

**Committee Request for Board Action:** None

Regular meeting: 37 attendees via Zoom representing 21 member agencies and the Regional Water Board

**Regional Water Board Report**

Three staff members from the NPDES division attended the meeting to discuss implementation of the Statewide Toxicity Provisions within Region 2 discharge permits (see below). Staff also noted that Eileen White has been selected as Executive Officer of the Regional Water Board (see [press release](#)).

**Chlorine Blanket Permit Amendment**

The chlorine [Basin Plan Amendment](#) continues to be delayed by the EPA review process. In June, EPA will meet with US Fish & Wildlife Service to determine if a formal consultation is needed; previously, EPA did not complete a consultation for the chlorine water quality objectives that support the Basin Plan Amendment. If a formal consultation is needed, this process will take another 135 days. **We expect another schedule in July.** Meanwhile, the [blanket permit amendment](#) modifying chlorine effluent limits and removing oil & grease monitoring requirements is **not yet effective**. However, limits and monitoring requirements for oil & grease are being removed permit-by-permit.

**Implementation of [Statewide Toxicity Provisions](#)**

The Statewide Toxicity Provisions are currently being reviewed by EPA, which may need to complete an informal consultation with resource agencies. The review is expected to be completed by July or August. In June, Regional Water Board staff distributed an updated version of the NPDES permit implementation language for Region 2 discharge permits; the draft was circulated to the committee prior to the meeting. The updated version addresses some minor comments that BACWA submitted in February to clarify monitoring requirements, and also includes a new monitoring flowchart. The committee discussed the following aspects of the draft monitoring requirements:

- For deep water dischargers with surveillance monitoring (i.e., those with > 20:1 dilution), the TRE end point will typically be a “pass” at 10% effluent, not just a “pass” at the Instream Waste Concentration. This approach conforms to anti-backsliding policy and is similar to the current TRE requirement to show < 10 TUc. The TRE end point should be established as part of the TRE work plan at the beginning of the TRE.
- Dischargers should plan to present TST results with their Reports of Waste Discharge if they would like to qualify for reduced monitoring. The thresholds established in Section 4.3.3.4 provide flexibility to use the next-highest or highest effluent concentration for qualify for reduced monitoring.

BACWA will request additional edits to clarify some of the following points discussed by members:

- A footnote could be added to Table E-1 to note that samples at SUR-001 can be the same physical location as EFF-001, so that the same effluent can be used for both surveillance tests and compliance tests. An explanatory note could also be added to the Fact Sheet.
- Section 4.3.3.4 of the Fact Sheet calls out the threshold for reasonable potential analysis, but the Fact Sheet should also note that the same thresholds apply for qualifying for reduced monitoring.
- (Optional) Develop a flow chart for surveillance monitoring requirements.

**Nutrients Update**

- BACWA will be holding a workshop with Regional Water Board staff on July 28<sup>th</sup> to continue discussions about implementation of load caps in the 3<sup>rd</sup> watershed permit. To prepare for this workshop, the Nutrient Strategy Team will meet on June 30<sup>th</sup> and July 20<sup>th</sup>. Also, agencies are encouraged to review the statistical analysis of individual agency loading data ahead of these meetings.
- SCWWRP has released progress updates on their "Investigations of Effects of Anthropogenic Nutrients on Acidification and Deoxygenation in the Southern California Bight". Materials can be found [here](#). This work will eventually be extended to the coastal ocean near San Francisco Bay, with results expected in Fall 2024, so it worthwhile for BACWA members to understand the scenarios being modeled in Southern California.

#### Other Items

- Sample collection for [Phase 2](#) of the PFAS Regional Study is wrapping up.
- The [Mercury and PCBs Watershed Permit](#) is likely to be reissued at the December 2022 Regional Water Board meeting. BACWA is assisting with PCB data compilation and will circulate a draft soon. Regional Water Board staff noted that they have confirmed EPA has no immediate plans to promulgate Method 1668C, which means the permit will keep the same approach of using PCB aroclors for compliance monitoring and PCB congeners for load estimates.
- BACWA is planning to organize a roundtable discussion on sea level rise planning. EBDA volunteered to assist. Members also noted that the Ocean Protection Council (OPC) has recently announced a major grant for sea level rise adaptation planning in San Francisco Bay, to be conducted by BCDC (see [project description](#) from OPC).
- NPDES permits for EBDA, DSRSD, and Livermore are on the July agenda for the Regional Water Board. EBDA representatives reported no major comments, and also explained that the new permit will facilitate a planned brine discharge project.
- Mary Cousins will present “Understanding your NPDES permit” on July 20<sup>th</sup>, 10 am – 12 pm on Zoom. The presentation will be recorded.

**Next BACWA Permits Committee Meeting: August 9, 2022, 12:30 PM** via Zoom