

Maxwell noted that all Tetra Tech costs, such as those for presenting this briefing, that are incurred before the grant is awarded in September would not be eligible for reimbursement from the grant. Tamburini noted that \$15,000 of the \$55,000 appropriated had already been spent on the 20-year master plan. Some of the remaining \$40,000 would still have to be used before September for grant application and administration.

A motion was made to apply for an \$80,000 planning grant with a \$16,000 match from the facility and to apply for a \$1 million design/construction grant. There was a lengthy technical discussion of how the three districts could accept the \$1 million grant within TABOR limits after the grants are awarded in September. The motion to apply for both grants was unanimously approved.

The JUC then assigned the completion of the applications for both the planning and construction grants by the end of June to Tamburini and Maxwell using some of the remaining \$40,000 in study funding. No decisions were made about how to resolve TABOR issues. Wicklund noted that the Monument Sanitation District would hold an election for a specific TABOR waiver in a November election to be able to accept nutrient grant money in excess of its current TABOR limit. Palmer Lake and Woodmoor have stated that neither is interested in holding any such TABOR waiver election.

**Financial report**

Some of the May payments were:

- \$1,000 for the final 2012 audit was made to John Cutler & Associates LLC.
- \$2,100 to Universal Acoustics & Emissions for blower system filters.
- \$8,030 to environmental attorney Tad Foster for numerous submissions to the Control Division regarding the use of the new biotic ligand model in Monument Creek.
- \$1,126 to GEI Consulting Inc. for studies of copper concentrations in fish flesh submitted to the Control Division regarding the use of the new biotic ligand model in Monument Creek.

The JUC unanimously accepted the May financial report.

After the JUC June 11 meeting adjourned, the Water Quality Control Commission unanimously approved the recommendations of Foster and GEI for new copper stream standards in Monument Creek and new copper permit limits for the Tri-Lakes facility at the commission's triennial Regulation 32 hearing for Arkansas River basin, which includes the Monument Creek and Fountain Creek watershed.

The previous three-year temporary modification to the Tri-Lakes facility discharge permit increases the copper limit for the 30-day average sample reading to 24.8 micrograms per liter (µg/l) and the peak monthly copper sample reading to 36.4 µg/l. This temporary modification had been scheduled to expire at the end of 2014. The Tri-Lakes copper limits had been scheduled to change to a monthly average of 9.8 µg/l and a monthly peak of 15 µg/l on Jan. 1, 2015, for the last two years of the five-year permit.

The plant's activated sludge treatment process installed in 1998 was never intended to nor expected to remove copper. No copper limitations existed or were planned when the plant was constructed in 1998. No affordable treatment option is available that would meet these pending 2015 copper permit limits.

On June 11, the Water Quality Control Commission formally approved Tri-Lakes' request for site-specific dissolved copper standards of 17.4 µg/l on average and a peak of 28.4 µg/l on the sub-segment of Monument Creek from immediately above the discharge of the Tri-Lakes facility down to the North Gate Boulevard Bridge (Exit 156 on I-25.) This recommendation was based on nearly a decade of studies that led to GEI's creation of a biotic ligand model as well as GEI's fixed monitoring benchmark statistical analysis, in accordance with EPA's new 2012 guidance document, of copper concentrations in fish gills.

This is the first fixed monitoring benchmark standard that has ever been approved by the EPA. GEI will present these study and regulatory results at a national Society of Environmental Toxicology and Chemistry conference in Nashville in November as a success story for seeking regulatory change based on ecological toxicity studies and performing risk assessment using computer modeling. The savings to the constituents of the Tri-Lakes facility are literally incalculable because no biological nutrient removal technology exists for meeting the copper standards that were to be imposed on Jan. 1, 2015, under the current permit.

The commission also formally approved new site-specific permit limits of 16 µg/l (average) and 25 µg/l (peak) for the rest of the permit period, through 2016. This is the best performance that the plant can currently be reasonably expected to achieve. Actual in-stream concentrations below the mixing zone will be much less than either the new Monument Creek segment standards or new Tri-Lakes effluent standards noted above after the effluent copper is diluted by the essentially copper-free Monument Creek flows coming from Monument Lake, upstream of the Tri-Lakes facility discharge location.

All the commissioners praised the precedent-setting work done by the Tri-Lakes facility staff, the owner districts, and their consultants, Foster and GEI after passing these two rulings.

**District managers' reports**

Mike Wicklund, Monument's district manager, reported that the Monument board had approved a new policy to help limit the potential for illegal use of copper sulfate in leaking customer-owned sewer pipes that have tree root infiltration causing backups. Monument will offer 15-year interest-free financing for district replacement of damaged privately owned vitreous clay sewer service pipes. Such a loan would only be available if the district's contractor performs the repair and if the Monument district has sufficient cash reserves to pay for the repair of a customer service line. The collection line repair loan would be subject to the same property tax liens that currently apply to similar district tap fee loans and delinquent monthly service fee payments. Collection line repair loans would only be available at the sole discretion of the district on a case-by-case basis based on the prevailing service line and district financial circumstances at the time of the tree root infiltration.

For more information on the Monument Sanitation District board's approval of this new policy, see "New district financing policy approved" in the May 16 Monument Sanitation District article at [www.ocn.me/v13n6.htm#msd](http://www.ocn.me/v13n6.htm#msd).

Wicklund noted that the use of a jar of copper sulfate is sufficient to cause a very high copper concentration in the district's domestic wastewater that enters the Tri-Lakes Wastewater Treatment Facility. A high concentration of copper is very difficult for the plant's activated sludge treatment process to remove. The high remaining concentration of copper in the treated wastewater that is discharged to Monument Creek can cause a Tri-Lakes facility discharge permit violation due to the tight restrictions being imposed by the EPA on the state of Colorado.

The danger to all the district's customers is that these copper violations can lead to an EPA fine of as much as \$28,000 per day, which must be shared by all district constituents—about 1,000 homes and about 100 commercial businesses.

Whitelaw endorsed Monument's new policy. He stated that Woodmoor had just spent over \$500,000 for the replacement of its vitreous clay main collection lines. He also noted that he had previously directed installation of asbestos cement and plastic pipe to replace "crappy" vitreous clay lines in New England before he retired and moved to Woodmoor.

Becky Orcutt, Palmer Lake's district manager, reported that the recent damage caused by contractors boring holes through her district's main collection lines had been repaired. Woodmoor Assistant District Manager Randy Gillette reported that Woodmoor's annual line cleaning and video inspections were underway and the district will line some of Woodmoor's vitreous clay pipes later this summer.

**Facility manager's report**

Burks noted the following individual monthly effluent sample readings from the April Control Reg. 85 nutrients data collection report were:



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