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| Permits Committee –  Report to BACWA Board | Permits Committee Meetings on: 4/10/18  Executive Board Meeting Date: 4/20/18  Committee Chair: Chris Dembiczak |

**Committee Request for Board Action: None**

**24 Participants representing 13 member agencies**

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| **Upcoming Permits**  ***May –*** *San Mateo* ***–***They have not requested permission to blend this permit cycle. There is new language being introduced into theirs and other permits about anaerobic digestion (new language underlined): *“The California Department of Resources Recycling and Recovery has proposed to exclude POTWs from Process Facility/Transfer Station permit requirements when the same activities are regulated under WDRs or NPDES permits. The proposed exclusion is restricted to anaerobically-digestible materials that have been prescreened, slurried, processed, and conveyed in a closed system for co-digestion with regular sewage sludge.”* BACWA clarified with the Regional Water Board that this new language is not intended to change operations with respect to waste processing.  ***June –*** *Sausalito-* No issues, satellite agencies have not been included in permit. There is new language for bacterial indicators as follows: “*There is reasonable potential for enterococcus bacteria because the Discharger discharges treated wastewater to Central San Francisco Bay,*” whereas previously the Permit had just referenced the Basin Plan Table 4.2A as the basis for effluent limits. The committee would like to submit comments recommending that if the SIP is to be used to assign reasonable potential, then WQBELs should be calculated based on the SIP method, including dilution credit.  *Burlingame –* No issues, satellite agencies have not been included in permit. |
| **Wetlands Permitting**  Naomi Feger (RWB), and Ian Wren (Baykeeper/SFEI) attended the discussion about the Wetlands Case study [draft document](https://bacwa.org/document/wetland-permitting-case-study-report-april-2017/). This effort was funded by a $90K grant from EPA, and was the first work product looking at the topic. SFEP is a co-grantee with the Regional Water Board and is interested in CECs in wetlands. The committee has reviewed the document and identified several errors in the wetlands case studies. There is also a project in Palo Alto that is missing. The agencies described in the report will provide comments directly to Naomi within the next two weeks. According to the RWB, the major ways to get a shallow water discharge prohibition is demonstrate either equivalent protection, or next environmental benefit. The key issue is how to codify the demonstration of these principals. For example, if a wetlands management plan could be a part of the demonstration of equivalent protection, but what would be included, and where would be the point of compliance for discharge? The committee agreed that it is important to get information about what kind of projects agencies would like to do, and then figure out regulatory approaches. BACWA will work with their members to collect this information. Additionally, further consideration of wetlands is likely to be part of the Regional Study that will be part of the second nutrient watershed permit. |
| **Regional Water Board PSL Survey**  The RWB is soliciting updated information via survey on which agencies have Private Sewer Lateral Ordinances. They would like to give agencies with ordinances additional latitude when considering enforcement actions. |
| **Mercury methods for influent and biosolids**  The ultraclean mercury method that is required in permits is generally not suitable for influent or biosolids because it is impossible to get a clean equipment blank. BACWA will discuss with the Regional Water Board to either move the method footnote to indicate that the method applies to just effluent, and not influent and biosolids, or to update a possible error that would allow other methods when samples are over 10 ng/l, as opposed to 10 µg/l, as currently written. One agency got a letter from the Water board exempting them from having to use the ultraclean method for influent and biosolids. |
| **Nutrients**   1. *Optimization/Upgrade Studies –* several agencies have not yet received their final reports. At the CMG call on 4/13, BACWA will ask for an update on the status of the reports and the certification letters. 2. *NST meeting –* The Nutrient Strategy Team met on March 15 to discuss elements of the second watershed permit - the Regional Study as well as concepts for encouraging early actions and reducing the risk of agencies that plan to implement Capital Projects to reduce nutrients. There was not consensus on the credit banking issue, and will meet again in a few weeks to continue the discussion. There was not time during the meeting to discuss the Regional Study. 3. *Sea Level Rise –* Per the State Water Board Climate Change Resolution of 2017, Regional Water Boards are to work with the Division of Water Quality to propose how climate change may be incorporated into permits. Region 2 staff have stated that they plan to show what is already being done, so the Sea Level Rise memo developed as part of the Nutrient Watershed Permit will likely be used for this purpose. Sea Level Rise/Climate Change planning will also be part of the revised SSS WDR. |
| CECs  a. *BACWA White Paper on CECs participation-*  BACWA is developing a White Paper detailing POTW participation in RMP studies. This will be provided to the Water Boards to demonstrate that Region 2 has a robust CECs program, where POTWs participate in studies when needed. The alternative would be requirements for monitoring from the State Water Board.  b. RMP CEC Workgroup meeting April 12-13 – [see agenda](https://bacwa.org/document/ecwg-agenda-4-11-18/)  c. RMP Microplastics Workgroup meeting May 15 |
| **Triennial Review**  The Regional Water board is kicking off the 2018 Triennial Review Process. They have not yet released their list of projects, but there is a public hearing scheduled for May 21. There was discussion about asking to revise the dilution policy that give zero dilution credit to shallow dischargers and 10:1 dilution for deep dischargers. The committee was concerned that this may lead to less favorable parameters than some agencies currently have. However, there was consensus that BACWA should recommend that the Basin Plan be changed to allow the use of dilution for bacterial indicator limits. |
| **Announcements**   * 1. H2S limit [Association Comment Letter](https://bacwa.org/wp-content/uploads/2018/03/Water-and-Sanitation-Coalition-Comments-on-Hydrogen-Sulfide-MARCH-6-2018.pdf)   2. CASA/BACWA/SCAP [comments](https://bacwa.org/wp-content/uploads/2018/03/3-28-18-Final-CASA-SCAP-BACWA-SSS-WDR-Letter.pdf) on SSS WDR Revision   3. Update on 1668c reporting, lab presentation at Lab Committee on 4/11   4. RB response on Anaerobic Digestion language in recent permits (see San Mateo Permit, above)   5. Chlorine Basin Plan Amendments – look for bisulfite use survey in near future   6. Committee seeks new vice-chair for FY19 |
| **Next BACWA Permits Committee Meeting:** Thursday May 10, 10:30am to 12:30pm, Joint meeting with CASA RWG at downtown EBMUD |