



Meeting Minutes

Wednesday, May 11th, 2022

Attendees:

Blair Corning – South Platte Renew
Julie Tinetti – Centennial
Katie Koplitz – Metro
Gabe Racz – Vranesh and Raisch
Dan DeLaughter – South Platte Renew
Barbara Biggs – Roxborough
Wes Martin – Plum Creek
Bonnie Pierce – Fort Collins
Mark Thomas - NFRWQPA
Hunter Greeno -C. Springs
Mary Paterniti - Longmont
Diana Trejo Calzada– LRE Water for BHCCSD
Meg Parish – CDPHE
Nathan Moore - CDPHE
Jim Kendrick – Tri Lakes
Jim Dorsch – Metro
Brandon Bernard - Security
Cole Sigmon – Boulder
Mike Morgan – Widefield
Brandon Bernard – Security
Annie Berleman – Colorado Springs
Nick Harmon – Aurora

Robert Fleck – St. Vrain
Bethany Green – Aurora
Tyler Eldridge – Greeley
Meghan Wilson – Boulder
Eli Jennings – Clifton
Caroline Byus – Pinyon
Lesa Julian-Broomfield
Jesse Schlam – Fort Collins
Andra Ahrens – Pueblo
Wally Eaves – Woodmen Hills
John Handzo – Aurora
Toby Ormandy – Fremont
John Gage – Longmont
Tara Wilson – Westminster
Annie Noble – Longmont
Gary Smith – SACWSD
Jessica DiToro - LRE Water for BHCCSD
Robert Fleck – St. Vrain
Cynthia Lane -

Dr. Pepper - University of AZ

Blair got the virtual meeting started and welcomed everyone. Here is a link to the recording: <https://www.dropbox.com/s/s1p51uuqfkglmvj/video1246165443.mp4?dl=0>
Blair reviewed the agenda.

PFAs and PFOs Presentation – Dr. Pepper built his career around perceived dangers of land application of biosolids. His presentation is titled, '*PFAS Threats to Land Application?*'. There is a real potential for a national ban on land application of PFAs. He reviewed what PFAS are and that they are very persistent in the environment. They are found pretty much everywhere in soil, sediments and water. It's believed that everyone in the US has PFAS in their blood. He reviewed the federal limits. There isn't much direct exposure from PFAs in biosolids, but there is an indirect exposure route through drinking water and plants. There is a PFAS bias in bio solid research. The research has been structured for unrealistic circumstances. He differentiated the impacts from Industrial and municipal biosolids with industrial biosolids having much higher concentrations of PFAs than municipal. Industrial contaminated biosolids should

not be land applied. The studies apply industrial concentrations to municipal conditions.

Some states have adopted drinking water standards for PFAS that may be unachievable. In Pima County, AZ, there was a moratorium on land application of biosolids with a significant increase in costs. In response, he started a collaborative study on agricultural plots with some not having had anything applied since 1984. They found PFAs in irrigation water but not in undisturbed desert soil. They looked at PFAs levels in soils and found that they attenuate very quickly. PFAS soil concentrations in irrigated agricultural plots were similar with or without land application of biosolids. Both biosolids and irrigation water were sources of PFAs. The moratorium was rescinded.

Out of his work in Pima county came a national study on PFAS. The questions they're trying to answer are if land application of biosolids results in increased exposure to PFAS and will it lead to national or state moratoriums. He described the study's objectives and progress they've made to date. One objective is to generate a national data base that can be used as a basis to avoid a national ban. They are planning to standardize the research based on the lessons learned in the Pima County study. They're trying to be complimentary to past and ongoing research and will seek input from appropriate experts.

He included slides with draft scopes of work and potential sites to be sampled. The suite of analytes will be continually reviewed. There is parallel research being conducted at the University of AZ as well as at Purdue and EPA. He proposed funding contributions from utilities based on flow rates, as well as non-profits and others who may be interested in land application of biosolids. Fundraising is taking longer than anticipated with project initiation later in 2022.

Answering questions from the group, Dr. Pepper explained the distinction between industrial and municipal contamination. The cutoff is around 150 ppb for detection of total PFAS compounds. Colorado defines biosolids, specifically, as municipal biosolids. In other states where PFAS were applied in high concentrations, there were problems. Dr. Pepper compared the PFAS issue to metals in biosolids in the past. Once the sources are controlled, it's no longer a problem. There is \$1 billion in the federal recovery funds earmarked for PFAS research and work. The National Water Quality Assessment Project (NAWQA) is actively working to recommend expenditures of the funds. Dr. Pepper added that the concept of a national study has been very well received.



Dr. Pepper was asked if there has been coordination among the groups studying PFAS and answered that they are working collaboratively through the 1470 group. They aren't sharing funds but they are sharing information. He went on to clarify that his proposal is for everyone to be doing the same research in the same way. He was asked on the ban on biosolid application in other states but he hasn't had time to research it in depth. In Maine they have banned land application. Sixty percent of biosolids are land applied, nationally. It was noted that in the absence of good scientific information, there can be a strong negative reaction politically. Scientific information is needed to understand true risks. The timing is for the study to be a 2-year study and EPA is concurrently conducting a risk assessment for exposure to PFAS in biosolids. The EPA process has been delayed and they have yet to have a meeting. He is on the committee conducting the risk assessment.

Everyone should be aware that the Sierra Club's biosolids expert was also involved in the Maine legislation. They have been opposing biosolids applications for many years. The group thanked Dr. Pepper for his presentation and the membership will discuss joining in funding the work.

National Water Quality Policy Fly In – Dan DeLaughter and Cynthia Lane – Dan reported that most of the water people arrived on April 26th. He represented Rocky Mountain Water Environment Association (RMWEA). The main event included a couple of panels with high level EPA and other federal staff. The purpose is to advocate for the positions of the water renewal sector. They try to meet with congressional representatives and share the policy statements. He met with Representative DeGette and Senator Hickenlooper's office. Priorities are to appropriate funds that were approved and to advocate for a polluter pays policy for PFAS. The hope is that water and wastewater utilities would get an exemption if PFAS are designated under CERCLA. Another purpose is to influence federal policy on cybersecurity requirements so that there's enough flexibility for individual utilities.

He shared information from the EPA panel and the EPA personnel on the panel. The things that stood out for him were: comments on the infrastructure bill and disadvantaged communities; lead service line replacement; cyber security; and UCR5 sampling that will include PFAS and lithium. EPA is developing drinking water regulations for PFAS and PFOS; working on a microbial byproducts work group; and a lead in drinking water regulation. Drinking water advisories for PFAS are coming and will be extremely low. PFOS will likely be considered a carcinogen and will be assigned aquatic life criteria. Human health criteria will come next. They're working on methods for measuring total Fluorine that would measure PFAS at large. They're working on technology-based limits for effluent for different manufacturers.

Cynthia reported that the congressional offices she talked to were very receptive to the water positions. There were good conversations with the opportunity to educate the congressional staff on the issues. She noted that there's an advantage for utilities to develop their own protocols for cyber security before EPA mandates them. Cyber security will be approached as a whole water issue. She'll let us know how the issue progresses.

Meg Parish (CDPHE) – Meg reported on the list we sent her in advance of the meeting. Lake nutrient criteria update – there was no update but she shared information about how to access the technical information online. She shared the link:

<https://drive.google.com/drive/folders/1J5M3LSr2m3xAUHdFbVfoZPTxXFqg77Vk?usp=sharing>

PFAS and biosolids workgroup – The first meeting is tentatively set for June 7th at 12:30. The scope of the work group is focused on interim steps if any are needed prior to EPA's risk assessment. They're hoping EPA will attend the meeting and discuss the risk assessment.

Draft enforcement penalty policy – Kelly Morgan reported that they recently published the revised penalty policy. It was shared for feedback with the regulatory community. They received comments from the CWWUC and will be responding to them. Gabe summarized the topics of the CWWUC comments. He thought it would be good to set up a time when CWWUC could talk directly to CDPHE about CWWUC and others' comments. It would be helpful to see all the comments combined.

Voluntary Incentive Program (VIP) changes - WQCD has proposed some revisions to policy 17-1 the VIP program which is a WQCC policy. She shared a link to the redline copy of the proposed changes in the chat.

https://docs.google.com/document/d/1xkG5F0Gg1OaDHE3EKESaiG0WzekRuVqNJ61IRFKL_bQ/edit?usp=sharing The intention was that there not be substantive changes. The intention was to make the policy a little clearer.

EPA contact for PFAS roadmap – Al Garcia, garcia.al@epa.gov . He sits on the national EPA PFAS committee.

They issued the 519 general permit for small, under 1 mgd, facilities. They have about 50 facilities with individual permits that they would like to get them under the general permit which would benefit the facilities. They are working to reduce the backlog on that effort. They hope to add some staff to start working on the backlog in the next few months.

So far, they have added PFAS to permits for a small number of permits. Only 4 have their permit issued with another 7 permits with proposed PFAS limits. The small facilities will be required to take a one-time PFAS sample during the term of their permits.

Board Action Items

Approval of invoices for payment – Wes moved and Julie seconded a motion to approve payment of the invoices. The motion was unanimously approved.

Checks for Approval in May		
2318 - Corona	\$ 435.00	left over from January
2319 - Amy Conklin	\$2,712.50	April Coordinating
2322 - Vranesh & Raisch	\$3,042.00	Invoice 42504

Approval of April 13th 2022 minutes – Wes moved and Roy seconded a motion to approve the minutes from the April 13th meeting. The vote was unanimous.

Discussion Items

Gabe Racz –

Penalty Permit Update – He hopes to get a discussion going with CDPHE about the proposed changes.

Temperature work group – There’s an outstanding issue about warming events which is not being included in permits. Trading options are being worked on for temperature. He’ll follow up in writing and noted that there’ll be an opportunity for comments.

Regulation 22 – construction implementation. He’ll send something in writing.

Antidegradation – He hasn’t seen the final No Impact Limit (NILs) memo.

PFAS – He’s glad they’re starting the PFAS biosolids work group. CMF is working on the PFAS in biosolids issue and have great resources who have been working on the issue at a national level. He wants to emphasize that monitoring biosolids is not necessary.

Lake Criteria – There was a presentation last week on the draft criteria. He can’t understand the statistics and noted that the proposed numbers are much lower. It wasn’t clear if they’d be proposing revised criteria for Chatfield and Cherry Creek. Barb reported that some have been trying to understand what will happen to lakes and reservoirs with Control Regulations. There is no answer yet and will not likely be a lot of clarification coming soon. There will be a meeting on May 25th with CDPHE staff to discuss the impacts to lakes and reservoirs with Control Regulations. Gabe thinks it’s too late to revise the Control Regulation at the November 2022 hearing.

PFAs legislation update – **Julie** – Julie reported that biosolids were taken out of the legislation. It passed and was on it’s way to be signed by the Governor. Barb reported that NAWQA is working with EPA regarding using recovery funds to help fund new PFAS requirements and other emerging contaminants. She added that Dr. Pepper’s study is really needed.

Dan DeLaughter and Blair testified on the PFAS bill at 10 at night. Gabe suggested the council start thinking about how to get ahead of future legislation regarding PFAs because it will be proposed in the next session. NAWQA is working on informing elected officials. As much as 90% of biosolids in CO are land applied. Greenhouse gas emissions will increase dramatically if all biosolids need to be landfilled. Maybe CWWUC can make a presentation to the legislature's interim water committee. It's very easy to get false positives for PFAS when sampling. It may be a challenge for the smaller facilities to collect samples and not get false positives. Taking a shower before collecting samples can be enough to trigger a false positive because of the PFAS in consumer products.

Colorado Monitoring Framework – **Andra** reported that their meeting will be tomorrow and she hopes everyone can join. It will be in person at the Brown and Caldwell offices in Lakewood.

RMWEA updates – Dawn reported that the Leadville school is beginning in July and they are looking for instructors. Anyone interested should contact Amy or Blair. They have 2 events, collection system expo in Denver and a presentation on pellet softening at South Adams Water and Sanitation District. June 15th is the deadline for nominating people for awards. Go to the RMWEA website for more information.

Open Discussion – Roy asked if CWWUC should make a contribution to Dr. Pepper's study. Entities can contribute on their own but maybe CWWUC could make it's own contribution. He thought \$1,000 would be a good amount for CWWUC could contribute. Security can commit to \$1,000. When **Amy** gets back, she can send out an email requesting folks to send her their checks to contribute to the study. Roy moved and Barb seconded to donate \$1,000 plus individual contributions to Dr. Pepper's study. The motion passed unanimously.

Next Meeting: Wednesday, June 8th, 2022 at 1:00 pm