be a drought-specific round of funding. The BAIRWM Project Screening committee (PSC) has updated the request for project concept submittals, which are due by April 20. There will not be separate calls for regional vs. subregional projects this round. Materials relating the request for submittals can be found at <http://bairwmp.org/funding/2015-round/2015-round-announcement>. BACWA will update its nutrient concept submittal for this round.
* The Nutrient Technical Workgroup is aiming to schedule a meeting at the end of March.
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| **Report-out from 2/20 Executive Board Meeting*** HDR has reported that they have all the survey responses from the agencies
* There was a discussion of the future of the nutrient watershed permit, and whether there would be load caps in the next reissuance
* Risk reduction for compliance with the Hg/PCB watershed permit – BACWA is developing an RFP to fund community-based organizations
* Heidi Sanborn gave a presentation on the work of the California Product Stewardship Council. She will be asked to speak at next year’s BACWA members’ meeting.
* The BACWA website update is in its final stages and will go live next month.
* Mike Connor will speak at the WEF Nutrient Symposium in San Jose
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| **Informational Items/Announcements*** + Federal Dental Amalgam Rule BACWA [comment letter](http://bacwa.org/Portals/0/Committees/Pretreatment/Federal%20Dental%20Amalgam%20Rule%20Comments-BACWA-Final.pdf)
	+ Sacramento Regional is [sued](http://www.courthousenews.com/2015/02/12/giant-fight-over-giant-delta-water-project.htm) by NGO per ESA. The NGO is backed by state water contractor funding.
	+ Regional Water Board North Bay Selenium TMDL CEQA Scoping Workshop April 3
	+ April meeting moved to 4/7 to accommodate Executive Board meeting.
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| **Next BACWA Permits Committee Meeting:** Tuesday, April 7, 2015, at EBMUD Plant Library, Regional Water Board Staff to attend |