

July Board Questions - Siegfried

p. 51: Self-screening: Quoting the 23 July issue of the LA Times:

‘As COVID-19 case rates mount, Bay Area health officials are now asking private employers to take a larger role in countering the spread of the Delta variant by recommending that they begin requiring employees to be vaccinated. Health officials in Contra Costa, Santa Clara and San Francisco counties at a Thursday briefing implored workplaces to get more involved. Public officials have not made such explicit recommendations before, but said the current outbreak requires aggressive action to boost vaccination rates.

“Unvaccinated workers pose a risk not only to themselves but also to their co-workers and the members of the public they interact with,” said Contra Costa County Health Officer Dr. Chris Farnitano. “Employers have an obligation to provide safe workplaces for their employees, and employees are also interested in ... working in a place that is safe and is not putting their health at risk.”

...

Other Bay Area government entities are tightening their COVID-19 requirements, too — Santa Clara County officials said they intended to soon require vaccines among county employees. Starting Monday in San Mateo County, everyone entering county facilities must wear masks, regardless of vaccination status.’

I think the time when the board should discuss requiring vaccination has arrived.

We checked with District Counsel in April 2021 about requiring vaccination and were advised that we should have an Interactive Process Interview with each unvaccinated employee. We have completed that process. Since April we have been watching other local public agencies – in particular, Monterey County. At this time, they are not requiring vaccination of their employees. We anticipate that as soon as the FDA certifies the vaccine that may change.

NOTE: on July 26, 2021 the Justice Department lawyers determined that federal law does not prohibit agencies and private business from requiring COVID-19 vaccines – even if the vaccines have only emergency use authorization. See attached link: [Whether Section 564 of the Food, Drug, and Cosmetic Act Prohibits Entities from Requiring the Use of a Vaccine Subject to an Emergency Use Authorization \(cnn.com\)](#)

We are checking with legal counsel to see if there is anything in California law we need to be careful of. The evening of 7/26/31 counsel emailed that he had not seen anything other than an article in Politico that reported how California state employees would have to be tested weekly if they refused to vaccinate.

If we are able to mandate, I would recommend that CAWD require vaccination – it is difficult to monitor the small number of employees we have that have opted to not vaccinate and it costs the district to continue use of separate vehicles, etc.

We think there should be some discussion about opening the Board meetings. I believe in September (barring an extension by the Governor) the public records act will go back to pre-COVID rules. Right now at Admin office we do not allow any one past the glass doors if they cannot prove vaccination status. If not vaccinated, we are more than willing to conduct business through the opening drawer. But, we may be required to allow the (admittedly limited) public into our Board meetings. If asked today, I would recommend we stand at the Boardroom door with a box of masks prior to admitting anyone unable to prove vaccine status.

I note that Biobot results are increasing again. Cases of infection of fully vaccinated people by the current Delta variant are occurring, and they reportedly produce only mild symptoms in fully vaccinated people. This makes me skeptical of the efficacy of self-monitoring. What plans are in place to resume stringent safety precautions if necessary?

The prior precautions could easily be reinstated – less than 24 hours.
They would be resumed if we received notice from either the State or the County

A multiple drug resistant fungus is now present in California. It apparently has shuttled to and fro between nursing homes and hospitals. I do not know its implications for worker safety, but senior residences are present in our service area and our population probably goes to hospital more often than the average community's population does. How are we keeping up on these occurrences?

We are aware of the fungus and it's spread to California nursing homes and hospitals. However, we have not received any notification/warning from regulatory agencies. We will continue to monitor news releases.

Sulfuric acid: What fume inhalation safeguards are in place?

Inhalation is not expected unless the sulfuric acid is heated or misted which is not required in any of the plant processes. Staff wear a face shield to protect against splash hazards when working on sulfuric system or transferring.

p. 60: What measures have been put in place to prevent overlooking taking of required samples?

There is a reminder on Outlook Calendar the day before and the morning of required sampling for all three lab personnel. They added an automatic "log in" sample notice in the Lab Information Management System (LIMS). They also use a posted lab calendar and set out sample bottle containers prior to the sample day as a final reminder.

What is the detection limit for chlorine in water?

Our NPDES permit measures for Total Residual Chlorine

Units	6 Mo Median	Daily Max	Instantaneous Max	30 Day Avg	Max Reported Value
µg/L	240	980	7,230	--	0.74
Lbs/day	6.1	24	180	--	--

Where is Mr. Gruber in the CUSD (Carmel Unified School District) hierarchy? Coach, principal, maintenance?

Bob Gruber, Maintenance & Operations Supervisor CUSD

p. 78: Is the cause of the inconsistent lighting of the waste gas pilot light known?

The cause is due to air flow from the flare blower. The air/fuel ratio will be set with an adjustment valve and work great during the day then when the temperature changes at night the ratio will change. The addition of gauge on the air blower discharge will help identify the ideal flow. The flare does not run very often due to the operation of the 65-kilowatt microturbine utilizing all the gas and the metering of food waste. Staff is now weekly test running the flare when it is idle for long periods to keep the system ready for when required.

p. 94: The discussion seems to imply that with three MF cells and a three year lifespan for a set of new modules, one set would be replaced annually. I am curious what the cost per acre-foot to produce recycled water will be, assuming Trussel's suggested improvements are implemented.

The membrane lifespan is variable and dependent on a number of factors including: feed water quality, chemical cleaning regimes, operating flux, and membrane manufacturer/model. Currently we replace as necessary when irreversible fouling starts hindering production and it is good to be prepared for this by having spare sets of membranes in stock. I don't think we would replace on a set time schedule (i.e. exactly every three years) as the operating life of the membranes isn't set in stone. We currently manage water quality and chemical cleanings as best we can to extend membrane life, and we also make sure we have backup membranes in stock. In general, we want to extend the membrane life as much as possible and would push them well beyond 3 years if we can. I think that up to 5 years membrane life isn't outside the realm of possibility and might be an aspirational goal to shoot for. We haven't tested the latest iteration of membranes beyond the 3-year mark yet so we don't know how well they are going to perform beyond 3 years. Furthermore, with operational improvements made over the past few years we would hope to see longer membrane life.

The cost per acre-foot of recycled water is pending development of a long-term capital improvement plan for the Reclamation treatment facilities. This long-term plan is going to be developed in the next few years in anticipation of the original construction bond being paid off, and to prepare for necessary repair and replacement efforts increasing with the age of the facility. Membrane replacement will be part of the equation and the anticipated replacement cycle could be anywhere from 3 to 5 years.

- p. 98: What was the amount of our previous contract with Mailey Electric? Did we spend the entire amount?

Resolution #2020-55 allowed for \$200K in FY 20-21.
Allocated \$150K to CAWD and \$50K to Recl
Actual 20-21 was \$135,049 to CAWD and \$18,390 to Recl

- p.140: Johnson Marigot's description of services pretty much amounts to nothing concrete. They do not commit themselves to any specific services. I get the sense that they either underestimated the required amount or are trying to extract more money from the grant. How do we exercise control? Is there a schedule of costs for individual services against which to judge? What prevents them from returning for more money if they hold that their costs were underestimated for this dollop?

The scope of services (Page 140 of the board packet) is indeed broadly stated, however it is appropriate for the stage of permitting we are in, and the complexity of the permitting on this project. There are about 10 different agencies we are working with to obtain final approvals. Each agency has different people reviewing the applications and asking questions. Each agency is looking at the project through a different lens and has different hoops to jump through. There is inherent uncertainty involved as we are sometimes at the mercy of these agencies and there tends to be surprises (good and bad) along the way. In general Johnson Marigot has tended to underestimate effort initially, but in doing the work they have been efficient at developing the many necessary volumes of written materials and navigating the variable and complex permit processes for all the different agencies. We are far enough along in the process that I anticipate that this will be the last budget augmentation for Johnson Marigot for this phase, but we are still at the mercy of some of the regulatory agencies, so uncertainty remains.

The Coastal Conservancy Grant budget for the design and permitting is in good shape; including this \$40k budget augmentation we have so far committed to various contracts about \$683k out of a total \$750k grant budget (this includes reimbursement of CAWD staff time). Therefore, we still have \$67k contingency remaining in the grant that hasn't been allocated to anything specific yet.

- p.143: Have we a blessing on the southern tree height from DOT? Do we know they are aware of project?

Caltrans did not comment on the CEQA document that was circulated. Other than CEQA I am not aware of any Caltrans approvals that are needed to prune trees at the WWTP. We do still need Coastal Commission Staff to sign off on this work in accordance with our existing Coastal Development Permit. The Coastal Commission is typically the agency most interested in this sort of thing from an aesthetic impacts point of view. The Coastal Commission notification is being submitted this week, and work will not proceed without Coastal Commission acceptance.

p. 148: Tier 3 shortages paid prior to permit issuance? If so, that should be incorporated in the resolution.

If we call it a deposit that would not be necessary since a deposit is either refundable or non-refundable. And it is based on a balance being paid at some future date if required.

“Deposit” may be a more accurate term than “retainer”.

Agreed. A retainer is a fee that is paid in advance in this case to secure the right for services. Typically retainers are not refundable. A retainer is an “advance”. A deposit is to show good faith that the customer intends to complete the transactions with the balance being paid on a future date. Deposits can be either refundable or non-refundable.