

times per month in case any future total BOD spikes occur.

The members also discussed the importance of retaining TLWWTF's ability to remove biosolids from the facility by hauling treated sludge away in 18-wheel tractor trailers to be land-applied as fertilizer, which is the most affordable and ecologically sound solution. One risk here is the possibility of the TLWWTF sludge lagoon being affected by technologically enhanced naturally occurring radioactive material (TENORM) in the wastewater as the byproduct of the removal of naturally occurring radium from drinking water.

Burks said the Colorado Department of Public Health and Environment (CDPHE) had no major or other findings from its inspection of TLWWTF. He re-confirmed that the procedures that Paul Hanson, senior field engineer with Division 2 of the Water Quality Control Division (WQCD) in Pueblo, told Burks to update after his biennial WQCD inspection have now all been corrected. See [www.ocn.me/v18n3.htm#tlwtf](http://www.ocn.me/v18n3.htm#tlwtf). Burks said he had just received a state letter that confirmed that the state has closed this matter.

#### On the horizon for regulations

Burks and MSD Regulatory and Environmental Compliance Coordinator Jim Kendrick reviewed the April 3 Arkansas River/Fountain Creek Coalition for Urban/Rural River Evaluation (AF CURE) meeting and the April 9 Water Quality Control Commission (WQCC) meetings. Kendrick is also vice chairman of the AF CURE, and is the MSD and TLWWTF Colorado Wastewater Utility Council representative.

AF CURE's Environmental Attorney Gabe Racz is preparing for the June Water Quality Control Division triennial rulemaking hearing on state Regulation 32 for the Arkansas River Basin. Kendrick said the Division is formally proposing a reduction of the state standard arsenic water quality stream standard by a factor of 100, from the current 2.0 µg/l down to 0.02 µg/l, despite the fact that the practical quantitation/measurement limit is 2.0 µg/l and the practical detection limit is only 1.0 µg/l. If the Division's proposed arsenic water quality standard stream limit of

0.02 µg/l were to be approved in June, it would be scientifically impossible for the foreseeable future for any WWTF to prove it is meeting the lower arsenic limit. There is also no existing technology that can treat water down to 0.02 µg/l of arsenic.

Kendrick said if facilities do not prove they are meeting the "unattainable" 0.02 µg/l arsenic level, current regulations would guarantee that every state wastewater facility would have to perform a Total Maximum Daily Load (TMDL) study that currently costs \$200,000 to \$300,000 for each state discharge permit renewal, plus a use attainability analysis that also costs \$200,000 to \$300,000 for each state discharge permit renewal.

In Pueblo, the Division is going to compel the city to remove all the selenium that is technologically feasible to remove from its treated wastewater effluent, even though the overall effect would be a drop in the bucket in both Fountain Creek and the Arkansas River. Selenium, an ingredient in most multivitamins, is a naturally-occurring element that leaches from the surrounding Pierre Shale soil, naturally causing irreversible Fountain Creek stream concentrations roughly 1,000 times state stream water quality standards. Even if it was possible to remove all selenium from City of Pueblo treated wastewater, the Fountain Creek selenium concentration would drop less than 0.1 percent and have no measurable effect on Arkansas River selenium concentration. The added complication with this requirement is that there is no recognized treatment that will remove significant amounts of selenium from large volumes of water, Kendrick explained.

Environmental engineers and scientists from consultant firm Brown & Caldwell are helping AF CURE research whether there is any water quality relationship between Fountain Creek and nearby alluvial wells. They found that only 20 of 800 additional newly documented alluvial wells near Fountain Creek, which were just identified by the Division last month for further study, might possibly become affected by Fountain Creek in the future. This required an AF CURE change order

and an additional AF CURE cost that was funded from other 2018 AF CURE budget line items with remaining funds that were not yet spent.

In the AF CURE 2017 budget report, after Pikes Peak Regional Water Authority's (PPRWA) Elise Bergsten of Balance Management Services Co. did more complete research on this fund, she listed "beginning balances" for the first time and found \$52,000 in unspent AF CURE reserves at the beginning of 2017 that AF CURE did not realize it had. As a sub-group of the PPRWA, AF CURE is exempt from audits.

Strom and Wicklund said it would be better not to have too much of the 11 AF CURE members' money tied up in this way.

Kendrick's observations on the March 14 Colorado Wastewater Utility meeting included:

- Johanna Miller, the new director of the EPA Region 8 Clean Water Program Office of Water Protection, is a former Washington, D.C., expert in air quality, not wastewater or drinking water.
- The EPA has a strategic plan for 2018-22, including the Clean & Safe Water Program, lead and copper rules, treatment of nutrients including phosphorus and nitrogen, and "community affordability" financing.
- Water Quality Control Division Director Patrick Pfaltzgraff said that water districts and municipalities will be required to add "ortho phosphorus" to their potable water to prevent leaching from lead and copper pipes into drinking water, even if a drinking water entity has no lead pipes. Additional wastewater nutrient treatment capacity would have to be built to remove that extra phosphorus to meet their effluent discharge total phosphorus discharge permit levels. See [www.ocn.me/v18n4.htm#tlwtfjuc](http://www.ocn.me/v18n4.htm#tlwtfjuc).

- Colleen Rathbone, Wastewater Unit manager of the EPA Region 8 Program Office of Water Protection said, "Communities would have to do revenue enhancement to cover your pollution."

Wicklund said that the EPA regulations do not consider it a hardship for a community if wastewater user fees are less than 2 percent of annual household income. "That would be about \$100 a month for MSD, and \$200 for WWSD." Strom said that was "completely devoid of a systems approach to looking at how much people are paying for all goods and services. This is why Jim Kendrick and AF CURE folks have to be on the ball."

At 11:36 a.m., the meeting went into executive session to discuss personnel issues and receive legal advice on a specific legal question. Burks referred OCN's question about the results to recording secretary Susanne Wielgopalan, who told OCN that when the April 10 JUC meeting returned to open session, the JUC directed Burks to update its personnel policies by replacing all wording in WWSD's policies, which the TLWWTF has been using since its construction, with TLWWTF references. The JUC also instructed Burks to add to Section 8, which lists circumstances that will result in disciplinary actions at the JUC's discretion and possibly including immediate dismissal, the following: "Conviction of, or a plea of guilty to any domestic violence or sexual misconduct offense." The sentence was approved by TLWWTF attorney Mike Cucullu.

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The next meeting is scheduled for 10 a.m. May 8 at the Tri-Lakes Wastewater Treatment Facility, 16510 Mitchell Ave. Meetings are normally held on the second Tuesday of the month and are open to the public. For information, call Bill Burks at 719-481-4053.

Lisa Hatfield can be reached at [lishatfield@ocn.me](mailto:lishatfield@ocn.me).

#### Triview Metropolitan District, April 10

## District manager no longer "interim"; board brainstorms public works and traffic ideas

By Jennifer Kaylor

Several residents attended the April 10 Triview Metropolitan District board meeting to express appreciation, concerns, and ideas about construction traffic and other agenda items. After responding to public comments, the board continued the discussion of potential problems and solutions pertaining to the developments being built, evaluated costs and benefits of regionalizing water and wastewater with Colorado Springs Utilities (CSU), received operational reports, and ratified contractual agreements. The April 10 full board meeting packet is posted on the district's website at <https://triviewmetro.com/boardDocuments>.

Director James Otis participated via conference call.

Triview is a Colorado Title 32 special district, completely within Monument's town boundaries, mostly on the east side of I-25. Triview provides roads, parks, and drainage maintenance, and water and sanitation utility services, to the residents and businesses in the district roughly bordered by Old Denver Road, Higby Road, and Baptist Road. Triview's water system is wholly independent of Monument's Public Works water system located on the west side of I-25. Residents of Triview should call the district directly

when they have questions about these items. For a map, see [www.townofmonument.org/230/Triview-Metropolitan-District-Map](http://www.townofmonument.org/230/Triview-Metropolitan-District-Map).

The Town of Monument (organized under Colorado Revised Statutes Title 30) provides land use planning, police, and general governance for property owners in the whole town, which includes Triview. Residents of Triview should call the town with questions on those topics.

#### Employment agreement changes interim status

The meeting agenda included three action items requiring board approval. The first included review and consideration of the employment agreement between Triview and District Manager James McGrady which removed McGrady's interim status and officially appointed him as district manager. During public comments, resident and former Director Steve Remington requested and received a copy of the employment agreement between Triview and McGrady.

The second was to review and consider the agreement between Triview and attorney Gary Shupp to provide general counsel services to the district. Shupp has served in this role for the past several years.

The third action was to ratify the



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