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| Permits Committee – Report to BACWA Board | Permits Committee Meeting on: 10/13/15 and 11/10/15Executive Board Meeting Date: 11/20/15Committee Chair: Amanda Roa  |

**Committee Request for Board Action: None**

**Attendees:**

**21 attendees representing 15 member agencies**

**16 attendees representing 12 member agencies**

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| **Adoption of Permits/Permit Amendments:** **November –** *Union City Wet Weather Discharge –* No issues.**January** – *St. Helena –* St. Helena’s permit adoption got pushed from October to January. They are reportedly happy with their Administrative Draft. They will need to do a plant upgrade to achieve advanced secondary standards, for the purposes of the discharge prohibition exception, and to allow them to develop a recycled water program, rather than continuing their practice of irrigating onsite.**February -** *Calistoga –* Calistoga has high boron, arsenic and antimony concentrations, which limits their ability to deliver recycled water. Their administrative draft order contains numeric chronic toxicity limits since the permit writer did not use dilution to calculate reasonable potential. Their highest chronic toxicity value in the past four years was 4 TUc, and they are not permitted to discharge unless the Napa River flow is high enough to receive a 10:1 dilution.SFPUC’s Oceanside’s permit is being held up indefinitely due to EPA Work Load. |
| **Microplastics*** Following SFEI’s [poster](http://www.sfei.org/documents/microplastic-contamination-san-francisco-bay) at the State of the Estuary meeting, the issue of microplastics has gained a lot of attention. The poster showed large loads of microplastics in POTW effluent, and high concentrations in the San Francisco Bay. This was a $10K preliminary study, and has raised more questions that need further study. BACWA managers have met with Diane Feinstein’s staff to educate them about the meaning of the results and how there are still many questions that need to be addressed.
* BACWA managers are interested in pursuing an in-house study to verify the results of the SFEI report, and to better understand the loads and types of microplastics in wastewater effluent. They are asking the laboratory committee to form a workgroup to lay out a work plan for this study. Lorien Fono will work with Nirmela Arsem (EBMUD) to recruit lab committee members to the workgroup.
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| **Chlorine Compliance**The Basin Plan contains a maximum instantaneous effluent limit of 0.0 mg/L for chlorine residual. Chlorine is measured continuously by most agencies, and readings at the top of each hour are used for compliance. Any exceedance during the remainder of the hour is reported to the Regional Water Board for informational purposes. Chlorine violations are the single most common cause of violations for BACWA member agencies, making up approximately a quarter of all violations. Between May 2011 and May 2015 there were 32 chlorine residual violations.Agencies that chlorinate their effluent significantly overdose with the dechlorination agent, sodium bisulfite, in order to avoid chlorine residual violations. This practice wastes millions of dollars each year in our Region. The Regional Water Board may be open to an alternative implementation of the 0.0 mg/L limit, if BACWA can correlate concentrations at the plant to those at the outfall accounting for chlorine decay. At the BACWA Operations and Maintenance Infoshare Group meeting, operators reported that a higher limit at the plant would allow them to reduce sodium bisulfite dosing, but a longer compliance period (i.e. hourly, rather than instantaneous), would be helpful as well. BACWA will also solicit input from BayKeeper. |
| **Significant Noncompliance List**A review of the ECHO database showed several agencies in “significant noncompliance” although the records do not match CIWQS violations reports. Additionally, the ECHO database does not give a definition for significant noncompliance other than “Vi*olation, noncompliance, significant noncompliance, high priority violation, and serious violator are all terms used by the ECHO site to describe the facility status in regard to compliance with the law. In many cases, these terms reflect determinations made by EPA or states when conducting inspections or reviewing facility self-reports. These determinations assist the government in tracking resolution of violations through the enforcement process and do not necessarily represent a final adjudication by a judicial or administrative body. In such cases, these characterizations should be considered alleged violations.”* If the Regional Board is instructed by EPA to pursue enforcement actions on agencies in significant noncompliance, then they will first contact the agencies to ensure that the ECHO database is correct. |
| **Triennial Review**A [Triennial Review Staff Report](http://bacwa.us9.list-manage2.com/track/click?u=abb45826af7a505f03d266885&id=2fc90b2fec&e=ccef66879d) has been issued.  The projects that are highly ranked and will be allocated resources are as follows: 1. Review and Refine Dissolved Oxygen Objectives for San Francisco Bay
2. Climate Change and Water Resources Policy
3. Develop Numeric Nutrient Endpoints (NNEs) in Freshwater Streams and Estuaries
4. Develop Nutrient Water Quality Objectives for San Francisco Bay Estuaries
5. Using Wastewater to Create, Restore, and Enhance Wetlands
6. Lake Merced Dissolved Oxygen and pH Objectives (this project can only be accomplished with additional resources).

Comments on the Staff Report are due by November 23. The [public hearing](http://bacwa.us9.list-manage.com/track/click?u=abb45826af7a505f03d266885&id=9fdc9207ea&e=ccef66879d) on the Triennial Review will be held on December 16. |
| **Monitoring Reductions** Effluent Monitoring Reductions are being explored as an alternative for offsetting increased funding to the RMPThere are seven tests that have been identified for monitoring reductions. The final three tests in **bold** are sent out to contract labs by all agencies.* EPA 624 (VOCs)
* EPA 625 (BNAs)
* EPA 608 (PCBs and Pesticides)
* Acute Toxicity
* **EPA 1613 (Dioxins)**
* **1668C (PCB Congeners)**
* **Sensitive Species Screening**

The cost saving associated with reducing monitoring for the last three tests range from $270-390K per year for all agencies in aggregate (the range reflects variability in costs charged by the lab performing the analysis, and uncertainty in the final number of samples required). These estimates do not include staff time for sampling or data management. The remaining four tests are performed in-house by many agencies, so the real cost savings are more difficult to quantify. As such, funding offsets will be calculated based on the tests that are contracted out.The Regional Water Board seems to be serious about pursuing this route and has stated they are willing to go to their Board to implement these monitoring reductions. Lorien Fono will work with Regional Water Board staff to develop a joint proposal for monitoring reductions. |
| **Nutrients*** + *Nutrient Group Annual Report –* A Draft Group Annual Report for the Nutrient Watershed permit was circulated to agency points of contact. The [Annual Report](http://bacwa.org/wp-content/uploads/2015/11/Group-Annual-Report-2015_FINAL_20151111.pdf) will be submitted November 12.
	+ *Optimization/Upgrade Studies –* At Pardee, HDR did a presentation showing how the range of existing facilities and other constraints at different plants leads to different optimization alternatives.
	+ *Discussions for next Nutrient Watershed Permit –* At Pardee, Regional Water Board staff indicated that they may be willing to forgo the no net loading increase in exchange for early actions to remove nutrients and a modest increase in funding for science. Several facilities are already pursuing early actions, such as San Mateo. It will be a challenge to figure out how to ensure that a few agencies are not shouldering the “early action” burden for the entire POTW community and that these agencies see a regulatory or financial benefit for their actions.
	+ *Nutrient Technical Workgroup –* The [nutrient technical workgroup](https://drive.google.com/folderview?id=0B1g4fIYKHETSTEpxQWc0VkVkZjQ&usp=drive_web) met on November 5. An Executive Summary of the [Lower South Bay Synthesis](http://sfbaynutrients.sfei.org/sites/default/files/LSB_Synthesis_Draft_June%202015.b.pdf) was distributed. One key finding was Mine Berg’s studies on the “ammonia paradox” do not show that ammonia is significantly inhibiting to ocean phytoplankton species, and that light limitation is 7-8 times as important as ammonia.
	+ *Other Nutrient Studies -* The Bay Delta Workshop, which will look at important outstanding questions has been pushed back to March 2016. SFEI will be purchasing a boat for sampling to replace the USGS boat. This means that $200K of studies will need to be deferred.
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| **Report-out from Pardee Technical Retreat -** Most of the meeting was covered elsewhere in the agenda, except the following items:* The Regional Water Board is interested in revisiting MMPs for SSO to provide some protection against third party lawsuits. They would like BACWA’s help in developing criteria for what constitutes a well-functioning collection system
* .The Regional Water Board is interested in developing fact sheets for CEC monitoring with POTW participation
* The Regional Water Board will be meeting with staff from EPA and DPR headquarters. They will look for constructive ways to engage them on issues of pesticide impacts on POTWs and receiving waters.
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| **Announcements*** BACWA Annual Members Meeting, January 15
* [Nominations](http://bacwa.org/wp-content/uploads/2015/08/Arleen-Navarret-Biennial-Award-Nomination-Form-2016-Award.pdf) for Arleen Navarret Award due November 13
* Member Agency [Budget Survey](https://docs.google.com/forms/d/1Oe86DYqEcAHpulHAVR6cABaG8Q-8mnRPTgC8LYAbsac/viewform) results – Regionally, wastewater agencies spend $2B annually for operations and have a 5-year capital budget of $7.5B.
* The Regional Water Board is collecting information on which agencies have sewer lateral ordinances with point of sale or major remodel triggers for inspection and repair.
* [Selenium TMDL Adoption 11/18](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/seleniumtmdl.shtml) – Regional Water Board proposed change in wording on meeting wastewater allocations to “consistent with wasteload allocations”. This change means that loads don’t need to be below the number in the TMDL as long as the data continues to be at about the same level as in the 2010-2014 time period that was used to develop the TMDL. CCCSD switched analytical methods and their apparent Selenium is thus twice as high as in 2010-2014. They will be allowed to develop a translator for their Selenium data to demonstrate the new data is equivalent to their previous data.
* Stormwater MRP Set for adoption 11/18
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| **Next BACWA Permits Committee Meeting:** Tuesday, December 15, 11-2pm, at EBMUD Plant Library. Holiday Luncheon and Regional Water Board Staff to attend.  |