

Development
of
Proposed
Statewide Sanitary Sewer System Order Reissuance

WHAT WE HEARD

during

State Water Resources Control Board
Preliminary Staff Outreach

California Water Environment Association Workshop
San Ramon, California

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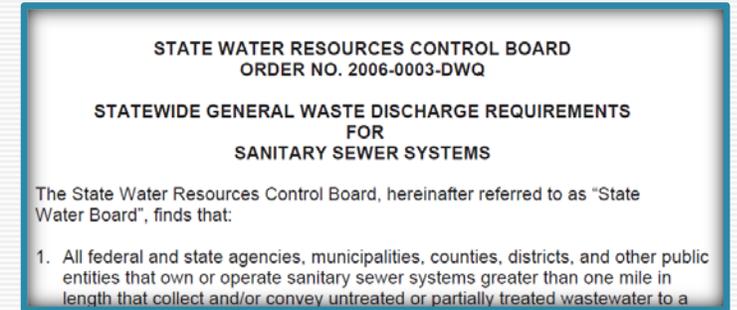


Thank you



Feedback Is A Gift

Where We Are Now...



- State Water Board regulates 1100 Enrollees/Systems
- Many well-established local sanitation programs
- Collection system certification and ongoing training programs
- Previous severely spilling systems are now well-performing systems due to:
 - Locally-initiated change in local program management
 - Regional Water Quality Control Board enforcement
 - Third party involvement
- Division of Water Quality staff developing Order to update/replace existing Order (“General Order Reissuance”)

2018-2019 Preliminary Stakeholder Outreach for Proposed Reissuance

- Working closely Regional Water Board and Office of Enforcement staff
- Conducting Outreach
 - CWEA events
 - Focused stakeholder meetings
 - Public agencies (led by CASA)
 - Environmental group representatives
 - Environmental justice representatives (pending)
 - Public staff-level outreach workshops
- Attending informational events regarding sanitary sewer system management, climate change, human right to water, etc.



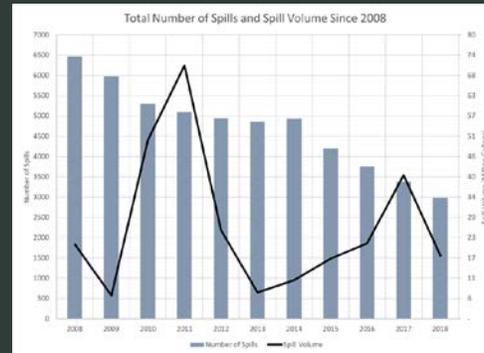
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Proposed Focus – System-Specific Spill Volume Reduction



- Incorporate elements currently demonstrated to be feasible and necessary
- Require effective Sanitary Sewer Management Plan (SSMP) implementation **resulting** in reduced spills/volume
- Require proactive planning to address existing and forecasted high risk system areas:
 - Climate change impacts
 - Population change
 - Aged infrastructure
 - Other
- Update monitoring and reporting requirements
- Increase enforceability to address poor performing systems
- Incentivize well-performing systems w/o enforcement



Today's Presentation

- “What We Heard” - General consensus during 2018 - 2019 discussions
- Next steps in General Order reissuance process

Regulating Larger Private System

What We Heard



- Mismanagement of larger private systems does pose burden on publicly-owned systems
- Private owners typically do not respond to spills; public agencies respond and clean up private spills to reduce community health risk
- Private owners do not have expertise needed to effectively maintain systems and clean up spills
- Currently difficult to define and identify “larger private systems”, and locate system owners
- State regulation of larger private systems may force local agencies to take over those systems without additional public resources
- Regulating private systems is too large of a statewide regulatory step/change

The Value of Data



*How valuable is the data collected from existing requirements to reduce future spill volume?
What additional type of data/information should be collected?*

What We Heard

- Data collected from existing requirements is used by enrollees to manage systems
- Frequent internal audits are important
- Local board approval of SSMP updates is costly yet necessary for continued allocation of resources to sanitary sewer program
- CIWQS data is of random quality – quality of data “in” equals quality of info out
- Reporting of “spill volume” based on differing interpretation of Order – Need definitions
- Require reporting of “net volume of spill”
- Require reporting of volume estimation methods, assumptions made during estimation
- Upgrade CIWQS to address shortcomings identified in last 13 years

Focus on Reducing Spill Volume

What reduces spill volumes?

What We Heard

- Routine cleaning per system-specific frequency
- System videoing and other methods of identifying where system is compromised/failing
- Proactive identification and remediation of high risk areas prior to failure
- Proactive coordination with storm system agencies
 - Mapping of storm drain systems and corresponding discharge locations
- Implementation of an effective Spill Response Plan
 - Dedicated staff continuously refining procedures
- Citizen education (on flushables) and involvement (reporting spills)
- Enforcement allowing monetary fine amount to be fed back into local program to address spill causes
- Escalating enforcement for enrollees that rather just pay fines

Improving Public Data



How do we improved reporting of spill volume information?

What We Heard

- Require pictures
- Use of new apps and improved estimation techniques
- Require use of multiple estimation method to cross-check results
- Require reporting of spill volume estimation assumptions (show your work)
- Need more training of spill response personnel (boots on the ground) to better estimate volumes
- Involvement of certified operators provides better volume estimates
- Understanding layout and distances of storm drain system – intermittent manhole and final outlet

Addressing False Reporting

What discourages false reporting, underestimated spill volumes, and false “no spills” reports?

What We Heard

- Don't make reporting of “no spills” so easy
- Emphasize penalty of perjury for “no spills” and false reporting
- Promote reporting of all spills - “1-gallon” vs “no spills”
- Spill definition needs clarification - some agencies reporting spills that are not technically a spill
- Fear factor of reporting a spill needs to be addressed
 - Water Boards should not define Order compliance as systems not spilling

Local Program Adaptability

How can SSMP implementation requirements be improved?

How does feedback from internal audits, assessments and actual spills get incorporated back into an improved local program?

What We Heard



- Need a checklist for required SSMP elements that address system resiliency elements
- All systems are different – do not place one set of statewide planning requirements
- Different enrollees plan and manage future improvement projects differently
- Asset management planning varies from high-tech planning programs to excel spreadsheets
- Very small remote system operators use their general knowledge and recollection of problem areas

Addressing System Resiliency through Asset Management

*What tools are used to identify and assess high-risk areas?
How are current system owners proactively addressing system resiliency?*

What We Heard

- There are varying definitions of “asset management”
 - Tools that manage existing system components – versus -
 - Planning efforts to address existing and future system needs
- Larger agencies consider “asset management” to automatically include planning
- Guidance and checklists needed for risk assessment of differing system areas
- Additional resources must be diverted to local program to perform asset management correctly and effectively
- Asset management may be too costly for small communities – allow use of resources other than expensive consultants
- Very small remote system do not have the resources to conduct asset management

Resilience

noun

re·sil·ience | \
ri-'zil-yən(t)s \
an ability to
recover from
or adjust easily
to misfortune
or change

Well-Performing Systems

What defines a well-performing system?

What We Heard

- Local Board providing necessary resources and acknowledging program successes
- An effective system-specific Spill Response and Reporting Program
- Various defining factors:
 - Metric demonstrating continued trend in spill volume reduction over time
 - Spill response times decreasing
 - Compliant reporting
 - Quality SSMP and management of existing assets
 - Retainment of personnel
 - Continued growth through continued education and training
- Not all defining factors apply to all systems – use common performance indicators
- A proactive local-program culture is a necessity
- Education and awareness programs are provided to local citizens and rate payers

Incentives for Well-Performing Systems

What are potential regulatory incentives that encourage local agencies to have well-performing systems?

What We Heard

- Do not reduce requirements
- Reduction in requirements will not necessarily incentivize increased performance
 - Concern of performance and budget backsliding
- Public recognition
 - Owners of well performing systems simply want to be recognized
- Water Board should rank systems based on defining factors
- Water Board enforcement on well-performing systems should allow monetary fine-dollars to fund system improvements



Feedback Regarding Certified Operators

What We Heard

- Many local boards will not allocate necessary budget for certified operators unless required by the State.
- Water Boards require certification for drinking water systems, wastewater treatment systems, and stormwater programs, not collection systems
 - Unintentionally establishing less relative-importance of collection systems
- Certified operators tend to report all spills, including 1-gallon spills
- Some smaller system enrollees without certified operators state their system never spills
- Continued education requirements transmit updated information on new technologies, regulation, and cost-saving program efficiencies
- Higher retention rate in positions requiring certified operator classification

Other Feedback Throughout Outreach Efforts

- Proposed Order needs a definition section
- Need clear definitions:
 - What is a spill?
 - What is a discharge?
 - What is asset management?
- Compliance with “no system release upstream of treatment plant influent” is infeasible
- Overuse of wipes and other system-clogging products is out of control of enrollees
- Clarify “significant changes” triggering SSMP updates
- Appreciation for the Water Boards’ emphasis on stakeholder outreach early during development of proposed regulatory actions

NEXT STEPS

- Staff to refine scope of project and develop project schedule
- Staff is beginning to write draft permit
- Expected release of draft permit for formal public comments – Late 2019 – Early 2020

Staff Contact

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All information updates will be issued through
State Water Board email system