

**Committee Request for Board Action: None**

**9/11 meeting: 22 attendees, representing 10 member agencies**

**10/9 meeting: 17 attendees, representing 14 member agencies**

**11/13 meeting: 27 attendees, representing 14 member agencies.**

**Regional Water Board Report-out**

A new staffperson has been hired to replace Patrick Karinja as a permit writer. Other positions at the Water Board are also being filled and will be announced soon.

The State adopted new bacteria limits as follows: *The bacteria water quality objective for all waters where the salinity is greater than 10 ppt more than 5 percent of the time during the CALENDAR YEAR is: a six-week rolling GEOMETRIC MEAN of enterococci not to exceed 30 cfu/100 mL, calculated weekly, with a STV of 110 cfu/100 mL not to be exceeded more than 10 percent of the time, calculated monthly.* Once the new limits are in effect, Regional Water Board staff will develop draft language to incorporate this requirement into permit, and circulate the language among the permits committee. West County may be the first agency with the new limits in the permit. The Regional Water Board is considering calculating limits for deep water dischargers using 10:1 dilution.

**Upcoming Permits**

**December** – Port Costa – No known issues.

**January** – West County – Could be first permit with new bacteria limits, see above.

**March** – Millbrae

**April** – SFPUC Oceanside – The planned RO facility is complicating the permitting, especially since there is no sampling point for the combined effluent and RO concentrate. They will be doing their toxicity testing analysis via the TST.

**Chlorine Residual Basin Plan Amendment**

At the November meeting, Tom Hall gave a [presentation](#) on the progress on the chlorine residual Basin Plan amendment. His proposal will replace the 0.0 mg/L instantaneous effluent limit with a 13 µg/L water quality objective, which will be applied as an effluent limit with dilution, and as a 1-hour average. He is still working on criteria for potential magnitude and duration of chlorine spikes, since different online chlorine analyzers collect data at different frequencies. He will have proposed Basin Plan language prepared in a couple of months, and CEQA documentation after that. For shallow water dischargers, a reporting limit will be established such that readings below that limit will not be considered violations.

**Nutrients**

- a. *2<sup>nd</sup> Watershed Permit* – The Nutrient Strategy Team met on 8/17, 9/21, and 10/25. The current thinking is that the Fact sheet will list current nutrient loads, plus an appropriate buffer as “planning level targets” for the 2024 permit. The Regional Water Board has calculated these “planning level targets” by taking the 95<sup>th</sup> percentile of loads for each agency and escalating by 15%. However, because of high variability in some agencies’ effluent data, these targets are close to or below some agencies current loads. The permit will include a discussion of future load caps, the importance of subembayments, as well as a description of the need for a trading scheme in the future. The permit will also recognize agencies that have begun capital projects to reduce nutrient loads.
- b. *Optimization/Upgrade Presentation to Regional Water Board* – HDR provided a [presentation](#) of the Optimization and upgrade studies to Regional Water Board staff on 9/17. HDR has worked with Regional Water Board staff to provide a presentation to the Water Board members at the 11/14 hearing.
- c. *NMS has won the NACWA Environmental Achievement Award.* The award will be presented in February.

**Toxicity**

- a. The State Water Board [posted](#) new draft Toxicity Provisions on October 19, as well as a Staff Report, and Response to Comments on the 2012 draft Toxicity Plan. Lorien Fono gave a [presentation](#) covering how the Provisions will change toxicity testing in Region 2, how reasonable potential will be determined, compliance limits, testing frequency, and laboratory scheduling. The committee recommended that BACWA comment on Reasonable Potential, how to qualify for reduced monitoring, and the timeline for scheduling MMEL testing.
- b. *Regional Water Board implementation* – The Regional Water Board does not plan to require Reasonable Potential Analyses, and will grant full dilution when determining Instream Waste Concentration.
- c. *Comments to the State Water Board* - Nov 28 hearing, and written comments are due Dec 7. Adoption is planned for April 2019.

### Recycled Water Policy Amendment

The Recycled Water committee held a conference call with State Water Board staff on 10/2. Staff are committed to the termination of Regional Recycled Water permits, such as 96-011, but internally they are proposing extending the deadlines. They believe that transitioning agencies with pre-2001 Title 22 engineering reports will be more effort than those with newer engineering reports, and are considering a longer deadline for the older projects. The questions of recycled water production was also addressed on the call. The State Water Board does not believe that a separate permit would be required to cover production of recycled water at facilities not already covered by NPDES permits. Facilities such as satellite/scalping plants could simply apply for coverage under the State General Order. After the Recycled Water Policy is adopted, the State Water board will consider whether the General Order needs to be clarified.

Blair Allen, Regional Water Board, distributed a [spreadsheet](#) of the projects that are permitted under 96-011, and what information the Regional Water Board already has. He is considering a 'group enrollment' process that would effectively enroll all of our current inventory '96-011' cases into the new State General Order with one regulatory action (most likely, an authorization letter signed by RWQCB Executive Officer). To make this happen he will need good scanned copies of the following documents from each project:

- Technical Report (CCR title 22 Engineering Report)
- Report of Waste Discharge / NOI
- DDW/ CDPH /DOHS review /approval comment letter
- RWQCB Enrollment Authorization (in CIWQS, "Effective Date")

Some of the engineering reports may need updating. Melissa Gunter has a list of changes to Title 22 in 2001 that could be used to do the updates. We will discuss providing updates at our next meeting.

Leah Walker reported on meetings with State Water Board staff pertaining to the Section 1211 Wastewater Change Petition. Every recycled water project must be evaluated to determine whether a change petition is necessary. The Division of Water Rights is considering procedures to use and the supporting material that needs to be submitted to support a determination.

### CECs

Diana Lin, SFEI, attended the October meeting and gave a [presentation](#) the results of the pharmaceuticals in wastewater study conducted in 2017. Based on the results of the pharmaceuticals study, 17 pharmaceuticals were prioritized for future monitoring. She also discussed the CEC multi-year plan, which will focus on the following areas:

- Pharmaceuticals
- Non-targeted analysis
- Moderate Concern CECs
  - PFAS
  - Fipronil
- Possible Concerns
  - Bisphenols
  - Phosphate flame retardants
  - Sunscreen
  - Agriculture pesticides

### Triennial Review

The Regional Water Board approved the [2018 Triennial Review](#) at their September 12 meeting. The projects that were identified as high priority for the next three years are:

- Climate Change and Wetland Policy Update
- Review and Update of Policy 94-086 - Using Wastewater to Create, Restore, and Enhance Wetlands
- Review and Refine Dissolved Oxygen Objectives for San Francisco Bay
- Review and Implement Biological Assessment Tools
- Develop Numeric Nutrient Endpoints (NNEs) in Freshwater Streams and Estuaries
- Incorporate Revised U.S. EPA Recreational Water Quality Criteria for Bacteria
- Designate Tribal Tradition and Culture, Tribal Subsistence Fishing, and Subsistence Fishing Beneficial Uses in the San Francisco Bay Region

It was noted that it is unlikely that the final item, the designation of the new Beneficial Uses, is unlikely to be completed in the next three years due to limited staff resources. BACWA representatives attended the hearing and gave oral comments in support of the Triennial Review priorities.

### PCB Petition Abeyance

When the Mercury/PCB Watershed Permit was adopted in 2012, BACWA filed a petition to the State Board protesting the use of Method 1668C for measuring PCB congeners as it has not been promulgated by EPA.

However, in the past 6 year, Method 1668C has not been required for compliance purposes. The committee supported continuing to hold the petition in abeyance.

**BACWA Workshop on unintended consequences of conservation**

On 9/24, BACWA hosted a workshop to provide insight into the technical challenges of designing, managing and operating wastewater treatment plants with rapidly changing conditions as a result of water conservation. The discussion at the workshop examined the linkages between impacts to treatment systems and recycled water programs from biological activity in collection systems related to reduced flows. Presentations from the Workshop are posted [online](#).

**Announcements**

- a. BACWA Annual Members Meeting Jan 11, 2019
- b. Regulatory Issues Matrix [Updated](#)
- c. RMP Annual Meeting was October 11
- d. BACWA [comments](#) on Wetlands Policy
- e. Risk reduction contracts approved to comply with Hg/PCB Watershed Permit

**Next BACWA Permits Committee Meeting:** Thursday, December 13, 2018 10:30am to 12:30 PM (With CASA RWG - Holiday Luncheon and White Elephant at downtown EBMUD.

The committee will begin meeting in even months in 2019.