

MINUTES
ENVIRONMENTAL POLICY ADVISORY COMMITTEE
APRIL 4, 2013

A meeting of the Environmental Policy Advisory Committee (EPAC) was convened on Thursday, April 4, 2013, at 5:15 p.m., in the Pueblo County Department of Planning and Development Conference Room, 229 West 12th Street. Chair Kester called the meeting to order at 5:15 p.m.

ROLL CALL

Those members present were:

Betty Alt
Lois Illick (Interim CSU-Extension)
Doris Kester
Ted Lopez (arrived at 5:20pm)
Chad Wolgram

Member absent was: Susan Finzel-Aldred (excused).

Guests present: Greg Styduhar, Assistant City Attorney, City of Pueblo; Connie King, Environmental Attorney, representing Pueblo West Metropolitan District; Don A. Colalancia, Division Manager, Water Quality and Treatment, Pueblo Board of Water Works; and Terry Book, Executive Director, Pueblo Board of Water Works.

Staff present were: Joan Armstrong and Sandra Smith.

APPROVAL OF MINUTES FROM THE NOVEMBER 19, 2012 AND FEBRUARY 7, 2013 MEETINGS

Mr. Wolgram motioned to approve the November 19, 2012 minutes as mailed. Mr. Lopez seconded the motion. The motion carried unanimously.

Ms. Illick motioned to approve the February 7, 2013 minutes as mailed. Mr. Lopez seconded the motion. The motion carried unanimously.

CHAIR'S REPORT – DORIS KESTER

Chair Kester introduced Ms. Lois Illick as the new Ex Officio member and asked her to introduce herself. Ms. Lois Illick replied she was from CSU-Extension, and the Family and Consumer Science Agent. She used to be on EPAC many years ago when she replaced Mr. Scott Cotton. She stated she was on the Committee as an Interim member.

ENVIRONMENTAL COORDINATOR REPORT – CHAD WOLGRAM
(On behalf of Susan Finzel-Aldred)

Mr. Wolgram reported there would be a Household Hazardous Waste event on May 11th held at the Colorado State Fairgrounds carnival lot. They are accepting items like old cleaners, paint, pesticides, fertilizer, tires, mercury bulbs, and lead batteries. Electronics would also be accepted, noting there would be a fee of \$5.00 for televisions, less than 20 inches; larger televisions would cost more. He stated all other electronics like computers would be free.

The Bessemer Neighborhood cleanup is scheduled for April 28th. Tickets for the event are \$15. They are accepting large household items like couches, mattresses chairs, yard waste, and

tires. Mr. Lopez and Chair Kester requested a flyer for the May 11th event so they could distribute copies.

UPDATE TO THE PUEBLO BOARD OF WATER WORKS, SECTION 208 NOTIFICATION OF PROPOSED CHANGE OF PUEBLO RESERVOIR WATER QUALITY STANDARD – MR. TERRY BOOK, EXECUTIVE DIRECTOR, PUEBLO BOARD OF WATER WORKS AND MR. DON A. COLALANCIA, DIVISION MANAGER, WATER QUALITY AND TREATMENT, PUEBLO BOARD OF WATER WORKS

Mr. Terry Book, Executive Director, Pueblo Board of Water Works (PBWW), provided an overview of what was previously submitted. He stated he believes their proposal to the State Water Quality Control Division (WQCD) is the regional approach to water quality management for the Pueblo Reservoir. The issue is the detection and control of chlorophyll *a*. While chlorophyll *a* is not the problem, it is an indicator for issues with organic matter. The ultimate impact on a water treatment plant is disinfection byproducts, which are carcinogens found in the water. The WQCD has done extensive studies on organic matter, the disinfection processes, and byproducts produced in a water treatment plant. The PBWW uses a combined chlorine disinfection process, which is chlorine and ammonia or chloramines. This process produces a lower level of disinfection byproducts than free chlorine or straight chlorination. The other plants that take water directly from the municipal outlet at Pueblo Reservoir use free chlorine. If the Arkansas Valley conduit is constructed, there will be another 40 communities varying in size from very small to the largest like St. Charles Mesa. They all use a variation of chlorine, and some of those currently only have water sources that are wells, which are treated with chlorine. Depending on how that treatment process is finally constructed, most likely it would be a chlorine-based process. The PBWW uses two processes, i.e., chloramines and free chlorine. One of the treatment trains has a free chlorine process and it produces higher levels of disinfectant byproducts than the combined chlorine. The PBWW treatment plant is able to produce 84 million gallons of water a day; of that, 63 million gallons a day (mgd) is the combined chlorine process, which produces the lower disinfection byproducts. The other part of their process is the free chlorine, which produces the higher levels of disinfection byproducts. Over time, they will end up with a higher percentage of the free chlorine process because it is used in their expansions. They are currently lesser affected than some of the other systems because they use primarily combined chlorine and, over time, the impact is more and more. Their report shows the two disinfection byproducts produced by the PBWW are trihalomethanes (THM) and haloacetic acids (HAA5). Their reports show that they are lower in relation to other treatment plants. There was a spike in HAA5 in 2012 that came from a single sample. Sometimes samples taken will exceed the allowable threshold, however, not considered in violation because the average samples are okay. After a while, if there are more carbons in the Reservoir, it will require more chlorination, thus increasing the disinfection byproducts. The PBWW doesn't want to work themselves up to the maximum level; they want to try to do as good of a job as they can for their customers by keeping the chlorophyll *a* levels low, which impacts the carbon in the Reservoir. He stated the point of their proposal is saying they want to keep the chlorophyll *a* levels as low as they can, and they have selected the standard of 5 µg/L (micrograms per liter). This is a level the State established through a very sophisticated process by evaluating systems that use chlorine--the process that produces more disinfection byproducts. He believes the State's process was thorough, and the level they have established was appropriate. He believes that there may be some systems that would require a level lower than 5 µg/L because of the processes used.

Chair Kester asked if their current practices would change if their proposal was approved by the WQCC. Mr. Book replied it would not change their treatment processes as long as the

chlorophyll a levels remained low. Chair Kester asked why chloramines weren't used more if they were the more effective chemicals to use. It was also mentioned, by Mr. Colalancia, there was a significant difference in the time necessary for treatment; she questioned if there was another cost factor. Mr. Book stated it was not a cost factor, but a timing issue. More contact time is needed in a chloramine process (days) than a free chlorine process (hours). He stated the newer technology is moving toward the faster process, which requires the use of chlorine.

Mr. Lopez stated Mr. Book mentioned PBWW was producing 63 mgd using chloramines and 21 mgd using chlorine. He questioned the report stating treatment train one produced 20 mgd using chloramines and train two produced 21 mgd using chlorine. Mr. Book replied the open process that uses the chloramines produces 63 mgd on average with a capacity of 80 mgd. The chlorine process produces 21 mgd. He stated their average production over the year was 25 mgd, noting they produce about 11 mgd in the winter and 56 mgd in the summer. The highest they have produced is 63 mgd. Mr. Lopez asked if train one was the chloramines and used more often, and if they use train two in the summer time because demand was higher. Mr. Book replied yes. He stated they shut down treatment train one around September-October, depending on the level of the flow. He stated 10 mgd needs to go through the treatment train in order for it to work properly. Mr. Lopez asked if train two ran from June to October. Mr. Book replied yes, noting they would run it more as the demand increased. Mr. Colalancia replied that train two runs the overflow of train one, which doesn't happen very often. Mr. Lopez asked if the current drought and raise in water rates affects the water demand. Mr. Book replied yes. In 1997, they peaked at 63 mgd. Over the last few years, they have had a high of 58 mgd in the summer. More recently they are around 55-56 mgd, noting they have added customers and others have reduced their demands.

Ms. Illick asked if less water coming into the Reservoir would produce more algae affecting the overall water quality. Mr. Book replied that algae blooms come and go for a variety of reasons, i.e., water temperature, nutrients, and water movement. He stated they didn't have a study on the subject, but concludes that low water levels could produce more algae. Ms. Illick asked if the quantity of algae in the Reservoir affects the water treatment. Mr. Book replied yes, noting it can cause taste and odor problems, which is more expensive to treat. It also produces more organic carbons, which could produce more disinfection byproducts. Mr. Colalancia stated a treatment plant is required to remove a certain percentage of the TOC and DOC from the water.

Mr. Lopez asked with the SDS pipeline being built if there would be more water coming down from the Reservoir. Mr. Book replied it depends on how they move their water, noting they have other delivery systems. Mr. Lopez stated he couldn't imagine them building a five-foot pipeline and not using it. He felt it would be a lot cheaper to pump from here than over the Divide. Mr. Book replied it wasn't his project so he couldn't give a lot of detail. He stated the water quality is better at the higher altitudes and costs less to treat. He's not sure what the offset is of pumping and treatment costs. Mr. Lopez asked how this proposal would affect the other water treatment plants. Mr. Book replied he spoke with Colorado Springs Utilities and they, along with others, have filed a Request for Party Status. His assumption with Colorado Springs Utilities is that they would participate but didn't think the others would. Mr. Lopez asked if this was just a proposal. Mr. Book replied there were two proposals, one from PBWW and one from Pueblo West Metropolitan District (PWMD). The Water Quality Control Commission (WQCC) will review both proposals on April 23rd and file statement. Mr. Lopez asked what they meant by the "State regulated" statement in the proposal. Mr. Book replied it was a standard derived from the State's several years of study of the water in the Pueblo Reservoir. Mr. Lopez asked if they were trying to come to an agreement they all could live with. Mr. Book replied the State concluded from its tests that 5 µg/L (micrograms per liter) was a reasonable standard to

minimize the disinfection byproducts in chloramine plants. Ms. King replied that the WQCC held a hearing in March 2012, and they were proposing an interim Statewide standard that would be a default value if no one wanted to develop a site-specific standard, noting it is in Regulation 31, Basic Standards for surface water. She stated after the WQCC adopts the interim standard, the next step is to go to the different basins like the Arkansas River Basin. The WQCC will consider proposed standards for specific water bodies in the Arkansas River Basin at their meeting in June. The 5 µg/L interim standard has not been applied to any water body in Colorado. Mr. Book stated part of the process is to request a Direct Use Water Supply designation (DUWS). The Pueblo Board of Water Works, Pueblo West Metropolitan District, and Fountain Valley Authority currently take water directly from the manifold that comes through the dam; there is no intervening river or canal that is impacted. The secondary part is a site-specific standard, but the Commission did not propose to apply either the DUWS or the interim standard of 5 µg/L to Pueblo Reservoir. Ms. Illick asked if there would be increased costs of operation if the standard changed to a higher number. Mr. Book replied if the water quality of the Pueblo Reservoir degrades over time, then there could be a risk of exceeding the standard of disinfection byproducts. The rule is not to exceed the standard more than twice in a five-year period. He stated because not everybody treats for taste and odor with powder activated carbon, it may not be more expensive to treat. If the algae level is higher, it would cost more to remove depending on the average standard set by the treatment plant. Some treatment plants may have a higher threshold of final numbers over a certain period, but because they have established an average, they are not in violation.

Ms. Illick asked what the toxicity cutoff on the DVP was. Mr. Book replied the standard is 60 ppb THM and 80 ppb HAA5, noting it was shown on one of the charts. Mr. Lopez asked what the direct relationship was with carcinogens and DVP. Mr. Book replied the Environmental Protection Agency (EPA) performs many tests on chemicals to determine carcinogen levels and have developed standards of acceptable levels for the overall public. He stated the EPA is constantly testing and, in the future, will have some new chemicals that will also need to be regulated. For now, they are only regulating THM and HAA5.

Mr. Wolgram asked if the proposals were classifying the Pueblo Reservoir as a DUWS, which would apply the 5 µg/L standard. Mr. Book replied yes, but it doesn't automatically apply the 5 µg/L standard. He stated they have a competing proposal with PWMD who is also requesting a DUWS. He stated the PBWW's proposal is accepting the State's standard of 5 µg/L, and PWMD is requesting a 10.6 µg/L interim standard.

UPDATE TO THE PUEBLO WEST METROPOLITAN DISTRICT'S DRAFT EVALUATION OF DEFAULT INTERIM STANDARD OF 5 µg/L "chlorophyll a" FOR PUEBLO RESERVOIR

Ms. Connie King, Environmental Attorney and Engineer, represented the Pueblo West Metropolitan District (PWMD). She agreed with many of the things that Messrs. Book and Colalancia stated as far as the background of DUWS sub-classification and the interim standard that the State adopted in March 2012 in Regulation 31, Basic Standards. PWMD is also proposing the WQCC apply a DUWS sub-classification to Pueblo Reservoir. She stated they found some discrepancies regarding the data the State used to determine the 5 µg/L standard. One of the problems is estimated data points the USGS reported in the last 12 years, particularly, in the last three years. Most of the data points are estimated, noting in 2012 there was only one data point that was an actual analytical result, which happened to be the 10.6 µg/L. This is the number PWMD selected as the site-specific standard. When they looked at all of the data, they felt they needed to understand more about what USGS was doing. PWMD called the U.S. Geological Survey (USGS) and was told USGS wasn't trying to monitor the

water that was going into the intake, which is the location the water treatment plants get their water. USGS was just trying to monitor chlorophyll *a*, which is only in the photic zone, the upper surface level of the Reservoir. She stated if USGS were asked to monitor the quality of the water that goes into the intake, they would look into whether different sampling depths and locations were appropriate. One of the things that they are proposing, along with a site-specific standard, is a collaborative scientific study of the Pueblo Reservoir water quality. The study would properly characterize the water at the intake, which is ultimately going to the water treatment plants. Chair Kester asked if the photic zone was considered the top of the water, noting the intake is much lower, and whether that would influence the amount of algae in the water. Ms. King stated yes, indicating it was a big issue for them. She stated more samples needed to be taken at different depths and different locations as well as samples taken at the intake. Chair Kester questioned if that had been done. Ms. King replied there is no data of the algae levels at the intake. She felt to develop an appropriate site-specific standard they needed more information. This is why they are proposing a study in order to collect the right data and determine the proper standard of chlorophyll *a* for Pueblo Reservoir. PWMD proposes 10.6 µg/L be the interim standard, and it would serve as the interim standard while the study was being conducted. She stated the WQCC holds hearings on the Arkansas River Basin every five years. They have a five-year period from one hearing to the next, and they believe that would be enough time to conduct a study for a year or two. This would provide actual data that would help everyone in determining a site-specific standard. She felt the information provided about the different gates in the Pueblo Reservoir dam and how only 25% of the USGS samples maybe representative of the water withdrawn from the intake for the treatment plants illustrates more work needs to be done to make sure they are adopting the correct number for the Pueblo Reservoir.

Chair Kester stated at the last meeting it was mentioned PWMD wasn't comfortable with the historical data that was collected by USGS. Ms. King replied yes, noting the current testing location was about ¼ mile from the dam and only taking samples from the photic zone. PWMD proposes samples be taken closer to the intake point and compare those results to what is being taken at the current site. She stated she would also like to see samples taken from the intake to the water treatment plant to see what the quality of water is prior to going into the water treatment plant. Chair Kester asked if the water was tested for chlorophyll *a* after it goes into the intake. Ms. King replied not at this time. Mr. Colalancia stated they test for raw water DOC at the intake versus finished water DOC. Mr. Book stated they don't test for chlorophyll *a*, noting chlorophyll *a* is an indication of algae, which produces the DOC, which is in the water and throughout the water column. Ms. Illick asked if PWMD tests for the carbon from beginning to end. Ms. King replied not at this time, noting the additional testing would be part of the proposed scientific study. Each of the water treatment plants that get their water from the Pueblo Reservoir would have the same tests done. Ms. Illick questioned the cost of the study and funding source. Ms. King replied she didn't have a cost figure, noting she has spoken with USGS and the WQCD and they may not have to get many more samples. Also, if CSU participates, it would lessen the cost to PWMD. The more agencies that participate in the scientific study the more the cost is shared. Ms. Illick asked if they talked to CSU. Ms. King replied yes. Mr. Wolgram asked how lower chlorophyll *a* numbers affect the process at the Pueblo West water treatment plant. Ms. King replied the difference between the Pueblo West water treatment plant and PBWW is that PBWW has the two trains in their process--one uses chloramines and the other one uses free chlorine. The Pueblo West water treatment plant only uses chlorine, and the Fountain Valley Authority water treatment plant only uses chlorine. She stated the Fountain Valley Authority water treatment plant was owned by a number of entities but operated by Colorado Springs Utilities. She stated that the Fountain Valley Authority and Pueblo West have not experienced taste or odor issues attributable to algae; however, PBWW

has stated they have. She stated Pueblo West's intent is to protect the quality of the water in the Pueblo Reservoir. She stated because of the uncertainty of the USGS data taken for the last twelve years, they would like to have a study done to determine what the actual quality of the water is and make sure it is maintained and preserved. PWMD has determined the 10.6 µg/L would protect the current water quality and give them time to see what the specific number should be. The WQCC conducted a study in 2010 that came up with the 5 µg/L. They didn't use data from Pueblo Reservoir, PBWW, PWMD, or Fountain Valley Authority. She felt a site-specific study was needed in order to reflect the true number for Pueblo Reservoir and the water treatment plants. Ms. Alt stated that the major issue was the standard of 5µg/L was picked out of the air. Ms. King replied it came from elsewhere. Ms. Alt stated the number would be for every body of water in the State, and they were asking to have the number doubled. Ms. King replied PWMD would like a site-specific interim standard and picked 10.6 µg/L because it was an actual analytical result. She stated it only occurred once and has never been exceeded; noting nobody had a problem in treating the water when the number was 10.6 µg/L. The scientific study would determine the long-term standard. Ms. Alt questioned if the study would be conducted over a five-year period. Ms. King stated the five-year period was the time from this hearing in June to the next hearing in June 2018. The scientific study would take two years, which would allow time to go through the data and present an updated proposal at the 2018 hearing. The hearing process consists of three hearings, i.e., issues scoping hearing, issues formulation hearing, and the rule-making hearing. The new proposal would be ready for the issues formulation hearing. Chair Kester asked if the study would be applied to the entire State or just Pueblo Reservoir. Ms. King replied only Pueblo Reservoir. She stated when the WQCC conducted their hearing in 2012 they left the door open for people to propose site-specific standards. Chair Kester questioned what would be different at the Pueblo West water treatment plant if the proposal was approved or if it were denied. Ms. King replied the impact would not be on the water treatment plant. If the standard is too strict, noting they are concerned the standard is too strict, and the standard is exceeded, then the Pueblo Reservoir would be determined to be impaired. The State would then go through a process of total maximum daily loads and try to figure out where the loads are coming from. In this case, there are several possibilities that would be logical and that is upstream wastewater treatment plants, noting there are 25 upstream wastewater treatment plants. Those plants would probably have to improve their treatment processes, and that would cost their ratepayers money. Another logical problem would be stormwater, so best management practices would be applied to stormwater management plans. Structures might have to be built to control the discharge of stormwater allowing it to settle before it went to the Pueblo Reservoir. Pueblo West and the County would have to increase their best management practices for stormwater management. It's still a question as to whether the water treatment plants would have to spend more money and improve their treatment processes, but that was possible. She stated they would like to know what the appropriate standard is for Pueblo Reservoir before people have to pay more for water treatment. Ms. Alt asked if there was money available to do the study and where it would come from. Ms. King replied the entities that are willing to collaborate to fund the scientific study are Pueblo West Metropolitan District and Colorado Springs Utilities (CSU), noting CSU also wants to make sure that they have the correct site-specific standard. It's up to PBWW if they want to participate. Ms. Illick asked about Fountain Valley. Ms. King replied that it was actually run by CSU.

Ms. Alt questioned the depth of the photic zone. Ms. King replied it varies from 2.5 feet to 32 feet. The medium depth of the photic zone in the Pueblo Reservoir, based on the 12 years of data, was 8.5 feet. Ms. Alt questioned the depth of the Pueblo Reservoir. Ms. King referred to a diagram in the proposal that illustrates the depths at the intake. The chart also showed small data points where samples were taken from the photic zone. Only 25% of the samples that

were taken in the last 12 years were actually representative of what was being withdrawn to go to the water treatment plants. Mr. Wolgram questioned the average chlorophyll *a* level in the sample data points. Ms. King replied it depended on what year and what data points, noting so many of the data points were estimated. For this reason, they would like to do a scientific study to make sure the USGS is collecting data that is the result of actual analysis.

Chair Kester questioned if the USGS was running tests for their own use or if they were contracted? Ms. King replied they have been testing at three different points in Pueblo Reservoir to characterize the chlorophyll *a*. Ms. King questioned if the PBWW was paying for a portion of this testing. Mr. Colalancia replied that the USGS has been testing since the early 1980s. He stated they do this for their own database, noting they will provide numbers to anyone that requests them. When they are doing a project, they do ask if others want to participate. Mr. Book stated they do have ongoing studies in which they fund a portion of the USGS testing, but chlorophyll *a* was not one of them. Ms. King stated that Pueblo West has been funding some of the monitoring by USGS at various locations, and CSU also funds some of the testing. She stated the USGS asks various entities for contributions and people agree to help pay because everyone finds the information useful

Chair Kester stated her daughter lives in Pueblo West, and sometimes her water has a very strong smell of chlorine enough to make your nose burn. Ms. King replied she has heard that if someone experiences this problem, they need to call their water treatment plant and tell them. Perhaps the line needs to be flushed more often. She felt Mr. Colalancia could perhaps answer as to what is usually done when this situation happens in the City. Mr. Colalancia replied that a serviceman goes out and takes a sample to determine the problem, and the main line is flushed if required.

Ms. Illick asked if chlorophyll *a* was an indication of live or dead algae. Mr. Colalancia replied chlorophyll *a* is a byproduct of algae, noting that TOC can be produced by live or dead algae. When the algae die, it goes down the water column and settles at the bottom, noting the TOC is released at that time. Mr. Book stated it is dispersed throughout the water column not just the photic zone.

Mr. Lopez asked if EPAC and PACOG have to choose either 5 µg/L or 10.6 µg/L. Ms. Illick asked if it could be in the middle. Ms. King replied it was at the discretion of EPAC or PACOG. She stated that PBWW and PWMD were asking for support of their competing proposals. EPAC or PACOG could choose not to support either. She stated PBWW and PWMD have been trying to reach a joint proposal, which hasn't happened. EPAC and PACOG could require us to continue working toward compromise. The WQCC hearing is scheduled for June 10th. This is the final deadline for submitted comments to the WQCC. Chair Kester stated they have to submit their decision to PACOG at its next meeting on April 25th.

Mr. Wolgram asked if the data points studied were for the chlorophyll *a*. Ms. King replied yes, noting the data was in one of the exhibits distributed via e-mail. Mr. Book commented on the USGS data. He stated the estimated values were essentially so low that they made an estimate, but it could have shown up as a non-detect. This does not mean they had a bad sample. Mr. Colalancia stated it also did not mean they used an incorrect method. Ms. Illick stated she was under the impression that each piece of data was taken from an actual sample of water. She wanted the term "estimate" explained to her. Ms. King replied they use a device called a fluorometer to analyze the water for chlorophyll *a*. If the fluorometer has not been calibrated to a low enough point, and if they think they are seeing a low concentration, they have to estimate. Mr. Colalancia stated it could also mean that the fluorometer was set up

properly, and the sample had such a low number it couldn't be read. Ms. King stated she spoke a chemist with fluorometer experience, and he explained to her how it should be set up to monitor very low levels. She stated they would ask USGS to properly set the fluorometer for the scientific study so they can make sure that whatever number they report is an actual analytical result rather than an estimate. Chair Kester asked if the study would be very expensive. Ms. King replied USGS is already taking water quality data and felt the additional data required wouldn't be significant, noting there were several agencies splitting the cost. She felt the scientific study was the best thing they could do to make sure they get a correct standard for the Pueblo Reservoir. Ms. Illick stated they should also be monitoring the disinfection byproducts and the health effects of the carcinogens to determine what is safe for the people to drink. It's not just about the chlorophyll *a*. She stated it appears there were very few times it had gone above the carcinogenic level. Ms. King stated that would be part of the scientific study. They would look at the dissolved organic carbon at each of the water treatment plants as well as the disinfection byproducts. She stated they want to know what those values are at each of the water treatment plants to be able to compare that to what they are seeing with the chlorophyll *a* in Pueblo Reservoir. She noted that all of the water treatment plants are already monitoring for the disinfection byproducts. Mr. Colalancia stated you can go to the individual websites and look at the Consumer Confidence Report that will give the averages for the prior year.

Mr. Wolgram asked if the chlorophyll *a* levels were higher if it would require more disinfection. Mr. Colalancia replied it would allow more TOC and the DVP would be at a higher level. Ms. King stated the process of a new wastewater treatment facility requires a multiple year process, i.e., submitting a site application, getting approvals, and then building it before it can begin discharge. She stated this is a good time to conduct a scientific study and have a site-specific standard adopted before any additional discharges or loadings enter the Pueblo Reservoir. She stated they were not anticipating any changes from the current process. Mr. Lopez stated the level of carbon in the water spiked only once in twelve years. He felt the water quality was fairly decent. Ms. King replied the water quality in the Pueblo Reservoir was very good and they wanted to keep it that way.

Chair Kester felt the study may show that the chlorophyll *a* level is truly not more than 5 µg/L. Ms. King replied they could find that it's more or less. The study will provide a number they are all confident is correct. Chair Kester asked if she was asking EPAC to recommend to PACOG whether they should do the scientific study or not. Ms. King replied yes, and whether to adopt an interim standard of 10.6 µg/L pending the scientific study. Ms. Illick asked what would happen if we recommend the 10.6 µg/L and the study doesn't occur because of whatever reason. She stated that means for five years we would have a 10.6 µg/L standard with no further data. Ms. King replied PWMD and CSU are willing to participate in the scientific study. They will work with the WQCC and USGS on the design. Ms. Illick asked if both entities would have the funds to support the study even though they don't know how much it will cost. Ms. King replied a lot of work has already been done, and PWMD and CSU were very interested in making sure the standard is correct. Mr. Lopez asked how long it would take to get the study started. Ms. King replied two to four months to get started then they would collect data at least two years. This will allow them to have the information needed to submit at the issues formulation hearing. Chair Kester stated the WQCD doesn't have to approve the study, noting they only have to approve the site-specific interim standard. Ms. King replied the WQCC has to adopt the site-specific interim standard. Chair Kester questioned the approval of the study. Ms. King replied they would include the scientific study in their statement of basis and purpose so the WQCC would be approving their proposed interim standard and their proposed scientific study. They have also asked the WQCC to direct the WQCD to participate in designing the study. Ms. Illick asked who the lead agency would be. Ms. King replied it has been described

as a collaborative effort. However, because PWMD is making the proposal, they would take the lead and present a proposal for the scientific study, receive all of the input from the separate entities, and get something everyone agrees on.

Chair Kester questioned the relationship with the selenium issue. Ms. King replied there is not a relation to the scientific study. The selenium is a separate issue on the parameter and it has nothing to do with Pueblo Reservoir. Chair Kester asked if it was something EPAC needed to consider. Ms. King stated the selenium issue is part of their proposal to the WQCC so they are also asking EPAC to accept their proposal on the selenium standards. Mr. Book stated the PBWW has no issues with the selenium; it was only PWMD.

Mr. Styduhar asked Ms. King if there were any parties that have submitted a position statement on the selenium issue. Ms. King replied no. She stated the WQCD set a standard for Wildhorse Creek as a "place holder" in case PWMD didn't make its proposal on the selenium standard. The WQCD has indicated they agree with PWMD data on the selenium standards. She was not aware of any opposition. Mr. Wolgram questioned what the proposal was. Ms. King stated they propose the selenium standards be based on ambient water quality results. For Middle Arkansas Segment 4a, which is Wildhorse Creek, they proposed a chronic standard of 2,249 µg/L and an acute standard of 2,481 µg/L. For Middle Arkansas Segment 4e, which is Golf Course Wash, they propose an ambient quality based site-specific standard for chronic of 1,841 µg/L, and an acute standard of 1,870 µg/L. For Pesthouse Gulch, which is currently part of Middle Arkansas Segment 4d, they propose resegmenting Pesthouse Gulch into a new Middle Arkansas Segment 4f, described as Pesthouse Gulch from its headwaters to its confluence with Wildhorse Creek, and designate use-protected with ambient-based site-specific chronic standard of 384 µg/L and an acute standard of 405 µg/L. For Middle Arkansas Segment 18b, which is Turkey Creek, they proposed a chronic standard of 2,440 µg/L and acute standard of 2,600 µg/L. She stated the reason they had to do all of this was because the WQCD proposed and the WQCC adopted a Statewide standard for selenium. They didn't take a look at the natural selenium concentrations in the Pueblo area; as a result they ended up with default values of less than 20 µg/L as standards. She noted the natural selenium levels are very high for this area. She referred to a map she handed out at the last meeting noting the green areas indicated the location of selenium. The Pueblo County area is different from other parts of the State due to the formation of shale, which produces the selenium. Chair Kester questioned the importance of setting a standard if nothing could be done about it. Ms. King agreed, noting local data should have been collected before the standards were set. Mr. Colalancia stated the selenium in the Pueblo Reservoir is only three or four parts per billion. There are more shale deposits further down the Arkansas River where it joins Fountain Creek so the selenium levels increase.

Ms. Alt stated they have to make a recommendation one way or another, yet they have two proposals. She questioned the affect on PBWW if they approved the PWMD proposal. Mr. Book replied the recommendations from EPAC and PACOG were advisory, and neither was binding on the WQCC. Ms. King stated the WQCC was the decision maker.

Chair Kester closed the discussion and called for a motion.

Mr. Lopez stated 5 µg/L was a good standard; however, it wasn't site-specific for Pueblo. The USGS data points and the testimony from PBWW indicate relatively consistent levels of chlorophyll a in the Pueblo Reservoir with only one fluctuation in twelve years. He felt it was reasonable to look at a 10.6 µg/L as an interim standard pending the scientific study. He didn't

think it would take very long to gather the data at the appropriate locations to properly characterize the particles in the water.

Mr. Lopez motioned to recommend using 10.6 µg/L as an interim standard pending the scientific study results. Ms. Alt seconded the motion for discussion.

Discussion ensued. Ms. Alt stated she was bothered by the 10.6 µg/L; noting it was a double number. Pueblo West was not happy with the 5 µg/L saying it was not site-specific. She feels the scientific study should be done, but not comfortable with setting the interim standard to 10.6 µg/L. Ms. Illick stated there has to be a number attached or it may go back to the default of 5 µg/L. She was concerned the study would not get done or done well. She wanted more details of the cost and lead agency. She stated she wasn't bothered by the number that much because it was only a five-year period of time. She was concerned having a 10.6 µg/L if the study didn't get done. Mr. Wolgram stated he shared the same concern with the 10.6 µg/L. It only went up to 10.6 µg/L one time; would it be that high all the time or just a fluke. He would recommend a lower level for the interim, somewhere in the middle like 7.5 µg/L. He didn't feel a one-time fluctuation would cause a chain reaction requiring people to increase their water quality management practices or increase the wastewater treatment standards upstream.

Chair Kester asked Mr. Wolgram if he was amending the motion to accept a lower number. Mr. Wolgram stated yes, he would recommend the scientific study and agrees with the selenium proposal, but would rather have an interim number of 7.5 µg/L. Mr. Lopez seconded the motion to amend the interim number to 7.5 µg/L. The motion passed unanimously.

Ms. King stated they needed to make a separate motion for the selenium issue. Mr. Wolgram motioned to support the Pueblo West selenium proposal. Mr. Lopez seconded the motion. The motion carried unanimously.

WATER QUALITY SUBCOMMITTEE – NONE

No report.

SOLID WASTE SUBCOMMITTEE – T. LOPEZ

Mr. Lopez stated the City of Pueblo Public Works Department has proposed a Comprehensive Management Plan similar to the Waste Management Plan that was adopted ten or eleven years ago. They presented a survey to the different districts and went over the components of the Solid Waste Management Plan. Three more meetings are scheduled to be held to go over more details. He has talked to some City Council members and asked questions at the last public forum. He is trying to get them to use EPAC as the agency to educate the public and get some feedback. He stated he noticed an article in the Pueblo Chieftain after the first meeting, and it reported a negative reaction to what the City was proposing. He stated they are going to get a lot of that until the public understands what is going on. He felt there wasn't enough flexibility in the proposal. There were questions from those that only generate one trash bag a week wondering if they need to have trash service and the answer was yes. There were questions if you owned a business and had commercial trash service if you could take your trash from home and deposit in the commercial dumpster. The answer was no. He stated it is scheduled to launch in about 18 to 24 months. He's been trying to get the County, the City and other entities to use EPAC to get the information to the public and get feedback to provide City Council. He's not making any headway. Chair Kester questioned the method EPAC would use to distribute said information. Mr. Lopez replied his dad was one of the directors of the Salt

Creek Water Sanitation District and attends as a member of PACOG. At the last PACOG meeting, it was mentioned that EPAC normally doesn't get a quorum. His dad asked him why, and he answered because EPAC had nothing to do. He mentioned EPAC has vacancies for members, but many feel they are just spinning wheels sometimes. Chair Kester was frustrated when a lot of effort went into recommending a plan and it was ignored. Mr. Lopez stated one of EPAC's main functions is to advise PACOG. He sees EPAC getting involved with the Solid Waste Management Plan. He is concerned the Plan will move forward without getting sufficient public input. He stated in Fort Collins they have a proposal, put it out to the public for comment, review the comments, and send it out again for review and comment. This cycle may happen up to three times before they move toward finalizing a proposal. He wants to use EPAC as that entity that could move this forward and act as a buffer between City Council and the public. Chair Kester asked if he was suggesting they have a public meeting. Mr. Lopez replied EPAC should host the meetings to get public input, which is then presented to PACOG, noting PACOG does not allow enough time at its meetings for public input. He stated that City Public Works has a program outline but nothing concrete. He stated a controversial issue was competition or districting. They have proposed up to 24 districts. One waste hauler can bid on one or all. The worst case scenario is one hauler can bid and get the entire contract.

Ms. Alt stated about seven years ago when they were still the 2010 Commission the Governance Task Force was asked to look at the issue of trash. Val Henderson and she went out first to just the haulers to get their support to get them interested. One of the big issues discovered was haulers didn't want to be limited to one area. They didn't make much headway and finally just let it go. Mr. Lopez stated that in the proposed program, there are ways to ensure payment and different ways to do that like attaching to the taxes. Ms. Alt stated it was always attached to her utility bill where she lived in other cities. Mr. Lopez stated they needed to get reaction and feedback from the community. In the beginning, the waste haulers were against any change, however, he sees them becoming more flexible.

Chair Kester stated she wasn't opposed to having a forum, noting most of the people that show up are in opposition. Ms. Illick questioned if they could tell the community what was in it for them wondering if anybody would listen. Mr. Lopez stated you have to have control of the meeting. He mentioned Ms. Finzel-Aldred attended the EPA webinars on how to educate the public. Ms. Illick felt the community might feel they are not being listened to because EPAC is only advisory and passing on information to PACOG. Mr. Lopez replied EPAC was only advisory when it got the grant to do the waste study and the environmental coordinator and put together the Solid Waste Management Plan. Ms. Illick replied that from a resident's point of view, they might see it as not being listened to. Mr. Lopez replied that comes with education, which is a big component before getting people to change their habits. He stated the meetings should be open-ended. You have an agenda of topics and stick to them. Mr. Lopez stated he had a copy of the survey and would like to distribute it at the May 11th event.

Chair Kester was concerned with more dumping in the arroyos. She stated she also sits on the Human Relations Commission, and they had a meeting in Eastwood Heights. They were invited to attend the meeting and bring their complaints. The major complaint was a huge dumping ground in the Eastwood Heights area. The City and County were called in to help with the cleanup. She noted the area has now been fenced. Ms. Alt stated there was illegal dumping along her road on Overton.

Mr. Lopez stated one of the strategies in the Plan is implementing an enterprise fee. Every household or property owner would pay \$1-\$2, which would be used to pay for administrative

costs of the program. There are a lot of positive elements, but it needs to be consistent and convenient.

AGENDA JUNE 6, 2013

The next regularly scheduled EPAC meeting is Thursday, June 6, 2013, at 229 West 12th Street, from 5:15 p.m. to 6:30 p.m.

ADJOURNMENT

There being no further business before EPAC, the meeting was adjourned at 7:26 p.m.

Respectfully submitted,



Sandra M. Smith
EPAC Recording Secretary

SMS