

# What's Happening at Your Water Board and How it Impacts the POTW Community



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**Executive Officer**



# Presentation Overview

- CV-SALTS Update
- Permitting Program Updates
- Compliance and Enforcement
- Planning, TMDLs, Integrated Report



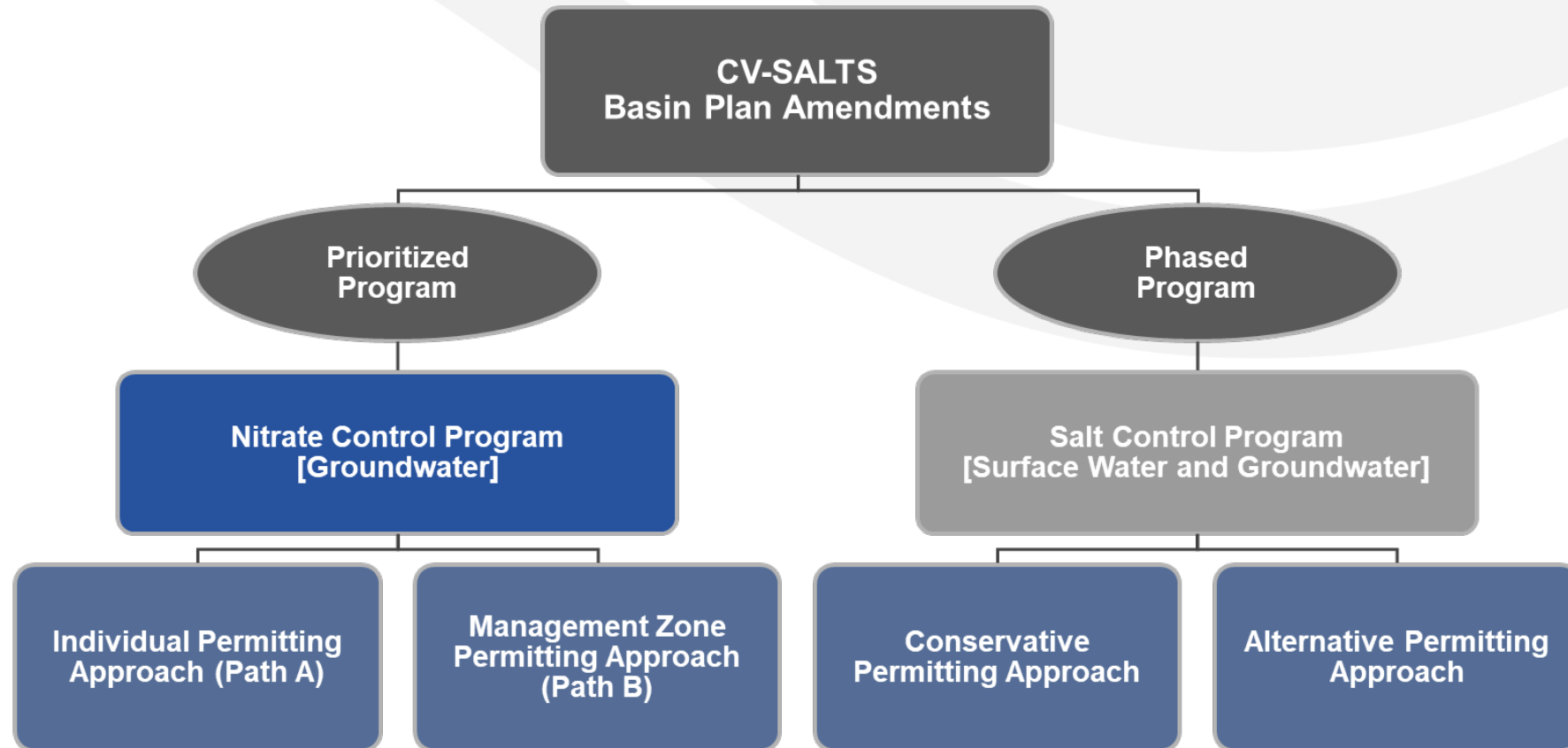


# CV-SALTS Update

The Future of Water Quality: Adapting to Everchanging  
Regulatory Challenges

CVCWA Annual Conference 2024

# Salt & Nitrate Management Strategy



# Prioritized Nitrate Control Program

## Priority 1 Area (Red)

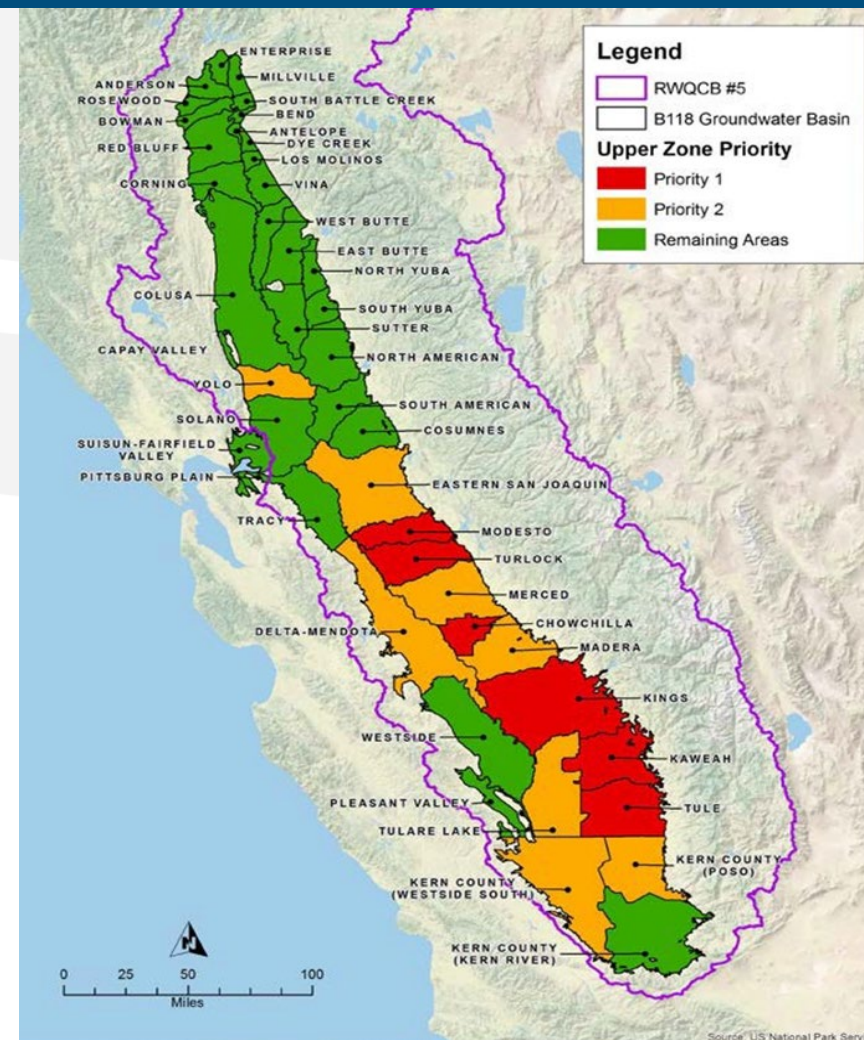
- Notice to Comply Letters May 2020
- Early Action Plan implementation May 2021

## Priority 2 Area (Orange)

- Notice to Comply Letters Dec 2023
- Early Action Plan implementation ~February 2025

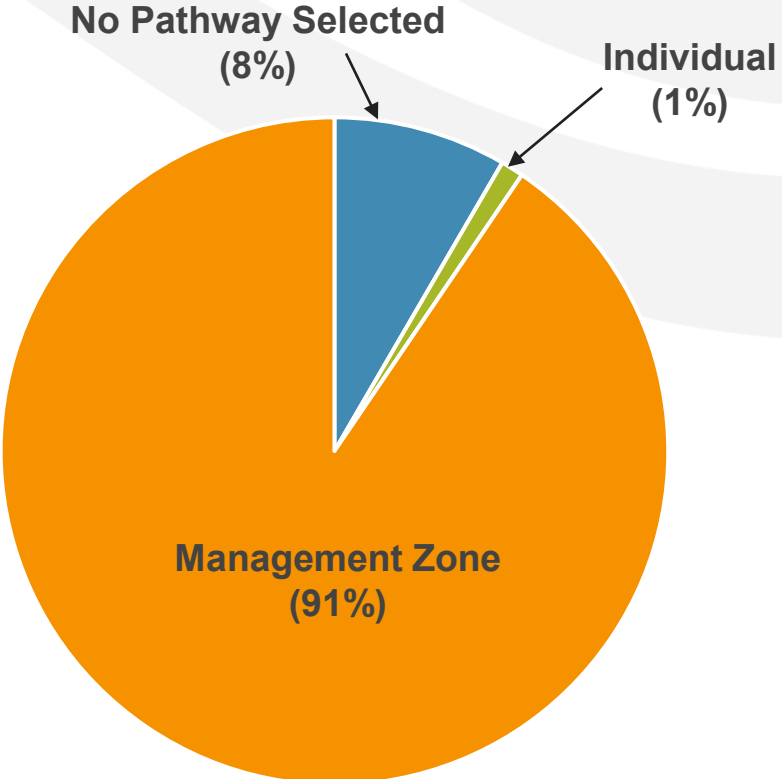
## Remaining Areas (Green)

- Implementation to be phased in after priority areas



# Nitrate Control Program – Current Status

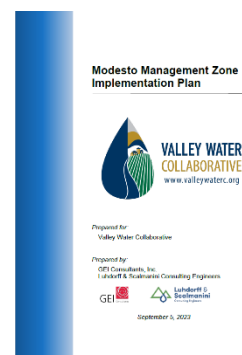
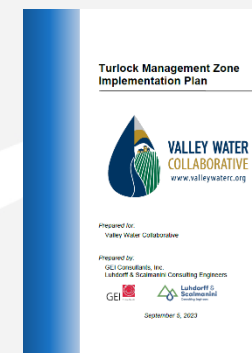
**91% of 1180 Priority 1 Permittees are in Management Zones**



**Nitrate Control Program Pathway Selection**

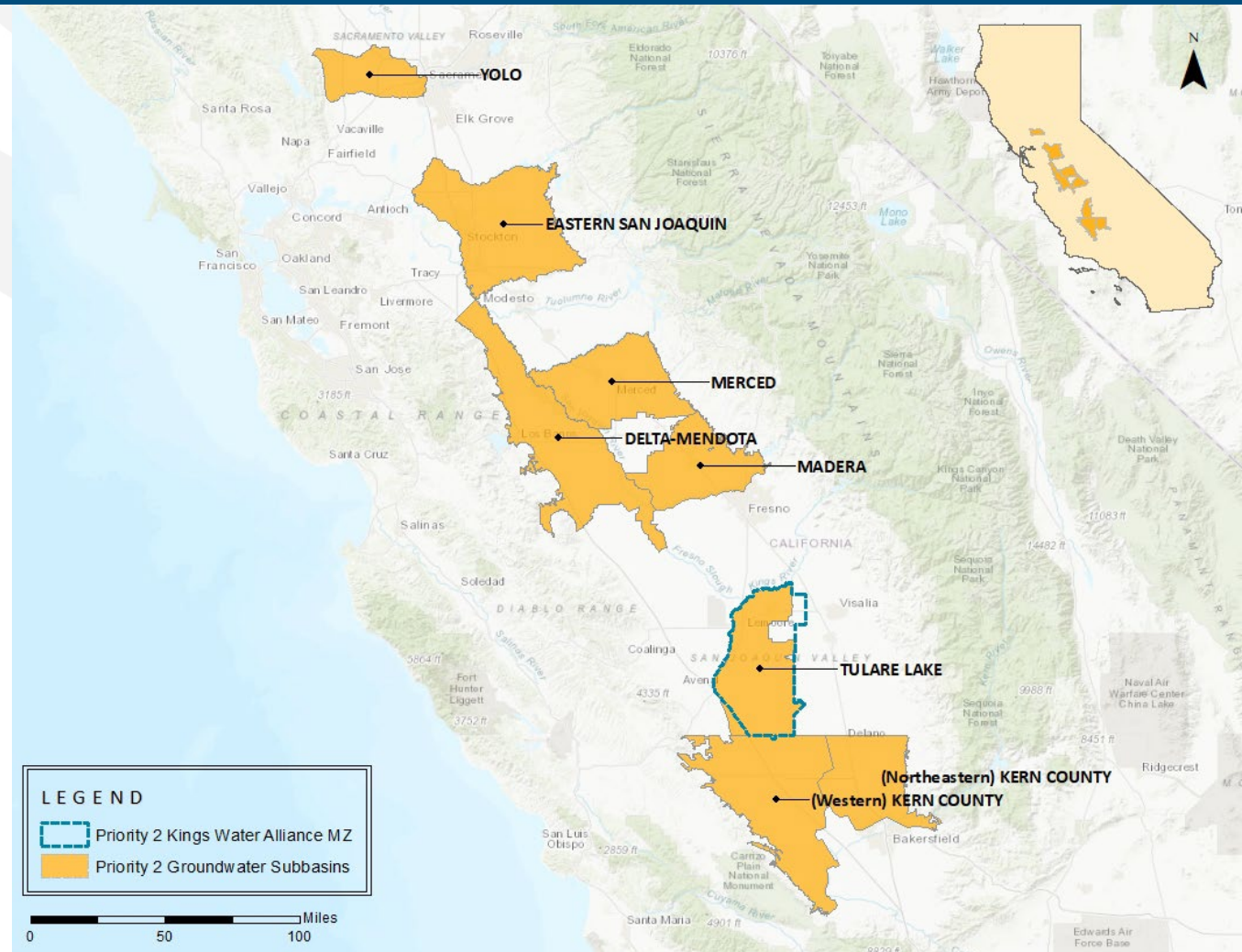
# Management Zone Implementation Plans

- Contain timelines and milestones for drinking water solutions, nitrate reduction, and compliance
- Confined Animal Facilities, Irrigated Lands Permits will be modified to address new plans
- POTWs largely required only to develop nitrate reduction plans in the next 5-10 years and participate in drinking water program



# Priority 2 Groundwater Basins

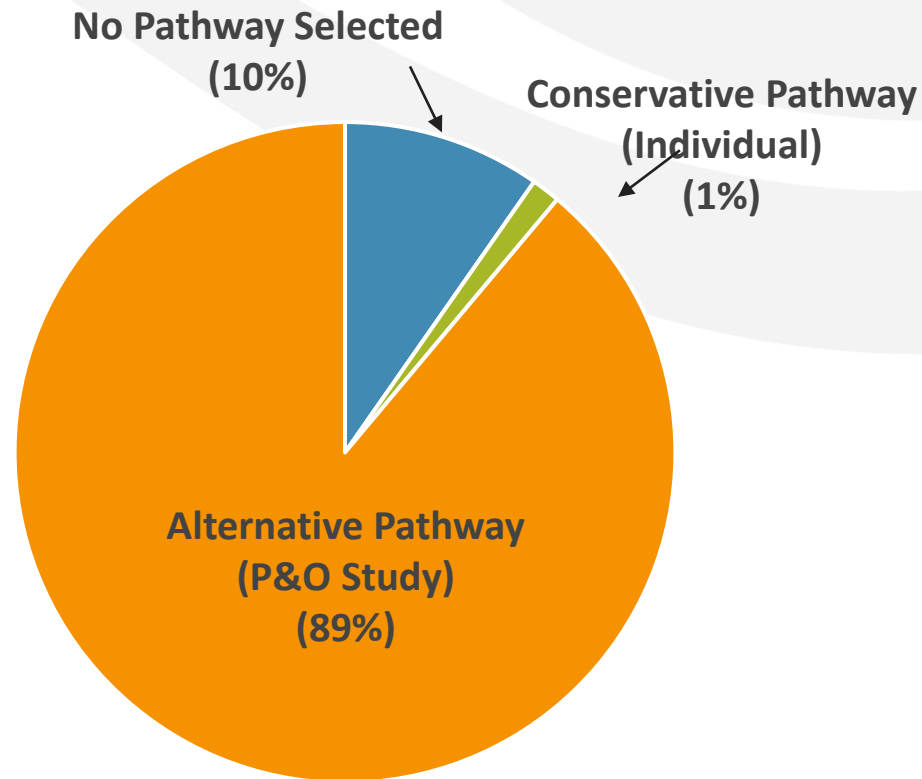
- Notice to Comply Letters sent December 29, 2023
- Notice of Intent due **February 26, 2025**
- Preliminary Management Zone Proposal and Early Action Plans due **December 28, 2024**
- Early Action Plans implemented within 60 days following submittal of plan





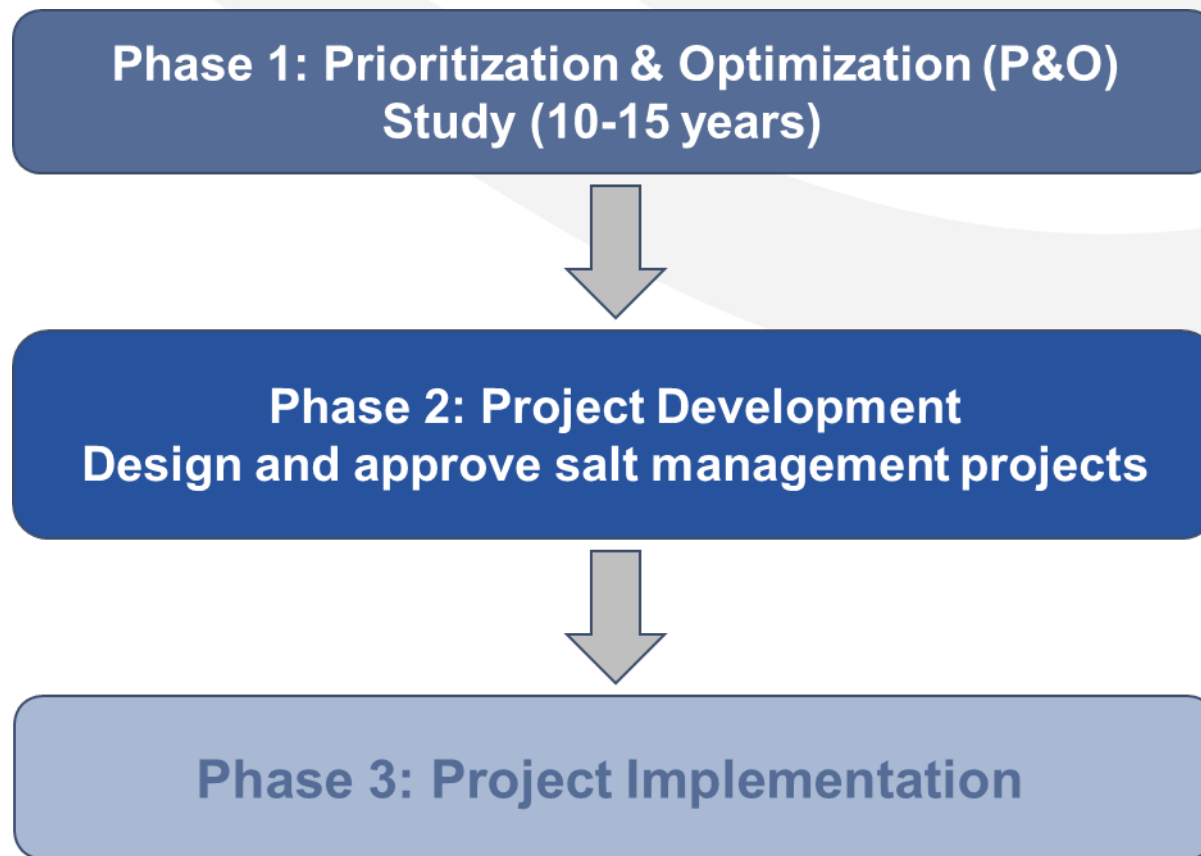
# Salt Control Program - Current Status

**89% of 3154 Active Permittees selected Alternative Pathway/P&O Study**



**Salt Control Program Pathway Selection**

# Phase 1 – Prioritization and Optimization Study



# P&O Study Status

Deliverable	Date
Final Baseline Characterization Report	March 2024
Complete GSP Evaluations	2024
Selection and analysis of Salt Management Regions and Salt Management Areas	2024-2025
Selection and analysis of Archetype Areas	2024-2025
Numeric target development in Archetype Areas	2024-2025
Numeric Salt Management Tool Development	2024-2025



# Permitting Program Updates

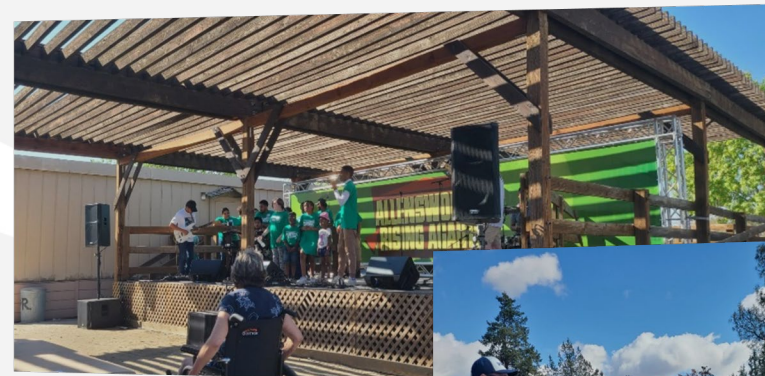
# WDR Program Update

- AB 2108 Outreach
- Nitrate Control Program Transition
- Mid-Sized Domestic General Order
- Small Domestic WWTF
- Needs Assessment/Consolidation



# AB 2108 Outreach

- Outreach to identify “issues of environmental justice”
- “Concise, programmatic finding on potential environmental justice, tribal impact, and racial equity considerations” for Basin Planning Actions
- Findings for General Orders
- Findings for WDRs, “that may impact a disadvantaged or tribal community and that include a compliance time schedule, alternative compliance path, or variance”



# Nitrate Control Program Transition

- Training Module
- Transition Plan
- Permit Revisions



# Mid-Sized WWTF General Order

- Incorporate Requirements of Nitrate Control Program and Salt Control Program
- Outreach to Disadvantaged Communities under AB2108
- Anticipated to be Adopted Next Fiscal Year





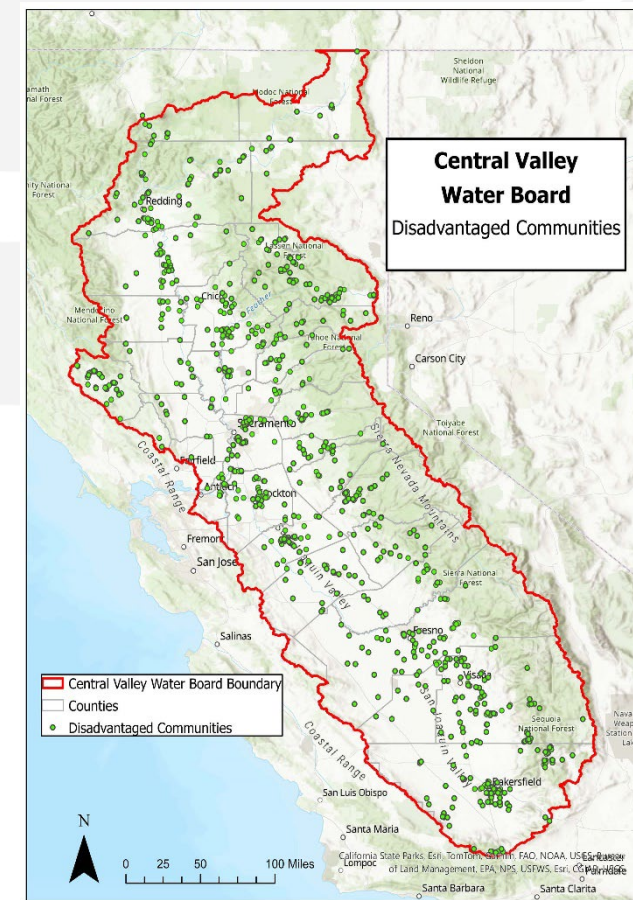
# Utilization of Small Domestic General Order

- General Order covers domestic wastewater treatment systems up to 0.1 mgd
- Approximately 200 Notices of Applicability (NOAs) have been issued
- Reduced permit backlog of old small domestic WWTF



# SB 1215: Wastewater Consolidation

- Incentivizes voluntary connection to local sewer service providers
- Reduce reliance on aged and failing Onsite Wastewater Treatment Systems (OWTS)
- Identification of Disadvantaged and Severely Disadvantaged Communities (DACs and SDACs) in proximity of sewer providers
- 53 active sewer consolidation connection



# Wastewater Needs Assessment

- 4-year project to provide information on California's wastewater sanitation system needs
- Intends to provide:
  - A statewide list of wastewater infrastructure priority projects for potential funding sources, and
  - Statewide gap analysis of wastewater infrastructure to inform Water Board and state decisions on regulatory and resource investment priorities.

The Water Boards Wastewater Needs Assessment (WWNA) is a four-year project, beginning July 2023, to provide information on California's wastewater sanitation system needs. The WWNA an outcome from State Water Board Resolution No. 2022-0019 and Resolution No. 2016-0010, recognizing Californians' equal and human right to sanitation and that safe wastewater management is critical to human and environmental health.

The WWNA does not impose any permitting requirements, consolidation projects, or fees for regulatory or governing agencies, businesses, or peoples of the public. The WWNA intends to provide:

- a statewide list of wastewater infrastructure priority projects for potential funding sources, and
- the first statewide gap analysis of wastewater infrastructure to inform Water Board and state decisions on regulatory and resource investment priorities.

For more information, please read the one-page WWNA project description / descripción del proyecto de la WWNA.

This webpage will be periodically updated.

[News & Meetings](#)
[Reports](#)
[Resources & Tools](#)

## News & Meetings

- **APPLICATION DEADLINE, FEBRUARY 29, 2024 / plazo de solicitud, 29 de febrero de 2024** – WWNA Advisory Group Application and General Expectations outlining participant requirements and information (English / Español)
  - [Group Application / Solicitud del grupo asesor \(Cambio de idioma a Español en la solicitud\)](#)
  - [WWNA General Expectations / Documento de expectativas generales](#)
  - [Example Application Questions / preguntas de solicitud por ejemplo](#)
- Wastewater Needs Assessment Informational Item - September 6, 2023. This public presentation to the State Water Board provided an update on the first work phase of the statewide Wastewater Needs Assessment contract which began July 1, 2023.

# NPDES Program

- Implementation of Statewide Toxicity Provisions
- Information Needs for Groundwater Discharges
- Cost of Compliance Considerations



# Toxicity Provisions Implementation

- Statewide Toxicity Provisions effective **May 1, 2023**
- New provisions in new and renewed individual and general orders
- Changes include:
  - New RPA procedures
  - Numeric limits required if reasonable potential
  - Increased monitoring for most dischargers
  - Use of Test of Significant Toxicity (TST) Statistical Approach



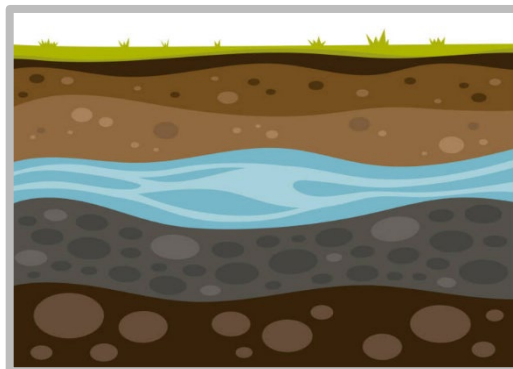
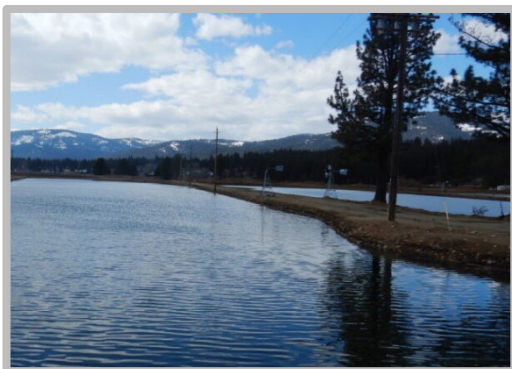
# Toxicity Information Needs

- Results of Sensitive Species Screening
- Compliance evaluation from last 5+ years of toxicity results (using the TST)
- Information to support an Instream Waste Concentration (IWC) of  $< 100\%$
- Site-specific conditions (e.g. endangered species, critical habitat, fishkills)



# Groundwater Info Needs

- Effluent Water Quality
- Pond Liner Information
- Pond Volume, Land Area
- Flow Schematic
- Frequency and Duration
- Groundwater Wells
- Groundwater Monitoring Data
- Topography, Climate, Land Use



# Cost of Compliance Considerations

- General Permits: streamline process to reduce effort/costs for the permitting process
- Mid-permit Reviews: ensure permit requirements are based on the best data
- Monitoring: establish monitoring requirements that are appropriate for the type of discharge and receiving waters







# Compliance and Enforcement

The Future of Water Quality: Adapting to Everchanging Regulatory Challenges

CVCWA Annual Conference 2024

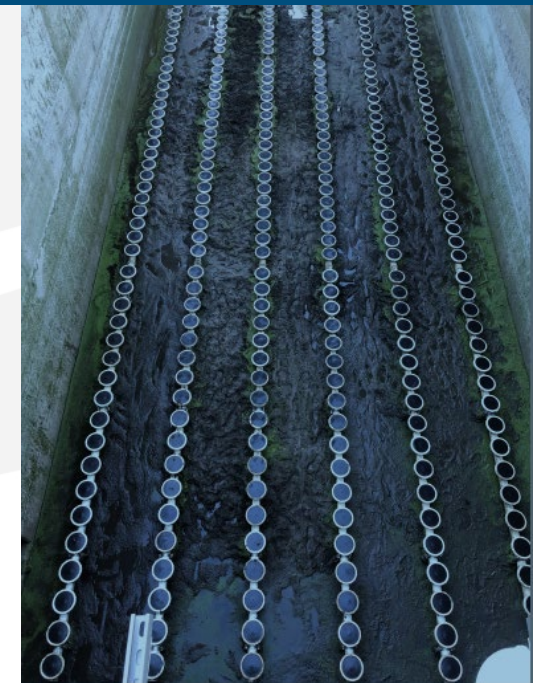
# Enforcement Policy Updates

- State Water Board adopted 2023 Enforcement Policy in December 2023
  - Transparency and Consistency
  - Establish Procedures for Hearings
  - Reorganize to Improve Efficiency
  - Enhance Transparency in Penalty Methodology Application
    - Add Racial Equity Resolution Language
- OAL Approval Pending



# Compliance and Enforcement Priorities

- Mandatory Minimum Penalties (MMPs)
- Compliance Projects (CPs) for Disadvantaged Communities (DACs)
- Enhanced Compliance Actions (ECAs) and Supplemental Environmental Projects (SEPs)
  - More than 50% allowed for SEPs in DAC/Environmental Justice (EJ) communities



# Compliance and Enforcement Priorities

- Discretionary Administrative Civil Liabilities (ACLs)
  - Sanitary Sewer Overflows
  - Storm Water (Industrial and Construction)



# NPDES Program – Compliance and Enforcement

- Compliance Evaluation Inspections
- Pretreatment Inspections/Audits
- Sewer System Audits for facilities with major spills and/or reporting concerns



# Industrial Storm Water Program

- 2,500 Enrolled Industrial Facilities
- 12% of Active Facilities Inspected 23-24 Fiscal Year to date (EPA Goal 10%)
- Inspections focused on:
  - Non-Filers
  - Facilities with Discharge Exceedances
  - New Facilities and Facilities that have never been inspected
- Senate Bill 205/891



# Construction Storm Water Program

- Over 3,400 Active Construction Sites
- 12% of Active Sites Inspected 23-24 Fiscal Year to date (EPA Goal 10%)
- Focus on Pre-Winter and Storm Event Inspections



# Waste Discharge to Land Program

- 75 inspections of land dischargers 23-24 Fiscal Year to date
- Sanitary Sewer Systems General Order Compliance Work
- Joint inspections/audits with SWRCB Office of Enforcement







# Planning, Integrated Report, and TMDLs

# Delta Mercury Control Program Review

- **Phase 1 Review ongoing**
  - Draft staff report public release and scientific peer review soon
- **Phase 2 began October 2022**
  - Concurrent with Phase 1
- **Mercury Offset Program**
  - Will continue to be considered as Phase I Review progresses



# Tribal Beneficial Use Initiative

- *Definitions* added to the Basin Plans through a Basin Plan Amendment
  - Awaiting approval from USEPA
- *Designations* will be through Basin Plan Amendments
  - Review designation requests received
  - Formal project(s) to begin in late 2024



# Pyrethroid Control Program and Research Plan

- Draft Pyrethroid Research Plan
  - Summarizes current state of science
  - Identifies research that may inform future iterations of pyrethroid pesticide regulations
  - Public comment period in 2023
  - Stakeholder engagement continues in 2024
- Continued implementation of the Pyrethroid Control Program requirements



# Delta Regional Monitoring Program

- FY24/25 budget is ~\$1.4M (Regional Water Board provides ~\$200k)
- Water Quality Focus Areas:
  - Mercury (water and fish)
  - Pesticides and toxicity
  - Contaminants of Emerging Concern
  - Nutrients and harmful algal blooms



# 2024 Triennial Review

- Prioritize Basin Planning Projects (2025-2027)
- Comment solicitation period completed in January
- Draft 2024 Triennial Review Workplan expected June 2024
- *December 2024*: Central Valley Water Board Consideration



# 2024 & 2026 Integrated Report

- 2024 Integrated Report – Sacramento River Watershed
  - State Water Board approved: February 2024
  - Submitted to US EPA: March 2024
- 2026 Integrated Report – San Joaquin River Watershed
  - Waterbody/Pollutant Assessments: In progress
  - Public Review and Comment Period – Winter 2025
  - State Board Consideration of Approval – End of year 2025

# Per and Poly-fluoroalkyl Substances (PFAS)

- USEPA Final National Drinking Water MCLs/MCLGs
- Public Water Systems required to start PFAS monitoring within three years and implement measures to reduce PFAS in effluents to below MCLs within five years
- State Water Board is considering adopting the MCLs

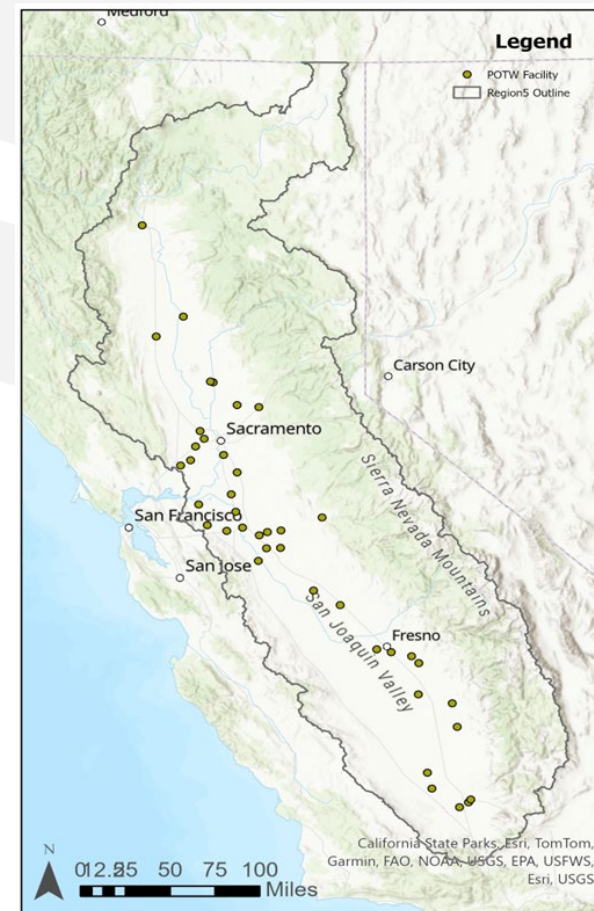
Compound	Final MCLG	Final MCL (enforceable levels)
PFOA	Zero	4.0 ppt
PFOS	Zero	4.0 ppt
PFNA	10 ppt	10 ppt
PFHxS	10 ppt	10 ppt
HFPO-DA (GenX)	10 ppt	10 ppt
Mixtures containing two or more of PFHxS, PFNA, HFPO-DA, and PFBS	Hazard Index of 1.0 (unitless)	Hazard Index of 1.0 (unitless)



# PFAS Investigations

Facility Type	Number of Facilities	
	Named in Order	Compliant with Order <sup>a</sup>
Airport	6	6
Landfill	59	58
POTW	101	100
Chrome Plating	23	18
Bulk Fuel Terminal	35	34

<sup>a</sup> Responded with a questionnaire, work plan, and/or final report.



POTWs Reported PFAS in Groundwater



**Thank you!**