



## CWWUC Approved Minutes – July 8, 2020 Meeting

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### 1. Introductions

### 2. Guest speakers

a. **Nicole Rowan (CDPHE)**, will provide a brief update from the state.

i. **State Budget** – The new fiscal years started July 1. The General Funds for all agencies was cut by 5%. It didn't hit each division as part of the long bill, so CDPHE is waiting to see how it will hit operations. There was also a cash fund sweep of the public and private utilities sector of \$500,000. They do not currently see a fee increase as they are holding vacancies and will see how things shake out. For the next fiscal year there is a big push to cut general fund. By the end of October there will be more information. They will be kicking off a stakeholder effort as they are in year three of the fee bill. If you are not signed up for that Nicole will send out the sign-up information to the CWWUC.

ii. **PFAS** – There were a couple of bills that were passed, on is HB 20-1119. Has nothing to do with the water division and is focused on the hazardous waste division. **SB 20-218** is in effect and is of interest to CWWUC. It develops a cash fund that can be used for:

1. **A grant program** to fund things such as further sampling and assessments, water system infrastructure, emergency assistance, and a PFAS substance take back program. Will be available likely at the end of the year. CDPHE will let agencies know when applications for funding is available.
2. There is funding for technical assistance for health-based information. There will be hiring of additional toxicologist.
3. Does not provide funding for the development of numeric standards.

iii. There was a PFAS discharger survey sent out to permittees. They have already received 250 responses.

1. Ken Lykens asked if there was a separate survey that was sent out to fire departments and wanted to know how the survey was related to HB 20-1119. Nicole replied that the fire fighting survey was completed and that the information will be made available.
2. Ken Lykens asked about the list of industries that the survey needed to be disclosed. He wanted to know if CDPHE had any

additional guidance for how to get the appropriate information from the industries. **Nicole said that she was have Meg get back with us on that.**

3. Wes Martin asked how all of the surveys were sent out. Nicole replied that the survey was not sent out to all permittees. If an agency did not receive it there is a chance they don't have to fill it out, as the target was utilities with industrial sources.
  4. **Wes also wanted to know how carpet cleaners that dispose of the waste in the sewers should be documented. Nicole suggested that Meg could get back with the group. Also, that we could get together a list of questions.**
- iv. The sampling on PFAS has been published to the CDPHE website. There were no water system above the health advisory. There was a small amount of groundwater/surface water sampling and only one sample was above the health advisory, which was south of Suncor in Commerce City.
  - v. The PFAS administrative action hearing is scheduled for Policy 20-1 on Monday and Tuesday (July 13-14) of next week.
  - vi. Nicole confirmed that there was state funding approved for a COVID-19 research program. \$520,000 was approved and they are working with the 15 utilities, CSU and Metro State. A work plan is being put together right now.
  - vii. Andra Ahrens asked about DSV integration into permits. There are concerns that if there is a narrative based on the highest level – the question is what period of time CDPHE is looking at. Nicole suggested that setting up a call with the permit section would be a good idea if there were specific questions on this. **Nicole also asked if it would be helpful to have a presentation on this for future meetings.** The group agreed that would be a good topic.

**b. Jim Grice and Shiya Wang (CDPHE) – Update on TNORM**

- i. **Jim Grice is the Radiation Control Manager for CDPHE, Shiya Wang will be working on TNORM.**
- ii. The first revision of the rule and stakeholder meeting occurred on the 26<sup>th</sup> of May. They have received over 200 comments on the draft and they are trying to update the rule. **The revision will be out on the 13<sup>th</sup> of July.** They will wait until **July 27<sup>th</sup> to have a stakeholder meeting** to talk through the comments and how they were resolved, and discuss



significant changes in the second revision of the rule. Another two weeks will be given for additional written comments.

- iii. The ultimate goal is to have stakeholder engagement in late summer for the guidance development. They will be reaching out to invite agencies in the guidance development. All of the information will also be provided on the website. The meeting on July 27<sup>th</sup> will also have additional information on the guidance development.
- iv. **Jim Grice** – Part of the process of presenting the rules for promulgation which will require some overview of financial impact. They are hoping to get more information on financial impact and looking for assistance from utilities on that.
- v. **They are hoping to get the rule promulgated in November.** It would go into effect in January and provide 9 months for utilities to come into compliance. If there are comments on the 9 months they are requesting those comments.
- vi. **Bismuth will likely be removed from the table** as there are no established analysis methods.

### 3. Board Action Items

- a. Approval of invoices for payment (approved):
  - i. Corona - \$1,552.50
  - ii. Vranesh and Raisch - \$1,095.50
  - iii. H&R Block - \$150
- b. Approval of June minutes (Approved with slight modification)

### 4. Discussion items

- a. Vranesh and Raisch - Continued representation for Reg 22
  - i. The total estimate is \$16,640.
  - ii. Will include engagement in stakeholder process for policy development, and will include the following subgroups:
    - 1. Tiered limits, historical lift stations and interceptors, and PELs.
  - iii. The group approved Vranesh and Raisch to represent CWWUC.
- b. PFAS Survey
  - i. Not everyone received the survey and it was unclear how CDPHE chose who it went to. Sherry from Aurora suggested that we ask for a list of who is expected to complete it.
  - ii. There was some concern about the questions in the survey and what the intent of the questions were, and what impact the surveys may

- have. For instance, there is a question asking if plants have treatment to remove PFAS, which they should know is not in place at all facilities.
- iii. The authority to require completion of the survey comes from the duty to provide information in the permits.
  - iv. The CWWUC will put together a list of questions for CDPHE. We will have a potential special call to review the questions. Questions due to Shonnie by July 23.
  - v. Request to have CDPHE come in to have this as a special topic at the next meeting.
- c. COVID-19 updates**
- i. There are a variety of approaches that organizations are taking to staffing. Some organizations are back to full staffing, others are still limiting in-person staffing.
  - ii. Tri County Health has made masks mandatory.
- d. Topics and speakers for upcoming meetings**
- i. Meg and Nicole to discuss PFAS at the next meeting
  - ii. Certification Board to provide overview of operator testing
  - iii. Strategic planning meeting
- e. Open discussion**
- i. First stakeholder meeting for industrial stormwater permit occurred on July 7<sup>th</sup>. The current permit has been administratively extended since 2017. They talked about adding benchmark monitoring for all permit. Some talk about adding PFAS to monitoring.
  - ii. Las Animas DSV issues and compliance schedules:
    - 1. Implementation of the narrative DSV being translated into a numeric standard
    - 2. I&I – requires the major sources of I&I and then control 25% of them for four years (which seems unattainable). They have low per capita flows which could indicate exfiltration though not known for sure.
    - 3. The DSV expires December 31, 2025 which is after the current permit expires yet the division included a compliance schedule based on the current standard.
    - 4. Gabe asked if there are there enough general issues for the CWWUC to comment on that permit?
      - a. Andra Ahrens from Pueblo said that she would just like to see the Division’s presentation to understand how they are implementing DSVs and I&Is in permits.



- b. Comment deadline on the permit is August 10<sup>th</sup>.
- c. **Motion to have Gabe write up a letter with comments on I&I on behalf of the CWWUC. Gabe suggested the cost would be capped at \$3,000. Approved by the members.**

Next Meeting: Wednesday, August 12, 2020 at 1:00 pm

A.