

CALIFORNIA WASTEWATER CLIMATE CHANGE GROUP

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Submitted electronically to the California Air Resources Board

From: The California Wastewater Climate Change Group

Subject: Draft AB 32 Scoping Plan Document

The California Wastewater Climate Change Group (CWCCG) is an industry coalition of wastewater treatment agencies. CWCCG member agencies treat approximately 90% of the municipal wastewater in the state of California. The primary purpose of CWCCG is to respond to climate change and forthcoming regulations and to provide a unified voice for the California wastewater industry. CWCCG has reviewed the Draft AB 32 Scoping Plan Document (Draft Plan) and appreciates the opportunity to provide comments to the California Air Resources Board (ARB). Our comments on the Draft Plan focus mainly on the preliminary recommendations that are related to the wastewater sector.

Wastewater Sector

CWCCG member agencies represent utilities that provide water supply, wastewater treatment and water recycling, as well as utilities that only provide wastewater treatment. In general, the preliminary recommendations from ARB focus on the water sector (Section II.B.8). However, some of the recommended actions apply to wastewater treatment facilities. Specifically, the wastewater sector has the potential to improve energy efficiency and to produce renewable energy (e.g., methane capture from digesters, gasification of biosolids). CWCCG asks that ARB distinguish between water sector recommendations and wastewater sector recommendations. In addition, future regulatory development supporting energy efficiency and renewable energy projects should be coupled with appropriate incentives for wastewater facilities.

Water Recycling

The Draft Plan identifies water recycling as a potential GHG reduction measure. Further discussion in Appendix C indicates that any future recycling requirements would consider whether a community relies on imported water and whether recycling would require less energy than the current water supply. CWCCG supports this approach and agrees that any future recycling requirements should consider the origin of the water and the overall benefit of recycling in each community.

While CWCCG supports the use of recycled water, we believe that ARB's focus on amending the National Pollution Discharge Elimination System (NPDES) permits is too narrow of a focus to successfully promote the production and use of recycled water. In order for a recycled water program to be successful there needs to be coordination with regulatory agencies, wastewater agencies, water wholesalers, water retailers, and also education of and acceptance by end users. Successful production and use of recycled water will require the development and implementation of a state recycled water plan with collaboration of several agencies, similar to the effort currently being put forth on water use efficiency.

Public Goods Charge

CWCCG does not support the implementation of a public goods charge on water bills for funding investments in water efficiency. ARB should coordinate any water use efficiency programs aimed at reducing greenhouse gas (GHG) emissions with the activities of other agencies currently underway. The Department of Water Resources (DWR), the State Water Resources Control Board (SWRCB), California Public Utilities Commission (CPUC), the California Energy Commission (CEC), and the Department of Public Health are already working on measures to meet future water efficiency targets (e.g., 20% per capita reduction by 2020 as called for by the Governor). A public goods charge from the ARB may be redundant to the current efforts of other state agencies. Furthermore, any fees related to water efficiency should be assessed by the overseeing regulatory agency.

Distribution of Reduction Obligations and Economic Analysis

The wastewater sector is implicated in the following preliminary recommended reduction measures:

- Cap and Trade Program (Section II.B.1);
- Water Specific Recommendations (Section II.B.8);
- Local Government Actions (Section II.B.13);
- Energy Efficiency and Co-Benefits Audits for Large Industrial Sources (Section II.B.17);
- Other Measures:
 - Additional Industry Mechanisms (Section II.C.1);
 - Boiler and Engine Efficiency (Section II.C.2); and
- Carbon Fees

While CWCCG members are devoted to reducing their GHG emissions, we are concerned about the potential economic impact when these numerous reduction measures are combined. In Section III of the Draft Plan, ARB indicates that emission reduction obligations should be distributed equitably across sectors. CWCCG asks that ARB consider both equitable distribution and economic impact on sectors, such as the wastewater sector, that may be required to comply with multiple reduction measures.

CWCCG anticipates that Appendix G – Preliminary Economic Modeling, due out this summer, will provide our industry with more information on the potential economic impact of the proposed reduction measures. We look forward to the distribution of Appendix G and ask that ARB provide a sufficient period for comment.

Cross Media Impacts

The Draft Plan indicates that ARB will evaluate the potential “cross-media” impacts of Low Carbon Fuel Standards (LCFS) on criteria pollutants, air toxics, water use, water quality, and soil erosion. ARB will also ensure that the LCFS does not interfere with achievement and maintenance of federal and state ambient air quality standards. CWCCG commends ARB on this proposed holistic approach and supports ARB’s efforts to work with other state regulatory agencies (e.g., DWR, SWRCB, CPUC, CEC, Department of Public Health, Regional Water and Air Districts, etc.) to balance the overall environmental impacts and benefits of ALL recommendations and regulations that result from AB 32.

At a recent Clean Water Summit Partners¹ Meeting on May 16, 2008, California wastewater agencies met with CalEPA regulators for a round table discussion on cross-media issues. There are several long-running cross-media issues for the wastewater sector that involve land, water, and air regulations. For instance, as water regulations become increasingly stringent, treatment plants are driven towards higher levels of treatment, which require additional process complexity. The increase in process complexity usually corresponds to an increase in plant energy usage and subsequent increases in GHG emissions. Another common cross-media issue is the end use of biosolids. As current biosolids end uses such as compost and land application are restricted due to air quality concerns and public perception, the trend for biosolids disposal is moving towards alternatives that do not realize the potential benefits of biosolids (e.g., as a replacement fertilizer, resulting in avoided emissions from traditional fertilizer products). Furthermore, the alternatives most often considered are typically more energy intensive (e.g., trucking further distances, energy intensive processes such as heat drying). As a result of the discussion, California wastewater agencies are working with various sectors of CalEPA to develop checklists that can be used to assess cross-media impacts during regulatory development. We would welcome ARB involvement in this process.

Specific Comments:

Table 2 (p 11):

- Please provide background information on how the 2020 Reductions (MMTCO₂E) for each of the Recommended Reduction Strategies were estimated.
- Reuse Urban Runoff – It should be noted that particularly in California there is limited opportunity to re-use urban runoff for irrigation since the rainy season and irrigation seasons are typically very distinct. In addition, extensive use of urban runoff would require costly capital investments in storage, treatment and energy for processing.

¹ The Clean Water Summit Partners, which represents all of the wastewater agencies in CWCCG, includes the California Association of Sanitation Agencies, the California Water Environment Association, the Bay Area Clean Water Agencies, the Central Valley Clean Water Agencies, and the Southern California Alliance of POTWs.

Footnote 18 (p 11):

- The footnote reads: “*GHG reductions from the water sector may already be incorporated in the 2020 forecast. They are not currently counted toward the 2020 goal. ARB will work with the appropriate agencies to determine whether these reductions are additional.*” We would like ARB to provide more information on what these specific reduction measures are and if they are voluntary or mandatory.

Appendix C, Section 7.D. General Combustion (pC-115)

- The stationary internal combustion (IC) engine measure recommended by ARB would support the replacement of IC engines with electric motors (electrification). Both water and wastewater treatment facilities rely on the use of IC engines. These engines supply a reliable and consistent source of power. Reliability is very important for water and wastewater treatment facilities, which provide an essential public service. Typically, engines used at wastewater treatment facilities are cogeneration engines and the fuel used is often a biofuel (e.g., landfill gas or digester gas). CWCCG would like to emphasize the importance of existing engines in terms of plant reliability and will continue to work with ARB to minimize emissions from these engines.

In summary, CWCCG asks that ARB consider the following during further development of the AB 32 Scoping Plan and emission reduction measures:

- Wastewater Sector - Distinguish between water sector and wastewater sector recommendations and provide appropriate incentives in future regulations;
- Water Recycling – Consider the overall energy required to provide both fresh water and recycled water when considering future water recycling policy; and consider coordinating with other state agencies to develop a state recycled water plan, similar to the effort being coordinated by DWR on water efficiency;
- Public Goods Charge – Coordinate with other state agencies on the development of water efficiency standards that result in GHG emission reductions; Remove the public goods charge from consideration, due to redundancy with current efforts of other agencies;
- Distribution of Reduction Obligations and Economic Analysis – Consider both the equitable distribution and the economic impact of multiple reduction measures on the wastewater sector; and
- Cross Media Impacts – Continue working with other state regulatory agencies to balance the overall environmental impact and benefit of any recommendations and regulations that result from AB 32. CWCCG also welcomes ARB involvement in the development of a process to evaluate cross-media impacts of future regulations.

The CWCCG appreciates the opportunity to review and comment on the Draft AB 32 Scoping Plan. Please contact Helen Hu at 916-876-6098 or HuH@SacSewer.com if you have any questions concerning our comments.