



Meeting Minutes

Wednesday, March 8th, 2023

Attendees:

See the table at the end of the minutes.

The meeting started at noon for a presentation from CDPHE staff on mixing zones and downstream segments. Amy got the virtual meeting started and Blair welcomed everyone. A copy of the recording can be found [here](#). The meeting started with an update on the challenges South Platte Renew (SPR) is facing in complying with the PFAS requirements in their permit.

Update on PFAS – Kayla and Drew, SPR, gave a presentation on the PFAS requirements in their permit and how they're complying. They began a source study of where PFAS are coming from in the system in January of 2022. They are using Method 1633. The sampling must be done by the end of 2023 with a report in June of 2024.

They developed an approach that considers the intended uses of the information by both the WQCD and SPR. They sampled both influent and effluent. PFAS is everywhere! They used guidance documents from Michigan and EPS's local limits development guidance. Sources were divided into residential, commercial, hauled waste and permitted industrial users.

Using Method 1633 increases costs and delays results by about two months. The reporting limits are not as low. They provided a summary of the challenges and solution. They have used a conservative but practical approach. The plant's service territory doesn't reflect known sources. A lot of chemicals are proprietary creating a lot of challenges. The study doesn't focus on specific chemicals. Using Method 1633 causes a lot of challenges.

Nathan added that while only about 20 dischargers are currently required to monitor for PFAS, many more understand that it will soon be a requirement and are watching how the efforts are proceeding. Nathan doesn't have an answer about how WQCD can best help. He suggested that Al Garcia at EPA may want to participate in the conversation. The WQCD is interested in helping get PFAS out of the waste streams but they are constrained by resources and can't be a clearing house.

The levels are so low, especially in the collection system that it's hard to detect any. Dan added that several of the parameters don't yet have ISIS codes. They need some clarification on how to report the results. Dan added that the old method yielded better and sooner results. Nathan thinks that existing pretreatment may allow use of different methods. Kayla reported that the fact sheet with the permit requires 1633. Source control is different than permit requirements. The use of other methods could be clarified by amending the fact sheet.

Nathan Moore, CDPHE staff – The Water Quality Control Division (WQCD) staff presented information on the change in the WQCD position regarding the proposal for nutrient standards. The WQCD is proposing to delay the implementation of the nutrient standards for the basins (Regulations 32 through 38) until 2028. The nutrient regulations would be adopted in Regulation 31 (instream). Chlorophyll a standards are being proposed for all water bodies as they are not used in determining effluent limits. They are also being proposed for lakes that are not effluent receiving waters. Over the 4-year delay, the WQCD will have a stakeholder process to explore the feasibility of the proposed standards. The standards would not be implemented into discharge permits until 2028.

Gabe asked about the delayed effective date. There are different ways to construct the regulations that will be revised and proposed by March 30th. The intent is for the new standards to have delayed implementation. 2028 would be first year before implementation will be incorporated into a permit.

Andrew presented information and stated that in April they'll start webinars again. His presentation can be found [here](#). It includes three (3) parts; a description of the framework, how mixing zones are calculated and downstream use protection.

Gabe asked about downstream reservoirs and how the need for a mixing zone study is determined. First the receiving stream has to be assessed. If standards are being met, there's no need for a mixing zone study. Then the segment is assessed to determine if effluent discharge will cause standards to be exceeded. When the effluent flows into a different segment, the assessment takes place at the boundary of the next segment to determine if there is an impact in that segment. Things like the number of dischargers in the next segment and the assimilative capacity of the stream are considered.

Gabe asked about where the 3% of a reservoir's area as a mixing zone came from and how applicable is it for nutrient standards where there are different stressors. Maybe there doesn't need to be a mixing zone in a reservoir. The 3% is an estimate based on literature. The group thanked Andrew.

Nathan Moore (CDPHE) –Nathan encouraged everyone to review the proposed TMDL bill. It concerns definitions and instruction on what data can be used in developing TMDLs. . https://www.statebillinfo.com/bills/bills/23/2023a_1221_01.pdf

Mesa county stakeholders have advocated for the bill because of their combined e coli and Selenium TMDL.

Most of his time has been devoted to the nutrient hearing in April. The implementation date is being changed. The cost benefit analysis should be ready around March 21st. He hasn't heard from the State Engineers report on the impact to water rights which he hopes will be available soon. Depending on how the proposed delay is incorporated into regulations, if someone has a permit renewal before 2028, the proposed standards could be included. That possibility will be known when the final proposal is released.

Discussion Items

Lake Nutrients Criteria – Gabe reported that we still don't know exactly what the WQCD is proposing. He is encouraged that they are saying they will incorporate feasibility results. He's still waiting to see what comes out in writing and that won't happen until March 30th. The WQCD won't allow responses in writing to the feasibility study. We also don't have enough time for testimony. There's not enough flexibility in the regulations to accommodate site specific standards. He's in a wait and see pattern. There won't be any time to talk to council again before rulemaking hearing. Gabe would like to work with the board. He still thinks the best solution would be to delay the hearing.

Related is the letter for the members to send to legislators and the governor's office. There isn't a draft letter now because of the WQCD change in position. The letter would request a pause to consider the changed position and provide time to narrow the impacts and allow for stakeholder input. More time would allow for narrowing the list of water bodies where the standards are unachievable and reduce the obstacles to variances. The timing of the fee bill may important, too.

We asked if anyone was opposed to sending a letter to the legislators and the governor to postpone the hearing based on what we know now and that we won't know the final proposal until 10 days before the hearing. There was discussion about asking staff and the commission first about delaying the hearing. Many discussions with staff have occurred and they were unproductive. The next step would be to go to the legislators and governors. Meghan noted that the tone is important as is noting their concession.

Can the letter be approved via email? Yes and everyone should respond quickly with any comments. The intent is to have both a template for individual members to sign and letter for CWWUC to sign.

Budget – Amy reported that checks for membership dues and regulatory support are coming in. She thanked the membership for their patience and responsiveness. All invoices have been sent. A table of the checks received is included in the agenda and is probably already out of date. In a few months, Amy will start including membership dues payments with the roll call at the end of the minutes.

The organization currently has more than \$48,000 in the bank with about \$20,000 to deposit this month.

Amy, Julie and Katie will be working on a budget for the organization and a template to report on the organization’s funding.

Organization			Membership	Reg. Support
Black Hawk	\$ 230.00	2022 membership dues only	\$ 230	
Broomfield	\$ 1,182.00	Reg support only		\$ 1,182
City of Aurora	\$ 2,920.00	2022 dues and reg support	\$ 920	\$ 2,000
City of Westminster	\$ 920.00	2022 dues	\$ 920	
Clifton	\$ 296.00			\$ 296
CO Springs Utility	\$ 5,173.00	Reg support only		\$ 5,173
Evergreen Metro	\$ 526.00	2022 membership dues and Reg.	\$ 230	\$ 296
Fountain Sanitation Dist	\$ 296.00	Reg support only		\$ 296
Fountain Sanitation District	\$ 552.00	2022 and 2023 dues	\$ 552	
Fremont Sanitation Dist.	\$ 920.00	2022 dues only	\$ 920	
Grand County	\$ 276.00	2023 dues only	\$ 276	
Grand Junction	\$ 3,942.00	2022 membership dues and Reg.	\$ 1,725	\$ 2,217
Longmont	\$ 3,942.00	2022 membership dues and Reg.	\$ 1,725	\$ 2,217
Lower Fountain	\$ 552.00	2022 and 2023 dues	\$ 552	
Lower Fountain Metro SDD	\$ 296.00	Reg support only		\$ 296
Metro Water Recovery	\$ 10,900.00	2022 membership dues and Reg.	\$ 6,900	\$ 4,000
Metro Water Recovery	\$ 8,280.00	2023 membership dues only	\$ 8,280	
Monument	\$ 263.00	2022 membership dues and Reg.	\$ 115	\$ 148
NFRWQ	\$ 643.00	2023 dues and reg support	\$ 600	\$ 43
NFRWQPA	\$ 500.00	2022 membership only	\$ 500	
NFRWQPA	\$ 600.00	2023 membership only	\$ 600	
NFRWQPA	\$ 643.00	Reg support only		\$ 643
Northglenn	\$ 2,420.00	2022 dues and reg support	\$ 920	\$ 1,500
Palmer Lake	\$ 263.00	2022 dues and reg support	\$ 115	\$ 148
Platte Canyon	\$ 658.00	2022 membership dues and Reg.	\$ 288	\$ 370
Pleasant View	\$ 263.00	2022 membership dues and Reg.	\$ 115	\$ 148
Pleasant View	\$ 138.00	2023 membership dues only	\$ 138	
Plum Creek	\$ 1,314.00	2022 membership dues and Reg.	\$ 575	\$ 739
Roxborough	\$ 263.00	2022 membership dues and Reg.	\$ 115	\$ 148
Roxborough	\$ 138.00	2023 membership dues only	\$ 138	
Security San. Dist.	\$ 526.00	2022 membership dues and Reg.	\$ 230	\$ 296
St. Vrain San. Dist.	\$ 2,102.00	2022 membership dues and Reg Support	\$ 920	\$ 1,182
Town of Silverthorne	\$ 1,314.00	2022 membership dues and Reg.	\$ 575	\$ 739
Upper Thompson	\$ 296.00	Reg support only		\$ 296
Widefield Water and San. Dist	\$ 1,314.00	2022 membership dues and Reg.	\$ 575	\$ 739
Subtotal	\$ 54,861.00		\$ 29,749	\$25,112

Chemical Form Evaluation Subcommittee – John Gage - John reported that they compiled comments on the form and sent them to Denver Water who participates on a larger effort with WQCD. Denver Water has raised concerns with WQCD that the forms are not accomplishing the goals for which they were intended.

John hopes that at some point he can talk to the WQCD staff and get a stakeholder process. He’s hoping to better understand the WQCD goals and help them achieve them. He’s pretty sure that the forms are also providing challenges to the WQCD.

Water Quality Forum Updates – Meghan Wilson – Meghan reported that the next meeting is March 20th in the afternoon. It will be about all things PFAS. Thanks SPR. EPA didn’t yet release their MCL report. The forum is also planning the next retreat. It will likely be in Denver. Reach out to Meghan or Lisa Carlson if you plan to attend the next meeting or retreat.

Drinking Water Council Updates – Cynthia Lane – Cynthia reported that Friday EPA dropped guidance on cyber security. It will happen through the sanitary survey process. EPA may not have the authority for the guidance. The state currently doesn't have the resources to implement the checklist. Most utilities will fail the cyber security requirements. They're looking how to implement the same requirements for water quality organization. She'll report back.

EPA missed the deadline for finalization of PFAS Method 1633.

NACWA Conference – Blair reported that he attended the conference where a lot of PFAS presentations were made. Environmental justice was also discussed.

Message from Dr. Pepper on PFAS research -

The PFAS project is well underway. We have soil samples collected from Arizona and South Carolina with more samples coming from Texas, Florida, and Arkansas. Notice these states are all in the south and we will move north in the U.S. as the weather warms up.

Logistics and a process for each site have been developed and are now becoming routine. If you've offered a site, we will be contacting you in the coming months to provide necessary details and schedule sampling.

We are beginning to get samples analyzed for PFAS and have begun data analysis. Thanks to everyone for your support! Ian

Dr Ian Pepper
 Director, The WEST Center
 Regents Professor
 University of Arizona
 520 307 4396

Board Action Items –

Approval of invoices for payment – Jim Heckman moved, Julie Tinetti seconded approval for payment of all invoices. The vote was unanimous.

Checks for Signature in March		
2346 AMS	\$ 132.79	Insurance
2347 Vranesh and Raisch	\$ 1,607.00	Legal Services - Inv 43936
2348 Amy Conklin	\$ 3,565.20	Coordinating
2349 Vranesh and Raisch	\$ 5,949.50	Legal Services - Inv. 44103
Studio 4130	\$ 495.00	Website work, invoice 297127

Approval of February 8th, 2023 minutes. Cynthia moved, Wes seconded a motion to approve the minutes. The motion passed unanimously.

Other – Barb reported that NACWA sent a message about state initiatives about PFAS. The biosolids ban in Maine as created a crisis. There's a bill in AZ and MA around PFAS. The statewide efforts are getting more intense and complicated. There is a PFAS toolkit available from NACWA. **Barb** will ask if we can post the toolkit on the

website. Maybe CWWUC should put together our own talking points. It might be a topic for a future subcommittee.

Next Meeting – Wednesday, April 12th at 1:00 pm

Attendance

Nathan Moore, CDPHE
 Amy Conklin, Coordinator
 Gabe Racz, Vraesh and Raisch
 Andrew Sayers-Fay, CDPHE
 Peter

Kayla and Drew Cashette
 Michelle
 Dave Louch
 Far100225
 7196499521

Member	Last	First	email	
City of Longmont	Noble	Anne	Annie.Noble@longmontcolorado.gov	x
Security	Mills	Anthony	a.mills@securitywsd.com	x
City of Longmont	Bilgin	Azra	azra.bilgin@longmontcolorado.gov	x
Roxborough	Biggs	Barb	barbara@roxwater.org	x
South Platte Renew	Corning	Blair	bcorning@englewoodco.gov	x
Security	Bernard	Brandon	b.bernard@securitywsd.com	x
Town of Erie	Chameroy	Bruce	bchameroy@erieco.gov	x
Mount Crested Butte	Burks	Bryan	bburks@mcbwsd.com	x
Pinyon-Env.	Byus	Carolyn	byus@pinyon-env.com	x
City of Boulder	Sigmon	Cole	sigmonc@bouldercolorado.gov	x
Platte Canyon	Lane	Cynthia	calane@plattecanyon.org	x
South Platte Renew	DeLaughter	Dan	ddelaughter@englewoodco.gov	x
City of Montrose	Bries	David	dbries@ci.montrose.co.us	x
City of Broomfield	Cowell	Dawn	dcowell@broomfield.org	x
	Rodriguez	Dennis	drodriguez@broomfield.org	x
Black Hawk	Trejo	Diana	diana.trejo@lrewater.com	x
City of Montrose	Webb	Hiram		x
Silverthorne	Kruckeberg	Jason	jkruckeberg@silverthorne.org	x
Metro Water Recovery	Dorsch	Jim	jdorsch@mwr.dst.co.us	x
Monument	Kendrick	Jim	jfkendrick@q.com	x
Upper Monument Creek	Heckman	Jim	lfmanager@lfmsdd.org	x
City of Greeley	Kunovic	Joe	Joe.kunovic@greeleygov.com	x
City of Longmont	Gage	John	John.Gage@LongmontColorado.gov	x
City of Northglenn	Winterton	John	jwinterton@northglenn.org	x
Centennial	Tinetti	Julie	JTinetti@cwsdhrmd.org	x
City of Fort Collins	Marko	Kathryne	kmarko@fcgov.com	x
City of Broomfield	Julian	Lesia	ljulian@broomfield.org	x
	Vanderloop	Maria	MVanderloop@pueblo.us	x
City of Longmont	Paterniti	Mary	Mary.Paterniti@longmontcolorado.gov	x

City of Aurora	Kelley	Meghan	Mkelley@auroragov.org	
City of Boulder	Wilson	Meghan	wilsonm@bouldercolorado.gov	x
Brownstein Hyatt	Smith	Mike	MSmith@BHFS.com	x
Widefield	Morgan	Mike	mike@wwsonline.com	x
C. Springs Utility	Zietlow	Patti	pzietlow@csu.org	x
St. Vrain	Fleck	Rob	Rob@stsan.com	x
Security	Heald	Roy	r.heald@securitywsd.com	x
Centennial	Calkins	Samuel	SCalkins@cwsdhrmd.org	x
City of Northglenn	Stanley	Shelley	sstanley@northglenn.org	x
City of Westminster	Kraft	Tanner	tkraft@cityofwestminster.us	x
City of Greeley	Eldridge	Tyler	Tyler.eldridge@greeleygov.com	x
Plum Creek	Martin	Wes	wesmartin@pcwra.org	x