



Meeting Minutes

Wednesday, April 13th, 2022

Attendees:

Blair Corning – South Platte Renew

Julie Tinetti – Centennial

Katie Koplitz – Metro

Gabe Racz – Vranesh and Raisch

Bonnie Pierce – Fort Collins

Bryan Burks – Mt. Crested Butte

Mark Thomas - NFRWQPA

Hunter Greeno -C. Springs

Mary Paterniti - Longmont

Jason Kruckeberg - Silverthorne

Sam Calkins - Centennial

Diana Trejo Calzada– LRE Water for BHCCSD

Meg Parish - CDPHE

Roy Heald – Security

Jim Kendrick – Tri Lakes

Jim Dorsch – Metro

Dawn Cowell - Broomfield

Brandon Bernard - Security

Mike Fabbre – Mount Crested Butte

Meghan Wilson – Boulder

David Bries – Montrose

Joe Creaghe - Loveland

H Webb - ?

Joe Creaghe – Loveland

Mike Morgan – Widefield

Brandon Bernard – Security

Annie Berleman – Colorado Springs

N Harmon – ?

Rebecca Sturgeon – Metro

Amiee Konowal – CDPHE

Sam Calkins – Centennial

Robert Fleck – St. Vrain

Sam Calkins – Centennial

Jim Heckman – Lower Fountain

Michaela Jackson – Greeley

Joe Kunovic – Greeley

Dave Bianchini – Niwot

Bethany Green – Aurora

Tyler Eldridge – Greeley

Annie Noble - Longmont

Amy Conklin – CWWUC Coordinator

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. Here is a link to the meeting recording:

<https://www.dropbox.com/s/o90679be50mxu0z/video1784368257.mp4?dl=0>. Blair reviewed the agenda. Amiee Konowal began the meeting with her report.

PFAs and PFOS presentation – Dr. Pepper was not able to attend. We will try to reschedule him for next month.

Meg Parish and Amiee Konowal (CDPHE) – Amiee reported on Water Quality Control Commission (WQCC) activities. The WQCC held a hybrid meeting which went well. It's unclear if future hearings will be hybrid, virtual or in person. Nathan Moore will keep the CWWUC updated as the hearings move forward. It is anticipated that the June hearing will have high attendance.

The Rule Making on Anti Degradation will be on September 12th. The hearing in November will be on Regulation 85 and the VIP (nutrient removal incentive program)

policy. Minor changes are anticipated to the VIP policy. The focus of the hearing is likely to be on nutrient standards for lakes and reservoirs that have swim beaches and are direct water supplies. The proposed criteria should be shared soon. Gabe reminded Aimee that one goal of the water quality road map was to share proposed criteria around a year before the proposed hearing. The purpose of that goal was to minimize the need for temporary modifications. He's concerned that there will be a lot of information released so close to the hearing that people don't have adequate time to review and process the information. Aimee responded that the number of lakes and reservoirs impacted should be small, there is a really strong Technical Committee working with staff, and she's hopeful that most of the technical issues have been addressed through the process. She is aware of the need to share the information and will be doing so as quickly as possible.

Meg Parish reported that the funding bill, allowing CDPHE to use pre-approved monies is moving through the legislature. Assuming it passes, they should be able to hire a construction permit writer dedicated to construction permits. She also hopes to hire an additional permit writer for domestic facilities. They are hoping that the infrastructure bill allows them to hire even more permit writers. If CWWUC would like CDPHE staff to make a presentation on the Infrastructure bill, they would be happy to do so. The Industrial Stormwater Discharge permit is out for comment. PFAs monitoring modifications are being proposed on a few dischargers. As far as Meg knows, CDPHE is not taking positions on any water bills.

Becky Sturgeon, Metro Water Recovery, Industrial Stormwater Permit - Becky went over the new draft permit and other things CWWUC might be interested in commenting on. She shared her [slides](#) which have been sent separately. She noted that publicly owned treatment works (POTWs) that have the option to send stormwater through their treatment process should do so because that's the easiest. For POTWs that don't have that option, they will have to comply with the new industrial stormwater permit. Comments on the newly proposed permit are due by May 14th.

Construction permits will be required for any project that disturbs more than one acre or for multiple projects that collectively disturb more than one acre. Some local governments may have additional construction permit requirements that should also be complied with.

Metro staff has reviewed the permit and will be commenting on specific issues shown in the slides below. They are very interested in comments on their interpretations of the language in the proposed permit and welcome any comments. Two areas of particular concern: the PFAS list which requires lists of every PFAS on site from a bottle of scotch guard to a whole tankful of chemicals. She's wondering if they're interpreting the language correctly. Visual assessment is another area of concern. The new permit will require stormwater sample analysis in 24 hours because of the

color requirement. It seems like any data collected will lead to permit limits. Metro is very interested in collaborating with others.

Metro Comments

- **Part 1.A.2.g**– Chemical Additions–ask for clarification as to what are release agents?
- **Part 1.B.2**– Maintenance of a Control Measure and Associated Documentation.
- **Part 1.D.1.e**– Erosion and Sediment Control
- **Part 1.D.1.i**– Employee training (campus)
- **Part 1.D.1.m**– Per- and polyfluoroalkyl substances
- **Part 1.F.5.a.ix**– Inventory of Facility Activities and Equipment (roofs/aluminum)
- **Part 1.F.9**– Monitoring Procedures and Documentation (use of automated samplers to collect grab samples)

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Metro Comments

- **Part 1.H.6** Sample Type and Requirements (Grab samples)
- **Part 1.H.7 Table 2** Is this table complete? There is no subscript 6 in the table.
- **Part 1.I.2 & Table 3** Visual Assessment. Method for Color.
- **Part 1.I.4** Numeric Limitation Monitoring vs Effluent Limits vs Effluent Limitation Guideline (ELG Monitoring) – no consistency in naming
- **Part 1.I.9** Assessment of Discharge Potential – Discharge Preparation Plan
- **Part 1.J.3** Conditions that Trigger Additional Implementation Measures (AIM)
- **Part 1.J.4** Corrective Action Documentation Deadlines
- **Part 1.K.6.e** Sampling Records – The analytical techniques or methods used

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Julie also interprets the permit limits language very conservatively. She’s interested in guidance to identify PFAs at POTWs. There needs to be better clarification. The new requirements would require calling the spill hotline way too frequently. Blair reported that at their last inspection the regulators were very focused on stormwater. They needed to add some BMPs for sediment control. Goose poop was a concern. South Platte Renew has a staff person who tries to collect stormwater samples. Sometimes there isn’t any precipitation in a quarter.

Katie will share Metro’s comments as soon as they’re available and hopes other will collaborate with Metro on submitting comments

Board Action Items

Approval of invoices for payment

Motion – Jim Heckman moved and Roy Heald seconded a motion to approve payment of the invoices. The motion passed unanimously.

Checks for Approval in April		
2314 - Vrinesh and Raisch	\$2,310.00	Invoice 42211
2315 - March Coordinating	\$3,456.10	March Coordinating
2316 - Corona	\$ 22.73	fed ex charges
2317 - Vranesh and Raisch	\$1,170.00	Invoice 42351

Approval of March 9th 2022 minutes – Roy Heald moved to approve the minutes, Jim Heckman seconded the motion. The motion passed unanimously. **Amy** will post the finalized minutes to the website.

Invoice reminders – Invoice reminders have been sent. Please let Amy or Andra know if there are any issues with membership dues payment. Members will be dropped from distribution list without other arrangements.

Approval of website migration to Word Press – Julie Tinetti moved and Katie Koplitz seconded a motion to spend around \$1,000 to move the current website from Blue Host to Wordpress. The motion passed unanimously.

Discussion Items

Gabe Racz – Updates and discussion – Gabe began with the chemical evaluations topic. He’s been working with a group that has questions about the chemical evaluations. They’re going to request a permit webinar on the questions. They’re hoping to streamline the process especially for chemicals that already have limits. Tomorrow’s webinar will likely focus on infrastructure.

The Regulation 22 work group has started. They’re starting with topics left over from last update, historical infrastructure with no documentation and next steps. The WQCD has been requiring new site location approval for facilities whose infrastructure was undocumented. Then, the requirement was dropped for facilities that were smoothly functioning. Now there needs to be clarification about what to do in the future. Another issue is the ability to have phased construction, based on actual flows. The next meeting of the group is Monday, April 18th at 3:30 pm. There is poll to determine future meeting times and dates. The council gave direction for Gabe to represent the CWWUC at group meetings.

Legislative update –

HB22-1322 – HB22-1322 Water Quality Regulation:

https://leg.colorado.gov/sites/default/files/documents/2022A/bills/2022a_1322_01.pdf

First amendment: https://s3-us-west-2.amazonaws.com/leg.colorado.gov/2022A/amendments/HB1322_L.001.pdf

Second amendment: https://s3-us-west-2.amazonaws.com/leg.colorado.gov/2022A/amendments/HB1322_L.002.pdf

This bill targets WQCC procedures, especially regarding one rule making hearing on the South Platte River. Water Congress hasn’t yet taken a position. Environmental groups are claiming that there wasn’t adequate notice or discussion of the basis in the rule making hearing.

HB22 - 1358 – HB22-1358 Lead in drinking water of certain facilities where children are present: https://leg.colorado.gov/sites/default/files/documents/2022A/bills/2022a_1358_01.pdf

Amendments:

https://s3-us-west-2.amazonaws.com/leg.colorado.gov/2022A/amendments/HB1358_L.002.pdf

https://s3-us-west-2.amazonaws.com/leg.colorado.gov/2022A/amendments/HB1358_L.003.pdf

https://s3-us-west-2.amazonaws.com/leg.colorado.gov/2022A/amendments/HB1358_L.004.pdf

This bill may be more of a concern for water utilities. It reduces the action level for lead from 15 ppb to 1 ppb. The bill may be focused on creating conditions where schools and day cares qualify for federal funding to obtain water filters. There is

concern that the 1 ppb level is unattainable and that filters wouldn't meet the 1 ppb level either while also requiring maintenance.

HB22 - 1345 PFAs –

https://leg.colorado.gov/sites/default/files/documents/2022A/bills/2022a_1345_01.pdf

This bill was amended before being introduced to remove biosolids monitoring requirements. Under the bill, use of fire fighting foam to put out a fire would be considered a spill. The list of PFAs and PFOs is very inclusive. CDPHE should be starting the biosolids PFAs monitoring work group soon.

Temperature requirements in permits– temperature in permits. The final meeting of the work group is May 3rd 9:00 am. Waivers under Section 316 a are being discussed as part of the policy. He'll be providing a summary about the waivers. The Clean Water Act allows for Alternative Thermal Effluent Limits if a discharger can prove that the existing limits are more stringent than what is required to protect aquatic life. The focus is on facilities where the effluent temperature exceeds the limit but the stream temperature is below the limit. He doesn't expect much certainty to be developed for 316 waivers but hopefully there will be some procedural guidance. It's a permit not a regulatory issue.

Other – Industrial stormwater permit comments due May 11th. Stormwater permits have been getting more complicated and harder to comply with. Metro will share their comments as soon as they're ready, probably by next week. Does the CWWUC want to comment?

PFAs legislation update, does someone want to testify on April 14th HB22 -1345 – **Julie Tinetti** - She had nothing more to add to the previous discussion. S. Platte Renew, Metro and Aurora are testifying tomorrow on the legislation. Wastewater has adequate representation. There were some fact sheets produced. **Julie** will send to Amy for distribution and for others to add their logos to. The CWWUC logo was approved to be added to the fact sheet.

Colorado Monitoring Framework – **Julie Tinetti**, Their May meeting is in person. Anyone with an interest in representing the CWWUC at CMF, let Amy know.

Dawn Cowell – RMWEA – Dawn had nothing to report. Their conference will be in the fall.

Review of member survey– **Blair Corning** - Blair reviewed the survey conducted at the last meeting.

- All meetings will be virtual. **Amy** will put together a plan to have a few meetings each year be a hybrid format.
- Topics to be added to future agendas include more operational topics, cyber security and PFAs.

- There is interest in having members report on what they're doing at their facilities. A Round Table format was suggested.
- Other presenters members are interested in include: Jane Clary, Wright Water Engineers; the Colorado Power and Water Authority to present on their funding processes; and maybe a joint social activity with RMWA.

Next Meeting: Wednesday, May 11th, 2022 at 1:00 pm (Coordinator will be gone- Blair will be wrestling with the technology)