



**Minutes of
 February 10, 2010 Meeting
 at Littleton/Englewood WWTP**

In Attendance:

Bob Anastasov	City of Aurora
Dennis Stowe	Littleton/Englewood WWTP
Blair Corning	SACWSD
Amy Woodis	MWRD
Ginny Johnson (via telephone)	Colorado Springs Utilities
Bret Linenfelser	Boulder
Richard Leger	City of Aurora
Dave Meyer	Westminster
Nancy Keller	Pueblo
Al Baker	Centennial
Jim Kendrick	Monument San. Dst.
Mary Gardner	Littleton/Englewood
Dave Akers	WQCD
Scott Hand	Platte Canyon W&S
Tad Foster	Law Office of Tad Foster
Martha Hahn	Plum Creek
Ray Olson	Certification Council
Brenda Stansbury	Black Hawk/Central City San. Dst.
Mike Bittner	Silverthorne/Dillon
Jim Dorsch	MWRD
Lori Billeisen	WQCD
Betsy Beaver	WQCD
Kevin Kirkpatrick	CECTI
Stu Fonda	Englewood
Charlie Stevens (via telephone)	Rifle
Pat Dow (via telephone)	MWRD
Jeannie Bowser (via telephone)	CWWUC

Amy Woodis opened the meeting by asking everyone to introduce themselves.

I. Nutrient Criteria and Electronic Data Reporting, Dave Akers (CWQCD)

Dave Akers addressed the Council regarding CRS 25-8-204 which requires communities to adopt water quality standards. The Division is pursuing gathering information on Total Nitrogen and Total Phosphorus. Currently, there are no permits that regulate Total Nitrogen. Dave asked the Council if they could coordinate with members to provide existing total nitrogen and total phosphorus effluent quality data. Dave also asked if members are not currently collecting data, if they would be willing to collect data and possibly help small entities to collect and analyze data. The goal is to have the data submitted to the Division by June 1, 2010. Nancy Keller volunteered to coordinate the effort through the Council. Dave would like to hold a conference call with smaller systems and Rural Water to talk about collecting the data. Additional wastewater facility information, such as process type (biological, chemical, lagoon), facility capacity and location will also be requested. Dave will accept various forms of data including raw data or statistical interpretation of data (25th, 50th and 75th percentile) Data can be submitted anonymously but the data are more useful if the facility is identified.

Recently there was an article in the NY Times regarding the Water Quality in the United States. As a result, the EPA plans to rework its Water Quality Enforcement program. EPA has a program for Electronic Data Reporting (EDR) and EPA intends to adopt a rule requiring EDR. Dave assumes a schedule for rule adoption will be forthcoming and the system is currently available to the states, including Colorado. The states have to be the database resource, handling the program and Colorado is currently seeking authority from EPA. Training will be available in March and there are approximately 100 slots available throughout the US. Amy volunteered that Metro could host the training as it is a larger facility. Dave will work with Amy Woodis and see if the State can get a guaranteed number of training slots. Ginny Johnson mentioned that Colorado Springs would also be interested. Dave will return in April to talk more about EDR.

II. Operator Certification, Betsy Beaver (WQCD), Kevin Kirkpatrick (CECTI) and Ray Olson (Certification Council)

Betsy gave the Council an overview of Colorado's Facility-Operator Program, noting that the philosophy of operating the program is 4-pronged: testing; training; compliance; and, outreach. A copy of the presentation is attached. Betsy mentioned that the Colorado program is well respected nationally and that Colorado works with the national testing firm in developing operator tests. Betsy also noted that she would be willing to provide a list of all Level 1 domestic and wastewater operators for collection and that list could be used to help collect the data the State is seeking for Total Nitrogen and Total Phosphorus.

III. Updates

- **Election of new Chair.** Bret stated that 18 “yes” votes and zero (0) “no” votes were received for Dennis Stowe as the new Chairperson. Dennis Stowe was elected as the new Council Chair.
- **Nutrient Criteria Workgroup.** Tad Foster went into great detail regarding the recent meeting of this workgroup which dealt with Science Issues from CRS 25-8-204 – Rivers and Streams. Tad suggested that perhaps the focus should be on the reservoirs, not streams. Dennis Stowe suggested the approach before the Commission should be on how much is it going to cost? An alternate strategy, such as focusing on the reservoirs doesn't do much for the wastewater treatment plants. Another suggestion as a phosphorus reduction method was to treat a reservoir such as John Martin Reservoir as a phosphorus sink and then periodically pay to have it dredged. It was mentioned that for Barr Reservoir this was not found to be cost effective. It was suggested that someone needs to review the nutrient data (loadings from basins and trends) presented by the Division at the February 9th Nutrient Work Group meeting. Amy Woodis volunteered to complete a review but has been unable to get the information from the Division. Members discussed the need to put together a viable proposal to the state regarding nutrient criteria development and implementation.

Members noted that if the Council pushes back too hard on nutrients, that there may be a move to just adopt the more restrictive EPA nutrient criteria. EPA's approach is a simplistic percentile approach that does not have linkage to aquatic life impacts and is not based on strong science. In the East, they have total nitrogen criteria for rivers and streams are typically not applied but total phosphorus are applied. Tad Foster suggested that a Narrative Standard might be alternate proposal. Mary noted that an alternative is a good idea, but that EPA has stated they are looking for numeric standards. The development of the Fountain Creek Watershed narrative standard took approximately 10 years, which is not a viable timeframe.

Members discussed continuing to contract with GEI and questioned whether the Council needs to employ someone with a national perspective and a proven track record, such as John Hall. Funding is low and the Council needs to look at where the money to pay a consultant will come from. Also, the Council needs to provide clear direction to the consultant regarding what the Council wants to accomplish. Members suggested writing a letter to Council members characterizing the major issues plus contact others

outside of the Council for funding as this issue will not just impact Council members.

Members discussed having a special meeting to discuss how to proceed and any proposal to be made to John Hall. It was noted in the past that the Council has been cooperative with the Division, but that John Hall's style is more aggressive and that the Council would need to be willing to back up John. It was suggested that members may want to make their customers aware of the issue and possible results.

The Council is looking for funding and political force. There is a need to put the information together in a format that politicians can understand. Public outcry may be good way to get attention so addressing the issue with the Municipal League, Stormwater Council, Agriculture Council, etc. may be an avenue to pursue. It was noted that this is a stop growth initiative, something that politicians understand. The Council may want to consider going to the legislature when it discussed the fee bill, stating the need for money to address the issue.

Tad Foster offered to set up a meeting to discuss the Council's nutrient criteria strategy. It was suggested the meeting be either a conference call or use the Water Congress facility which has good conferencing capabilities.

- **Whole Effluent Toxicity.** Tad mentioned that Tim Moore made great progress yesterday. Andrew Neuhart is keeping the issue on track and using common sense. Tim gave all his reference materials to the State. The next WET Work group meeting is March 8, 2010.
- **Paul Grundemann.** The letter for Theresa will be ready at the next meeting.
- **Grundemann Scholarship.** The scholarship has been set up. It was suggested that members send out the information to anyone who may have worked with or known Paul. Information is on the Council's website.

It was moved by Blair Corning and seconded that the Council update the signature list for the Bank. Motion passed unanimously.

Meeting adjourned at 4:10 pm.

Next meeting: March 10, 2010 at L/E WWTP