

RMWEA/RMSAWWA Joint Water Reuse Committee and Regulation 84 Work Group
Minutes
January 13, 2005, 1:00 pm
City of Aurora Municipal Center, Aurora, Colorado

1. Attendees: John Rehring, Jerry Raisch, Roger Williams, David Takeda, Scott Lehman, Steve Lohman, Frank Johns, Karla Kinser, Claudia Cummins, Bill Landin, Kristi Riegle, Natalie Smith, Jenny Fifita, Dave Akers.

2. Regulation 84 Modifications

Requirements for Category 3: The group discussed and reaffirmed that Single Family Residential Irrigation (SFRI) under the new Category 3 water will require non-detect E. coli in at least 75% of all samples, and that the maximum allowable single sample reading will be 126 per 100 mL. The group was asked to consider whether uses beyond SFRI are of high enough interest to any treater/user at this time to consider including them in this revision to the reg. The group concluded that while fountains, impoundments, car washes, etc., have been discussed as possibilities in the past, only two currently-unauthorized uses are of enough interest to pursue including at this time. Those include:

- SFRI
- Fire protection via hydrants in residential areas (without plumbing reclaimed domestic wastewater into residential structures)

The group felt that fire hydrants in residential areas pose minimal public health risk if they use the proposed Category 3 quality water.

John will ask the January 24, 2005 Water Quality Forum participants whether there are additional high-priority uses, and will pose a similar question to the Committee/Work Group email distribution list. John will also ask these groups their thoughts on requiring a chlorine residual (or alternate measure for non-chlorine systems) for Category 3 water. It was recommended that if a new use was identified, there should be a sponsor willing to move it forward in drafting language for the regulation; if no such sponsor is identified, the use may be added in a future amendment to the regulation.

Disinfectant Residual: The group discussed the merits of and need for a chlorine residual requirement for Category 3 water. An upcoming AWWARF report seems to focus on the need for chlorine in the distribution system for maintenance reasons, but not for public health reasons. The group agreed that we will not further consider such a requirement at the point of use, because monitoring would likely be so onerous that utilities/users would avoid reuse in this situation. Instead, if a requirement were to be imposed, it would require a chlorine residual

at the wastewater treatment plant or point of compliance identified in Treater's Notice of Authorization. The group concluded that requiring a chlorine residual, or other means of checking disinfection operation, would be advisable for Category 3 water but not for Category 1 or 2 water, because of the increased risks associated with Category 3 uses. It was suggested that the regulation might cite a requirement for a chlorine residual (or alternate measure for systems not using chlorine), but that the specific concentrations, contact times, etc., would be better developed as BMPs and housed in a policy (e.g., the monitoring policy) instead of in the reg itself.

It was agreed that the existing labels of "Restricted" and "Unrestricted" associated with Categories 1 and 2, respectively, be deleted. These were remnants from the original regulation that can now be removed.

Treatment Requirements: Kristi inquired whether the turbidity and/or treatment requirements for Category 3 water would differ from the existing Category 2 requirements (i.e., 3 NTU and filtration). The group considered this, and concluded that there is no basis for changing these requirements for Category 3 water. Therefore, the proposal to the Water Quality Control Commission (WQCC) will be based on the same treatment and turbidity requirements for Category 3 water as Category 2 water. However, there will be more stringent E. coli requirements and additional best management practices (BMPs) associated with Category 3 in light of the increased potential for human contact and/or cross connections. Scott indicated that he will draft up changes to the reg that will apply the fire protection footnote from the existing reg's table (or similar language) to all Category 3 uses. He will also take a look at expanding the 12/13/04 table of various states' chlorine residual requirements based on various states' regulations.

Cross-Connection Control: The group reiterated its stance that the existing language regarding backflow prevention and cross connections in Reg 84 is sufficient for Category 3 uses, however minor changes will be made to add public education as a BMP.

Timeline: Assuming that only SFRI and residential-area fire hydrants are to be added, the group felt comfortable that we could develop proposed regulatory changes and Statement of Basis and Purpose (SOBP) language by March 2005. The anticipated timeline then includes submitting a memo by 2/2/05 (draft distributed at this meeting) to WQCC requesting a Rulemaking Hearing, and attending the 2/14/05 WQCC meeting to address any questions from the Commission on our request for a Rulemaking Hearing. We would then have until late March, and possibly into April, to provide our final proposed language to WQCC, with the ultimate goal of an August 2005 Rulemaking Hearing. While there is no particular target date for adopting these changes, there is enough interest in these Category 3 uses that participants agreed that the changes should be moved forward as quickly as possible.

A subgroup consisting of Scott, John, Claudia, and Tara will draft up redlines to the Reg. 84 language to reflect the proposed changes. The draft redlines will then be sent to Wes and Dave A. for review, and for modifying Reg. 84 so it does not conflict with other regs' requirements (see below). The group will try to get a draft put together for distribution at the 1/24/05 Water Quality Forum meeting, and will have a redline available for full committee/work group review before the 2/10/05 meeting.

A subgroup consisting of Ronda, Jerry, and Dave T. will work on the SOBP language, using the draft redlines to the reg. An initial draft will be sent to CDPHE (Wes/Dave) for review. This group will then seek to have draft SOBP language out to the full committee / work group before the 2/10/05 meeting.

Reg 61/72/73/84 Conflicts: Dave A. explained the conflicts between the requirements of these regulations. It was highlighted that Reg. 61 allows land application of water without a permit, if the water was applied at evapotranspiration (ET) rates. Thus, the initial suggestion that Reg. 84's agronomic rate clause also specify an ET requirement was intended to make these two regs' requirements more closely match. The group expressed concerns about salinity buildup when applying at ET rates, and at the impracticality of applying at 100%-efficient ET rates (and the ability of the Treater to monitor and report this information in the annual report)

Several options were discussed to address the discrepancies between the regs. The group determined that the best approach would be to modify Reg 61 to include an exemption from the ET requirement for treaters/users operating under the Reg 84 requirements. It was suggested that Reg 84 should be modified to indicate that as a BMP activity, treaters should inform users that they should be applying at the ET rate. It may be possible to modify the language in Section 84.9.A.4 to include this language. It was also noted that because reclaimed domestic wastewater is becoming a key resource, most treaters/users will be using water at about an ET rate, rather than over-applying it. Reg 84 should also be modified to indicate that users subject to Reg 72/73 (Cherry Creek/Chatfield basins), must report the annual total pounds of phosphorus applied in the subject basin(s).

Dave A. will take an initial cut at modifying both Regs 61 and 84 to reflect this approach. These two regs' modifications must travel through the WQCC process at the same time to implement this approach effectively.

3. Other Committee Business

Salinity Subcommittee: The subcommittee has not met since December. Claudia noted that the subcommittee would like to use the Reuse Committee's website as a reference for those with salinity management questions / issues, listing things

such as salinity-tolerant plant species. This material is under development. John indicated that recent feedback from the WateReuse Foundation suggests that the foundation might be able to participate financially in the Colorado State University study if the Reuse Committee is identified as the project's sponsor. John will look into this further and coordinate with Nicole Adams.

Monitoring Policy Revisions: Steve has drafted a modified/updated version of the policy, which the group discussed at the meeting. Concern was expressed that as drafted, a treater that only operated one day in a month would have to sample 4 times on that day. Steve will make additional changes based on feedback received at this meeting, including making both a "weekly" and "monthly" tabulation of monitoring frequency requirements, adjusting the ranges of production values, and capping sampling frequency at 16 per month instead of 20 per month. He will distribute a revised version before next month's Reuse Committee meeting.

2005 WateReuse Association Symposium Planning: Brian Good is participating in a planning conference call next week, after which he will be looking for volunteers for planning/coordinating/hosting the symposium (Denver, September 2005). Karla indicated she'd be willing to volunteer, and Jörg Drewes indicated via email that School of Mines students would likely also be willing to help out. Abstracts for this conference are due to the WateReuse Association on 2/9/05. It was also noted that abstracts for the 9/05 RMWEA/RMSAWWA Annual Conference (in Albuquerque this year) are due 4/1/05.

Upcoming Meeting Schedule:

- Thursday February 10, 2005, 1:00 pm, Arcadis, Highlands Ranch, CO
- Thursday March 10, 1:00 pm, City of Aurora, CO
- Thursday April 14, 2005, 1:00 pm, Arcadis, Highlands Ranch, CO
- Thursday May 12, 2005, 1:00 pm, City of Aurora, CO
- Thursday June 9, 2005, 1:00 pm, Arcadis, Highlands Ranch, CO

Meeting adjourned 3:20 pm.