

Committee Request for Board Action: Develop comment letter on Sunnyvale Tentative Order receiving water monitoring requirements.

10/8 meeting - 30 attendees (including 4 on phone), representing 19 member agencies.

8/13 meeting - 28 attendees (including 5 on phone), representing 17 member agencies.

Nutrients

- a. Group Annual Reporting (GAR) – Both permits committee meetings hosted discussions, led by HDR, about the new reporting requirements of the 2nd Watershed Permit. At the October meeting, HDR gave a review of the format for the February 2020 Group Annual Report. [See presentation](#). There was a discussion about how to capture TIN loads from waste-to-energy or biosolids receiving facilities to properly reflect the load reductions taking place within the plant. The group agreed these would be dealt with on a case-by-case basis and attached to the GAR as appendices.
- b. Nature Based Solutions Study – The study required by the Watershed Permit is being conducted by SFEI and overseen by a group of BACWA representatives from the different subembayments. Ian Wren has requested shape files from participating agencies to identify jurisdictions of potential projects.

Upcoming Permits

December – Benicia – Benicia was given 10:1 dilution credit to convert the new enterococcus objectives to effluent limits.

Delta Diablo – The Administrative Draft (AD) includes the RO concentrate treatment they will be providing for the City of Antioch's planned brackish groundwater treatment project. They have also been given 10:1 dilution credit to convert the new enterococcus objectives to effluent limits.

Sunnyvale – They are reviewing the AD, which has chronic toxicity limits, as well as triggers, for accelerated monitoring. The required monitoring frequency has decreased from semi-monthly to quarterly. They will get 1:4 dilution credit for chronic toxicity. The AD requires receiving water monitoring for unionized ammonia even though they don't have reasonable potential for that constituent.

San Jose – The AD was received in September and the City of San Jose has sent in comments to the Water Board. Their new chronic toxicity species is fathead minnow, which was selected since it exhibited a slightly higher percent effect compared to *Ceriodaphni dubia*. Like Sunnyvale, they are getting chronic toxicity limits (dilution 3:1) and have receiving water monitoring requirements – monthly for 12 months then quarterly thereafter. Reasonable potential for chronic toxicity was due to a spike that a TIE indicated was due to a polar organic compound that was found in the control and all samples. This is the first permit to incorporate the new State Water Board requirements for recycled water reporting.

Chlorine Residual Basin Plan Amendment

The Regional Water Board has agreed to the edits to the Basin Plan Tables 3-3, 3-4, and 4-2, and has a mostly-complete Staff Report to support the Basin Plan Amendment. The proposed Basin Plan chlorine objectives will be based on EPA criteria, and the 0.0 mg/L instantaneous maximum limit will be removed from Table 4.2. They have agreed to remove oil and grease as POTW monitoring parameters. There is a tentative agreement to not include an ML/RL for chlorine in the Basin Plan, so the amendment can move forward in the absence of an agreement on that issue. The Regional Water Board would prefer an RL of 0.05 mg/L whereas the POTW community feels that 0.1 mg/L is more realistic.

Bacterial Objectives

Regional Water Board staff attended the August Permits Committee meeting and described a potential approach to implementing the State Water Board's new bacterial objectives into permits. Since coliform limits associated with REC-1 will be removed from the Basin Plan, the coliform limits in Table 3-1 will need to be implemented to protect SHELL. They are considering finding that SHELL does not apply to deep water dischargers since there is not shellfish habitat within their mixing zones. The three shallow discharger agencies with SHELL designated by their outfalls already have the fecal coliform limits from Table 3-1 implemented, so they would not see a change in their permits. No other agency would retain coliform limits in their permit.

Toxicity Provisions Update

The State Water Board released updated toxicity provisions on July 25, 2019. The prior draft Toxicity Provisions language may have allowed previous species sensitivity screening results to be used if they had followed EPA methods and been analyzed via the TST. The draft Toxicity Provisions screening requirements, Section IV.B.2.a.iii, call for using three species over four rounds of tests, throughout a year, whereas, most SF Bay Region POTWs have conducted screening using three rounds of tests during a year. If the Toxicity Provisions are adopted as proposed, the RMP will lose the funding associated with agencies paying to avoid sensitive species screening via the

Alternative Monitoring Requirements. Other ongoing issues are: how to establish Reasonable Potential and limits; whether *Ceriodaphnia dubia* should be used as a compliance test; and the MMEL test schedule. At an October 3 State Water Board hearing, Board members directed their staff to propose alternatives to address stakeholder concerns. The adoption is now expected in early 2020, rather than December 2019 as previously proposed.

Microplastics Symposium Debrief

The San Francisco Estuary Institute and 5 Gyres are the lead scientific bodies investigating microplastic contamination in the Bay. They are collaborating with several other scientific and academic institutions in furthering the science on microplastics, and held a [Microplastics Symposium](#) on October 2. The morning session featured a review of the science, and the afternoon included a discussion of policy recommendations focusing on source control. To assist our members with communication with the public and governing boards about microplastics, BACWA developed a [Microplastics Fact Sheet](#) presenting key information about POTWs' role in our understanding of microplastics in the environment.

CECs

- a. **RMP CECs data gathering** - The State Water Board is kicking off the next round of the scientific panel on the effects of CECs in aquatic ecosystems. The RMP has been tasked with gathering existing CECs data and interviewing stakeholders as to their data needs, and preferences for the scope of this effort. BACWA will respond to their interview questions in writing so that the permits committee and BACWA Board have the opportunity to discuss our responses.
- b. **PFAS** – Discussions with the State Water Board on PFAS monitoring requirements are ongoing. CASA has produced a [PFAS Fact Sheet](#) to familiarize its members with the issues.

Announcements

- a. Arleen Navarret Award [nominations](#)
- b. RMP Annual Meeting 10/10 – [waitlist](#) or webcast
- c. BACWA Annual Members meeting 1/10/20
- d. Lorrie O'Neill new BACWA AED
- e. BACWA member new section in Bulletin – contact Lorien

Next BACWA Permits Committee Meeting: TBD – Holiday potluck.