

MINUTES
NFRWQPA
March 25, 2010

1. Roll Call

The meeting was called to order. Roll was called and the following members were in attendance.

Randy Siddens – Boxelder S.D.	Karen Frarck - Lochbuie
Dennis Crock – Brighton	Larry Wyeno - Longmont
Ed Burke – Brighton	Michael McCrary - Loveland
Jon Mays – Erie	David Brand - Platteville
James Duell – Estes Park S.D.	John Holdren - Severance
Carol Webb – Ft. Collins	Eric Doering - St. Vrain S.D.
Dennis Schump – Greeley	Doug Rademacher – Weld County
Phil Carter - Greeley	Mark Thomas – Weld County

Also present Connie O’Neill Manager for the Association; Amy Woodis; Giles Free; and Tim Holbrook.

2. Approval of Agenda

The agenda was approved as presented.

3. Minutes

Minutes from the February 25, 2010 meeting were considered. Mr. Rademacher made a motion to approve the minutes. Mr. Holdren seconded the motion and it was approved.

4. Financial Report

Ms. O’Neill reviewed the financial report for February 2010. She explained that there was an error in dues revenue. The first two lines are the same account. To date we have received dues from 28 of the 36 member for a total of approximately 90%. Mr. Mays made a motion to approve the financial report. Mr. Siddens seconded the motion and it was approved.

5. Decision Item: Abbey of St. Walburga – Utility Plan

Ms. O’Neill explained that the Abbey has submitted a Utility Plan for review and consideration. The Utility Plan Review Committee evaluated the plan and has met with representatives from the Abbey. Ms. O’Neill stated that Giles Free with JR Engineering is the consultant engineer for the Abbey. Mr. Free explained that the facility was built twelve years ago and is now expanding. They currently have a septic system with advanced nitrate removal. There was a ground water study of the area done in the last two years. Mr. Free explained that the expansion will take the facility to 6,000 gallons per day. The new system will provide 70% nitrate removal and will discharge to an infiltration gallery. There will be an added grease interceptor. Alberts Water and Waste Water Service is the operator. The state will review the discharge permit to determine if they can continue with no monitoring. There are currently two monitoring wells that could be used. Revenue is expected to increase with the addition. Ms. O’Neill added that Larimer County has reviewed the plan and is recommending approval. Mr. McCrary questioned the monitoring and Mr. Free indicated that it would be done by Orenco. Mr. Burke questioned the location and Mr. Free indicated that it was in the Virginia Dale area. Mr. Mays made a motion to approve the Abbey of St. Walburga Utility Plan. Mr. McCrary seconded the motion and it was approved.

6. Decision Item: Abbey of St. Walburga – Site Application Expansion

Ms. O’Neill explained that the Abbey has submitted a Site Application for the expansion of their existing treatment facility. It was reviewed concurrently with the Utility Plan. Questions on the original application submittal were addressed during the Utility Plan review and revisions. The application was found to be consistent with the Utility Plan just considered and the 208 Plan. Larimer County Health and Planning have also recommended approval of the expansion. Mr. Rademacher made a motion to recommend approval of the Abbey of St. Walburga Site Application. Mr. Wyeno seconded the motion and it was approved.

7. Update Item: City of Greeley - Site Application Lift Station

Ms. O'Neill explained that during the process of reviewing a Site Application Amendment to change the odor control process at the existing lift station, it was determined that the City had not received Site Application approval for the lift station when it was originally installed. Ms. O'Neill explained that as a result, the City is now requesting Site Application approval for the lift station. The only change to the lift station at this time will be the odor control process. The Application was reviewed in accordance with the NFRWQPA policies and was found to be in agreement with the approved Utility Plan and 208 Plan and was therefore given a staff approval. Ms. O'Neill stated that Mr. Carter and Mr. Schump were present to answer questions. The Application is within the city limits of Greeley therefore there were no other review agencies.

8. Update Item: City of Greeley - Site Application Lift Station

Ms. O'Neill explained that the City of Greeley had submitted a Site Application for the expansion of the existing lift station. She explained that when this Application was reviewed it was determined that it was not consistent with the Utility Plan. Ms. O'Neill discussed this with the City of Greeley and they chose to amend their Utility Plan. That Amendment was approved last month. This Application is now consistent with the Utility Plan and 208 plan and was given a staff recommendation for approval. The Application is within the city limits of Greeley therefore there were not other review agencies.

9. Update Item: Town of Hudson – Site Application Amendment

Ms. O'Neill explained that the Town of Hudson had submitted an Application for the Amendment of an Existing Site Location Approval. She explained that when the temporary treatment plant was installed to deal with the needs of the prison, until the permanent facility could be completed, an amendment was done. Now that the permanent facility is complete and the temporary facility is being decommissioned, the state needed the Town to submit another amendment to revert back to the original situation. Now the approved Site Application on record will match the existing facility. This application was found to be consistent with the approved Utility Plan and 208 Plan and was therefore given a staff recommendation for approval.

10. Update Item: Town of Windsor – Site Application Interceptor

Ms. O'Neill explained that the Town of Windsor has submitted an Application for the extension of the East Site Interceptor. She stated that at last month's meeting the members approved a Utility Plan for Windsor. One of the projects that was described in that plan was the extension of the east side interceptor. This project will extend the interceptor the rest of the way to the wastewater treatment plant and will result in a lift station being taken off line. This Application was found to be consistent with the approved Utility Plan and 208 Plan and was therefore given a staff recommendation for approval.

11. Decision Item: City of Brighton – Site Application Amendment

Ms. O'Neill explained that the City of Brighton has submitted a Site Application to amend the previously approved application for the lift station located at Weld County Roads 27 & 6 that serves the Vestas facility. Ed Burke and Dennis Crock were both present from the City of Brighton. This Amendment is being requested to address the City's desire to utilize the existing pumps and the larger force main which will result in an increased capacity of the lift station. The original application was reviewed a few months ago and was given a recommendation for approval from NFRWQPA. That application is now being amended. This amendment however results in the application not being consistent with the Utility Plan and therefore did not qualify for staff approval. Ms. O'Neill explained that given the time crunch they are working with they did not feel they would be able to amend the Utility Plan and so therefore requested consideration of the application at this meeting. Mr. Crock explained that the original Site Application was approved by the NFRWQPA. There were some concerns with low flows in the force main. He explained that they looked at doing a 6" pipe along the 16" pipe. The lift station was originally sized for 650

gallons per minute. It was then realized that the 6" pipe would not be able to carry full flow and they would have to switch to the use of the 16" pipe sooner. Mr. Crock explained that Vestas started limited operations and the City is currently pumping 8,000 gallons per day from the station. He also added that Metro has started the process of land acquisition for the regional facility. The City does not anticipate reaching the full 5 year projected flows prior to the regional facility being on line. Mr. Siddens made a motion to recommend approval of the City of Brighton Site Application Amendment. Ms. Frarck seconded the motion and it was approved.

12. **Discussion Item: State Wide Nutrient Standards**

Ms O'Neill explained that at the February meeting there was a brief discussion regarding the development of statewide nutrient standards. During that meeting it was determined that a more in depth discussion on the standards and NFRWQPA's participation in the development of the standards should take place at the March meeting. In addition, Ms. O'Neill explained that the Association has also invited two presenters to the meeting to discuss the standards. Tad Foster with the Law Office of Tad Foster was present with information about the current proposals along with his perspective on how the Association might participate in the development process. Ms. O'Neill also explained that Amy Woodis with Metro Wastewater was present to discuss Metro Wastewater's approach to the standards. Ms. Woodis also gave an update from the Wastewater Utility Council regarding their position on the standards. Ms. O'Neill stated that the Water Quality Control Commission is scheduled to consider statewide nutrient standards at a Rule Making Hearing in June 2011. There have been ongoing workgroup discussions regarding the development of these standards and over the last few months the Division has made their initial proposals of what those standards might be.

Mr. Foster presented a handout and stated that the best opportunity to influence the Division's proposal will be between August-October 2010. Lakes and reservoirs are the ones we may need to pay the most attention to. Mr. Foster explained that streams listed for non attainment may limit the municipality's ability to grow. He also indicated that there is no clear linkage of this data to aquatic life impairment. The biggest problem may be the downstream reservoirs. He discussed the significant cost for treatment including economy of scale. The Division's approach to the standards was also discussed and the multi metric index (MMI) established by the Division was reviewed. Mr. Foster explained that the state is trying to set standards so they are not overly restrictive. He also explained how they might build coalitions to participate in the development process.

Ms. Woodis presented a handout and discussed the process that Metro is considering for the Northern facility. She explained that the EPA is really pushing the state on the nutrients issue. Ms. Woodis proposed to just look at phosphorus first without nitrogen and indicated that the state may be receptive to this. She explained that phosphorus alone is still really expensive. Ms. Woodis explained that the Division may understand that time is needed for construction and may approach some type of staging over a period of time. Unintended consequences also need to be addressed. Ms. Woodis stated that the Legislature is also asking questions on costs and effects on rate payers. Ms. O'Neill then asked what the other 208 agencies are doing. Mr. Foster stated that everyone is trying to see what they can do; no concrete commitments have been made yet. Mr. Foster stated that he would like more people to participate in the Wastewater Utility Council and that could be the mechanism through which we work together. He also explained that critical comments are needed on the MMI and the initial standards. Mr. Siddens questioned the options and what EPA's position was. Ms. Woodis indicated that EPA feels the initial proposal is too lenient. Mr. Foster suggested that we look at other state approaches. Ms. Woodis explained that we may be looking at more of a temporary modification approach showing continual progress. Discharger specific variances may be other alternatives but there are concerns with that. Mr. Doering stated that the only way this is really going to work is if we do it together. He suggested that we follow up with

other organizations to see where there might be opportunities to coordinate. Ms. O'Neill will follow up with the other 208 agencies and the Wastewater Utility Council. Mr. Doering also suggested establishing a committee to look at this further and report back to the membership with their recommendation. Mr. Rademacher called for volunteers for the committee. Ms. Webb, Ms. Frarck, Mr. McCrary, Mr. Holdren and Mr. Brand volunteered. Mr. Thomas brought up the issue of available labs for testing. Mr. McCrary brought up the cost to the rate payers. This topic will be included on the April agenda for further discussion.

13. Other Business

a. Water Quality Control Commission

Ms. O'Neill stated that at the March meeting there was an Administrative Hearing to approve the 319 grant recommendations from the Division and a work session on macroinvertebrates.

b. Water Quality Forum & Workgroups

Ms. O'Neill explained that she did not attend the Water Quality Forum meeting last week. However there were presentations on storm water and EPA enforcement and compliance assurance. The revised Regulation #22 Guidance Document is now out for review and comment. The group will be meeting on April 21st for discussion. The ISDS and 2,000 gallons per day workgroups are meeting frequently. Ms. O'Neill stated that it is looking like there will be a change to the 2,000 gallons per day cut off for requiring a site application. It looks like the group may try to tie this to other changes incorporating more of a risk based approach. There is still a lot of discussion and no consensus from the group yet. Our comments have been to remind the group that any changes should have a water quality improvement focus. Ms. O'Neill also stated that the WET workgroup met on March 8th. The next meeting will be on April 14th where there will be a presentation about the Division's draft policy.

c. CDPHE Fee Bill

Ms. O'Neill stated that the first meeting was in March and she was not able to attend. The next meeting has not been scheduled yet.

d. Other

It was decided that the NFRWQPA meeting in June will be on the 17th. Mr. Holdren stated that the Colorado Water Conservation Board is looking to change flood plain limits and it could affect wastewater treatment plants and collection systems. Mr. Holbrook stated that the Hudson plant is up and running.

14. Adjourn

There being no further business Mr. Rademacher made a motion to adjourn the meeting. Mr. Holdren seconded the motion and the meeting was adjourned.