



Approved Meeting Minutes

Wednesday, June 9th, 2021

1. Guests

a. Nicole Rowan (CDPHE) – State updates

- i. Commission will be transitioning into hybrid meetings this fall. CDPHE may not have as many in-person meets to due to the reduced physical footprint of building they now have.
- ii. Shawn McGrath will be attending the Water Quality Forum retreat which will be remote this year. They are also trying to get some time on his calendar for the CWWUC.
- iii. There has been a lot of stakeholder efforts. EPA is asking the Department of Justice to remand Navigable Waters Protection Rule. They are going to move forward very quickly with a new stakeholder process on a more durable definition on the Waters of the United States that takes into account of the recent rulemaking. This impacts what CDPHE is planning to do with stakeholder work this summer. There will be more details soon.

b. Meg Parish –

- i. Chemical evaluation process: discussion took place at the April 8th webinar which has been posted to the website as well as the slightly revised form which is on the form page. They changes are not big but tried to be clearer on bench testing. If the form does not seem clear please reach out to CDHPE.
- ii. One issue that has come up is working out the kinks of how to do permits first approach to serve as a water quality planning target where they get a permit first as opposed to a PEL. Sometimes people know all the chemicals they are going to use early on, and sometimes they don't. At this point their trying to do their water quality planning targets through a permit first approach, wherein it would have provisions for additional chemical use. Link to Chemical Evaluation PPT:

https://docs.google.com/presentation/d/1SgQo2QoIG9uvDjEWMkcooiEF4cEqLvlwZJLua2k1Vzw/edit#slide=id.g8bb0670146_0_0

1. Reach out to your permit writer or Michelle DeLaria

iii. PFAS –



1. Under the policy adopted by the Commission last summer was that domestic WWTP would not see limits right away. They get a full term of monitoring and source control to get PFAS influent levels down so that way if a limit is needed after that is done, they have minimized the need for treatment. And perhaps source control is effective enough to forgo treatment. The source investigation and source control piece is used in other states.
2. Commission PFAS policy link:
https://drive.google.com/file/d/119FjO4GZVaJtw7YFvFqs9pmlwDhDO_eG/view
3. The Division had a PFAS webinar last September to help folks get their minds around the source identification/control piece.
4. The really large WWTP with industrial pretreatment programs and with receiving waters with water supply segments are a part of the work they are starting now. They will do this through Division initiated permit modifications, which will allow for public comments. For administratively extended permits they will do it through a duty to provide letter.
5. They are putting together some PFAS resources for WWTP on the website.
https://docs.google.com/document/d/1PZMCsVlfxTPp_S_wGpAZWJoZXZHRFndbSOxzK_54UsM/edit?usp=sharing
6. Smaller plants that have a landfill or airport could also expect permit modifications.
7. The first of the permit modifications are going to public notice on June 10th and then they will be slowly rolling them out over the next few months.
<https://drive.google.com/file/d/1MyFPGbtx8bqpfOCg4MAZ8SIEJuDwoaTa/view>
8. CDPHE will call contact effected facilities before they send out Duty to Provide letters.
9. This monitoring does not count for the full term of monitoring before getting a limit, this is just to get a jump start on source identification and control.
10. All Duty to Provide letters will be made public and could be posted on the recently published permits.



11. Colorado is looking at 70 ppt for PFOA, PFAS and PFNA. It also gives the Division latitude for stricter numbers if the science backs it up, though they are looking at what is in the policy right now. Before they would look at something stricter, there would be a public process.
12. Monthly monitoring is being proposed for characterization. Some feasibility issues have been raised around this and is being seriously considered. They are looking just at effluent at this point and just an overview source investigation. In a report over the next two years, the WWTP would identify the largest contributors of PFAS.
13. The 70 ppt is for the three long-chain perfluorinated compounds (PFOA, PFAS and PFNA). There are another 27 different compounds that need to be monitored for in the permit. See the permit.
14. The Division is not planning on doing sampling guidance, but people are being encouraged to follow MI.
15. Barb Biggs - How can you demonstrate that a sampling event was not representative?
 - a. There is not a policy for PFAS related to this though there is another process for reviewing DMR data that is not correct.
16. Cost –
 - a. Barb Biggs had a quote of \$1,400 from Colorado Analytical for the detection limits required in their dewatering permit for 27 different compounds.
17. What is the treatment? Most are using GAC which is not ideal and is part of the reason why limits are delayed. There is hope that the technology will catch-up.
18. Will staffing recommendations be made by the Division to help support budget planning? Meg suggested that they could work with Al Garcia to come up with recommendations.
19. There is currently no EPA approved method, but the Division is using the DOD method right now, which is supposedly will be very close to the EPA method.



c. Gabe Racz – Updates and discussion

i. **Antidegradation issues** - There is a hearing next week (June 14th, 2021 at 1 pm or 5 pm). Billed by the Division as a technical revision to the regulations. It has gotten well over 100 comments from party participants. The change is an outgrowth of determination made last year that there were inconsistencies about use protected waters and the statute. There is an overall feeling (at the Division) that the purpose of anti-degradation is to not hold the line but rather reduce pollutants. This should require a public process if this is a change that is going to be made and it is important for the CWWUC to make that statement. Gabe recommends weighing in by letter.

1. As the CWWUC does not have party status someone would need to wait for the public comment time (3 minutes) at the June 14th meeting at either 1 pm or 5 pm. Wes agreed to do this.

a. Council approved Gabe writing letter on Mt. Crested Butte and also verbiage for the public comment at the hearing.

ii. Comments for PFAS permit mods may need to happen before the next CWWUC meeting, which may need to be addressed.

1. Katie from Metro recommended coordinating comments and will keep everyone informed.

2. Board Action Items

a. Approval of invoices for payment

i. Corona invoice for \$886.57

1. Motion by Andra Ahrens and seconded by Julie Tinetti

b. Approval of May minutes

i. Motion to approve – Julie Tinetti, Second from JM Grebanc. Approved

3. Discussion Items

a. Chemical availability there has been an issue with getting chemicals due to supply issues, specifically polymer.

b. Temperature TAC will be resuming in July. Dana Winkleman will be presenting the findings. Andrew Newhart talked to Nicole Rowan and others about getting more visibility on the TAC.

i. Shonnie to contact Ashley at GEI about possibly attending the next meeting to make some decisions moving forward.



Next Meeting: Wednesday, July 14, 2021 at 1:00 pm