



Discovery Clean
Water Alliance

Board of Directors Agenda Quarterly Meeting

Friday, December 15, 2023, 10:00 a.m.

District Board Meeting Room, 8000 NE 52nd Court, Vancouver, WA 98665

The Board of Directors will be accepting public comment on published agenda items via in-person or virtual attendance during this meeting. *Written comments may be submitted to lmattos@crwwd.com by 5:00 PM the day before the meeting. Comments will be compiled and sent to the Board of Directors.*

Please join the meeting from your computer, tablet or smartphone: <https://meet.goto.com/263103989>

You can also dial in using your phone: **(408) 650-3123**; Access Code: **263-103-989**

Regular Meeting

No	Item	Action/Info	Presenter	Time (minutes)
1.	Call To Order			
2.	Flag Salute			
3.	Late Additions to the Agenda			
4.	Public Comment <i>This item is to provide an opportunity for citizen comment.</i>	INFORMATION		5
5.	Consent Agenda a. Board of Directors Meeting Minutes of September 15, 2023 b. Audit of Accounts	ACTION		5
6.	Reports a. Treasurer Report – Third Quarter 2023	INFORMATION	Logan	15
7.	Resolution No. 2023-02 – 2023-2024 Operating and Capital Budget and Regional Service Charges Amendment and 2022 Capital Plan Amendment a. Resolution amending the 2023-2024 Operating and Capital Budget and Regional Service Charges; and amending the 2022 Capital Plan Tables 2.8 & 2.9; and providing for other related matters	ACTION	Logan/ Krause	10
8.	Reports a. Operator Reports – Third Quarter 2023 b. Capital Program Report – Third Quarter 2023 c. Regulatory Compliance Program Report d. Administrative Lead Report	INFORMATION	Jenkins Krause Thomas Peterson	20 30 15 20

9. Adjourn Meeting

Next Meeting: **Friday, March 15, 2024, 10:00 a.m., Regular Business Meeting**
District Board Meeting Room, 8000 NE 52nd Court, Vancouver, WA 98665

The Board provides reasonable accommodations to persons with disabilities. Please contact a staff member (by noon Thursday) if we can be of assistance. If you should experience difficulty hearing the proceedings, please bring this to the attention of the Board by raising your hand.



Discovery Clean
Water Alliance

Board of Directors Meeting Third Quarter 2023 MINUTES

Friday, September 15, 2023, 10:00 a.m.

In-Person / Remote Meeting via GoToMeeting

District Board Meeting Room, 8000 NE 52nd Court, Vancouver, WA 98665

Present:

City of Battle Ground: Shane Bowman

Clark County: Sue Marshall

City of Ridgefield: Ron Onslow

Clark Regional Wastewater District: Norm Harker

Staff: Clark Regional Wastewater District: John Peterson, David Logan, Matt Jenkins, Robin Krause, Kristen Thomas, Leanne Mattos, Laine Keniston; City of Battle Ground: Mark Herceg; Clark County: None; City of Ridgefield: None.

Attendees: Clark Regional Wastewater District: Denny Kiggins, Neil Kimsey, Britny Carrier, Connie Pekarek, Maria Webster; City of Vancouver: Frank Dick; Clark County: None; City of Battle Ground: None; City of Ridgefield: Lee Wells; Foster Garvey Legal Counsel: Lee Marchisio; Interested Citizens: Dan Clark; Guest Speakers: None

Regular Business Meeting

Call to order:

Chair Bowman called the meeting to order at 10:00 a.m.

1. Late Additions/Deletions to the Agenda

None.

2. Public Comment

None.

3. Consent Agenda

Action:

Ron Onslow moved, seconded by Norm Harker, to approve the Consent Agenda, approving the June 16, 2023 meeting minutes; and ratifying claim warrants #10628-10637 in the amount of \$3,319,775.10 for June 2023, claim warrants #10638-10642 in the amount of \$1,639,759.48 for July 2023, claim warrants #10643-10648 in the amount of \$1,709,952.76 for August 2023. Motion carried unanimously.

4. Operator Reports – Second Quarter 2023

Matt Jenkins presented the Operator Report covering the Salmon Creek Treatment Plant (SCTP), Ridgefield Treatment Plant (RTP), and the Alliance Transmission System operations and treatment performance through June 30, 2023. He noted that SCTP and RTP treatment performance was stable throughout the second quarter of the year, and that all NPDES permit limits were met.

Mr. Jenkins provided an update outlining the ongoing work completed by SCTP maintenance staff, and that all critical SCTP systems are now back to full operational readiness. Further updates were provided on the operations and maintenance of the Alliance Transmission system, as well as biosolids land application and the exploration of partnerships with agricultural lands beyond the current program framework in Cowlitz and Klickitat counties.

5. Capital Program Report – Second Quarter 2023

Robin Krause presented updates on the capital program and capital project activities. Mr. Krause presented a Capital Program Summary status report for the District-led capital projects included in the 2023-2024 budget period. He provided updates on projects in construction, projects in design, and projects in planning.

Mr. Krause then presented an update on the SCTP Phase 5A Package 2 Effluent Pipeline project, explaining that the Salmon Creek Crossing was completed August 28. Mr. Krause provided status updates on a number of ongoing projects, including the SCTP Phase 5B Package 2 Secondary Treatment Process Improvements, SCTP Diesel Tank replacement, SCTP Chemically Enhanced Primary Treatment Pilot, RTP Secondary Process Improvements, and the 36th Avenue Pump Station generator replacement.

Mr. Krause presented a chart showing the budget and schedule status of the Alliance CIP and R&R projects, listing a majority of the projects tracking within budget or on schedule, while also explaining the limited number of schedule or cost variances.

Mr. Krause concluded with an update on the development of the R&R program elements for the 2024 Capital Plan. He is planning to present the evaluation process and draft project list at a future Board of Directors meeting.

6. Treasurer Report – Second Quarter 2023

David Logan presented the Second Quarter 2023 Financial Report reflecting the results from operations for all funds, as well as cash and investment balances as of June 30, 2023.

Mr. Logan presented the upcoming 2023-2024 Operating & Capital Budget Amendment process, noting that there are no planned Regional Service Charges (RSC) increases for the Budget Amendment No. 1 to be presented at the December Board of Directors meeting.

Mr. Logan further explained an ongoing arbitrage evaluation that may inform a second Budget Amendment at the December meeting, pending the outcome of the evaluation and review with the Standing Committees.

7. Regulatory Compliance Program Report

Kristen Thomas presented an update on the Industrial Pretreatment Program, the CDC/WEF National Wastewater Surveillance System (NWSS) Monitoring Project, State and Federal Water Quality Regulatory Processes for the Columbia River Monitoring Program, and PFAS Legislation and Regulation.

8. Administrative Lead Report

John Peterson presented the Administrative Lead (AL) report, highlighting the following items, which were included in the agenda packet:

- 1) Federal Advocacy Updates – Mr. Peterson provided updates regarding two federal bills relevant to Alliance responsibilities. Additionally, Mr. Peterson spoke to two potential sources of Congressionally Directed Spending (CDS) grant funding, submitted to the Appropriations Committee by the offices of Senator Murray and Congresswoman Gluesenkamp Perez, for the Salmon Creek Wastewater Treatment Plant Energy Efficiency and Modernization project.
- 2) State Advocacy Updates – Mr. Peterson reported that the 2023 biosolids bill will be automatically reintroduced in the next legislative session.
- 3) Regional Planning Update – Mr. Peterson discussed the upcoming planning efforts for the Alliance's General Sewer Plan (GSP) update, and the alignment of those efforts with Clark County's Growth Management Act (GMA) "Periodic Update". He displayed a series of maps to show alternative solutions to providing for the capacity needs of the region. The Board discussed a possible approach where the formal planning needs were met with a 20-year plan, but the longer-term needs of the region were also considered with a 50-year vision.
- 4) Communications Program Update – Mr. Peterson shared information about the ongoing efforts to keep the public, elected officials and offices, and Member agencies updated on the work of the Alliance.

The meeting was adjourned at 12:05 p.m.

Prepared and edited by Alliance Administrative Lead staff. Approved by the
Discovery Clean Water Alliance Board of Directors on:

December 15, 2023

Norm Harker, Secretary

Accounts Payable
Blanket Voucher Approval Document



Discovery Clean
Water Alliance

We, the undersigned Board of Directors of Discovery Clean Water Alliance, Clark County, Washington, do hereby certify that the merchandise and / or services hereinafter specified have been received and approved for payment in the amount of \$4,108,466.41 this 19th day of September 2023.


Treasurer

Director

Director

Director

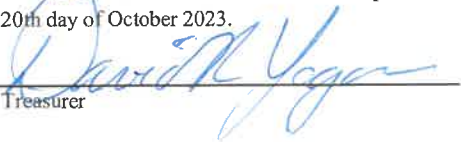
Director

Line	Claimant	Check No.	Amount
1	AMERICAN MUNICIPAL TAX-EXEMPT COMPLIANCE	10649	7,500.00 ✓
2	CFM STRATEGIC COMMUNICATIONS, INC	10650	4,000.00 ✓
3	CLARK REGIONAL WASTEWATER DISTRICT	10651	4,093,168.77 ✓
4	FOSTER GARVEY, PC	10652	2,042.00 ✓
5	GOVERNMENT PORTFOLIO ADVISORS	10653	1,755.64 ✓
		Page Total:	<u>\$4,108,466.41</u>

Accounts Payable
Blanket Voucher Approval Document



We, the undersigned Board of Directors of Discovery Clean Water Alliance, Clark County, Washington, do hereby certify that the merchandise and / or services hereinafter specified have been received and approved for payment in the amount of \$3,988,472.38 this 20th day of October 2023.


Treasurer

Director

Director

Director

Director

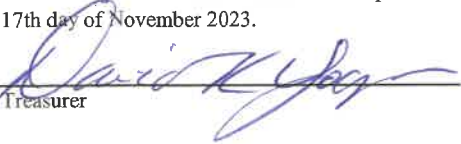
Line	Claimant	Check No.	Amount
1	CLARK REGIONAL WASTEWATER DISTRICT	10654	3,985,018.73
2	FOSTER GARVEY, PC	10655	1,888.00
3	GOVERNMENT PORTFOLIO ADVISORS	10656	1,565.65
Page Total:			<u>\$3,988,472.38</u>

Accounts Payable
Blanket Voucher Approval Document



Discovery Clean
Water Alliance

We, the undersigned Board of Directors of Discovery Clean Water Alliance, Clark County, Washington, do hereby certify that the merchandise and / or services hereinafter specified have been received and approved for payment in the amount of \$3,305,832.23 this 17th day of November 2023.


Treasurer

Director

Director

Director

Director

Line	Claimant	Check No.	Amount
1	CLARK REGIONAL WASTEWATER DISTRICT	10657	2,910,808.24
2	FOSTER GARVEY, PC	10658	1,910.00
3	GOVERNMENT PORTFOLIO ADVISORS	10659	1,714.99
4	WATER & SEWER RISK MANAGEMENT POOL	10660	391,399.00
Page Total:			<u>\$3,305,832.23</u>



Discovery Clean
Water Alliance

Staff Report

Board Meeting of December 15, 2023

6a. Treasurer Report – Third Quarter 2023

STAFF CONTACTS	PHONE	EMAIL
David Logan, Alliance Treasurer	360-993-8802	dlogan@crwwd.com

PURPOSE: The goal of the Treasurer Report is to provide a quarterly update of ongoing activities in the financial and treasury areas of responsibility for the Alliance.

Please see the attached presentation covering the following:

- Financial Management / Reporting Update
 - Third Quarter 2023 Financial Report
- Budget / Annual Report / Audit Update
 - 2023 – 2024 Budget Amendment Summary & Detail

ACTION REQUESTED: No specific action required. Please provide policy-level guidance for the various activities described in this report.

Discovery Clean Water Alliance

Treasurer Report

Alliance
Board of Directors
December 15, 2023



Laying the foundation
for a **vibrant economy**
and **healthy environment**



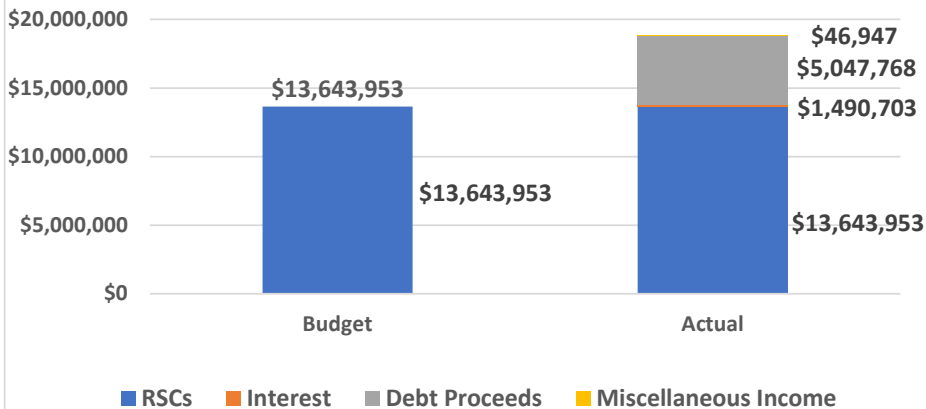
Financial Management/ Reporting Update

Third Quarter 2023 Financial Report



• All Funds – Sources and Uses

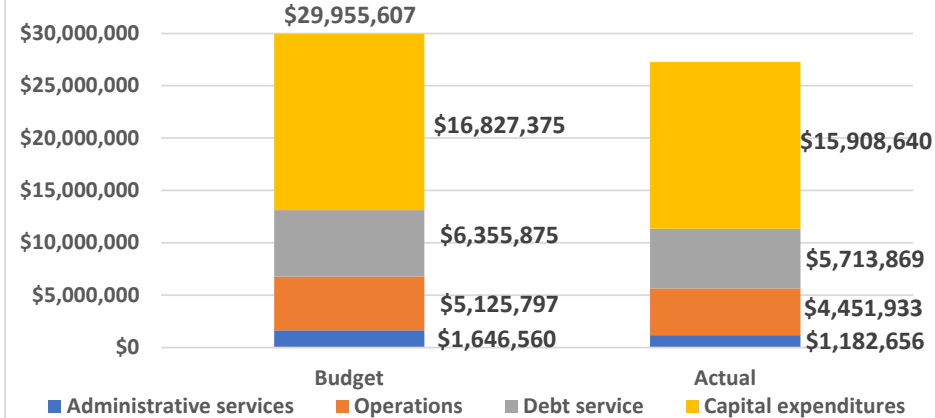
Total Sources Q3 = \$20,229,371



- RSCs – \$13.6M; 100% of budget
- Interest income – \$1.5M*
- Debt Proceeds – Drawdowns from PWB loan awarded in 2022. Carryover from prior biennium.
- Miscellaneous income – \$47k*

* Not formally budgeted

Total Uses Q3 = \$27,257,098



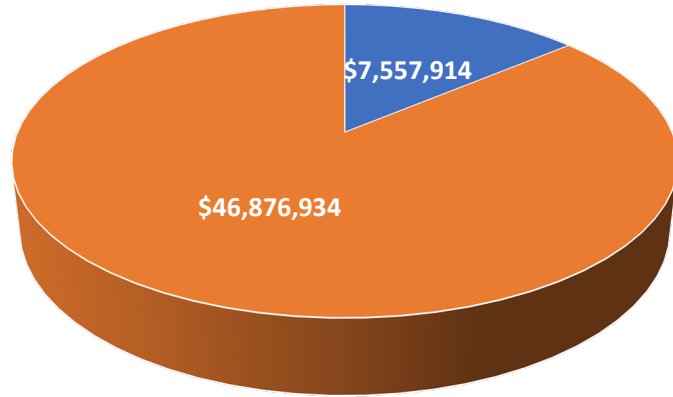
- Administrative services – \$1.2M; under budget 28.2% due to the timing of expenses, which are expected to increase into 2024
- Operations – \$4.5M; 13.1% under budget
- Debt service – \$5.7M; 10.1% under budget due to timing of debt service payments
- Capital – \$15.9M; under budget 5.5% due to timing of work

Third Quarter 2023 Financial Report



- All Funds - Cash and Investments

Total Cash and Investments = \$54,434,848

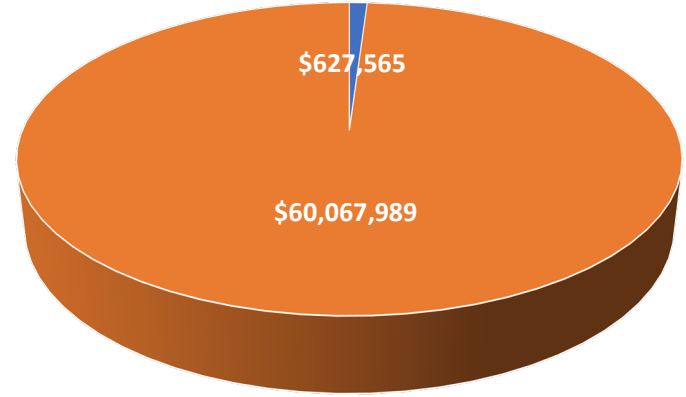


■ Cash

■ Investments/CCIP

As of September 30, 2023

Total Cash and Investments = \$60,695,554



■ Cash

■ Investments/CCIP

As of December 31, 2022



Budget / Annual Report / Audit Update

2023/2024 Operating & Capital Budget Amendment Summary



	Expenses			Funding Source					
	Adopted 2023-2024 Budget	Amended 2023-2024 Budget	Total \$ Change	Carryover (Previous RSCs)	Reserve Drawdown	Existing 2022 Bond Proceeds	Grant Funding	2023-2024 RSC Adjustment	Total
Operating									
Administrative Services	\$ 4,391	\$ 4,844	\$ 453	\$ -	\$ 453	\$ -	\$ -	\$ -	\$ 453
Contract Operator	13,669	13,669	-	-	-			-	-
Capital									
Debt Service	16,949	16,949	-	-	-	-	-	-	-
Existing Assets R&R	11,546	18,426	6,880	1,972	25	1,883	3,000		6,880
New Assets Capital	33,327	36,427	3,100	3,100	-	-	-	-	3,100
Total Expenses	\$ 79,882	\$ 90,315	\$ 10,433	\$ 5,072	\$ 478	\$ 1,883	\$ 3,000	\$ -	\$ 10,433

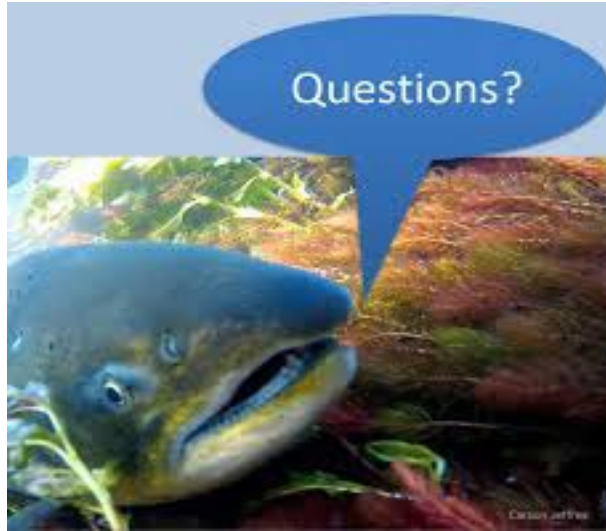
2023/2024 Operating & Capital Budget Amendment Detail



Updates from September 15th

- Insurance Rates (increase of \$250k):
 - Increase in property and liability insurance rates of 33% in 2023 compared to the 15% originally budgeted.
- 36th Ave Generator Replacement (decrease of \$725k):
 - Reflects insurance coverage of the generator failure, net of a \$25k deductible.

Treasurer Report



David Logan

Treasurer,
Discovery Clean Water Alliance

Finance Director,
Clark Regional Wastewater District

(360) 993-8802
dlogan@crwwd.com



Discovery Clean
Water Alliance

Staff Report

Board Meeting of December 15, 2023

7. Resolution 2023-02 – 2023-2024 Operating and Capital Budget and Regional Service Charges and 2022 Capital Plan Amendment

STAFF CONTACTS	PHONE	EMAIL
David Logan, Alliance Treasurer Robin Krause, P.E., Principal Engineer	360-993-8802 360-719-1653	dlogan@crwwd.com rkrause@crwwd.com

PURPOSE

As the midpoint of the two-year 2023-2024 Operating and Capital Budget nears, Administrative Lead staff and Standing Committees have reviewed the forecast expenditures for the remainder of the biennium, as well as if any changes are necessary for Regional Service Charges (RSCs) to fund those expenditures. This report highlights the findings from that review.

PROCESS

For the 2023-2024 biennium, an Operating and Capital Budget was adopted via Resolution 2022-07 by the Alliance Board on December 16, 2022. Administrative services, operating costs of the ten Regional Assets, and debt service are budgeted to be funded primarily from RSCs collected from the funding Members over the two-year period. Repair projects and most costs for New Assets Capital (CIP) projects are budgeted to be funded from the 2022 bond issuance and a Public Works Board loan.

OUTCOME - RSCs

Operating and Capital Budget adjustments are described in detail below. Importantly, no changes to RSCs paid by Battle Ground and the District are needed within the two-year budget period to accommodate these changes. All changes are funded through a combination of existing reserves, bond proceeds, and potential Congressionally Directed Spending (CDS) grant funding.

REVIEW

As part of the process, Administrative Lead staff determined where funding adjustments are required to support the ongoing operations, R&R, and capital project needs. The summary of changes forecast in planned expenditures and planned funding source is detailed in the below table, followed by explanations for each adjustment.

**2023-2024 Operating and Capital Budget and 2022 Capital Plan Amendment
December 15, 2023**

	Expenses			Funding Source					
	Adopted 2023-2024 Budget	Amended 2023-2024 Budget	Total \$ Change	Carryover (Previous RSCs)	Reserve Drawdown	Existing 2022 Bond Proceeds	Grant Funding	2023-2024 RSC Adjustment	Total
Operating									
Administrative Services	\$ 4,391	\$ 4,844	\$ 453	\$ -	\$ 453	\$ -	\$ -	\$ -	\$ 453
Contract Operator	13,669	13,669	-	-	-	-	-	-	-
Capital									
Debt Service	16,949	16,949	-	-	-	-	-	-	-
Existing Assets R&R	11,546	18,426	6,880	1,972	25	1,883	3,000	-	6,880
New Assets Capital	33,327	36,427	3,100	3,100	-	-	-	-	3,100
Total Expenses	\$ 79,882	\$ 90,315	\$ 10,433	\$ 5,072	\$ 478	\$ 1,883	\$ 3,000	\$ -	\$ 10,433

Administrative Services – District. The District is proposing adding a Project Manager position to augment the District Treatment and transmission team, increasing the 2023-2024 budget by \$0.203 million. Given the need for additional repair and replacement work and the ongoing disrupted supply chain issues, the current Alliance Capital Plan cannot be delivered in a timely manner with only current staffing. Administrative Lead staff evaluated options including (1) hiring additional consultant resources, (2) filling the position internally (recommended), or (3) further delaying the work. Hiring a consultant is approximately double the cost of a direct hire, and delaying work imposes additional inflation and equipment failure risks, further escalating costs. The additional internal position also creates a pathway to reduce some reliance on consulting resources over time.

Additionally, property and liability Insurance rates are increasing more than expected nationally, and the value of Alliance property continues to increase, resulting in premiums anticipated to be \$0.250 million higher than budgeted.

Contract Operator. The District anticipates no changes to expenses planned to operate all Regional Assets under contract with the Alliance.

Debt Service. Staff anticipates no changes to expenses planned to service the Alliance's outstanding debt.

Existing Assets R&R. The amended 2023-2024 Capital Budget anticipates expenditures for Existing Assets R&R to increase by \$6.880 million for the following reasons:

- Projects carried over from prior biennium (\$1.895 million): Due to disrupted supply chains, five projects were not completed within the 2021-2022 biennium and costs to complete those projects are being incurred in the current biennium. These projects have already been funded by Regional Service Charges paid in a prior biennium, and have not increased in cost.
- Ridgefield Treatment Plant PLC Replacement (\$0.376 million): The estimated costs for this project increased due to additional IT infrastructure required to implement a uniform SCADA platform across the RTP and SCTP. This cost is allocated 100% to the District.

**2023-2024 Operating and Capital Budget and 2022 Capital Plan Amendment
December 15, 2023**

- Salmon Creek Treatment Plant Primary Clarifier Mechanism Replacement (-\$0.435 million): District staff intends to self-perform the installation work on this project, reducing overall project costs.
- Salmon Creek Treatment Plant UV System Replacement (\$3.397 million): This project was accelerated into the current biennium from the 2025-2026 biennium in order to pursue federal funding. Should federal funding not be awarded, the project will be pushed back to the original timeframe in the budget process next year.
- 36th Avenue Generator Replacement (\$0.025 million): The 36th Avenue Generator failed last winter and is required to be replaced. Alliance Administrative Lead staff filed an insurance claim to recuperate costs, which has been approved net a \$25k deductible.
- Building Systems R&R Program (\$1.259 million): After the adoption of the 2023-2024 budget, the condition assessment of the Salmon Creek Treatment Plant was completed. The results of the assessment indicate additional R&R work to be completed in the current biennium.
- Salmon Creek Treatment Plant Waste Gas Burner (\$0.360 million): This project was accelerated into the current biennium from the 2025-2026 biennium in order to utilize 2022 bond proceeds and to reduce the risk and timeline if the existing burner were to fail.

New Assets CIP. The amended 2023-2024 Capital Budget anticipates expenditures for New Assets CIP to increase by \$3.100 million due to project costs carried over from the 2021-2022 biennium. All costs have already been funded by the 2022 Bond proceeds, and do not represent an increase in total project costs.

ACTION REQUESTED

Adopt Resolution 2023-02 – 2023-2024 Operating and Capital Budget and Regional Service Charges and 2022 Capital Plan Amendment for Discovery Clean Water Alliance.

DISCOVERY CLEAN WATER ALLIANCE

RESOLUTION NO. 2023 – 02

A RESOLUTION OF THE DISCOVERY CLEAN WATER ALLIANCE, AMENDING THE 2023-2024 OPERATING AND CAPITAL BUDGET AND REGIONAL SERVICE CHARGES; AMENDING THE 2022 CAPITAL PLAN TABLES 2.8 AND 2.9; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the Board of Directors of the Discovery Clean Water Alliance has determined after various meetings, presentations and recommendations that are on file with the Alliance (the "Budget Recommendations") that it is in the best interests of the Alliance, its Members and their ratepayers to amend the 2023-2024 Operating and Capital Budget and Regional Service Charges and make corresponding amendments to the 2022 Capital Plan Tables 2.8 and 2.9 for the purposes stated in the Budget Recommendations and the Amendment; now, therefore

BE IT RESOLVED by the Board of Directors of the Discovery Clean Water Alliance that the 2023-2024 Operating and Capital Budget and Regional Service Charges and 2022 Capital Plan Amendment attached to this Resolution is hereby approved and adopted; and

BE IT FURTHER RESOLVED by the Board of Directors of the Discovery Clean Water Alliance that all prior actions taken with respect to the 2023-2024 Operating and Capital Budget and Regional Service Charges and 2022 Capital Plan Amendment are ratified and confirmed in all respects.

ADOPTED by the Board of Directors of Discovery Clean Water Alliance at a regular meeting held on December 15, 2023.

DISCOVERY CLEAN WATER ALLIANCE

Chair, Board of Directors



2023-2024 Operating and Capital Budget and Regional Service Charges Amendment Summary

Budget Amendment. The impact of the proposed budgetary changes on final Uses and Sources of the amended biennial budget for 2023-2024 are as follows:

	Expenses			Funding Source					
	Adopted 2023-2024 Budget	Amended 2023-2024 Budget	Total \$ Change	Carryover (Previous RSCs)	Reserve Drawdown	Existing 2022 Bond Proceeds	Grant Funding	2023-2024 RSC Adjustment	Total
Operating									
Administrative Services	\$ 4,391	\$ 4,844	\$ 453	\$ -	\$ 453	\$ -	\$ -	\$ -	\$ 453
Contract Operator	13,669	13,669	-	-	-	-	-	-	-
Capital									
Debt Service	16,949	16,949	-	-	-	-	-	-	-
Existing Assets R&R	11,546	18,426	6,880	1,972	25	1,883	3,000	-	6,880
New Assets Capital	33,327	36,427	3,100	3,100	-	-	-	-	3,100
Total Expenses	\$ 79,882	\$ 90,315	\$ 10,433	\$ 5,072	\$ 478	\$ 1,883	\$ 3,000	\$ -	\$ 10,433

Regional Service Charges (RSCs). The 2023-2024 budget amendment referred by the Treasurer to the Board for adoption reflects no changes to RSCs billed to the District and Battle Ground for 2024 from 2023.

	2023 Adopted Budget	2024 Amended Budget	\$ Change
District			
Regional Service Charges - Operating	\$ 616	\$ 616	\$ -
Regional Service Charges - Capital	581	581	-
Monthly District RSCs	\$ 1,197	\$ 1,197	\$ -
Battle Ground			
Regional Service Charges - Operating	\$ 131	\$ 131	\$ -
Regional Service Charges - Capital	188	188	-
Monthly Battle Ground RSCs	\$ 319	\$ 319	\$ -
Total Monthly RSCs	\$ 1,516	\$ 1,516	\$ -

Summary of Changes.

Change		Impacts by Fund (\$1000s)				
#	DESCRIPTION	O&M	Debt service	R&R	CIP	TOTAL
1	Admin Lead - 1 FTE	\$ 203				\$ 203
2	Insurance	250				250
3	Carryover Projects			1,895	3,100	4,995
4	RTP PLC Replacement			379		379
5	SCTP Primary Clarifier Mechanism			(435)		(435)
6	SCTP UV System Replacement			3,397		3,397
7	36th Ave Generator Replacement			25		25
8	Building Systems R&R Program			1,259		1,259
9	SCTP Waste Gas Burner			360		360
GRAND TOTAL		\$ 453	\$ -	\$ 6,880	\$ 3,100	\$ 10,433

Table 2.8 - Project Funding - Repair and Replacement Program (all costs are in 2023 dollars & shown in \$1,000's)

Year	0		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	20-Year Period Total	2022 Project Total	2023 Project Total
Project Name	Actual Through 2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042			
Expenditures																									
R&R Projects																									
#1-70 SCTP SCADA System Replacement	-	180	320	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	320	500	500
#2-50 SCTP Primary Sludge Pump Replacement	-	-	300	2,300	100	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,700	2,600	2,700
#3-49 RTP PLC Replacement	-	-	400	200	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	600	500	600
#4-49 36th Ave Pump Station Controls Replacement	-	-	50	180	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	230	230	230
#5-49 Building Systems R&R Program	-	-	800	1,670	640	-	825	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	19,385	18,600	19,155
#6-45 SCTP Primary Clarifier Mechanism Replacements	-	-	300	400	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	700	700	700
#7-35 SCTP Sludge Blend Tank Slope Stabilization	-	-	35	150	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	185	180	185
#8-35 SCTP Diesel Fuel Tank (Building 83) Replacement	-	-	50	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	50	190	150
#9-30 SCTP Access Road and Asphalt Repair	-	-	25	55	370	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	450	440	450
#10-30 SCTP Waste Gas Burner Replacement	-	-	25	325	-	-	1,500	50	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,900	1,850	1,900
#11-27 SCTP Dewatering Equipment Replacement	30	160	650	4,250	210	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5,110	5,000	5,300
#12-P6 SCTP Influent Screen Replacement (Phase 6)	-	-	-	-	50	50	50	230	500	50	-	-	-	-	-	-	-	-	-	-	-	-	930	900	930
#13-P6 SCTP UV System Replacement (Phase 6)	-	-	200	3,300	400	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3,900	3,800	3,900
CO SCTP Control System Network Separation	270	1,100	810	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	810	2,180	2,180
CO SCTP Fire Alarm System Replacement	235	95	830	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	830	1,160	1,160
CO SCTP Fire Pump Controller Replacement	-	310	25	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	25	335	335
CO SCTP Digester Gas Booster	-	-	50	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	50	50	50
New 36th Ave Pump Station Generator Replacement	-	-	25	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	25	750	750
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Annual R&R Allowance	-	-	155	155	180	180	200	200	1,545	1,545	1,545	1,545	1,545	1,545	1,545	1,545	1,545	1,545	1,545	1,545	1,545	1,545	22,700	22,050	22,700
Total Annual R&R Projects Expenditures	535	1,845	5,050	12,985	1,950	230	2,575	1,510	3,075	2,625	2,575	2,575	2,575	2,575	2,575	2,575	2,575	2,575	2,575	2,575	2,575	2,575	60,900	62,015	63,875

3

New Projects Identified Through 2022 CCA Process

CO

Carry Over Project

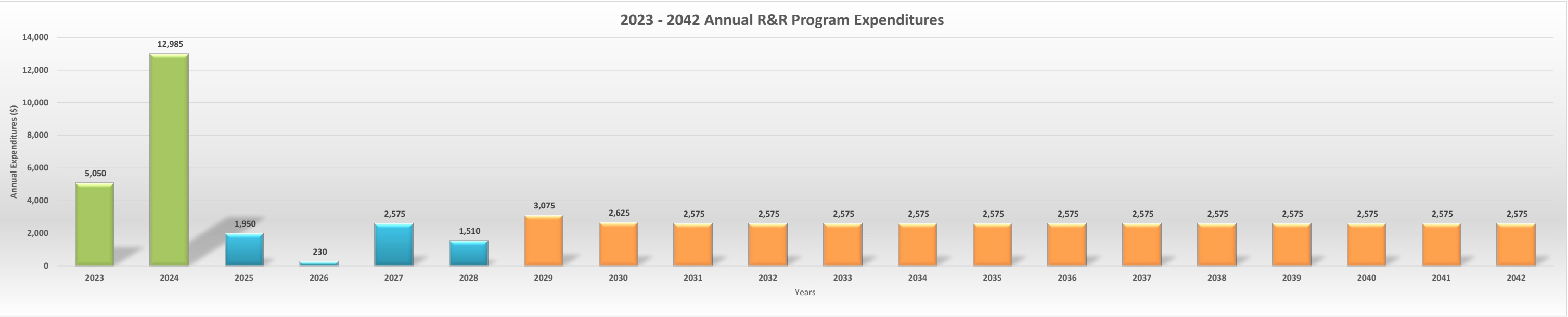


Table 2.9 - Project Funding - Capital Improvement Program (all costs are in 2023 dollars & shown in \$1,000's)

Year	0		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	20-Year Period Total	2022 Project Total	2023 Project Total		
	Actual Through 2021	2022 Estimate																									
Project Name			2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042					
Expenditures																											
CIP Projects																											
117th Street Pump Station Capacity Upgrade	-	-	-	-	-	705	705	705	6,345	5,640	-	-	-	-	-	-	-	-	-	-	-	-	14,100	13,700	14,100		
SCTP Phase 5A (Outfall/Effluent Pipeline) Expansion	11,100	9,000	9,400	7,400	100	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	16,900	37,000	37,000		
SCTP Phase 5B (Treatment Plant) Expansion	11,650	3,850	10,400	7,000	1,700	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	19,100	34,600	34,600		
SCTP Chemically Enhanced Primary Treatment Pilot Project	-	25	100	375	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	475	500	500		
SCTP Phase 6 Expansion	-	-	-	-	2,313	2,313	2,313	11,563	23,125	4,625	-	-	-	-	-	-	-	-	-	-	-	-	46,250	44,900	46,250		
SCTP Class A Biosolids Upgrade	-	-	-	-	-	-	-	775	3,100	6,975	4,650	-	-	-	-	-	-	-	-	-	-	-	15,500	15,000	15,500		
SCTP Phase 7 Expansion	-	-	-	-	-	-	-	2,240	2,240	2,240	11,200	22,400	4,480	-	-	-	-	-	-	-	-	-	44,800	43,500	44,800		
SCTP Phase 8 Expansion	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,000	2,000	2,000	6,000	6,000	6,200		
RTP Secondary Treatment Process Improvements	-	-	100	600	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	700	700	700		
RTP Decommissioning	-	-	-	-	-	-	-	-	-	-	235	940	2,115	1,410	-	-	-	-	-	-	-	-	4,700	4,600	4,700		
BGFM Parallel Force Main	-	-	-	-	-	2,200	2,200	4,400	8,800	17,600	8,800	-	-	-	-	-	-	-	-	-	-	-	44,000	42,700	44,000		
Alliance General Sewer Plan/Wastewater Facilities Plan	-	-	250	750	300	800	-	-	-	-	-	-	-	-	-	-	500	500	500	500	-	-	4,100	4,000	4,100		
Total Annual CIP Projects Expenditures	22,750	12,875	20,250	16,125	4,413	6,018	5,218	19,683	43,610	37,080	24,885	23,340	6,595	1,410	-	-	500	500	500	2,500	2,000	2,000	216,625	247,200	252,450		

3 New Projects Identified for 2022 Capital Plan





Discovery Clean
Water Alliance

Staff Report

Board Meeting of December 15, 2023

8a. Operator Report – Treatment Plants - Third Quarter 2023

STAFF CONTACTS	PHONE	EMAIL
Matt Jenkins, Wastewater Operations Manager	360-719-1680	mjenkins@crwwd.com

PURPOSE: This report will cover the biosolids program update.

Please see the attached presentation covering the following:

- Biosolids Program Overview
 - Program At A Glance
 - Local Biosolids Application/Hauling
 - Klickitat Biosolids Application/Hauling
- Program Changes 2023-2024
 - Denali Water Solutions
 - M&J Farms
- Looking Forward 2024+
 - Potential Land Application Partnerships
 - Hauling Options

ACTION REQUESTED: No specific action required. Please provide policy-level guidance for the various activities described in this report.

Discovery Clean Water Alliance

Operations Update

Alliance
Board of Directors
December 15, 2023



Laying the foundation
for a **vibrant economy**
and **healthy environment**

Operator Report – Biosolids Program Update



- Biosolids Program Overview
 - Program At A Glance
 - Local Biosolids Application/Hauling
 - Klickitat Biosolids Application/Hauling
- Program Changes 2023-2024
 - Denali Water Solutions
 - M&J Farms
- Looking Forward 2024+
 - Potential Land Application Partnerships
 - Hauling Options



Biosolids Program Overview

Biosolids Program Overview



- **Program At A Glance:**

- **Salmon Creek Treatment Plant**

- Produces 1300-1400 Dry Tons of Biosolids Annually
 - 3 Application Partners
 - 2 Hauling Partners

- **Ridgefield Treatment Plant**

- Produces 70 Dry Tons per Year
 - 1 Processing Partner
 - 1 Hauling Partner



Biosolids Program Overview



- **Local Biosolids Application (SCTP):**

- **M&J Farms – Historical Context**

- Application sites near Woodland, WA
 - Received 180-280 dry tons annually
 - District Staff maintaining permitting and analysis of land applications

- **Denali Water Solutions – Historical Context**

- Application sites near Woodland, WA
 - Received 180-280 dry tons annually
 - Denali maintaining permitting and land management



Biosolids Program Overview

- **Local Biosolids Application (RTP):**
 - **Three Rivers Regional Wastewater Authority**
 - 70 dry tons (equivalent to 375,000 gallons) from Ridgefield Treatment Plant



Biosolids Program Overview



- **Local Biosolids Hauling (SCTP):**
 - **Denali Water Solutions**
 - Acquired Tribeca Transport in 2021
 - Hauls completed by 8-15 trucks daily, August-September
- **Local Biosolids Hauling (RTP):**
 - **Denali Water Solutions**
 - Hauls 5,000-10,000 gallons (1.5 DT) of 4% sludge to Three Rivers per week, year-round



Biosolids Program Overview



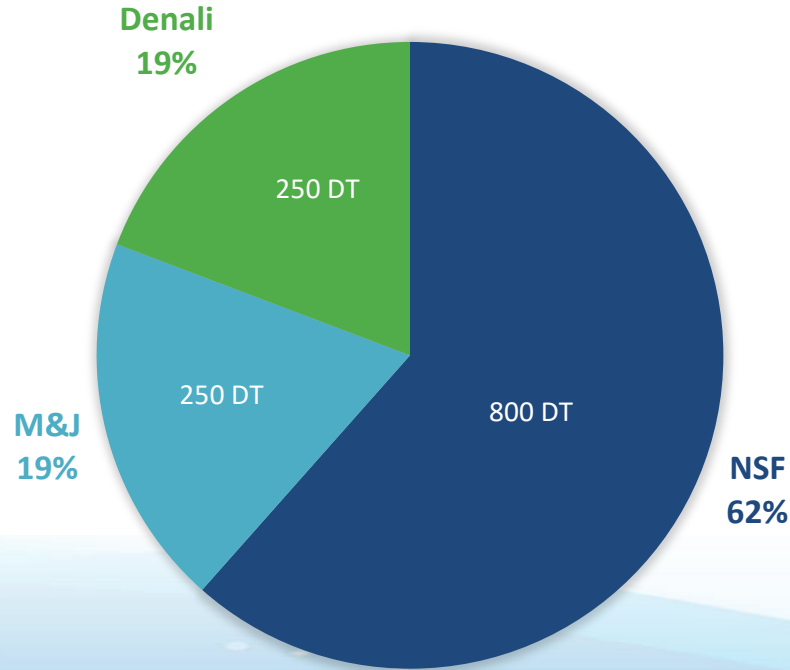
- **Klickitat Biosolids Application (SCTP):**
 - **Natural Selection Farms**
 - Application sites near Centerville, WA
 - Historically, receives 700-800 dry tons of biosolids annually
 - NSF controls site management
- **Klickitat Biosolids Hauling (SCTP):**
 - **Resliff Trucking**
 - Provides biosolids hauling for SCTP to NSF's Centerville sites



Biosolids Program Overview



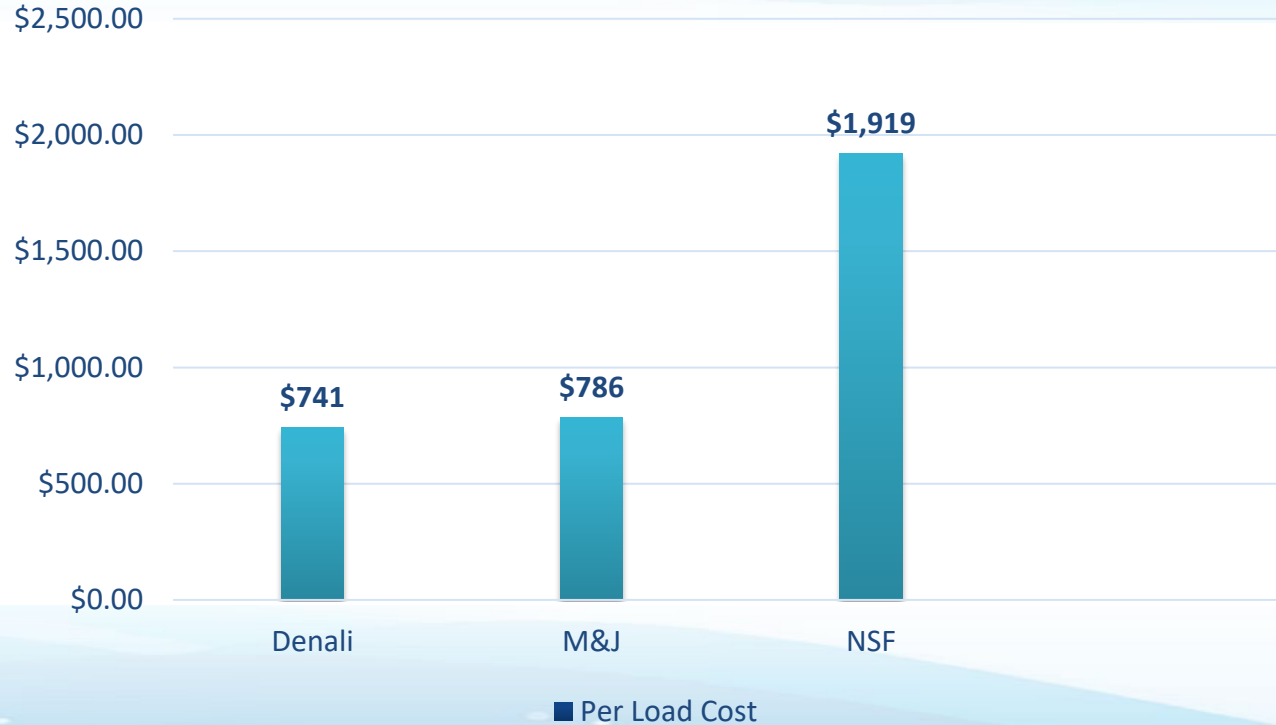
2023 BIOSOLIDS DISTRIBUTION



Biosolids Program Overview



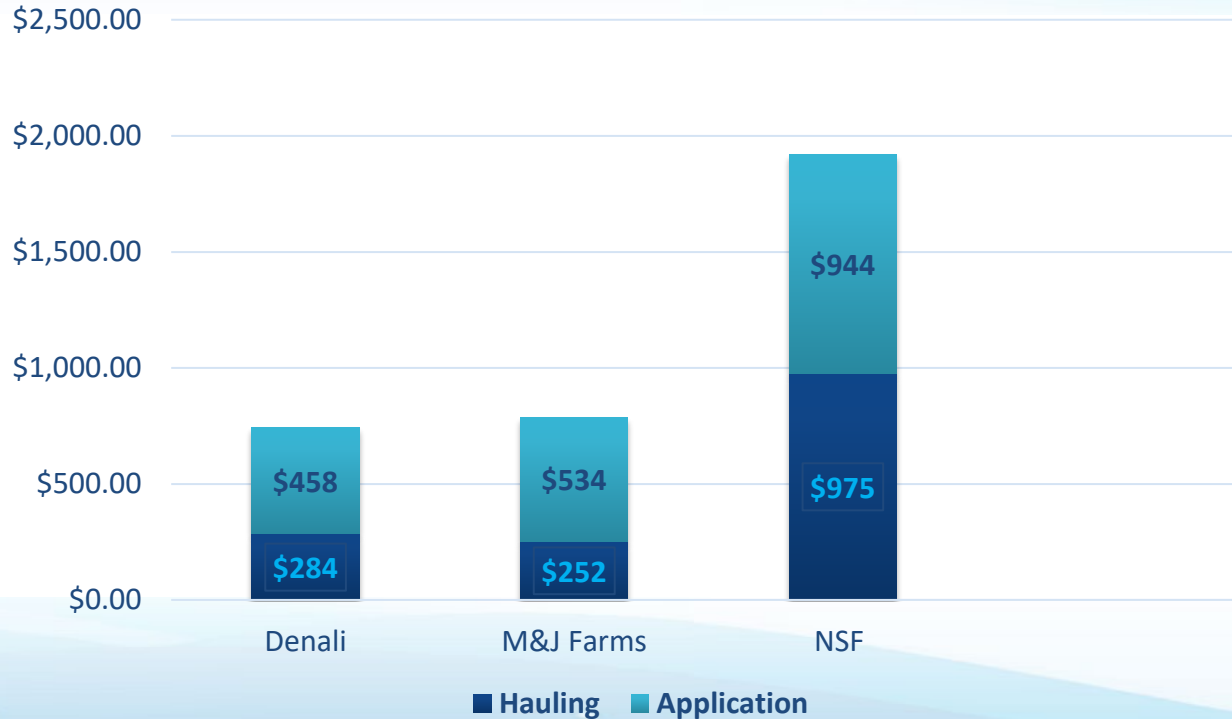
Total Cost Per Truck Load



Biosolids Program Overview



Hauling vs Application Costs





Program Changes 2023-2024

Biosolids Program Changes 2023-2024



- **Denali Water Solutions:**
 - **Land Application Program (SCTP)**
 - Denali notification to SCTP, summer 2023 – lost access to local land
 - SCTP pivot to redirect biosolids
 - Current land application agreement is likely to be terminated.



Biosolids Program Changes 2023-2024



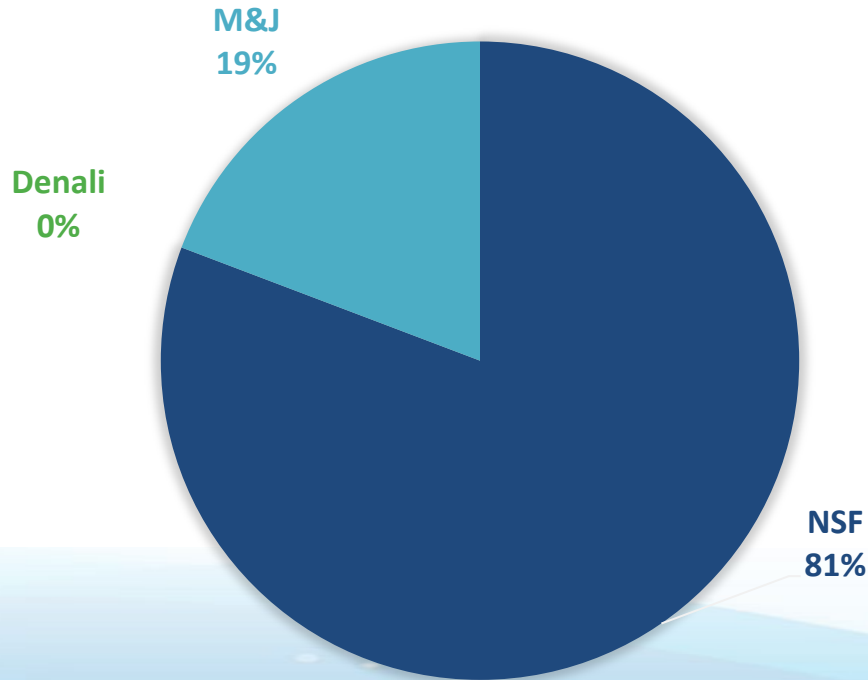
- **M&J Farms:**
 - **Land Application Program (SCTP)**
 - Current agreement continues through 2024
 - Property owner intends to exit program at that time (concerns from food processors)



Biosolids Program Changes



2024 PROJECTED BIOSOLIDS DISTRIBUTION





Moving Forward 2024+

Moving Forward 2024+



- **Potential Land Application Partnership Changes:**
 - **Natural Selection Farms (NSF)**
 - District Staff in discussion with Natural Selection Farms re: tiered rate structure
 - King County is currently using this pricing model with Natural Selection Farms
 - Tiered rate structure could be integrated following standing agreement
 - **Bowman Land Company, LLC**
 - Potential site located in George, WA
 - District staff completed initial assessment in 2023

Moving Forward 2024+



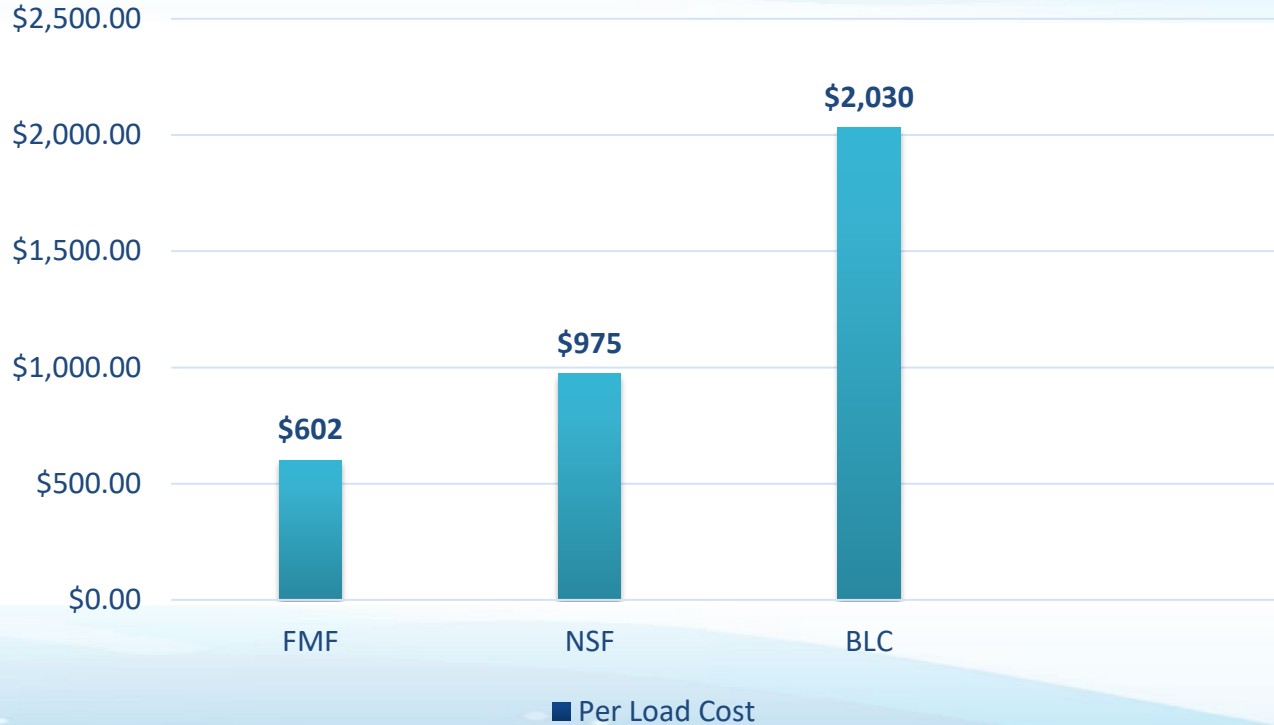
- **Land Application Partnerships:**
 - **Fire Mountain Farms (FMF)**
 - Initial discussions with District staff and Ryan Thode, Owner and Operator Fire Mountain Farms
 - Lands near Onalaska, WA & Lewis County
 - FMF and Department of Ecology agreements regarding FMF storage of biosolids



Hauling Cost Comparison for Site Options



Cost Per Load



DCWA Biosolids

Current and Potential Locations



Moving Forward 2024+



- **Hauling:**

- **Current Hauling Providers**

- Denali Water Solutions
 - Resliff Trucking

- **Future Hauling Needs**

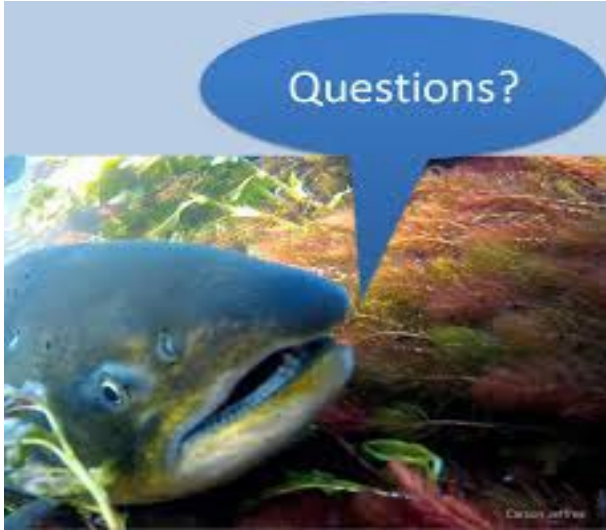
- Fire Mountain Farms
 - Natural Selection Farms
 - RTP Re-direct to SCTP

- **Self-Performed Hauling**

- District staff finalizing research regarding cost savings surrounding contract haulers vs self-performed hauling



Operations Update



Matt Jenkins

Wastewater Operations Manager
Clark Regional Wastewater District

Administrative Lead
Discovery Clean Water Alliance

(360) 719-1680
mjenkins@crwwd.com



Discovery Clean
Water Alliance

Staff Report

Board Meeting of December 15, 2023

8b. Capital Program Report – Third Quarter 2023

STAFF CONTACTS	PHONE	EMAIL
Robin Krause, P.E., Principal Engineer	360-719-1653	rkrause@crwwd.com

PURPOSE: This staff report provides an update on the ongoing capital program and capital project activities for the Regional Assets (RAs).

Please see the attached presentation covering the following:

- Projects in Construction
- Projects in Design
- 2024 Capital Plan Development

ACTION REQUESTED: No specific action required. Please provide policy-level guidance for the various activities described in this report.

Discovery Clean Water Alliance

Capital Program Update



Alliance
Board of Directors
December 15, 2023

Laying the foundation
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and **healthy environment**

2022-2023 Capital Projects Update



- Projects in Construction
- Projects in Design
- 2024 Capital Plan Development

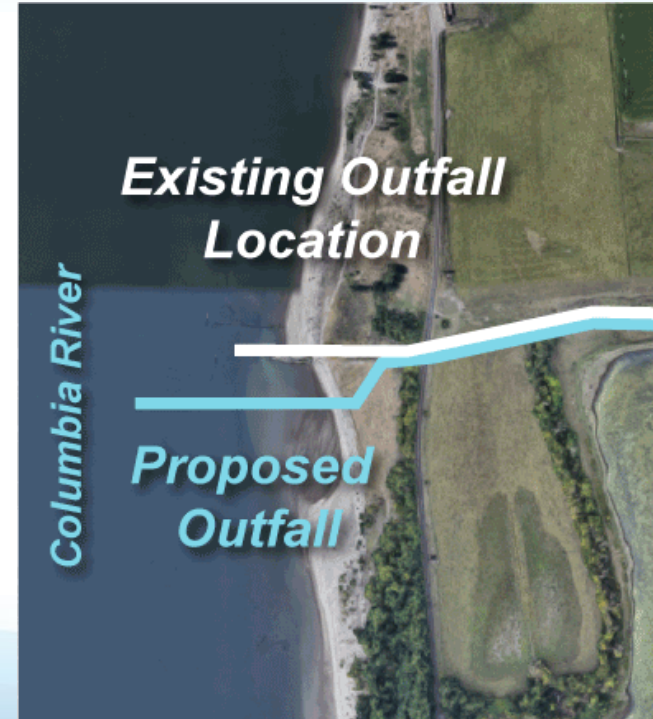


Projects in Construction

Phase 5A: Package 1 – Columbia River Outfall



- Physical work began September 13, 2021
- New outfall “in-water” work completed in April 2022
- Physical Completion Q4 2022



Phase 5A: Package 1 – Columbia River Outfall

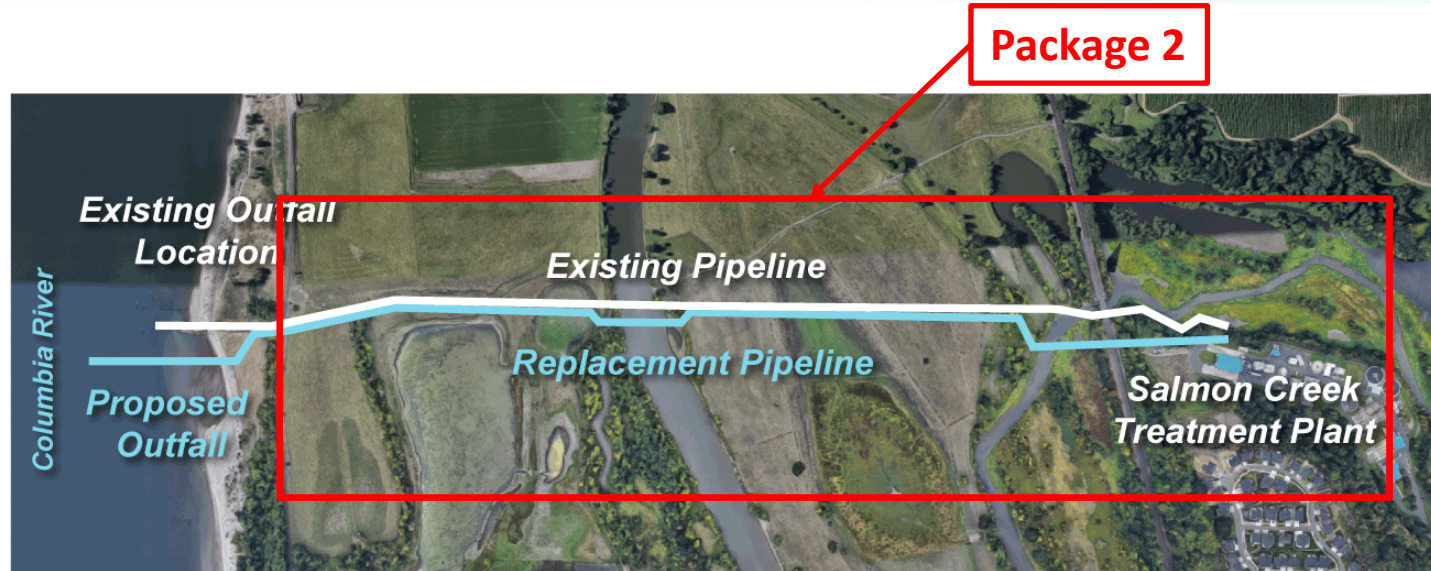


- Work to correct diffusers completed November 2023
- Developing Record Drawings
- Final dive inspection in spring 2024



Diffuser and new riser

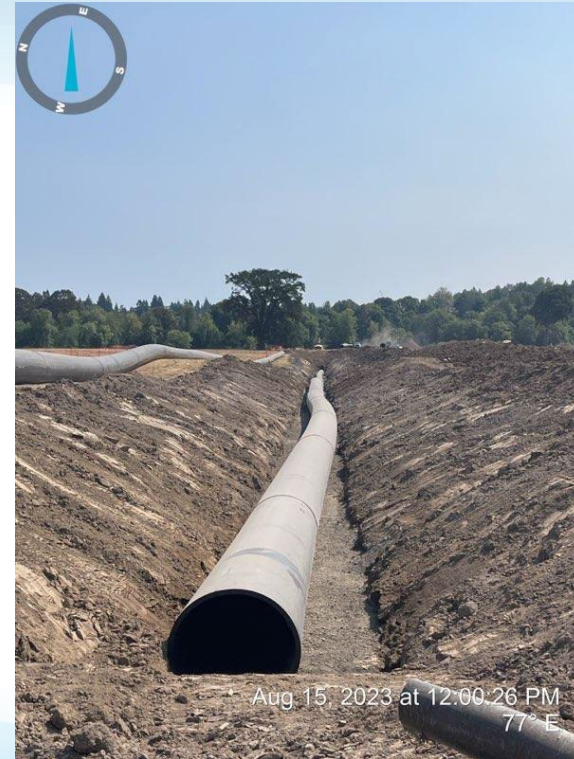
Phase 5A: Package 2 Effluent Pipeline



Phase 5A: Package 2 Effluent Pipeline



- Contract Award March 29, 2022
- Physical work began June 2022
- BNSF boring completed May 11
- Winter shutdown
- Project Physical Completion expected 2Q 2025



Pipeline Installation

Phase 5B: Package 2 – Secondary Treatment Process Improvements



Phase 5B: Package 2 – Secondary Treatment Process Improvements

Salmon Creek Treatment Plant: Secondary Treatment Process Improvements

RAS Pumps

Two new return activated sludge (RAS) pumps will be added to support the new secondary clarifier. Existing pumps are aging and will be replaced to ensure continued efficient operation.

Larger Secondary Clarifier

A new 120 foot diameter secondary clarifier will be built to support the new aeration basin, providing more capacity for secondary treatment.

New Aeration Basin

A new aeration basin will be added to provide more capacity for adding oxygen to bacteria for treating and stabilizing the wastewater. The new basin will be built on the site of the existing secondary clarifier, which will be demolished.

Demolished Structure

Project benefits

The project will:

- Effectively expand wastewater capacity to meet planned growth within the community, consistent with the long-term master plan for the site.
- Increase plant capacity while reducing impact to the surrounding area and without increasing the overall footprint of the plant.
- Ensure continued reliable service at a stable, affordable rate.

New Blower

A fourth blower, a machine that provides air to the aeration basin, will be added in the existing blower building.

Planning for the Future

It's important to plan for the future. Our community expects dependable, affordable sewer services that are essential to our quality of life. Our personal health, the community's economic health, and the health of our rivers and environment depend in large part on treating the wastewater we all generate so that it can be returned safely to the environment. The regional wastewater system has already been expanded four times over the first 40 years of operation as our community grows and as regulatory requirements change. The regional wastewater system will continue to be updated about every 10 years, and this project represents the current planned investment in that overall longer-term program. Staying ahead of the reliability and resiliency needs is vitally important. By proactively planning now, the Alliance ensures that ample wastewater treatment facilities will be in place to continue to provide reliable service at an affordable cost well into our future.

- Capacity must be online by end of 2024 or early 2025

Phase 5B: Package 2 – Secondary Treatment Process Improvements



- Construction began August 2022
- Secondary Clarifier 5 began September 2022
 - Online November 29, 2023
- Aeration Basin 7 under construction



3 at 4:04:47 PM
67° NE
NW McCann Rd
uver WA 98685
United States



Secondary Clarifier 5

Repair & Replacement Projects

- **Combined R&R Project Bid**
 - SCTP Control System Network Separation
 - SCTP Camera System Upgraded (5B2)
 - SCTP Fire Alarm System Replacement
 - SCTP Intrusion System Replacement
 - SCTP Fire Pump Controller Replacement



New Network and Security Cabinets

Repair & Replacement Projects

- Contract Award March 22, 2022
- Physical work began May 2022
- Physical work nearly complete
- Working software migrations
- Supply chain delays have extended project completion



New Fire Alarm Panel

Repair & Replacement Projects



- **SCTP Diesel Tank Replacement**
 - Bid August 2023
 - Installation September 2023
 - Project complete November 2023



New Diesel Tank



Old Diesel Tank



Projects in Design

Salmon Creek Treatment Plant

Chemically Enhanced Primary Treatment Pilot



- **Schedule:**
 - 2022 – Budget amendment, initial jar testing, pilot recommendations report
 - 2023 – Pilot test plan, design, procurement and setup of equipment and chemicals
 - 2024 – Wet weather pilot testing, pilot test report



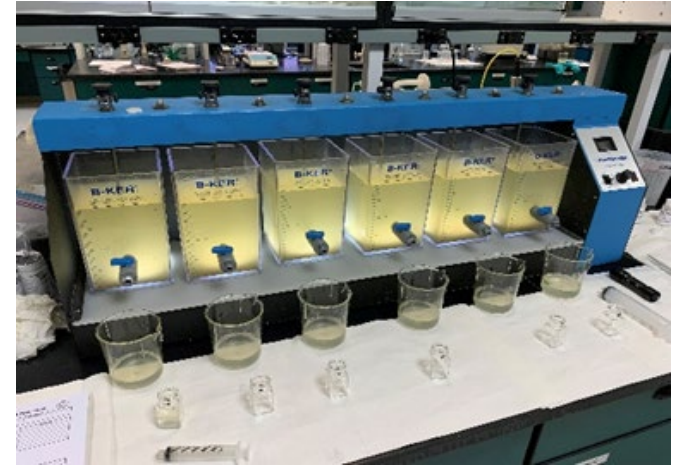
Example Chemical Dosing Setup

Salmon Creek Treatment Plant

Chemically Enhanced Primary Treatment Pilot



- Pilot Study
 - Ferric Chloride (FeCl_3), 20 mg/L
 - FeCl_3 + Anionic Polymer
 - Polyaluminum chloride formulation
 - Kemira PAX XL1900, 35 mg/L
 - PAX + Anionic Polymer
 - 10 Week Study
 - Varying dosages and clarifier blankets



Jar Testing PAX Formulations
90% Removal vs. 40% control

Ridgefield Treatment Plant

Secondary Process Improvements



- Imbalance in rated flows and loads have resulted in decreased flow capacity
- Schedule:
 - 2022 – Draft Engineering Report
 - Reviewed potential to increase capacity further
 - 2023 – Final Engineering Report
 - 2024 – Final Design, Bid & Award, Construction and Commissioning (dependent on equipment lead times)



Salmon Creek Treatment Plant

Primary Sludge Pump Replacement

- **Schedule:**
 - 2022 – Budget Amendment, Alternatives Evaluation
 - 2023 – Design
 - 2024 – Bid/Award, Construction Start
 - 2025 – Construction Completion



Primary Sludge Pump Gallery

Salmon Creek Treatment Plant SCADA System Replacement



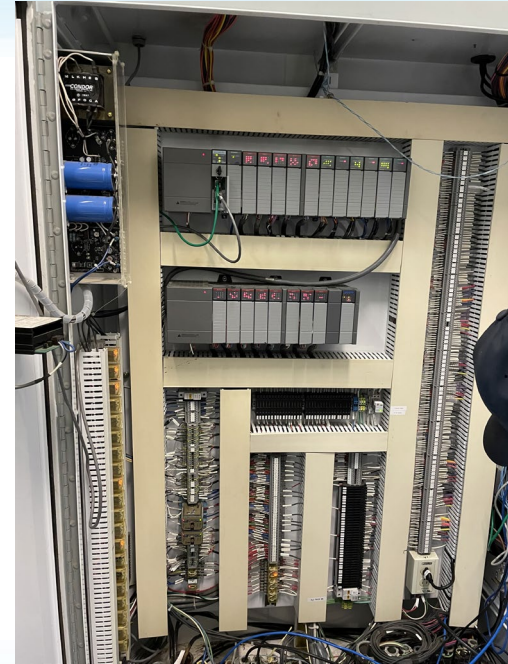
- **Schedule:**
 - Migration complete August 2023
 - Final Completion Q1 2024



Operations Room

Other R&R Projects

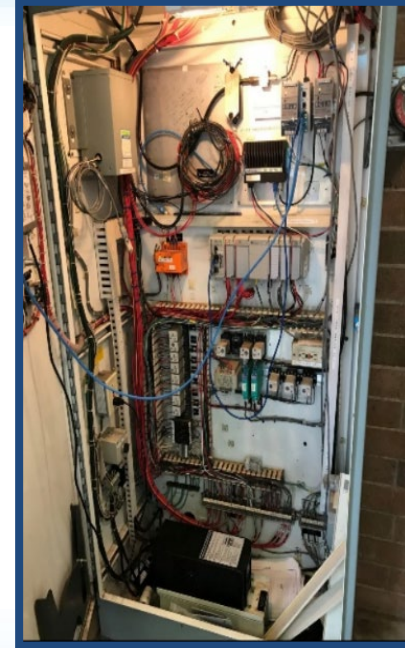
- Ridgefield Treatment Plant Programmable Logic Controller (PLC) Replacement
 - Design underway
 - Construction/Implementation Q1 2024



RTP Obsolete PLC

Other R&R Projects

- 36th Avenue Pump Station Control Panel Replacement
 - Design underway
 - Construction Q2 2024



**36th Avenue Pump Station
Control Panel**

Other R&R Projects

- SCTP Primary Clarifier Mechanism Replacements
 - Completion PC 1 expected January 2024
 - PC 2, 3, 4 will be completed in 2024 and 2025



Old and New Clarifier Parts

Other R&R Projects

- SCTP Sludge Blend Tank Slope Stabilization
 - Design 2023
 - Bid & Award Q1 2024
 - Construction Q2/3 2024



**Drainage Issues
behind Sludge
Blend Tank**



Building Systems R&R Projects



- EIFS (exterior insulation and finish system) Restoration
 - Work began October 2023
- SCTP Roof Replacements
 - Bid Awarded October 2023, work being scheduled
- SCTP Door Restoration
 - Bid Opening Early December (Rebid)
- SCTP Building 85 HVAC
 - Alternatives analysis and costing by end of the year
- SCTP Lighting Replacements
 - Bid & Award Q1 2024

R&R Allowance Projects



- 36th Ave Pump Station – Generator Replacement



Old
Generator

R&R Allowance Projects



- 36th Ave Pump Station – Generator Replacement



New Generator

CIP Projects Status



Project Name	2023 Budget	2024 Budget	Project Total	Budget Status	Schedule Status
<i>CIP Projects</i>					
SCTP Phase 5A (Outfall/Effluent Pipeline) Expansion	9,400	7,400	37,000		
SCTP Phase 5B (Treatment Plant) Expansion	10,400	7,000	34,600		
SCTP Chemically Enhanced Primary Treatment Pilot Project	100	375	500		
RTP Secondary Treatment Process Improvements	100	600	700		
Alliance General Sewer Plan/Wastewater Facilities Plan	250	750	2,100		Capacity Analysis Staff Availability
<i>Total Annual R&R Projects Expenditures</i>	20,250	16,125	74,900		

	Project is significantly under budget and ahead of schedule
	Project within budget or on schedule
	Project within 15% of budget or minor delays
	Project more than 15% over budget or significant delay

R&R Projects Status



Project Name	2023 Budget	2024 Budget	Project Total	Budget Status	Schedule Status
R&R Projects					
#1-70 SCTP SCADA System Replacement	320	-	500		
#2-50 SCTP Primary Sludge Pump Replacement	300	2,300	2,700		Staff Availability
#3-49 RTP PLC Replacement	400	200	600		Staff Availability
#4-49 36th Ave Pump Station Controls Replacement	50	180	230		Staff Availability
#5-49 Building Systems R&R Program	800	1,670	2,470		
#6-45 SCTP Primary Clarifier Mechanism Replacements	300	400	700	Staff Installation	
#7-35 SCTP Sludge Blend Tank Slope Stabilization	35	150	185		Q2/3 2025
#8-35 SCTP Diesel Fuel Tank (Building 83) Replacement	50	-	50		Complete
#9-30 SCTP Access Road and Asphalt Repair	25	55	450		
#10-30 SCTP Waste Gas Burner Replacement	25	325	1,900		
#11-27 SCTP Dewatering Equipment Replacement	650	4,250	5,300		Funding
#13-P6 SCTP UV System Replacement (Phase 6)	200	3,300	3,900		Funding
CO SCTP Control System Network Separation	810	-	2,180		Supply Chain
CO SCTP Fire Alarm System Replacement	830	-	1,160		Supply Chain
CO SCTP Fire Pump Controller Replacement	25		335		Supply Chain
CO SCTP Digester Gas Booster	50	-	50		
New 36th Ave Pump Station Generator Replacement	25	-	25	Equipment Failure	
Annual R&R Allowance	155	155	310		
Total Annual R&R Projects Expenditures	5,050	12,985	23,045		

	Project is significantly under budget and ahead of schedule
	Project within budget or on schedule.
	Project within 15% of budget or minor delays
	Project more than 15% over budget or significant delay
CO	Carry Over Project



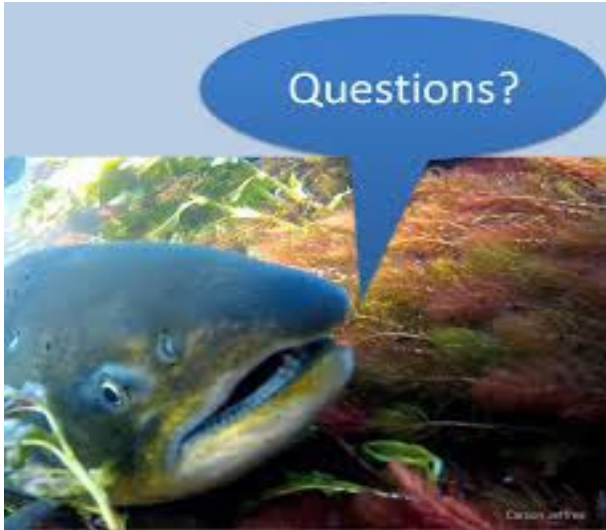
2024 Capital Plan Development

2024 Capital Plan Development



- Reviewing process to incorporate 2022 condition assessments into 2024 R&R Program
 - Reviewing base program assumptions that drive overall R&R Program costs
- Planning to present the evaluation process and draft project list March 2024

Capital Program Update



Robin Krause, P.E.

Principal Engineer | Transmission and Treatment
Clark Regional Wastewater District

Administrative Lead
Discovery Clean Water Alliance

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Discovery Clean
Water Alliance

Staff Report

Board Meeting of December 15, 2023

8c. Regulatory Compliance Program Report

STAFF CONTACTS	PHONE	EMAIL
Kristen Thomas, Regulatory Compliance Manager	360-993-8833	kthomas@crwwd.com

PURPOSE: This report provides a quarterly update for the Board of Directors on Administrative Lead (AL) activities related to regulatory tracking and compliance.

Please see the attached presentation covering the following:

- Industrial Pretreatment Program
- Washington Wastewater-Based Epidemiology (WAWBE) Project
- Water Quality Assessment Process – Columbia River Monitoring Program
- PFAS: Federal & State Regulation

ACTION REQUESTED: No specific action required. Please provide policy-level guidance for the various activities described in this report.

Discovery Clean Water Alliance

Regulatory Compliance Program Report

Alliance
Board of Directors
December 15, 2023



Laying the foundation
for a **vibrant economy**
and **healthy environment**

Regulatory Program Report



- Industrial Pretreatment Program
- Washington Wastewater-Based Epidemiology (WAWBE) Project
- WQA Process - Columbia River Monitoring Program
- PFAS: Federal & State Regulation





Industrial Pretreatment Program

Industrial Pretreatment Program



Industrial User (IU) Permitting & Compliance Monitoring



All current SIUs and MIUs in compliance with program requirements

- **SIU Permit Reissuance Process** – complete
- **SIU annual inspections & sampling** - complete



Fats, Oils and Grease (FOG) Program

- **397 Current FOG Users** (restaurants/food service, automotive facilities)
 - Finalizing facility inspections for 2023



WASTE CONNECTIONS
Connect with the Future





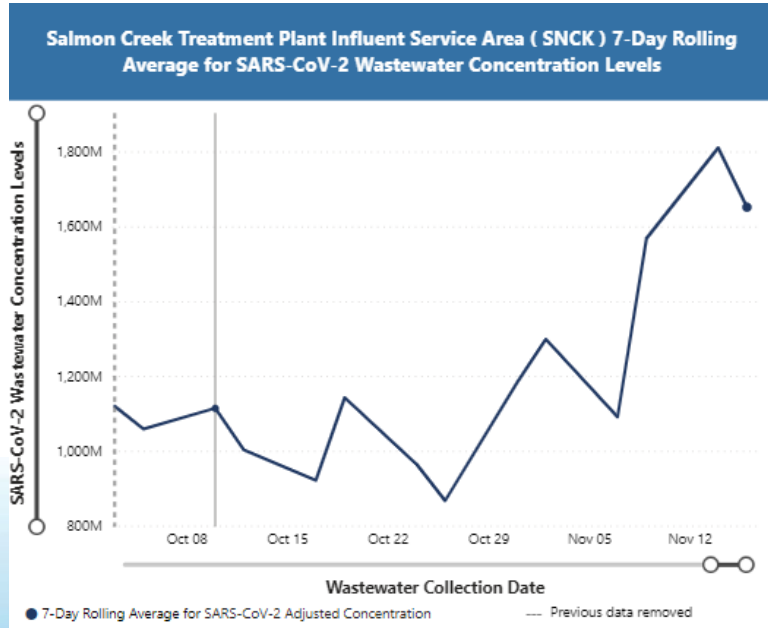
Washington Wastewater-Based Epidemiology (WAWBE) Project

Washington Wastewater-Based Epidemiology (WAWBE) Project

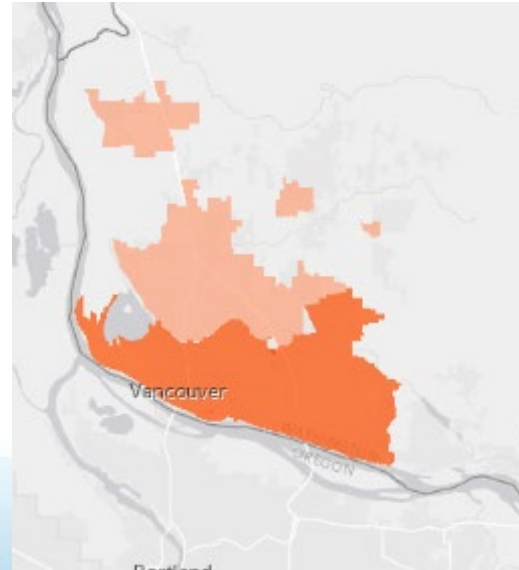


- Transitioned from CDC/WEF national program to WA Dept. of Health

SCTP Results:



Statewide trends – 15-day Percent Change:



15-day % Change Category	Number of Sites	% of Sites
-100%	1	3.23%
-99% to -10%	7	22.58%
-9% to 0%	0	0.00%
1% to 9%	0	0.00%
10% to 99%	5	16.13%
100% to 999%	10	32.26%
1000% or more	7	22.58%
No Recent Data	1	3.23%

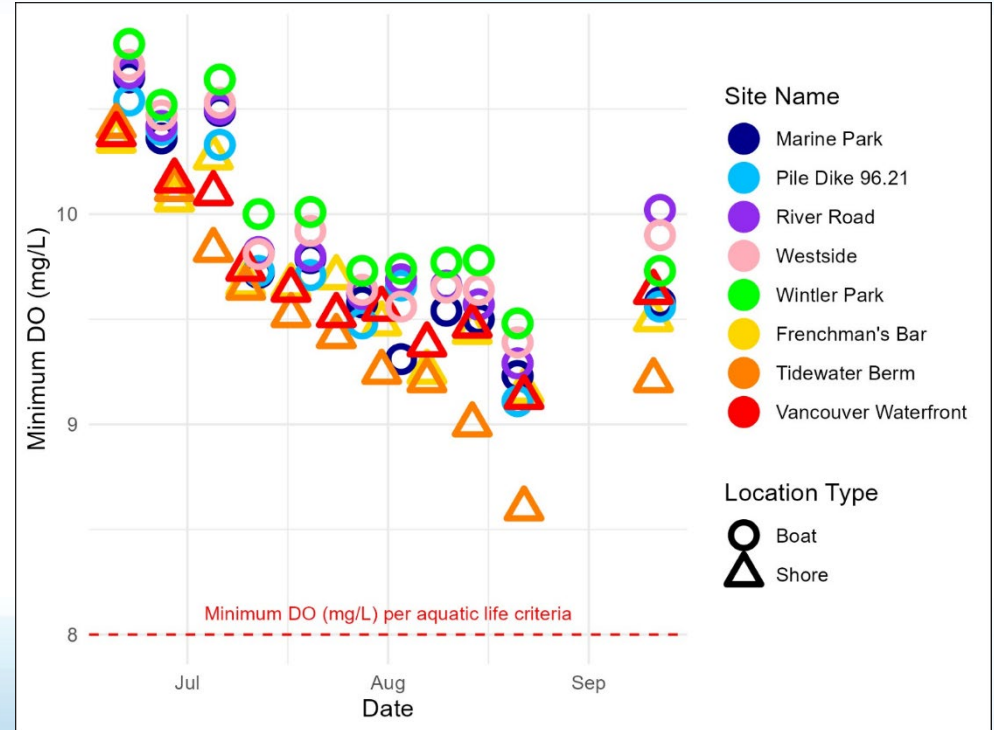


WQA Process – Columbia River Monitoring Program

Water Quality Assessment Process – Columbia River Monitoring Program



- **Program Goal:** Provide updated, accurate data to Ecology to support WQA process for receiving waters of Alliance and City of Vancouver facilities
- Sampling completed in September; data submitted to Ecology in November
- All DO and pH measurements in compliance with WQ standards
- Some temperature measurements exceeded WQ standards (as expected; TMDL implementation in process)





PFAS: Federal & State Regulation

PFAS – Federal Regulatory Efforts



EPA Strategic Roadmap – Actions in Process:

- **Biosolids Risk Assessment for PFOA/PFOS:**
 - Anticipated completion by end of 2024; rule development/promulgation to follow
 - SAB report – some concerns with modeling assumptions
- **Analytical method development & approval process:**
 - Draft Method 1633 (tests for 40 specific compounds) - approval expected by end of 2023; rule promulgation to follow
 - Other methods are commercially available but not EPA-approved (i.e. non-targeted “total” analyses)

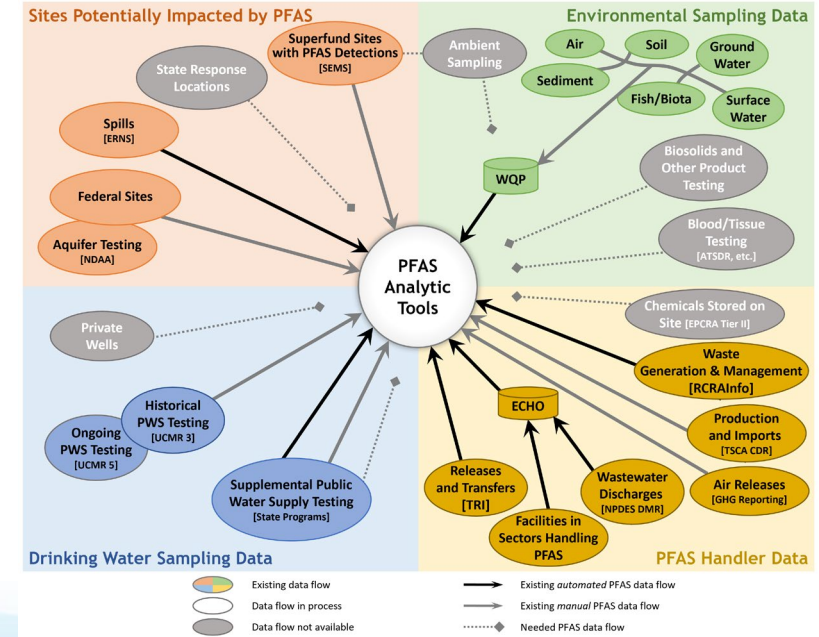


PFAS – Federal Regulatory Efforts



EPA Strategic Roadmap – Actions in Process:

- **Drinking Water Actions**
 - Proposed DW Regulation – in process
 - UCMR 5 data released (~3000 water systems)
- **Manufacturer Reporting Requirements (TRI, TSCA)** – new rules effective January 2024
- **POTW “Influent Study”**
 - Draft study plan reviewed with NACWA and pretreatment programs
 - POTWs concerned with cost, study design
 - ~400 WWTPs (includes Vancouver)



Source: <https://echo.epa.gov/trends/pfas-tools>

PFAS – Federal Regulatory Efforts



EPA Strategic Roadmap – Actions in Process:

- **Draft Aquatic Life WQ Criteria (PFOA, PFOS)** – not yet finalized
 - WA proposing to adopt EPA recommendations
- **Hazardous substance designations (CERCLA):**
 - Finalizing designations for PFOA, PFOS
 - Proposal to designate 7 additional PFAS – in process
 - Water sector concerns:
 - CERCLA does not exempt clean water utilities from liability
 - EPA's enforcement discretion policy will not protect utilities from third party actions
 - S. 1430 – “Water Systems PFAS Liability Protection Act”

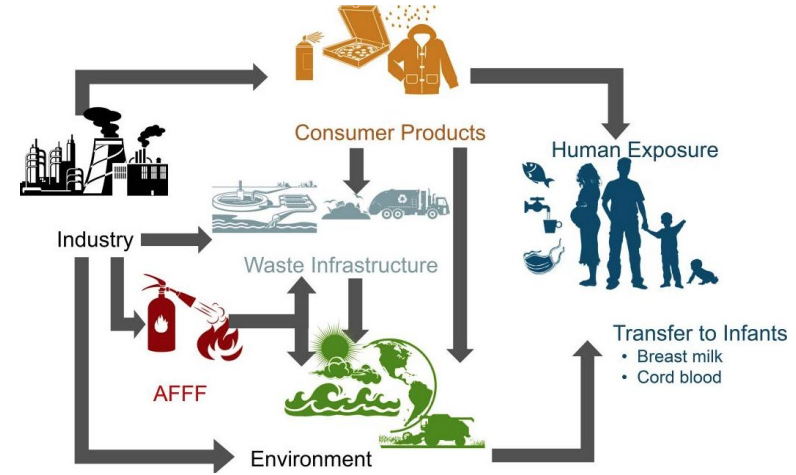


Image: Sunderland, EM et. al. (2018)
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6380916/>

PFAS – State Regulatory Efforts



Focused on source reduction & pollution prevention

- **PFAS Chemical Action Plan**

- Recommendation: Assess PFAS prevalence in WA biosolids
- WA Dept. of Ecology's proposed study:
 - 44 WWTPs, voluntary participation
 - Sampling in 2024, report in 2025
 - Sampling & analysis plan reviewed with stakeholder committee in November

- **Safer Products for WA Program**

- "Cycle 1.5" PFAS in priority consumer products- draft Regulatory Determinations Report in December
- "Cycle 2 Phase 1" – Final Priority Chemicals Report in January 2024



Source: WA Dept. of Ecology

PFAS – State Regulatory Efforts

Focused on source reduction & pollution prevention



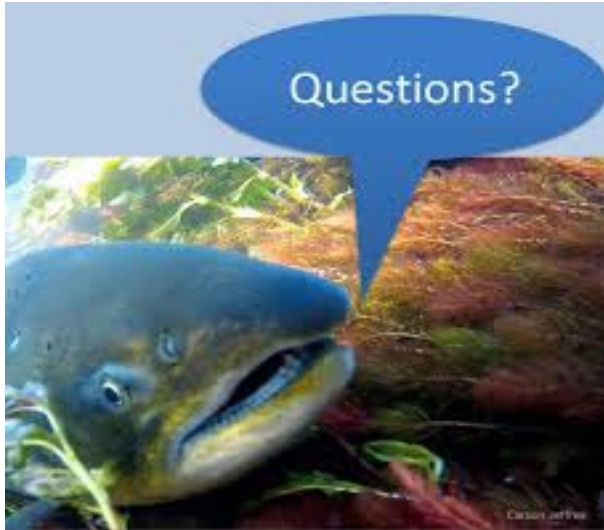
- **NPDES Permit Requirements**

- Recent draft WA Permits contain PFAS Monitoring & Pretreatment Program Activities
 - Ex. West Point (King Co.), Everett
- Aligns with federal guidance memo and Ecology Chemical Action Plan
- Engagement with ECY staff in October



¹ Addressing PFAS Discharges in EPA-Issued NPDES Permits and Expectations Where EPA is the Pretreatment Program Authority, https://www.epa.gov/system/files/documents/2022/04/npdes_pfas-memo.pdf

Regulatory Program Report



Kristen Thomas

Regulatory Compliance Manager
Clark Regional Wastewater District

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kthomas@crwwd.com



Discovery Clean
Water Alliance

Staff Report

Board Meeting of December 15, 2023

8d. Administrative Lead Report

STAFF CONTACTS	PHONE	EMAIL
John M. Peterson, P.E., Alliance Executive Director	360-993-8819	jpeterson@crwwd.com
Leanne Mattos, Board Clerk / Admin Services Manager	360-993-8823	lmattos@crwwd.com

PURPOSE: The Alliance is a regional wastewater transmission and treatment utility formed more than ten years ago and now completing its ninth year of full operation. The Administrative Lead (AL) Report provides a quarterly update for the Board of Directors highlighting key efforts.

Please see the attached presentation covering the following topics:

- Federal Advocacy Update
- State Advocacy Update
- Regional Planning Update
- Communications Program Update

Attachments:

- A. S. 1430: the Water Systems PFAS Liability Protection Act Bill
- B. H.R. 2964: the WIPPES Act Bill
- C. Coalition for Clean Water (CCW) Biosolids Fact Sheet

ACTION REQUESTED: No specific action required. Please provide policy-level guidance for the various activities described in this report.

Discovery Clean Water Alliance

Administrative Lead Report

Alliance
Board of Directors
December 15, 2023



Laying the foundation
for a **vibrant economy**
and **healthy environment**

Administrative Lead Report



- Federal Advocacy Update
- State Advocacy Update
- Regional Planning Update
- Communications Program Update

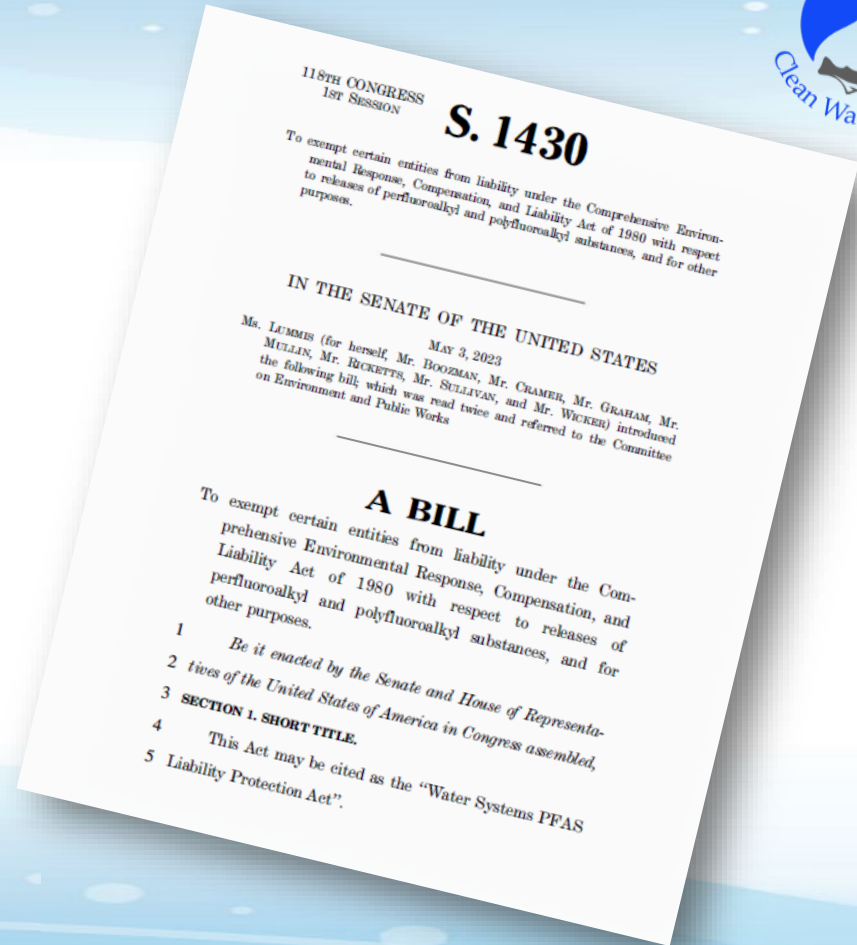


Federal Advocacy Update

Federal Advocacy Update



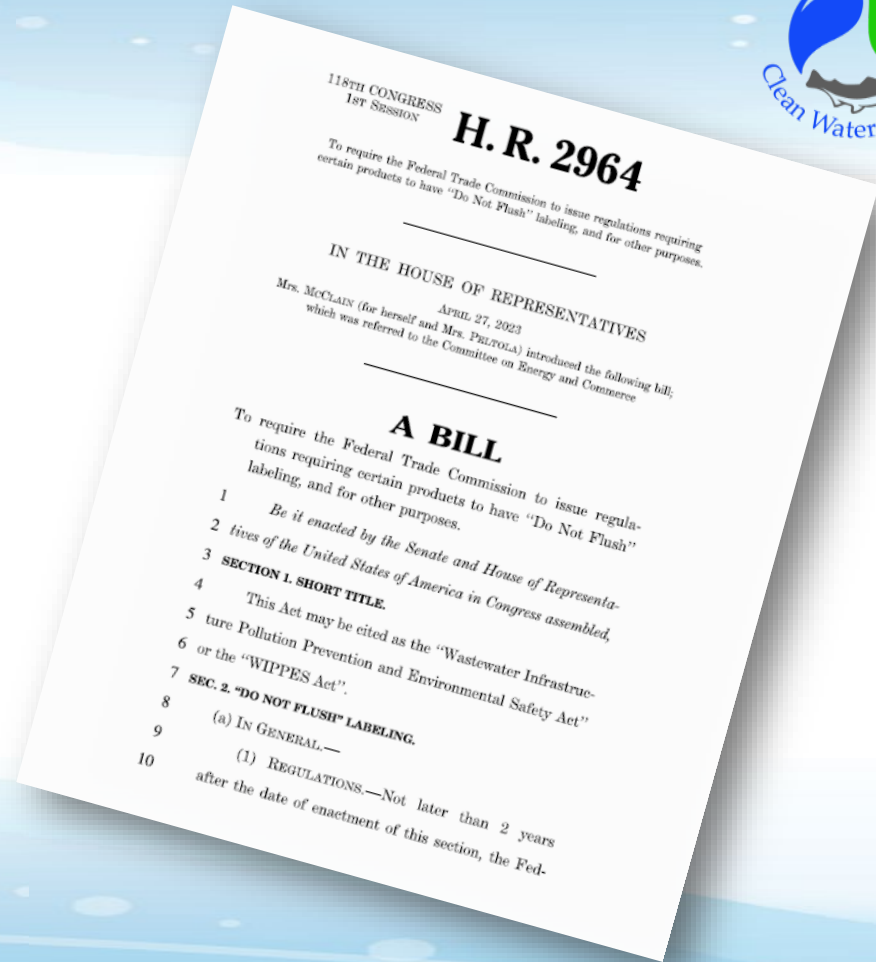
- **CERCLA Bill S. 1430**
(regarding PFAS liability)
 - Introduced
 - No committee action
 - Watch year-end processes
 - NACWA supports bill
 - CCW support letter in development
 - See Attachment A for text



Federal Advocacy Update



- **WIPPE Act Bill H.R. 2964**
(prohibits labeling as “flushable”)
 - Rep. Gluesenkamp Perez Co-Sponsor
 - Committee approved bill – Dec 5
 - Watch year-end processes
 - See Attachment B for text



Federal Advocacy Update



- **Alliance Funding Request**

- Project: *Salmon Creek Wastewater Treatment Plant Energy Efficiency and Modernization*
 - \$3 million request
- Submitted to Appropriations Committee by
 - Senator Murray (\$3.0M) – July 26
 - Rep. Gluesenkamp Perez (\$0.96M) – July 18
- House bill passed Nov. 3. Senate bill pending...
- Appropriations bill approval likely 1Q 2024.



Federal Advocacy Update



- **Alliance Funding Request**

- Working to understand/align EPA requirements
 - Build America Buy America (BABA) Act
 - Part of IIJA, November 2021
- Difficult to apply to wastewater projects
 - Specialized equipment made globally
 - Detailed rules in development (e.g., domestic percentage requirements)
 - Waivers may be possible, exploring options
- Meeting with EPA to develop approach





State Advocacy Update

State Advocacy Update



- Biosolids bill likely engaged next session (short session: January 8 – March 7)
- CCW fact sheet attached to AL report for reference (see Attachment C)
- Working with state associations on approach
- Briefing area legislators





Regional Planning Update

Regional Planning Update

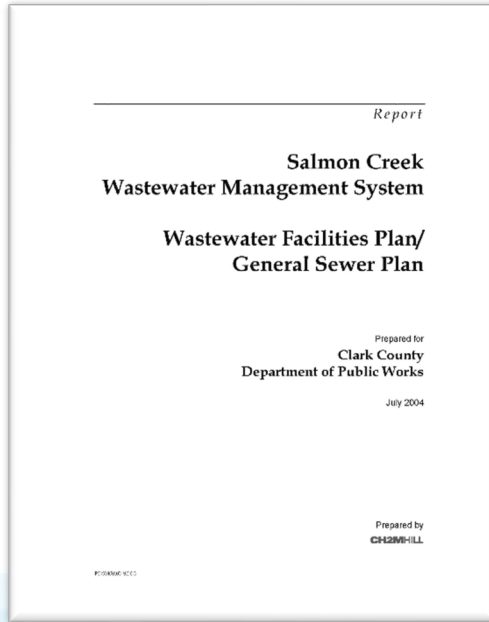


- **Alignment with Clark County GMA “Periodic Update”**
 - Planning Effort 2023-2025
 - Official Planning Period 2025-2045
- **Coordinated Planning Documents**
 - Clark County Comprehensive Plan
 - Cities’ Comprehensive Plans (Battle Ground, Ridgefield, Vancouver)
 - General Sewer Plans – Local (Battle Ground, District)
 - General Sewer Plan – Regional (Alliance)

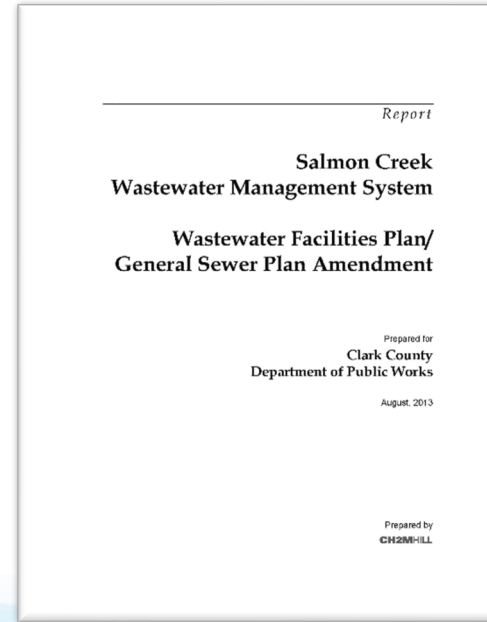
Regional Planning Update



- Current plans are quite dated...



2004 Plan – Phase 4 Expansion



2013 Plan Amendment –
Ridgefield Update and Phase 5

Regional Planning Update



- Recommended Approach

- Developed by District and Battle Ground staff
- 2023 Consultations Considered Several Topics
 - Most important programmatic decisions
 - Needs for 20-year plan
 - Options for 50-year vision
 - Timing of when decisions are needed
 - Alignment with Clark County/Cities growth plan updates
 - Efficient use of available resources



Regional Planning Update



- Recommended Approach
 - 2024 Focus Areas
 - RFP, consultant selection, contracting
 - Initial projections for flow, loadings, biosolids quantities
 - Transmission options with Battle Ground focus – determine path forward
 - Biosolids program options – determine adaptable path forward, develop supporting site plan
 - Discharge permit renewal anticipated – defines important future treatment requirements (nutrient removal, temperature, etc.)



Regional Planning Update



- Recommended Approach

- 2025 Focus Areas

- Liquids treatment process site plan (all structures, blower systems, power distribution, major pipes/pumping)
 - Supporting facilities (O&M staffing requirements and facilities; maintenance; storage of parts, vehicles, chemicals; stormwater requirements, etc.)
 - Financial evaluation and financing strategies, define RSCs (note: retail rates/charge setting handled at local agency level)
 - Fine tune projections for flow, loadings, biosolids quantities. Provide information to support growth planning update.



Regional Planning Update



- Recommended Approach

- 2026 Focus Areas

- Finalize document preparation
 - Environmental review
 - Regulatory approval
 - Board adoption
 - 50-Year visioning to build on 20-Year Plan
 - Start Engineering Report development for early Phase 6 projects





Communications Program Update

Communications Program Update



- Recent Treatment Plant Tours
 - Ridgefield/Clark County focus – October 20, 2023
 - City of Ridgefield – Public Works Director
 - Port of Ridgefield – CEO, Commissioner, Director of Operations
 - Clark County – Public Works Director
 - Vancouver/Battle Ground focus – November 3, 2023
 - Vancouver – Wastewater Program Staff
 - Battle Ground – Deputy City Manager

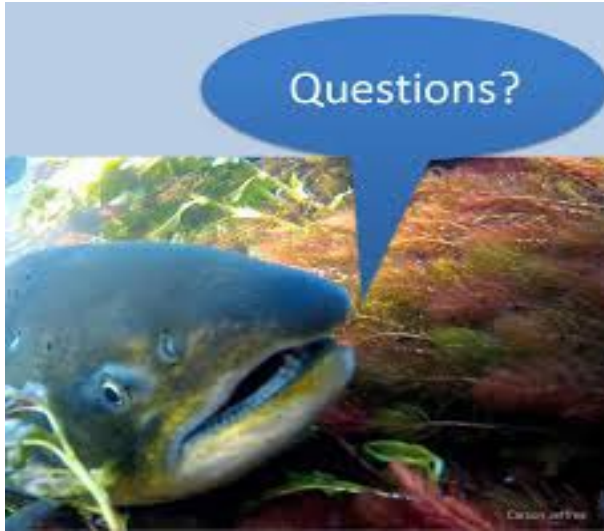
Communications Program Update



- Continuing Regular Communication Efforts
 - Quarterly E-News
 - Construction Outreach



Administrative Lead Report



John M. Peterson, P.E.

Executive Director
Discovery Clean Water Alliance

General Manager
Clark Regional Wastewater District

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Attachment A

118TH CONGRESS
1ST SESSION

S. 1430

To exempt certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to releases of perfluoroalkyl and polyfluoroalkyl substances, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 3, 2023

Ms. LUMMIS (for herself, Mr. BOOZMAN, Mr. CRAMER, Mr. GRAHAM, Mr. MULLIN, Mr. RICKETTS, Mr. SULLIVAN, and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To exempt certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to releases of perfluoroalkyl and polyfluoroalkyl substances, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Water Systems PFAS
5 Liability Protection Act”.

1 **SEC. 2. EXEMPTION OF WATER AND WASTEWATER TREAT-**
2 **MENT FACILITIES FROM CERCLA LIABILITY**
3 **FOR RELEASES OF PFAS.**

4 (a) DEFINITIONS.—In this section:

5 (1) COVERED PERFLUOROALKYL OR
6 POLYFLUOROALKYL SUBSTANCE.—The term “cov-
7 ered perfluoroalkyl or polyfluoroalkyl substance”
8 means a non-polymeric perfluoroalkyl or
9 polyfluoroalkyl substance that contains at least 2 se-
10 quential fully fluorinated carbon atoms, excluding
11 gases and volatile liquids, that is a hazardous sub-
12 stance (as defined in section 101 of the Comprehen-
13 sive Environmental Response, Compensation, and
14 Liability Act of 1980 (42 U.S.C. 9601)).

15 (2) INDIAN TRIBE.—The term “Indian Tribe”
16 has the meaning given the term in section 4 of the
17 Indian Self-Determination and Education Assistance
18 Act (25 U.S.C. 5304).

19 (3) PROTECTED ENTITY.—The term “protected
20 entity” means—

21 (A) a public water system (as defined in
22 section 1401 of the Safe Drinking Water Act
23 (42 U.S.C. 300f));

24 (B) a publicly or privately owned or oper-
25 ated treatment works (as defined in section 212

1 of the Federal Water Pollution Control Act (33
2 U.S.C. 1292));

3 (C) a municipality to which a permit under
4 section 402 of the Federal Water Pollution
5 Control Act (33 U.S.C. 1342) is issued for
6 stormwater discharges;

7 (D) a political subdivision of a State or a
8 special district of a State acting as a wholesale
9 water agency; and

10 (E) a contractor performing the manage-
11 ment or disposal activities described in sub-
12 section (c) for an entity described in any of sub-
13 paragraphs (A) through (D).

14 (b) EXEMPTION.—Subject to subsection (c), no per-
15 son (including the United States, any State, or an Indian
16 Tribe) may recover costs or damages from a protected en-
17 tity under the Comprehensive Environmental Response,
18 Compensation, and Liability Act of 1980 (42 U.S.C. 9601
19 et seq.) for costs arising from a release to the environment
20 of a covered perfluoroalkyl or polyfluoroalkyl substance.

21 (c) REQUIREMENTS.—Subsection (b) shall only apply
22 if a protected entity transports, treats, disposes of, or ar-
23 ranges for the transport, treatment, or disposal of a cov-
24 ered perfluoroalkyl or polyfluoroalkyl substance—

1 (1) in a manner consistent with all applicable
2 laws at the time the activity is carried out; and

3 (2) during and following the conveyance or
4 treatment of water under Federal or State law, in-
5 cluding through—

6 (A) the management or disposal of bio-
7 solids consistent with section 405 of the Fed-
8 eral Water Pollution Control Act (33 U.S.C.
9 1345);

10 (B) the discharge of effluent in accordance
11 with a permit issued under section 402 of the
12 Federal Water Pollution Control Act (33 U.S.C.
13 1342);

14 (C) the release or disposal of water treat-
15 ment residuals or any other byproduct of drink-
16 ing water or wastewater treatment activities,
17 such as granulated activated carbon, filter
18 media, and processed waste streams; or

19 (D) the conveyance or storage of water for
20 the purpose of conserving or reclaiming the
21 water for water supply.

22 (d) SAVINGS PROVISION.—Nothing in this section
23 precludes liability for damages or costs associated with the
24 release of a covered perfluoroalkyl or polyfluoroalkyl sub-
25 stance by a protected entity if that protected entity acted

- 1 with gross negligence or willful misconduct in the dis-
- 2 charge, disposal, management, conveyance, or storage of
- 3 the covered perfluoroalkyl or polyfluoroalkyl substance.



Attachment B

118TH CONGRESS
1ST SESSION

H. R. 2964

To require the Federal Trade Commission to issue regulations requiring certain products to have “Do Not Flush” labeling, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2023

Mrs. McCLAIN (for herself and Mrs. PELTOLA) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To require the Federal Trade Commission to issue regulations requiring certain products to have “Do Not Flush” labeling, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wastewater Infrastruc-
5 ture Pollution Prevention and Environmental Safety Act”
6 or the “WIPPES Act”.

7 **SEC. 2. “DO NOT FLUSH” LABELING.**

8 (a) IN GENERAL.—

9 (1) REGULATIONS.—Not later than 2 years
10 after the date of enactment of this section, the Fed-

1 eral Trade Commission shall issue regulations under
2 section 553 of title 5, United States Code, requiring
3 covered entities to label covered products clearly and
4 conspicuously with “Do Not Flush” label notices
5 and symbols in accordance with this section.

6 (2) CONSULTATION WITH OTHER AGENCIES.—

7 In developing the regulations required under para-
8 graph (1), the Federal Trade Commission may con-
9 sult with the Administrator of the Environmental
10 Protection Agency, the Commissioner of Food and
11 Drugs, and the Consumer Product Safety Commis-
12 sion as appropriate depending on the type of covered
13 product involved.

14 (b) REQUIREMENTS.—

15 (1) CYLINDRICAL PACKAGING.—In issuing reg-
16 ulations under subsection (a), the Commission shall
17 require a covered product sold in cylindrical or near-
18 cylindrical packaging, and intended to dispense indi-
19 vidual wipes, to have—

20 (A) the symbol and label notice on the
21 principal display panel in a location reasonably
22 visible to the user each time a wipe is dis-
23 pensed; or

24 (B) the symbol on the principal display
25 panel and the label notice, or a combination of

1 the label notice and symbol, on a flip lid in a
2 manner that covers at least 8 percent of the
3 surface area of the flip lid.

4 (2) FLEXIBLE FILM PACKAGING.—In issuing
5 regulations under subsection (a), the Commission
6 shall require a covered product sold in flexible film
7 packaging, and intended to dispense individual
8 wipes, to have—

9 (A) the symbol on the principal display
10 panel and, if the principal display panel is not
11 on the dispensing side of the packaging, on the
12 dispensing side panel; and

13 (B) the label notice on either the principal
14 display panel or the dispensing side panel, in a
15 prominent location reasonably visible to the
16 user each time a wipe is dispensed.

17 (3) RIGID PACKAGING.—In issuing regulations
18 under subsection (a), the Commission shall require
19 a covered product sold in a refillable tub or other
20 rigid packaging that may be reused by a customer,
21 and intended to dispense individual wipes, to have
22 the symbol and label notice on the principal display
23 panel in a prominent location reasonably visible to
24 the user each time a wipe is dispensed.

1 (4) PACKAGING NOT INTENDED TO DISPENSE
2 INDIVIDUAL WIPES.—In issuing regulations under
3 subsection (a), the Commission shall require a cov-
4 ered product sold in packaging that is not intended
5 to dispense individual wipes to have the symbol and
6 label notice on the principal display panel in a
7 prominent location reasonably visible to the user of
8 the covered product.

9 (5) BULK PACKAGING.—

10 (A) IN GENERAL.—In issuing regulations
11 under subsection (a), the Commission shall re-
12 quire a covered product sold in bulk at retail to
13 have labeling in compliance with such regula-
14 tions on both the outer packaging visible at re-
15 tail and the individual packaging contained
16 within the outer packaging.

17 (B) EXEMPTION.—The Commission shall
18 exempt from the requirements under subpara-
19 graph (A) the following:

20 (i) Individually packaged covered
21 products that are contained within outer
22 packaging, are not intended to dispense in-
23 dividual wipes, and have no retail labeling.

24 (ii) Outer packaging that does not ob-
25 scure the symbol and label notice on indi-

1 vidually packaged covered products con-
2 tained within.

3 (6) PACKAGING OF COMBINED PRODUCTS.—

4 (A) OUTER PACKAGING.—In issuing regu-
5 lations under subsection (a), the Commission
6 shall exempt the outer packaging of a combined
7 product from the requirements of such regula-
8 tions.

9 (B) PACKAGES LESS THAN 3 BY 3
10 INCHES.—In issuing regulations under sub-
11 section (a), the Commission shall provide that,
12 with respect to a covered product in packaging
13 smaller than 3 inches by 3 inches (such as an
14 individually packaged wipe in tear-top pack-
15 aging) and sold as part of a combined product,
16 if a symbol and label notice are placed in a
17 prominent location reasonably visible to the
18 user of the covered product, such covered prod-
19 uct is considered to be labeled clearly and con-
20 spicuously in accordance with such regulations.

21 (c) REASONABLE VISIBILITY OF SYMBOL AND LABEL
22 NOTICE.—

23 (1) IN GENERAL.—In requiring the symbol and
24 label notice under this section, the Commission shall
25 require that—

1 (A) packaging seams or folds or other
2 packaging design elements do not obscure the
3 symbol or label notice;

4 (B) the symbol and label notice are each
5 equal in size to at least 2 percent of the surface
6 area of the principal display panel; and

7 (C) the symbol and label notice have high
8 contrast with the immediate background of the
9 packaging so that such symbol and label notice
10 may be seen and read by an ordinary individual
11 under customary conditions of purchase and
12 use.

13 (2) PROXIMITY OF SYMBOL AND LABEL NO-
14 TICE.—In requiring the symbol and label notice
15 under this section, the Commission may allow a
16 symbol and label notice on a principal display panel
17 to be placed adjacently or on separate areas of the
18 principal display panel.

19 (3) EXCEPTION.—Paragraph (1)(C) does not
20 apply to an embossed symbol or label notice on the
21 flip lid of a covered product sold in cylindrical or
22 near-cylindrical packaging.

23 (d) ADDITIONAL WORDS OR PHRASES.—In issuing
24 regulations under subsection (a), the Commission shall
25 allow additional words or phrases on a covered product

1 that describe consequences associated with flushing or dis-
2 posing of such covered product, if such words or phrases
3 are consistent with the purposes of this section.

4 (e) REPRESENTATIONS OF FLUSHABILITY.—In
5 issuing regulations under subsection (a), the Commission
6 shall prohibit, with respect to a covered product, the rep-
7 resentation or marketing of flushable attributes, perform-
8 ance, or efficacy benefits.

9 (f) COMPLIANCE WITH OTHER REQUIREMENTS.—

10 (1) FIFRA REQUIREMENTS.—

11 (A) IN GENERAL.—Not later than 2 years
12 after the date of the enactment of this Act, the
13 Commission and the Administrator of the Envi-
14 ronmental Protection Agency, acting jointly,
15 shall issue regulations that, with respect to a
16 covered product that contains a pesticide re-
17 quired to be registered under the Federal Insec-
18 ticide, Fungicide, and Rodenticide Act (7
19 U.S.C. 136 et seq.), include the following:

20 (i) Instructions describing how such a
21 covered product may comply with the re-
22 quirements of such Act and the regulations
23 issued under subsection (a).

24 (ii) A requirement that, not later than
25 90 days after the date on which regula-

1 tions are issued under this subparagraph,
2 a covered entity shall submit for approval
3 by the Administrator of the Environmental
4 Protection Agency a product label compli-
5 ant with such instructions.

6 (B) ENFORCEMENT.—For purposes of sub-
7 section (h), a violation of a regulation issued
8 under subparagraph (A) shall be treated as a
9 violation of a regulation issued under subsection
10 (a).

11 (2) TYPE SIZE EXCEPTION.—If the label notice
12 type size otherwise required by the regulations
13 issued under subsection (a) for a covered product
14 would conflict with a labeling requirement under the
15 Federal Insecticide, Fungicide, and Rodenticide Act
16 (7 U.S.C. 136 et seq.) or the Federal Hazardous
17 Substances Act (15 U.S.C. 1261 et seq.), the Com-
18 mission may, in issuing such regulations, provide for
19 a label notice type size requirement for the covered
20 product under this section that—

21 (A) in the case of a covered product re-
22 quired to display a warning pursuant to the
23 Federal Insecticide, Fungicide, and Rodenticide
24 Act regarding a pesticide in such covered prod-
25 uct, requires a type size for the label notice

1 under this paragraph that is equal to or greater
2 than the type size required for the “keep out of
3 reach of children” statement under such Act;
4 and

5 (B) in the case of a covered product re-
6 quired to contain first aid instructions pursuant
7 to the Federal Hazardous Substances Act, re-
8 quires a type size for the label notice under this
9 paragraph that is equal to or greater than the
10 type size required for such first aid instruc-
11 tions.

12 (g) APPLICABILITY.—The Commission shall provide
13 that the regulations issued under subsection (a) apply with
14 respect to covered products manufactured on or after the
15 date that is 90 days after the date on which such regula-
16 tions are issued.

17 (h) ENFORCEMENT BY FEDERAL TRADE COMMIS-
18 SION.—

19 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
20 TICES.—A violation of a regulation promulgated
21 under subsection (a) shall be treated as a violation
22 of a regulation under section 18(a)(1)(B) of the
23 Federal Trade Commission Act (15 U.S.C.
24 57a(a)(1)(B)) regarding unfair or deceptive acts or
25 practices.

1 (2) POWERS OF COMMISSION.—Except as pro-
2 vided in paragraph (3), the Commission shall en-
3 force the regulations promulgated under subsection
4 (a) in the same manner, by the same means, and
5 with the same jurisdiction, powers, and duties as
6 though all applicable terms and provisions of the
7 Federal Trade Commission Act (15 U.S.C. 41 et
8 seq.) were incorporated into and made a part of this
9 section, and any person who violates such a regula-
10 tion shall be subject to the penalties and entitled to
11 the privileges and immunities provided in the Fed-
12 eral Trade Commission Act.

13 (3) PENALTY AMOUNTS.—Notwithstanding sec-
14 tion 5 of the Federal Trade Commission Act (15
15 U.S.C. 45), any civil penalties imposed under such
16 section with respect to a violation of a regulation
17 promulgated under subsection (a) of this section
18 shall be in accordance with the following:

19 (A) A fine of not more than \$2,500 for
20 each day that a violation occurs.

21 (B) In no event may the total amount of
22 fines imposed for a single violation exceed
23 \$100,000.

24 (i) PREEMPTION OF STATE LAWS.—No State or po-
25 litical subdivision of a State may directly or indirectly es-

1 tablish or continue in effect under any authority restric-
2 tions with respect to the “Do Not Flush” labeling of cov-
3 ered products that are not identical to the restrictions
4 under this section.

5 (j) DEFINITIONS.—In this Act:

6 (1) COMBINED PRODUCT.—The term “com-
7 bined product” means two or more products sold in
8 shared retail packaging, of which—

9 (A) at least one of the products is a cov-
10 ered product; and

11 (B) at least one of the products is another
12 consumer product intended to be used in com-
13 bination with such covered product.

14 (2) COMMISSION.—The term “Commission”
15 means the Federal Trade Commission.

16 (3) COVERED ENTITY.—The term “covered en-
17 tity” means a manufacturer, wholesaler, supplier, or
18 retailer that is responsible for the labeling or retail
19 packaging of a covered product that is sold or of-
20 fered for sale in the United States.

21 (4) COVERED PRODUCT.—

22 (A) IN GENERAL.—The term “covered
23 product” means a premoistened, nonwoven dis-
24 posable wipe sold or offered for retail sale—

1 (i) that is marketed as a baby wipe or
2 diapering wipe; or

3 (ii) that is a household or personal
4 care wipe (including wipes described in
5 subparagraph (B)) that—

6 (I) is composed entirely, or in
7 part, of petrochemical-derived fibers;
8 and

9 (II) has significant potential to
10 be flushed.

11 (B) INCLUSIONS.—The wipes described in
12 this subparagraph are—

13 (i) antibacterial wipes and disinfecting
14 wipes;

15 (ii) wipes intended for general purpose
16 cleaning or bathroom cleaning, including
17 toilet cleaning and hard surface cleaning;
18 and

19 (iii) wipes intended for personal care
20 use on the body, including hand sanitizing,
21 makeup removal, feminine hygiene, adult
22 hygiene (including incontinence hygiene),
23 and body cleansing.

1 (5) HIGH CONTRAST.—The term “high con-
2 trast” means, with respect to the symbol or label no-
3 tice, that such symbol or label notice—

4 (A) is either light on a solid dark back-
5 ground or dark on a solid light background; and

6 (B) has a contrast percentage of at least
7 70 percent between such symbol or label notice
8 and the background, using the formula $(B1 -$
9 $B2) / B1 * 100 = \text{contrast percentage}$, where
10 B1 is the light reflectance value of the lighter
11 area and B2 is the light reflectance value of the
12 darker area.

13 (6) LABEL NOTICE.—The term “label notice”
14 means the written phrase “Do Not Flush”.

15 (7) PRINCIPAL DISPLAY PANEL.—The term
16 “principal display panel” means the side of a prod-
17 uct package that is most likely to be displayed, pre-
18 sented, or shown under customary conditions of dis-
19 play for retail sale, and—

20 (A) in the case of a cylindrical or near-cy-
21 lindrical package, the surface area of which
22 constitutes at least 40 percent of the product
23 package, as measured by multiplying the height
24 by the circumference of the package; or

1 (B) in the case of a flexible film package
2 in which a rectangular prism or near-rectan-
3 gular prism stack of wipes is housed within the
4 film, the surface area of which is measured by
5 multiplying the length by the width of the side
6 of the package when the flexible packaging film
7 is pressed flat against the stack of wipes on all
8 sides of the stack.

9 (8) SYMBOL.—The term “symbol” means the
10 “Do Not Flush” symbol, as depicted in the Guide-
11 lines for Assessing the Flushability of Disposable
12 Nonwoven Products (Edition 4; May 2018) pub-
13 lished by the Association of the Nonwoven Fabrics
14 Industry (INDA) and the European Disposables
15 And Nonwovens Association (EDANA), or an other-
16 wise identical symbol depicting an individual of an-
17 other gender.



Attachment C

Biosolids — A Valuable Resource

THE COALITION FOR CLEAN WATER



City of Seattle



LYNNWOOD
WASHINGTON



Pierce County



King County

What are Biosolids?

Biosolids are an important product of wastewater treatment where helpful microorganisms are grown to consume the nutrients and organic matter in sewage. Those microorganisms and remaining organic matter become biosolids after meeting rigorous state and federal standards for treatment and quality.

Beneficial Use Rebuilds Our Soils

Most wastewater utilities apply their biosolids to the land or turn them into compost or soil-like products. This puts nutrients and soil-building organic matter back where they came from, to maintain soil quality and support long-term plant growth.

Biosolids Use in Washington

Washington has an excellent, well-regulated, and sustainable biosolids program. Incineration and landfilling are costly, and neither is sustainable. Biosolids have been beneficially used in Washington for more than forty years. Coalition members produce more than half of Washington's biosolids and almost two-thirds of the total biosolids that are used annually. Beneficial use is a critical part of modern wastewater treatment, but only a little more than one-tenth of one percent of Washington's agricultural lands receive biosolids each year.

DID YOU KNOW?

Only about one tenth of one percent of Washington agricultural lands receive biosolids each year.



Land Application



Mined Land Reclamation



Biomass Production

Source: SYLVIS

Biosolids are Valuable!

Biosolids reduce the use of synthetic fertilizers, increase our food security, and produce higher yields from our farms and forests.

Dryland wheat farmers can increase their yields by an average of 16%, earning up to \$200 more per acre¹.

Foresters can increase yields from working forests by 25%, earning as much as \$110 more in log value per ton of biosolids².

Depending on the quality of their soil, community gardeners can grow from 15 to almost 4,000 percent more food by using biosolids products! If they're gardening in poor soil, commercial fertilizers might get them one salad; biosolids can bring them forty³!

Land application of biosolids in Washington results in the sequestration of at least 80,000 tons of CO₂ per year⁴. That's like taking more than 17,000 cars off the road!

But What About PFAS?

Biosolids are not a significant source of PFAS. Our exposure comes mainly from the daily use of common products. In some cases, industrial and firefighting activities have contaminated groundwater.

What are PFAS?

Per- and polyfluoroalkyl substances are a group of chemicals that are prevalent in our society. Sometimes called “forever chemicals,” PFAS are resistant to natural decomposition. PFAS have been used for decades in a multitude of everyday products such as food packaging, non-stick cooking pans, cosmetics, personal care products, stain- and weather-resistant clothing, and carpet.

Wastewater Treatment Plants Do Not Use or Create PFAS

Because of their widespread use, small amounts of PFAS can be found in wastewater and biosolids. Wastewater utilities are only passive receivers of PFAS from sources including industries, businesses, and consumer products that we all use in our everyday lives.

What is Being Done to Address PFAS?

The U.S. EPA expects to complete a risk assessment for key PFAS compounds in biosolids by the end of 2024, with regulations to follow.

The State Department of Ecology is tackling PFAS with a strategy in its [PFAS Chemical Action Plan](#). Under the [Safer Products Washington](#) program and [Toxics in Packaging Law](#), Ecology is restricting the use of PFAS in products.

These efforts will reduce exposure to PFAS in our daily lives and reduce the amount of PFAS sent down the drain to wastewater treatment plants. Source control is critical since wastewater treatment plants today are not capable of removing PFAS.

What Should Washington Do While Regulatory Agencies Move Ahead?

Research is clear that nutrients from biosolids augment soil health and increase agricultural yields. As environmental stewards, we recommend the following interim strategies:

- Encourage the use of PFAS-free products by consumers.
- Support product labeling and the use of safer alternatives.
- Support the formation of a PFAS workgroup by the Department of Ecology.
- Support PFAS sampling relevant to wastewater treatment in Washington.
- Implement source control through wastewater pretreatment efforts, a successful approach supported by U.S. EPA.
- Support national research and the development of science-based regulatory thresholds.
- Set interim thresholds for action requiring source control for industrially impacted biosolids, if found.

A Few of the Many Common Sources of PFAS Exposure



Stain- & water-resistance treatments



Nonstick cookware



Waterproof apparel



Cleaning products



Firefighting foam



Takeout containers



Carpets & textiles

Source: Washington State Department of Ecology

1. *Long-Term Crop and Soil Response to Biosolids Applications in Dryland Wheat*, Cogger et. al. 2013

2. *Birth of Biosolids Application to Existing Forest Stands*, Henry et. al. 2023

3. *How Does Your Garden Grow? Impact of residuals-based amendments on urban soil health, vegetable yield and nutritional density*, Una et. al. 2023

4. Brown et. al. 2011