



**SCOTIA COMMUNITY SERVICES DISTRICT
NOTICE IS HEREBY GIVEN THAT A
SPECIAL MEETING
OF THE BOARD OF DIRECTORS**

**WILL BE HELD AT: 122
MAIN STREET SCOTIA,
CALIFORNIA**

Thursday, March 29, 2018
Special Meeting at 12:00 P.M.

AGENDA

- A. CALL TO ORDER/ ROLL CALL** The Presiding officer will call the meeting to order and call the roll of members to determine the presence of a quorum.

PLEDGE OF ALLEGIANCE

- B. SETTING OF AGENDA**

The Board may adopt/ revise the order of the agenda as presented.

- C. PUBLIC COMMENT & WRITTEN COMMUNICATION**

At every *special meeting*, the legislative body shall provide the public with an opportunity to address the body on any item described in the notice before or during consideration of that item. Comments are not generally taken on non-action items such as reports or information. Comments should be limited to three minutes.

- D. PUBLIC HEARING – NONE**

- E. BUSINESS**

- 1. New Business – Wastewater Treatment Plant Emergency Generator Compliance**
- 2. Old Business – NONE**

- F. ADJOURNMENT**

Next Regular Meeting of the SCSD will be April 19, 2018 at 5:30 PM. A Special meeting may be held prior to that.

Notice regarding the Americans with Disabilities Act: The District adheres to the [Americans with Disabilities Act](#). Persons requiring special accommodations or more information about accessibility should contact the District Office. Notice regarding Rights of Appeal: Persons who are dissatisfied with the decisions of the SCSD Board of Directors have the right to have the decision reviewed by a State Court. The District has adopted [Section 1094.6](#) of the [Code of Civil Procedure](#) which generally limits the time within which the decision may be judicially challenged to 90 days.

Scotia Community Services District

Staff Report

DATE: March 29, 2018
TO: Scotia Community Services District Board of Directors
FROM: Leslie Marshall, General Manager, and Steve Tyler, Asst. General Manager
SUBJECT: Wastewater Treatment Plant Emergency Diesel Generator Replacement

RECOMMENDATION:

The Administrative staff recommends that the SCSD Board of Directors consider approving the TOS to replace or upgrade the Wastewater Treatment Plant Emergency Diesel Generator to bring it into compliance with ATCM Standards and make it permittable with the North Coast Unified Air Quality Management District (NCUAQMD).

ACTION:

Approve TOS to replace or upgrade the NCUAQMD to bring it into compliance.

DISCUSSION:

The SCSD received a letter from the NCUAQMD on March 19, 2018, denying the permit application for the Wastewater Treatment Plant Emergency Diesel Generator. According to the NCUAQMD, the Generator has not met air quality standards (ATCM) since it was installed in 2007. NCUAQMD also stated that, according to their records, the generator has not been permitted in the past.

According to the Asset Transfer Agreement with TOS, Section 4.5.b, TOS is required to make any updates or repairs necessary to keep the Treatment Plants operational and in compliance with any and all Federal, State or local permits in effect as of the Effective Date of this Agreement, see language below:

4.5. Water Treatment Plant and Wastewater Treatment Plant.

- (a) The TOS shall convey the WTP and WWTP to the District at the Phase 1 Close of Escrow.
- (b) The District does not require TOS to make any updates or repairs to the Wastewater Treatment Plant ("WWTP") or the Water Treatment Plant ("WTP") (the WWTP and WTP shall be collectively referred to herein as the "Treatment Plants") ***other than those necessary to keep the Treatment Plants operational and in compliance with any and all Federal, State or local permits in effect as of the Effective Date of this Agreement***, as well as any additional requirements and conditions that may be imposed prior to conveyance of the Treatment Plants to the District. TOS will provide the District with copies of any violation or non-compliance notices it receives prior to the transfer of the Treatment Plants. Any citations prior to transfer shall be paid for and fully resolved by TOS. Except as

noted below, TOS shall also be solely responsible for any citations, repairs or upgrades required by SWRCB's annual inspection of the WTP conducted prior to conclusion of the 2016-2017 fiscal year (i.e., on or before June 30, 2017), including inspections occurring after the Phase 1 Close of Escrow and any requirements noted during approval of the TMF (referenced in Section 4.5(c), below) by SWRCB. TOS shall not be responsible for any conditions or citations attributable to the acts or omissions of the contractors, agents or employees of the District.

Staff has approached TOS to make the necessary repairs, upgrades, or replacements to bring the generator into compliance, and TOS has agreed to do so. Staff asks that the Board approve TOS to make these necessary repairs, upgrades, or replacements, in order to bring the generator into ATCM standard compliance and get the generator permitted through the NCUAQMD.

FISCAL IMPACT:

None to the SCSD, at this time

ATTACHMENTS:

NCUAQMD Letter: Denial of Standby Emergency Diesel Generator Permit Application

COPY

MAR 22 2018

**North Coast Unified Air Quality
Management District**

707 L Street, Eureka, CA 95501

Telephone (707) 443-3093

FAX (707) 443-3099

<http://www.ncuaqmd.org>



March 19, 2018

Leslie Marshall
General Manager
Scotia Community Services District
PO Box 104
Scotia, CA 95565

Re: Denial of Standby Emergency Diesel Generator Permit Application

Dear Ms. Marshall:

On February 26, 2018, the District received an application from Scotia Community Services District (SCSD) for existing equipment without a permit. According to the application, a stationary standby emergency diesel generator (diesel generator) was installed at the Scotia Wastewater Treatment Facility in January, 2007.

Upon reviewing the application, it was determined that the diesel generator's particulate matter (PM) certification level does not comply with the applicable PM emission standard in California Health & Safety Code subsection 93115 – *Airborne Toxic Control Measure for Stationary Compression Ignition Engines* (Stationary Diesel ATCM). This is true of both the version of the Stationary Diesel ATCM that was active at the time of the diesel generator's installation in 2007, and also the current version of the ATCM, which was most recently updated in 2011.

Because SCSD's proposed use of the aforementioned equipment would not be in compliance with applicable state and District regulations, the application has been denied.

Should you have any questions regarding this decision, or the Hearing Board appeal process, please feel free to contact me.

Sincerely,

Jason Davis
Division Manager