

COLORADO WATER UTILITY COUNCIL

ROCKY MOUNTAIN SECTION OF THE AMERICAN WATER WORKS ASSOCIATION

Water Quality Workshop
Colorado Water Congress
January 27, 2010

Colorado Water Utility Council

General Information

- Membership Roster/E-mail List: 221
 - ▣ Utility Members – Compliance Mgrs., Laboratory Mgrs., Water Quality Mgrs., Engineers, Policy and Legislative
 - ▣ CDPHE representatives of the Drinking Water Program
 - ▣ Consultants, Guest Speakers
- Meets most months on the first Friday at 10:00 a.m.
 - ▣ Regularly attended by 20 to 30 utilities
- Most meetings in Denver at Denver Water
 - ▣ Mid-February at Colorado Rural Water
 - ▣ Mid-September at RMSAWWA/RMSWEA Annual conference location
- Several members also participate in the Water Quality Forum, Wastewater Utility Council, and the Colorado Water Congress

Colorado Water Utility Council

General Information

- Leadership
 - ▣ Chair: Tom Mountfort/Denver Water
 - ▣ Vice Chair: Josh Baile/East Cherry Creek Valley Water and Sanitation District
 - ▣ Secretary: Lois Rellergert/Fort Collins Utilities
- Leadership ascends every two years.

Colorado Water Utility Council

General Information

- Committees:
 - Conservation
 - Membership
 - Water Quality and Policy
 - Joint Water/Wastewater
 - Legislative
- Active Workgroups:
 - Waste Impoundments/Solid Waste Regulations
 - CDPHE Policy 4 – “Surface Water Treatment Rule Compliance”
 - Water Quality Policy 27 – “Low Risk Discharges”

Colorado Water Utility Council

General Information

- Voting:
 - ▣ All participate in debate and discussion.
 - ▣ Voting by utility members only.
 - ▣ One vote per utility for utilities present.
 - ▣ Developing procedures for Commission hearings and legislative actions.

Issues of Interest to the Colorado Water Congress

- In-situ Uranium Leach Mining Legislation and Rulemaking
- Revisions to Solid Waste Regulations pertaining to Waste Impoundments
- CDPHE Policy 4 – “Surface Water Treatment Rule Compliance”
- WQCD Funding/Staffing
- WQP 27- “Low Risk Discharges”

In-Situ Uranium Leach Mining

- HB08-1161
 - ▣ Passed with support of the Water Utility Council and CWC
- Recently Concluded Stakeholder Meetings
 - ▣ Water interests were generally under-represented.
- DRMS Formal Rulemaking Hearings to Commence.
- Importance/Relevance
 - ▣ Large land areas are involved
 - ▣ Regional ground and surface water quality impact potential because of poor industry performance record and regulatory oversight approach.
 - ▣ Fragmented/disjointed regulatory oversight spread over multiple state and federal agencies without Colorado precedents.
 - ▣ Local and regional political issue.

Waste Impoundment Regulations

- Section 9 of the Solid Waste Regulations
 - ▣ Long overdue revisions to Solid Waste Regulations
 - ▣ WQCD hand-off of wastewater impoundments at water treatment facilities to Solid Waste Program of the HMWMD.
- 100% Certainty of Legislation
 - ▣ Certificate of Designation Issue and perhaps others.
 - ▣ Legislation drafted –held back from current session and now targeting 2011 legislative session.
 - ▣ Support from CWC desired.
 - ▣ Colorado Municipal League and Colorado Rural Water Association have pledged support.

Waste Impoundment Regulations

- Importance/Relevance:
 - ▣ Solid Waste is broadly defined and includes “water”
 - ▣ Wide variety of impoundments are subject to these regulations.
 - ▣ Stakeholder process and draft legislation will obtain relief for “Raw Water”, “Stormwater” impoundments and defines situations where Certificates of Designation are necessary.
- Stakeholder meetings will reconvene soon
 - ▣ 19 months so far...8 to 11 months to go.
 - ▣ Rulemaking hearing before the Solid and Hazardous Waste Commission in December 2010 or February 2011.

CDPHE Policy 4

- In its original form, Policy 4 attempted to define WTP [filtration and disinfection] compliance through use of an imperfect, poorly reproducible diagnostic test based upon a once a year sampling.
- Extensive stakeholder/workgroup process that began in July 2006.
- WQCD Information hearing occurred in December 2009.
- WQCD and CWUC continue to work together on implementation issues.

WQCD Funding/Staffing

- Council concern for appropriate levels of WQCD funding and staffing is growing.
 - ▣ Recognized as an factor in designating Solid Waste Program as the implementing agency to manage solid waste at drinking water facility waste impoundments.
 - ▣ Recognized as a factor in the desire to implement Policy 4.
- Disproportionate Economic Impacts are Possible
 - ▣ Age, type of facilities, setting, source water characteristics, etc. are important considerations to weigh when considering potential increases to permit fees versus other programmatic changes prompted by lack of funding/staffing.
 - ▣ Significant increases in permit fees to support a fee based program may be the lesser economic impact.

WQCD Funding/Staffing

CWUC Perspective

- The number and complexity of water quality issues is increasing.
- The ability of the WQCD to participate in CWUC, CWC, and Water Quality Forum meetings is diminishing despite the desire to participate.
- WQCD outreach to stakeholders on funding/staffing issues is inadequate to address the complexities of the issue.

WQP 27 – “Low Risk Discharge”

- WQCD replacing “Treated Water Discharge Permit” and other low risk discharges with Best Management Practices (BMPs)
- Concept of “Permit Shield” desired to prevent third party lawsuits.
- Workgroup Anticipated

Colorado Water Utility Council

Contact Information

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