

Committee Request for Board Action: None

24 attendees, representing 12 member agencies.

Regional Water Board Report-out

Jessica Watkins has been promoted and her previous position as an NPDES permit writer will be filled soon. Anna Gallagher has been hired to replace Vince Christian. Michael Montgomery is scheduled to start as Executive Officer on March 11.

Upcoming Permits

March – Millbrae—This may be the first permit to incorporate the new bacterial objectives. Have since found out that statewide bacterial provisions will not be approved by USEPA before Board approval of this permit; limits will revert to previous ones.

April – Palo Alto – The “Reclamation” language in their fact sheet will be a model for other agencies with recycled water projects. The Regional Water Board will likely be using Fact Sheets to draw connections between NPDES covered activities and recycled water production and distribution. This would be part of a framework to cover recycled water production once 96-011 is terminated and agencies have coverage under the State General Order. Palo Alto’s TO allows them to use their chronic toxicity test to include their acute toxicity testing requirements as well.

Bacterial Objectives

In August 2018, the State Water Board adopted new statewide bacteria water quality objectives and implementation options to protect recreational users from the effects of pathogens in California water bodies. The objectives and implementation options are a new part 3 of the Water Quality Control Plan for the Inland Surface Waters, Enclosed Bays ([SIP](#)), and Estuaries of California, and as an amendment to the Water Quality Control Plan for Oceans Waters of California ([Ocean Plan](#)). The new bacteria objective for all waters where the salinity is greater than 1 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 statistical threshold value of 110 cfu/100 mL, not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner. The Objectives were approved by the Office of Administrative Law in February 2019. Once approved by EPA, which is expected shortly, the Regional Water Board will begin implementing these new objectives into NPDES permits as they come up for reissuance. The Regional Water Board is open to calculating effluent limits for enterococcus using dilution. BACWA has contacted the RMP to discuss collecting samples to get updated enterococcus data for the effluent limit calculations. We may be able to piggyback on a USGS cruise, or contact Fish and Wildlife.

Duplicate reporting

Staff from member labs had questions related to whether QA/QC sample results had to be averaged in as duplicates and reported under the language in Attachment G. The Regional Water Board clarified that the QA/QC samples do not have to count as duplicates.

Nutrients

- a. **2nd Watershed Permit** – James Parrish from the Regional Water Board provided a [presentation](#) on the 2nd Nutrient Watershed Permit. He noted that we need to continue to meet to better develop the details of the regional study, and that BACWA will be responsible for a “final status report” as the final deliverable, rather than a “final report”. The recycled water study is now in a separate provision than the wetlands study. The Group Annual report will now cover water years, from Oct 1 through Sept 30 each year, rather than permit years. Baseline loads and targets will also be calculated by water year. The report deadline will be Feb 1.
- b. **Optimization/Upgrade Studies**– BACWA is working with HDR to develop a brochure and powerpoint presentation summarizing the Optimization and Upgrade studies for use by our member agencies to educate their governing boards and the public.

Toxicity Provisions

Lorien Fono participated with other POTW representatives from around the State to meet with State Water Board staff on the following topics:

- Request for clarity and refinement of Regional Board discretion on the use acute testing in addition to chronic testing.
- Request for more specific language encouraging reduced frequency of monitoring during a TRE.
- Request for language modifications that would allow the use of prior (pre-plan) compliance data for reduced monitoring frequency.
- Issues associated with current definition of a calendar month.
- Request for flexibility in use of Instream Waste Concentration (IWC) and dilution.

- Request for changes in approach to determination of reasonable potential (RP) and numeric limits.
- Request for refinement of economic analysis.
- Use of the ceriodaphnia dubia reproduction endpoint.

Staff were unable to commit to changes at that meeting. BACWA is developing an updated MMEL testing schedule, at the staff's request. The State Water Board is now targeting adoption of the Toxicity Provisions in Summer 2019.

Announcements

- a. BACWA Annual Members Meeting Jan 11, 2019 – [presentations posted](#)
- b. Regulatory Issues Matrix [Updated](#)
- c. [NPDES Compliance letter submitted](#)

Next BACWA Permits Committee Meeting: April 9, 2019, 12-2pm, EBMUD WWTP Lab Library.