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| Permits Committee – Report to BACWA Board | Permits Committee Meeting on: 7/12/16Executive Board Meeting Date: 7/15/16Committee Chair: Eric Dunlavey |

**Committee Request for Board Action: None**

**16 attendees, representing 13 member agencies**

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| **Adoption of Permits/Permit Amendments:** **July –** *Napa* – Napa is fine with their TO, which includes an updated discharge prohibition period. |
| **Selenium*** *EPA proposes* [*Selenium Criteria*](https://www.epa.gov/wqs-tech/water-quality-standards-establishment-revised-numeric-criteria-selenium-san-francisco-bay) *for SF Bay and Delta –* EPA is proposing to revise the current federal Clean Water Act selenium water quality criteria applicable to the salt and estuarine waters of San Francisco Bay and Delta. EPA staff have said verbally to Regional Water Board staff that they intend to approve the North Bay TMDL, which applies to all dischargers from EBMUD Northward, so it is possible that these criteria may only impact South Bay and Lower South Bay (LSB) dischargers. The proposed water column criterion of 0.2 ppb is problematic.  Ambient LSB and South Bay water column concentrations are regularly above the 0.2 ppb EPA draft criterion for water.  LSB averages around 0.3 ppb, South Bay averages just below 0.2 ppb but regularly goes above the 0.2 ppb at times. It is likely that all the POTWs in south bay/LSB can’t meet the 0.2 ppb dissolved Se criterion at end of pipe. Regional Water Board staff are also concerned about these criteria and how they will lead to permitting problems down the line, and have met with EPA staff to discuss. Additionally, Eric has shared selenium monitoring data from the South Bay/LSB with EPA staff that they were not previously aware of. The rule has not yet been released in the Federal Register, which is expected in early July, and will begin a 60-day comment period. EPA will also host hearings in August (online Aug 22 and in person Aug 23) on the proposed criteria.
* *SFEI Selenium Workshop –* As part of its selenium strategy, SFEI is hosting a workshop to develop an early warning monitoring strategy to determine if selenium will pose a threat to San Francisco Bay biota.
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| **Microplastics and CECs*** *Microplastics Workshop –* The workshop focused on prioritizing science strategy focus areas. BACWA member agencies attended, and made the point that the methods are not sufficiently developed to make a reliable distinction between microplastics and other microparticles. Another key point was that fish need to be studied to determine any adverse impacts, to know whether this is a serious issue in the San Francisco Bay. Patagonia, the clothing company, presented findings from a garment washing study that concluded there isn’t significant difference in shedding between their products and cheaper products.
* Rebecca Sutton of SFEI [will be giving a talk](http://www.sfei.org/events/oima-brown-bag-seminar-microplastic-contamination-san-francisco-bay) for Cal OIMA entitled “Microplastics Contamination in the San Francisco Bay” on July 28. Committee members expressed concern about this title since it implies a problem where we are not sure there is one. Karin North will contact Dr. Sutton about changing the title.
* *Plastic Foam Ban –*Both San Francisco and Palo Alto have banned plastic foam in packaging and various novelty items.
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| **Nutrients*** + *Optimization/Upgrade Studies –* The consultant team released the first wave of facility reports on May 9 ([see schedule](http://bacwa.org/wp-content/uploads/2016/04/Facility-Report-Schedule.pdf)). BACWA hosted a workshop on July 27 to discuss the facility reports with its members. The permits committee’s reaction the workshop was generally favorable. A second workshop to be held later this year will include Regional Water Board staff.
	+ *Nutrient Watershed Permit Survey -* As part of the workshop (above), BACWA polled its membership to get a idea of the desired direction for the next watershed permit negotiations. There was a sense among the committee members that some of the questions in the survey were unclear.
	+ *Annual Reporting –* HDR provided a revised data worksheet for agencies to input their data for the Nutrient Annual Report. Data are due to HDR on July 31. In addition to effluent data, HDR is are now collecting influent data from agencies that choose to do influent monitoring.
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| **Drought/Recycling*** *State General Order for Recycled Water –*The State Water Board will require enrollment of Regional Permittees in the [General Order](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2016/wqo2016_0068_ddw.pdf) within three years. BACWA will discuss the enrollment process with the Regional Water Board at the joint meeting next Monday. Once possibility is for BACWA to develop a checklist of requirements for Engineering Reports and O&M Reports to help streamline the enrollment.
* *SB163 (Hertzberg) –* This bill was dropped by its author, but will likely be reintroduced next year.
* *Recycled Water Survey* – BACWA is issuing [surveys](http://bacwa.org/document/bacwa-2015-recycled-water-survey-template/) with Optimization/Upgrade facility reports so that the consultant can calculate loads removed through water recycled. BACWA worked to make sure that the data requested is convergent with that which will be requested by DWR in a survey that they plan to issue later this summer, so agencies will not have to generate two sets of numbers.
* *RO Concentrate Study* **–** Santa Clara Valley water district will fund a pilot project looking at advanced oxidation and wetlands treatment of RO concentrate. BACWA is continuing to work with them and the science team to get Proposition 1 funding to offset costs.
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| **NPDES Update**EPA has issued [Proposed Updates](https://www.epa.gov/npdes/npdes-application-and-program-updates) to the NPDES rule, impacting items such as toxicity, antidegradation, and dilution. In general, these changes reflect standard practice in Region 2, so no impacts are anticipated. CASA is commenting on the proposed amendments. One of their key objections is a provision that allows use of actual, rather than design, flow when calculating mass-based effluent limits. There was some confusion about the CASA letter wording on the mass-based effluent limits that Lorien Fono will work to clarify. |
| **Announcements*** + Toxicity – State Water Board still targeting July for new draft of Toxicity Plan.
	+ Lila Tang has retired from the Regional Water Board.
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| **Report out from the 4/15 Executive Board meeting and 5/3 Joint meeting with the Regional Water Board*** *ELAP Certification -* Nirmela Arsem gave a presentation on the ELAP standards. Full TNI standard are no longer on the table, but regardless of the exact standard, the requirements will be more documentation-intensive than at present. Lab certification fees have already increased and will do so again next month.
* *Arleen Navarret Award Recipients –* Karri Ving described her trip to visit King County’s biosolids recycling project. Rosey Jenks described her trip to visit the Bullett Building, which has a closed water system.
* *AIR Committee Meeting with BAAQMD –*The AIR committee held their annual meeting with the Air District. The key issues were the Clean Air Plan, which will include ways to reduce emissions related to the Water Sector, as well as development of regulations on digester gas venting and hydrogen sulfide emissions. Beginning in FY17, the AIR committee will be supported by Sarah Deslauriers (Carollo) and Courtney Mizutani (independent consultant).
* *Bay Area Regional Resiliency Task Force (BARR) –* There was a robust discussion on BACWA’s position on water recycling as part of BARR.
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| **Next BACWA Permits Committee Meeting:** Tuesday, August 9, EBMUD. |