



Meeting Minutes

Wednesday, January 12th, 2022

Attendees:

Blair Corning – South Platte Renew	Jason Kruckeberg - Silverthorne
Julie Tinetti – Centennial	John Handzo - Aurora
Katie Koplitz – Metro	Manuel Freyre - Northglenn
Andra Ahrens – Pueblo	Sam Calkins - Centennial
Wes Martin – Plum Creek	Diana Trejo – Leonard Rice
Gave Racz – Vranesh and Raisch	Meg Parish - CDPHE
Nathan Moore – CDPHE	Roy Heald – Security
Meghan Wilson – City of Boulder	Tyler Eldridge - Greeley
Anne Noble – Longmont	Toby Ormandy - Fremont
Joe Chris – Loveland	Christine Jochim – Brownstein Hyatt
Annie Berleman – C. Springs	Jeremy Woolf - Greeley
Bonnie Pierce – Fort Collins	Jessica DiToro – Leonard Rice
Barb Biggs – Roxborough Metro Dist.	Jim Heckman – Lower Fountain
Tara Wilson - Westminster	Jim Kendrick – Tri Lakes
Robert Fleck – St. Vrain	Karen Behne – Niwot (?)
Bryan Burks – Mt. Crested Butte	Robert Fleck – St. Vrain
Cynthia Lane – Platte Canyon	Dave Lighthart – Evergreen (?)
Mark Thomas - NFRWQPA	Earl Picard – Upper Blue San. Dist.
Hunter Greeno -C. Springs	David Bries - Montrose
Mary Paterniti - Longmont	Michael Wicklund (?) – Monument
Rob Ringle – Eagle River	
Jim Heckman – Lower Fountain Metro	Amy Conklin – CWWUC Coordinator
Joe Kunovic - Greeley	
Kelly Cline - Westminster	

Amy got the virtual meeting started and Blair welcomed everyone. Amy asked that everyone help her with the impossible task of keeping track of everyone at the meeting. **Please see the list of attendees above with '(?)' next to their names. If this is you, please make sure it's correct and let Amy know.** Also, everyone was encouraged to add their pronouns if they'd like. Amy started recording the meeting.

Nathan Moore (CDPHE) – State updates

Nathan talked about the budget supplement request and pointed out that it is not a fee bill. When budget projections were done about 5 years ago they overestimated needs in some sections and under estimated needs in others. The request is to

use unspent funds from one section to another. The proposal is to increase Full Time Equivalent (FTE) employees by about 3 in the first year and 6 in years 2 and 3. The FTEs would work in Construction and Public Utilities. There has been a 40% increase in construction permits. They require inspections, especially for ones requiring de-watering. There are about 600 sites in Colorado that need to be inspected and they have about 100 inspections outstanding. The budget supplement request is not related to the dredge and fill stakeholder process that took place last year..

The Public/Private Utility Sector has a backlog of about 60%. They are especially trying to help the smaller facilities. He again emphasized that they are not proposing to increase fees; just use existing appropriated funds. He shared a link to the letter from the Governor to the legislature's Joint Budget Committee (JBC): <https://www.colorado.gov/governor/office-state-planning-budgeting>. The request is in Attachment D66 on page 110.

Nathan was asked what the money was originally designated for and he responded that the money was to allow the Water Quality Control Division (WQCD) to conduct its work. The request will help them hire more staff to try to fulfill their obligations.

Nathan reported that the PFAS and Biosolids work group is getting delayed. Existing staff is trying to organize the work group until a vacancy at the WQCD can be filled. He shared a link to EPA guidance on biosolids : <https://www.epa.gov/biosolids/risk-assessment-pollutants-biosolids>. EPA is researching the risks of land applying biosolids. The WQCD wants to have a conversation with stakeholders now so that they can have input into the processes developed. He's hoping to get the work group organized in the next month or two. He shared that some of the precursors to PFAs are being detected in leachate from landfills. The science on biosolid application is evolving and there's a lot of great science to geek out on.

Meg Parish provided an update on the PFAs work group. The WQCD completed some permit modifications on some of the larger discharge permits, adding monthly PFAs monitoring requirements. They will be continuing to modify permits to include PFAs monitoring focusing on large dischargers (over 5 MGD) that discharge to water supply segments. She shared the agenda to the Permits webinar tomorrow (Thursday, January 13th, 2022, beginning at 11 am): <https://docs.google.com/document/d/1ZWajFMZcQTgNaxuFh9P0fDyhzLb5XHPT9MvzM-ZUFgc/edit?usp=sharing>

She also shared that the WQCD has a grants program to fund PFAs monitoring. Applicants don't have to have PFAs monitoring requirements to apply for the funds. She knows that people are interested in what the PFAs limits are likely to be. Currently they're at 70 parts per trillion (ppt). EPA is reviewing the PFAs guidance and their risk assessment is scheduled to be completed in 2023.

When asked about what eventual permit limits for PFAs might be, Meg responded that they are currently putting PFAs limits in permits such as de-watering permits. If EPA changes it's policy on PFAs, it could result in different limits translated into discharge permits. For most facilities, PFAs monitoring requirements are unlikely to be added for about 6 years or so. It's possible that EPA will recommend limits below the detection level. The WQCD is hoping that a focus on pre-treatment, identifying industrial sources of PFAs, will help facilities meet PFAs limits.

When asked about the schedule for permit modifications, she responded that they don't yet have a schedule. They are hoping to get the first piece of implementation completed in March. She reminded everyone about the **grants fund. The application deadline is April 1st**. Sierra with the WQCD had detailed information about the program for anyone interested. They can ask more questions at the permits webinar, tomorrow, beginning at 11 am. <https://cdphe.colorado.gov/Water-Quality-Control-Division-Permits-Webinar>

Nathan added that the supplemental funding will help reduce the 25% backlog but will not eliminate it. He promised to keep the CWWUC updated on their progress in figuring out the specific spending proposals associated with the new infrastructure bill.

Gabe Racz (Vranesh & Raisch) – Updates and discussion

Anti degradation – Non impact limits work group – **Gabe** reported that there are fundamental disagreements about what the limits are for and how to implement them into permits. The work group continues to make comments that the WQCD disagrees with. The next step is the WQCD publishing a draft memo with a 30-day comment period. He recommends submitting written comments. The WQCD has interpreted anti degradation as resulting in a reduction in limits rather than maintaining current limits. **He'll distribute draft comments before the next meeting** where they can be discussed.

Relevant to the NIL work group is the Alternative Analysis work group (for anti degradation). If a facility gets a permit with limits they can't meet, they can perform an alternative analysis based on feasibility of meeting the permit limits. Guidance on what needs to be included in an alternative analysis may be useful. The WQCD has rejected alternative analyses but the guidance drafted may be too restrictive rather than informative. The next meeting of the work group is on Wednesday, January 19th at 1 pm. The WQCD will send a draft outline of topics. **Gabe will attend for the council.** Barb Biggs was going to attend and represent the CWWUC but has a conflict for the first meeting. **Blair** said someone from S Platte Renew will attend and can represent the CWWUC.

Chemical evaluations – When a facility changes the chemicals they use in treatment processes there is a form they need to fill out about the toxicity of the chemical. Existing toxicity data is sometimes insufficient and triggers the need for wet testing. It would be nice if facilities who perform wet testing could share their results to minimize the need for testing. There was a meeting a few weeks ago about proposed revisions to the form. Draft revisions to the form are on the agenda

for the permits webinar tomorrow. **Gabe** will review the proposed revisions to determine if there are remaining questions. Gabe will keep the group informed about the revisions.

He noted that the form most likely applies to collection systems as well as treatment facilities. He also added that Suncor's discharge permit is open for comment and there may be some comments about whether or not the WQCD is following their policies.

Meghan Wilson (City of Boulder)– Updates on the WQP-23 Temperature Limits in Permits work group – She reported that the group was formed during Water Quality forum retreat. Their first meeting was Jan 25th and focused on a review of Water Quality Policy – 23 which refers to temperature standards in discharge permits. The WQCD is updating the policy. The work group is hoping to share red line changes to the permit. The last meeting of the group will be an open dialogue about temperature limits in permits. Lisa Carlson is facilitating the group.

She provided a link to website and sign up –
Temperature work group info:
<http://colowqforum.com/cleanWater/project/procedures-for-conducting-assessments-for-implementation-of-temperature-standards-in-discharge-permits/>
Reach out to her if you didn't get an invite to sign up.
wilsonm@bouldercolorado.gov

Meghan has been working with the Colorado Monitoring Forum to see what issues dischargers are having with temperature limits. A survey was sent out and about a dozen responses from front range communities were received. They would like to get responses from others. **Meghan** will send survey to **Amy** to forward to council. She is happy to talk to people about the issue. Please reach out to her with questions.

Board Action Items

Approval of invoices for payment – Corona Environmental and Amy Conklin Julie Tinetti moved and Andra Ahrens seconded approval of the Corona Environmental invoices. There was a unanimous vote for their approval . Julie moved and Andra seconded approval of Amy's invoice. There was a unanimous vote for approval.

Approval of December minutes – Andra moved and Julie second a motion to approve the December minutes. There was a unanimous vote for their approval.

Andra noted that the fee for Quickbooks would now come directly from CWWUC funds. The taxes are being processed and should be getting finalized. Amy thanked Andra for her hard work getting the files in good order. Andra will be working with the bookkeeper to make sure all the files will be properly updated.

Julie and Blair should now be approved as signatories on the CWWUC bank account. Amy is still working with Shonnie to transfer access to the website.

Discussion Items

PFAS in Permits Update – Katie Koplitz and Blair Corning -

Katie reported that she worked through the comment and rebuttal periods for Metro's permit and not much changed. They will now monitor monthly for all 25 of the PFAs analytes in Table 5. They are using an Eurofins in California because they can meet the detection limits. Each sample costs \$300 for analysis and \$500 for shipping. Any facility with a 5 MGD capacity or larger who discharge to a stream segment designated as a water supply will be getting the same permit requirements. Blair reported that South Platte Renew got the same requirements. There is an emphasis on source identification of PFAs. Katie will keep the group informed as Metro figures out the appropriate level of effort to identify industrial sources of PFAs.

CMF Temperature Task Force Update – Andra Ahrens

Andra commented that Meghan covered most of the update earlier in the meeting. Ben Wise from South Platte Renew presented requirements in other states that seem to have more flexibility. There may be an advantage to adding some flexibility in the language in the policy. The Task Force met with the WQCD about the feasibility study. More data may be needed by the Temperature Technical Advisory Committee, and the Task Force may be able to coordinate collecting more.

Policy 17-1 (Nutrients Incentive Program) – Katie Koplitz

Katie reported on that and Regulation 85. The hearing on Regulation 85 is coming up in November of 2022. The scope of the hearing is not released yet but we'll keep the topic as a standing agenda item in case we want party status or to comment.

Voluntary Incentive Program – The WQCD asked for comments in September and haven't provided any other information yet. Metro would like to start a conversation about the program. They've been in the program for about 3 years and have some suggested changes. Specifically, a confirmation of credit received would be helpful. The policy is clear. Dischargers would just like verification that their credits have been applied to their permits.

Standards for lakes and reservoirs are coming up. The proposal is to apply direct use water supply standards to any facility that is upstream of a swim beach. Any facility upstream of Chatfield, Cherry Creek or Bear Creek would be effected. It was noted that just because a Chlorophyll a standard was exceeded doesn't mean that there was a harmful algal bloom. Release of the draft criteria has been delayed but the date of the hearing has not been delayed. The 10-year Road Map was intended to eliminate late criteria releases but has not.

Aluminum Work Group update – Jim Dorsch

Jim reported that the group is a Water Quality Forum group not led by the Division. The work group is encouraging people to collect Aluminum (Al) data based on EPA numbers. About 30 or so people attend the work group meetings. They are requesting total recoverable Al, Dissolved Organic Carbon (?), pH, Hardness and temperature data. EPA has included a BLM model as well as bioavailable Al. The bioavailable Al method hasn't been formally approved and may be approved by the American Society for Testing and Materials (ASTM) around 2023. They are asking facilities to use the method if they're comfortable with it. They are also discussing the possibility of seasonal limits because Al is impacted by temperature. The group is collecting data and has information on the method.

Jim reported that CPW is looking for information on dissolved iron and total recoverable (Fe) also.

Meeting updates – Blair's resolution is to get out and walk around the plant more. Others are going to ride their bikes more, write and attend their son's wedding.

Next Meeting: Wednesday, February 9th, 2022 at 1:00 pm