
State Water Resources Control Board

TO: Carol Mortensen
Director
CalRecycle


FROM: Thomas Howard
Executive Director
EXECUTIVE OFFICE

DATE: DEC 06 2011

SUBJECT: PERMITTING OPERATIONS AT PUBLICLY OWNED TREATMENT WORKS
(POTWS) THAT ACCEPT HAULED WASTE FAT AND OIL

The purpose of this memo is to address a cross media issue involving our agencies. The issue is whether permitting of operations at publically owned treatment works (POTWs) that accept hauled waste fats, oils, and grease and inject this waste into anaerobic digesters should be exempt from CalRecycle permitting because the waste stream is already regulated under a National Pollutant Discharge Elimination System (NPDES) permit.

Staffs from the State Water Resource Control Board (State Water Board), Regional Water Quality Control Boards (Regional Water Boards), and CalRecycle have been working to resolve this issue. Our staffs' recommendation is that Regional Water Board staff will place a standard provision in NPDES permits that requires the POTWs to develop and implement standard operating procedures for waste fats, oils, and grease acceptance and digestion operations (see attachment). The Regional Water Boards would be responsible for enforcing the standard provision.

To avoid duplicative regulation, I am hopeful we can agree that only one agency needs to regulate this activity; and given the existing permitting structure for POTWs, the agency should be the Regional Water Boards. I believe that a blanket exemption by CalRecycle would be the best path to take to avoid duplicative regulation.

Please contact me at (916) 341-5615 or thoward@waterboards.ca.gov to let me know your thoughts on this issue.

Attachment

Caroll Mortensen

- 2 -

cc: Johnny Gonzales
Division of Water Quality

Mark de Bie
CalRecycle

Ken Decio
CalRecycle

ATTACHMENT

RECOMMENDED NPDES PERMIT STANDARD PROVISION

"If the Discharger receives fats, oils, grease, or food processing wastes for injection into an anaerobic digester, the Discharger shall develop and implement standard operating procedures (SOPs) for this activity. The SOPs shall address spill prevention; spill response; introduction of materials that could cause interference, pass through, or upset of the treatment processes; vector control; and operation and maintenance. The Discharger shall provide training to its staff on the SOPs and shall maintain records onsite for a minimum of 3 years for each load received, describing the hauler, waste type, and amount."