



**COLORADO WATER UTILITY COUNCIL**  
**Rocky Mountain Section of the American Water Works Association**

**MINUTES**  
**COLORADO WATER UTILITY COUNCIL MONTHLY MEETING**

**October 7, 2011 10:00 a.m.**

Denver Water -Three Stones Building

**Intro/Remarks—Michelle Wind**

- Michelle, stepping up for Sean Lieske (absent), opened the meeting by welcoming everyone.
- Minutes from the September 21<sup>st</sup> breakfast meeting were approved.
- A council meeting on Friday, December 2<sup>nd</sup> was confirmed.
- A Board of Directors Meetings has been scheduled for Tuesday, October 18<sup>th</sup> at Denver Water. This will be the first meeting/teleconference of the Board. The purpose of the meeting is to discuss roles of the Directors, development of a strategic plan, bylaws, communication, and procedural matters.
- Ron Falco said that the Division would be willing to support the Council's request for a presentation on Water Quality/Consumer Confidence Reports and will confirm whether this will occur at the November or December meeting.

**CDPHE—Ron Falco**

- WQCD Engineering Section Re-organization: Ron indicated that a recent re-organization has occurred and was prompted by being behind on design reviews—having never caught up from ARRA. There is now one group focused on Technical Reviews with staff predominantly in Denver led by Bret Icenogle. There is another group that focuses on wastewater facility inspections, sanitary surveys, acute events, and field work. This arrangement will be left in place for a year and then reviewed.
- Review of Monitoring Waivers: Ron indicated that there will be a significant effort over the next 1 to 2 years to review monitoring waivers – with the goal of trying to keep as many waivers in place and the opportunity to further reduce monitoring requirements. Waivers for Dioxin, Glyphosate, Cyanide, and Asbestos waivers will be re-examined. Ron said WQCD perceives some liability since these waivers have been in place since 1999 with no action since then. The review will encompass analytical methods, laboratories, and web-based

systems approach to tracking and monitoring. The effort will review water sources, entry points, and in the case of Asbestos-distribution systems.

- MPA Guidance: Ron reported positive feedback on the recently completed Policy 4 guidance manual and many members concurred.
- Policy 4 Guidance: This is targeted for completion by December 31, 2011.
- WQCD Policy Updates/Housekeeping: Ron indicated that within the next 1 to 2 months there would be an effort to abolish 40 or so existing policies that are believed outdated or superseded. A detailed listing and justification will be issued and comments will be solicited.
- Policy 3 – GW or GWUDI: Ron indicated this policy, which was last updated in 2005, is now being finalized with the goal of being done by spring 2012. This existing policy is being revised to reflect location guidance, time of travel, and water quality parameter testing and to not require filtration in all circumstances—which accommodates the use of naturally occurring filtration, where appropriate. The proposed revisions are similar to those discussed and presented by Tyson Ingels within the past year.

## **Legislative Committee Report**—Jim Miller for Chris Piper

Topic in bills of interest include:

- Melissa Elliot (Denver Water) discussed legislation that was proposed by Denver Water at the Sept 7 Water Resources Review Committee meeting regarding the development of a statewide standard for toilet efficiency. This would not be a mandatory upgrade for current homes, but manufacturers would only sell ones meeting the new standards. A motion was made by Randy Giffin and seconded by Michelle Wind to have the Council write a letter of support. After no additional discussion, the motion passed with 8 members voting YES, 1 member voting NO, and 3 members abstaining. Michelle Wind will write the letter.

Link to low flow toilet legislation, see Bill 5 at bottom of page after opening link.

<http://www.colorado.gov/cs/Satellite?c=Page&childpagename=CGA-LegislativeCouncil%2FCLCLayout&cid=1242218502184&pagename=CLCWrapper>

## **Conservation Committee Report** – Jeannine Shaw

- Jeannine reminded members that Draft guidelines had been issued by the CWCB and the public comment period would close on October 29. The document, which has been distributed electronically to members is entitled “Guidelines Regarding the Reporting of Water Use and Conservation Data by Covered Entities” and is dated August 31, 2011. These proposed guidelines implement HB10-1051.
- Jeannine discussed proposed grey water legislation that would clean up vagueness now existing on the subject. There has been recent State Engineer Office (SEO) action on the issue. Draft legislation has been recently developed and if the Water Resources Review Committee (WRRRC) passes it, it will be introduced into the 2012 legislative session. Grey Water is being defined as not toilet water and not kitchen wastewater. Home Rule cities and

towns may need to pass ordinances. Link to grey water draft legislation, see Bill 3 at bottom of page after opening link.

<http://www.colorado.gov/cs/Satellite?c=Page&childpagename=CGA-LegislativeCouncil%2FCLCLayout&cid=1242218502184&pagename=CLCWrapper>

- Jeannine reported that the drought stricken State of Texas recently passed a law requiring irrigators to be licensed.
- Jeannine reported that water use went down in Cheyenne Wyoming when an approach designating mandatory lawn watering days was replaced with voluntary watering. Several Colorado systems reported similar responses.

### **Water Quality and Policy Committee Report—Jim Miller**

- Nutrients: On Mary's behalf, Jim indicated that technical information and the calendar of events and meetings dates can be obtained by contacting Mary Fabisiak, or visiting the website of the Colorado Water Quality Forum. Tim Grotheer (Centennial WSD) reported that certain water and wastewater utilities were meeting and preparing a document that may result in a joint position between the water and wastewater councils on DUWS. Tim also indicated that one outcome of the Sept 26 Cost-benefit analysis meeting may be the targeting of nutrient criteria standards to where benefits would be produced. Tim indicated 117 WWTF are projected to be impacted by Reg. 85.
- Waste Impoundments: Jim reported that the waste impoundment stakeholder process is coming to an end and that a last call for comments has been made on the proposed Section 9 and SBP due October 14<sup>th</sup>. Work on the cost-benefit analysis is continuing and Jim indicated that there is a new aspect to the cost benefit analysis in that water utilities will need to document the cost savings from the relief afforded by the revised regulations to help assure that the whole effort is not usurped by the Governor's executive order. Jim commented that water utilities had achieved significant revisions and relief in the regulations as currently drafted and that the Council's position should be one of support. Jim also reported that the draft of narrow scope legislation would eliminate the requirement for Certificate of Designations for waste impoundments and disposal operations at drinking water treatment facilities, which is broader relief than just waste impoundments.

Jim requested a motion for council support on the CWUC initiated legislation now before the Water Resources Review Committee. A motion was made by Tom Settle and seconded by Greg Moore to have the Council write a letter of support. After no additional discussion, the motion passed unanimously. Jim will write the letter.

Utilities were reminded to write a letter of support on letterhead and provide a color PDF of it to Jim Miller by October 12<sup>th</sup>. A template letter, a list of Senators and Representatives on the WRRRC, and a current version of the bill were distributed electronically on Friday October 7<sup>th</sup>.

## **Wastewater Report**—August meeting--Al Baker

- Al reported that the Wastewater Utility council met at a breakfast meeting at the joint conference, and elected officers, which were/are volunteers. The council discussed the previous year's accomplishments, discussed the possibility of a joint meeting of the water and wastewater council, perhaps at the Colorado Rural Conference on or about February 12<sup>th</sup> in Colorado Springs, and training on new nutrient standards.

## **Open Discussion**

- Federal Legislation pertaining to CCR/Lois Rellergert: Lois discussed a federal bill that is being drafted regarding a potential change in the delivery method for the CCR. The bill allows for website posting of the report in lieu of mail in most cases. She inquired whether the council would support this bill with a letter. A motion was made by Randy Giffin and seconded by Lois Rellergert for the Council to send support through a letter. After no additional discussion, the motion passed unanimously. Lois will write the draft letter and distribute information pertaining to the issue. Members are encouraged to write their own letters of support to supplement the Council's letter.

For more information on these Federal Bills (House and Senate) that allow internet posting in lieu of the current mailing requirement:

<http://www.govtrack.us/congress/bill.xpd?bill=h112-1340>

<http://www.govtrack.us/congress/bill.xpd?bill=s112-1578>

- Fluoride Action Network/Laura Hubbard: Laura discussed recent activity in Aspen pertaining to the Fluoride Action Network. Some other members reported that they had had been recently contacted by this activist organization. Information on the network is available at [www.fluoridealert.org](http://www.fluoridealert.org). The byline of the organization is: "Get the Real Facts on Fluoride".

## **Membership Committee Report**--Greg

- Please send updates to Greg.

## **Next Meeting**

- The next meeting will be from 10:00am to 12:00 on November 4th at Denver Water's Threes Stones Building.