RMWEA Government Affairs Committee Meeting

DATE & TIME: APRIL 25, 2019 | 5:00PM
LOCATION: 5251 DTC PARKWAY, SUITE 405, GREENWOOD VILLAGE, CO 80111

ATTENDANCE

PRESENT:
- John Kuosman – Colorado Water Business Team Leader for Garver
- Barbara Biggs – General Manager for Roxborough Water & Sanitation District
- John Burgess – Operations Quality and Condition Auditor for South Platte Water Renewal Partners
- Michelle Campbell – Environmental Technician for Colorado Springs Utilities
- Brittny Detienne – Lab Analyst I for Metro Wastewater Reclamation District
- Kelly Merritt – Water Quality/Laboratory Services for Colorado Springs Utilities
- Nick Walters – Lab Analyst II for Metro Wastewater Reclamation District
- Amy Zimmerman – Engineering Review Unit Manager for Colorado Department of Public Health & Environment
- Shelby San Nicolas – Colorado Office Manager for Garver (notetaking)

CALLED IN:
- Elizabeth Dunning – Operations for the City of Socorro, NM
- Randy Kenyon – Senior Engineer for CRGS
- Will Raatz – Principal for W2 Engineers (W2E)

COVERED AGENDA ITEMS

• Introductions

• Review of Key Committee Issues
  a. Technologically Enhanced Naturally Occurring Radioactive Material (TENORM)
    • No update provided
b. Regulation 22
- **Update provided by Amy Zimmerman, Will Raatz, and Barbara Biggs**
- There are five subgroups working on updating the Reg 22:
  - **Reg 22/Reg 61 Design Capacity subgroup** – This group is still working.
  - **Lift Station and Interceptor subgroup** – Close to finishing up work.
  - **Onsite Wastewater Treatment Works subgroup** – Systems less 2000 gpd
  - **Miscellaneous subgroup** – general language cleanup
  - **Pilot subgroup** – Section 22.8; adding flexibilities to requirements for piloting technologies
- Focus is mainly to add consistency between Reg 61 definition of capacity; design capacity vs. operating capacity. Trying to establish consistency between Reg 61, Reg 22, and federal requirements. The subgroup is trying to marry all three of those and show the line of sight, but it is proving to be more difficult than anticipated, so the group is gathering a lot input from the Attorney General’s office and the permits department on the Reg 61 side.
- There is discussion around tiered limits and operating capacity versus ultimate capacity and how any suggested changes could be implemented for flexibility.
- Capacity excess issues –Based on the Regulation 31 standards, most of the streams will be impaired within the state. When facing this treatment limits, if a facility gives up their excess hydraulic capacity to repurpose it for nutrient capacity, this puts them and their community at risk for service area growth. This will make it nearly impossible to expand their capacity when they need it. Federal regulations require that you cannot have a new or expanded discharge to an impaired stream until the TMDL has been completed and updated. One idea for the working subgroup to consider is whether there a way for the facilities to preserve the hydraulic capacity while repurposing the basins for effective nutrient control in the meantime? This approach could allow facilities best utilize their existing asset investments and phase in upgrades needed as service area growth dictates.
- Progress is being made, but the workgroup for Reg 22/61 definition is one that is lagging further behind. They are looking to wrap up by July to focus.
- **TASK: Amy Zimmerman to send more information on the stakeholder subgroups to JAK about the issue and how to get more involved.**
- Lift Station and Interceptor subgroup is close to wrapping up their work at the meeting Monday, April 29. Suggested changes aren’t quite as extensive as they had hoped due to restrictions from Attorney General, however, they have done as much as possible, clarified the new changes, and worked to be more consistent with other sections of the regulation.
- Goal is to put drafts together after July to present to the Commission in January 2020.

c. Regulation 100
- **Update provided by Randy Kenyon**
- **TASK: Randy Kenyon to send board meeting updates to JAK.**
  - Implementation stages that will happen in May.
- **TASK: Amy Zimmerman to reach out to David Kurz.**
d. Renewable Fuel Standard
- **Update provided by Randy Kenyon**
  - Interest is growing on this issue.
  - American Biogas Council is the major player doing lobbying.
  - Colorado would be one of many states, so there is momentum on the issue.
  - Colorado will be using California’s Standards.
  - This is a longer-term matter, more prevalent in the next couple of years.

e. Perfluoroalkyl Substances (PFAS) Contamination
- **Update provided by Barbara Biggs, John Kuosman, Nick Walters and Michelle Campbell**
  - Carol Martinson, who went to the Fly-In on behalf of the committee, stated this was the single biggest topic at the event being asked about.
  - This issue is getting a lot of press (including National Geographic, NPR), which is generating public concern.
  - Department of Defense is lobbying with the EPA to be as lenient as possible with the standards.
  - We need to figure out where we actually need it and how we can contain it in those areas to avoid water contamination.
  - **TASK – Barbara to send blog post to JAK.**
  - **TASK – JAK to compile information from BB’s post and Fly-In event for educational briefing to put in RMWEA.**
  - Metro Wastewater has started sampling in their service area for PFAS. Colorado Springs Utilities is also starting the sampling process. **Michelle and John B to confirm what is happening in their respective areas.**

f. Lead and Copper (L&C) Rule
- **Update provided by Amy Zimmerman**
  - CDPHE has hired a new Lead and Copper Corrosion Control Engineering position. This staff role will allow the Division to fortify the L&C business process, look at current policies and implementation processes, and standardize those processes to fully implement L&C Rule.
  - The Division is completing a corrosion control study to specify what coupon/corrosion test looks like, affordability define what the best methodology is for small or large facilities for implementation. Working with Hazen Sawyer to develop a guidance document.
  - The State is teaming with Denver Water. They are using some of those procedures to help guide their corrosion control studies.
  - The State is in the process of developing multiple implementation documents.
  - The State is setting Facility Analyte Levels (FANLs) that link operating targets and compliance measures to State goals for after a facility installs their optimum corrosion control measures. This includes defining target parameters for pH, alkalinity, sequestering agents, phosphate, silicate, etc. water quality parameter targets.
• The State is also looking at monitoring changes associated with making changes at a treatment plant. Often times these changes will trigger the systems to go back to standard monitoring, which is very time-consuming and labor-intensive.
  o Developing implementation process to get systems to demonstrate and justify that they can move back to reduced annual monitoring.
  o This is being piloted right now, working through the kinks.
• LOVE process – Requirements for water system compliance sampling sites. Compliance of Tier 1, 2, 3 sites; sampling for lead and copper, materials, monitoring, etc.

g. Temperature Standard
• No update provided

• Review of Outside Group/Committee/Organization Involvement

a. Inventory of Involvement
• WEF National Government Affairs Committee (none)
• Colorado Wastewater Utility Council (Kuosman, DeLaughter)
• WateReuse Colorado (Raatz)
• Colorado Water Congress
  o Water Quality Committee (Biggs)
• Colorado Municipal League (Kenyon, Kuosman)
• SPCURE (DeLaughter)
• CDPHE Stakeholder Meetings
  o Permit Issues Forum (DeLaughter)
  o Water Quality Forum (DeLaughter)
  o 10-year roadmap (DeLaughter)
  o TENORM (DeLaughter, Biggs)
  o Regulation 22 (Zimmerman, Raatz, DeLaughter)
  o Temperature TAC (DeLaughter)
    • Also reach out to Jim Dorsh and Julie Tinetti for updates
  o OCCT (DeLaughter)
• RMWEA Executive Team Meetings (Kenyon, Raatz)
• Special Districts Association
  o Legislative Committee (Biggs)
• Water Utility Council
  o Suggested by Biggs
  o Also reach out to Evelyn Rhoads is the new chair