



**Minutes of
June 8, 2011 Meeting
at Littleton/Englewood WWTP**

In Attendance:

Dennis Stowe	L/E WWTP
Michael Wicklund	Monument Sanitation Dist.
Jill Piatt-Kemper	City of Aurora
Amy Woodis	MWRD
Jim Kendrick	Upper Monument WQ Mgmt Assoc.
Mark McCormack	Widefield Water
Ray Heald	Security Sanitation Dst.
Tim Grotheer	Centennial Water & San. Dst.
Paul Frohardt	CWQCC
Blair Corning	SACWSD
Martha Hahn	PCWA
Steve Claybrook	Aurora Water
Ginny Johnson	Colorado Springs Utilities
Richard Leger	City of Aurora
Nancy Keller	Pueblo
Bob Hansen	City of Lafayette
Bob Anastasov	City of Aurora
Paul Ferraro	CWWUC
Colleen Young via phone	Greeley
Michael Gustafson via phone	Colorado Springs Utilities
Bruce Joslin via phone	Northglenn

I. Water Quality Control Commission Update, Relationship w/EPA, and Public Participation, Paul Frohardt

a) Update:

- June 13, 2011 Meeting:
 - Regs #31-38
 - Written Comments Only Rule Making
 - Drinking Water Program Work Session
 - Tour of Water Treatment Plans
- July no meeting
- August 8, 2011 Meeting

- Informational Hearing Reg. #23, Cont. Planning Process
- Informational Hearing for Regs. #51-54
- Administrative Hearing NPS Management Plan
- Administrative Hearing – Temperature Criteria Methodology
- Rule Making Hearing – Conc. Animal Feeding Reg. #61
- September 12, 2011 Meeting – Annual Planning Retreat – Ft. Collins
- October 11, 2011
 - Annual Hearing for State Revolving Fund
 - Issues Scoping Hearing for Arkansas, Rio Grande WQ Standards, Regs. #32 and 36
 - Annual Public Hearing WQ Concerns in Colorado
 - ISDS Changes will not take place
- November 14, 2011
 - Fine Tuning of WQCC Regulations (Procedural Rules)
 - Administrative Hearing – Wastewater Design Criteria, Policy 96-1
 - Triennial Review Information Hearing – Colorado River Salinity Standards, Reg. #39
- December 12, 2011
 - Rule Making Hearing – Reg. #93, Section 303(d) list
 - Administrative Hearing on Colorado WQ Management and DW Protection Handbook, Policy 98-2
- January 9, 2012 no meeting
- February 13, 2012
 - Issues Formulation Hearing, San Juan, Gunnison WQ Standards Regs #34 & 35
 - Information Hearing, Discharge Permit System, Reg. #61
 - Triennial Review Information Hearing, Chatfield, Res. Control Reg., Reg. #73
 - Rule Making Hearing for Effluent Limitations, Regs. #61 & 62
- March 12, 2012
 - Rule Making Hearing for Nutrients, Reg. #31
 - Administration Action Hearing, FY 12, NPS Funding
 - Triennial Information Hearing, Cherry Creek Res. Control Reg, Reg. #72
- April 9, 2012
 - Information Hearing on WQ Improvement Fund, Reg. #55
 - Triennial Information Hearing, Bear Creek Watershed, Control Reg. #74
 - Rule Making Hearing, Regs. #51 & 53, Financial Assistance Rules

- May 14, 2012 – Open
 - June 11, 2012 – Annual Retreat
- b) WQCC Relationship with EPA
- WQ Standards Staff – good
 - Permits Staff – remote
 - 303(d) List Staff – okay
- c) Public Participation in Rule Making
- Be specific up front on what you want.
 - Public Participation Handbook (website) Appendix C. Read the Handbook.
 - Ask questions of WQCC staff.

Questions: 1) Is the WQCC willing to push the envelope with EPA?

2) Is the WQCC willing to push the Legislature? Answer: It is harder to push the legislature. The Legislature sets policy for the State.

The new Commissioner needs to be appointed by the Legislature.

II. Report of Compilation of Comments for WQCD.

The Council Ad Hoc Committee is putting the comments together to be sent to the Division before the July meeting.

III. Treasurer's Report

CWWUC Treasurer's Report 10/1/10 to 4/30/11

Balance FY – 2010	<u>\$11,645.42</u>
Income - FY 2011	
Special assessment:	<u>\$70,050.00</u>
MMI	\$5,800.00
Nutrient	\$63,250.00
WET	\$1,000.00
Dues	<u>\$30,443.00</u>
Total Income	<u>\$112,138.42</u>

Expenses - FY 2011 \$80,771.58

Balance - 4/30/2011 \$31,366.84

Nancy Keller moved, seconded by Michael Wicklund that the Council contribute \$5,000 to the Water and Power Authority for the cost/benefit study regarding nutrients. The motion passed unanimously.

IV. Updates

- Colorado Water Utility Council – There are concerns about impoundments. Meetings twice a month regarding impoundments, Regulation 9.
- Colorado Stormwater Council – Jill reported that there is a memo from November requiring comments by May 2011. 404 Reg. – Clean Water. Nancy mentioned that Pueblo discharges to a ditch (stormwater) that are being considered waters of the US, no mixing zone, then the ditch discharges to the river.
- Nutrient Criteria – Michael commented on Steve’s May 31, 2011 letter to the State Senator Brandon Shaffer and House Speaker Frank McNulty. Passage of House Joint Resolution on Cost-Effective Nutrient Regulations (HJR 1025). Michael Commented on the workgroup mentioned in the letter (not a workgroup) met over 35 times, 350 individual, attendance was 100 per meeting.
- WQCC – March 2012 rulemaking. Resolution endorsed by CWC.
“The reason we are asking for the resolution is to encourage the WQC Division to actively involve stakeholders in the process of developing the regulation. (At present, this is not occurring at the level it needs to be).”
Ten-year effort needed to collect monitoring data.
 - Discussion regarding concerns on monitoring regarding nutrients were held.
 - Nancy re: Funding of Nutrient Study. 44 facilities have contributed to this effort. Need additional funds. Others need to contribute.
 - Cost/Benefit Study. Mike asked if the Council should ask for real scientific peer review? Nancy noted that with a peer review the numbers may be more stringent.

IV. Open Discussion

- Dennis regarding the Town of Kit Carson.
 - The Town is seeking an emergency rulemaking hearing to consider resegmentation and numeric water quality standards revisions for selenium and cadmium for a portion of the Lower Arkansas Segment 2a.
 - Emergency Public Rulemaking Hearing before the WQCC is scheduled for June 13, 2011.
 - The Town of Kit Carson is a small community with approximately 230 residents. The town’s median household income per the 2000 census is \$19,531. The cost of the facilities will result in a rate increase of 240% for the sewer system and a

rate increase of 130% for the water system. The Town has asked the Division to step back and re-evaluate the situation in a common sense approach that looks at the cost/benefit ratio since the costs are extremely high – over a million dollars.

- Dennis talked to Donna Davis.
 - The Program has had enough money. The Priority System is being revised. Need a Council member to be on the workgroup.
 - SSO concerns, contact Dennis.
 - Betsy Beaver is now a consultant to the Certification Board Workgroup on Operators.
 - Richard – inside fence vs. distribution systems.
 - Permit Regs – Dennis is recommending that Permittees have more time in reviewing draft permits. Need 60 days for permittees before public comment period.
 - Council to recommend to Steve in July for a 60-day review period for the permittee.
 - Tim asked is NPS a problem? Consensus was yes. What should the Council do?

Meeting adjourned at 3:20 pm.

Next meeting: July 13, 2011
Location: Littleton/Englewood WWTP

Note: Those calling in by phone need to email Jeannie that they are planning to participate by phone.