

Waste Water Advisory Council
Draft Meeting Agenda
March 14, 2017, 10 a.m. – 12 p.m. ET
300 Sower Boulevard, Training Room C
Frankfort, Kentucky

- Introductions
- Announcements
- Review Agenda
- December 2016 Meeting Minutes
- Draft comments to the EPA for the draft recreation water quality (304(a) criteria (Carole Catalfo)
 - ACWA asked EPA to develop a national standard recreational criteria for HAB toxins
 - EPA developed CWA Section 304(a) recreational water quality criteria that can be used as advisory levels
 - EPA's stated rationale was to give states a tool to put nutrient limits in permits
 - Concern regarding expectation to adopt the recommended 304(a) criteria as state water quality criteria and subsequent obligations
 - Concerns about assessing cf. magnitude, duration and frequency given the ephemeral nature of HABs
- Water Reuse/Purple Pipes (Jory Becker)
- Federal Update (Jory Becker)
 - New EPA Administrator: seems consistently interested in states playing a larger, more primary role in program
 - WOTUS/Water Rules: what is status and implications?
 - Funding and rescissions: tracking via ECOS, ACWA, ASDWA, GWPC,
- KIA update – new leadership: Donna McNeil
- Legislative Update (Jory Becker)
 - HJR57 report
- Regulation Update (Gabbard/Catalfo)
 - Chapter 8 changes

- Resolves submetering issues and some corrections
 - Chapter 5 changes next; will share with committee once drafted/vetted
- Energy Optimization Project Update (Paulette Akers)
 - Selection
 - Next steps
- Sub-committees Assignments
 - Nutrients (Brian Bingham)
 - Small communities initiative
 - Point Sources numerical criteria – how to implement & how to handle small communities
 - ID systems in need
 - Permits under consideration for technical limits (Nick Lester)
 - Education & Apprenticeship (Paulette Akers)
 - Update on enhanced training for technology specific challenges
 - Update on Reserve Operators list
 - Small Systems (Gary Larimore)
 - Compliance (Sarah Gaddis)
- Next meeting June 13, 2017, Training Room C

Wastewater Advisory Council Meeting Minutes

December 13, 2016

10 a.m. – 12 p.m.

In Attendance: Paulette Akers (DEP/DCA); Angela Billings (DPH); Brian Bingham (MSD); Ed Fortner (BMU); Mike Gardner (BGMU); Gary Larimore (KRWA); Valerie Lucas (KY-TN WEA); Donna McNeil (KRWA); David Peterson (CEA); Roger Recktenwald (KACO); Russ Romine (ACEC); Mark Sneve (Strand); Robin Strader (KWWOA)

Division of Water: Tom Gabbard (Assistant Director), Peter Goodman (Director), Sara Beard, Jory Becker, Lynne Brosius, Sarah Gaddis, Samantha Kaiser, Nick Lester, Russell Neal, Abigail Rains

Public Attendees: Daniel Cleveland (EEC/OGC); Jeffrey Cummins (DENF); Jason Pennell (PSC); Jackie Quarles (OGC); Brian Rice (PSC); Jessica Wilhoite (DCA)

Introductions

Peter Goodman welcomed everyone and lead introductions.

Announcements

Russell Neal is the new supervisor for the Wastewater Municipal Planning Section. Corrections were made to the organizational chart.

Review Agenda

The committee reviewed the agenda. Mr. Goodman will be assigning projects to each subcommittee and would like to discuss the Water Resources Board at the end of the meeting.

September 2016 Meeting Minutes

The committee approved the September 2016 meeting minutes by consensus.

EPA Proposed ICR for the National Study of Nutrient Removal and Secondary Technologies: POTW (Peter Goodman)

Mr. Goodman attended the Association of Clean Water Administrators (ACWA) Committee meeting and discussed the lack of communication between the EPA and the State regulators. EPA releases information to the regulators and the regulated community at the same time. The proposed ICR is trying to collect information to see where the states are with optimization. EPA is conducting surveys with 308 letters. It is unclear what will be done with the information collected and how the Office of Science and Technology (OST) plays a role. Mr. Goodman will do more research and share information with the committee as he receives it.

Update from MS4 (Lynne Brosius)

The EPA has finalized the Small MS4 Remand Rule. Lynne Brosius discussed the original three options with the committee. The first option was individual permits that would be specific. The second option was general permits that would have more flexibility. And the third option, that will become effective in 2017, was a hybrid option of the first two options which allows the state the ability to choose. Kentucky's intention is to re-public notice the MS4-Phase 2 general permit before February 2017.

Update re: Harmful Algal Blooms (HABS) (Melanie Arnold)

Melanie Arnold was unable to attend the meeting and sent Mr. Goodman an email update. There have been approximately 17 reports of HABS or illnesses that may have been associated with HABS this year. Three HAB recreational advisories have been issued in 2016. EPA is planning to issue draft recreational water quality criteria and/or swimming advisories for the cyanotoxins microcystin and clindrospermopsin. The HAB Workgroup updated the HAB Implementation Plan for Recreational Waters in 2016 and will review and update it again before the 2017 recreation season. The update will take into account the latest guidance from EPA on HABS.

The Nutrient Subcommittee will collect all comments to be made on EPA's draft recreational water quality criteria. Brian Bingham (Chair of Nutrient Subcommittee) will send an email that contains instructions for submitting comments.

Subcommittees Assignments

Nutrients (Brian Bingham)

The Nutrient Subcommittee has not met due to legal issues that arose within ACEC about language between a 'committee' vs. 'workgroup'. Mr. Bingham proposed making the Nutrient Subcommittee meetings open so he can continue to be its Chair. This subcommittee will move forward with open meetings as there was no objection by the committee. This does not affect the other subcommittee meetings; they will continue to be closed. The Nutrient Subcommittee will have its first meeting in January 2017 with an agenda developed before the end of the year. Mark Sneve will now serve as Co-Chair.

Mr. Goodman discussed that the Compliance and Technical Assistance Branch (CTAB) is looking into determining nutrient limits and issuing permits. Paulette Akers discussed the work the Division of Compliance Assistance (DCA) is doing with optimization through the Energy Pilot Project. These show systems how to look at utility bills, pump/motors, and review audit findings to incorporate long term plans. The continuation of the project is determined on funding availability. Several states such as Iowa have exempted small communities from nutrient permits due to affordability and limits. The Nutrient Subcommittee should see what other states are doing to sustain small communities in a modern era and discuss at its next meeting. Some small systems are having compliance issues; the Nutrient Subcommittee should identify systems in need and compile a list, so larger systems can help. Kentucky has a Nutrient Reduction

Strategy, but it needs to be taken to the next level. DOW is hoping to collaborate with the Department of Agriculture, the Governor's office, and legislators to get them involved to improve the Nutrient Reduction Strategy. Point sources will eventually have numerical criteria. The committee should discuss how this could be implemented and how small communities will be handled to continue long term sustainability and affordability.

Education & Apprenticeship (Paulette Akers)

The Education & Apprenticeship Subcommittee met in October. The subcommittee is developing a brochure on how to recruit new operators. The subcommittee is determining how to educate elected officials on the importance of operator succession planning and recruiting new operators. The subcommittee also discussed developing short training videos/tutorials for operators.

The following recommendations were made to the subcommittee:

- 1/ examine enhanced training for technology specific challenges, such as new equipment;
- 2/ submit a request for CEU hours for the trainees and trainers that participate in the short videos;
- 3/ discuss the importance of operators to elected officials while discussing succession planning. There currently is no pool of operators available to train new operators or operators available for short-term use.
- 4/ develop a list of 'Reserve Operators' and
- 5/ develop specific language to exempt the operators from being responsible for any major issues when operating a system with known major issues.

KWOWA has a list of operators, but it is not current and operators do not keep updated information in the system due to City Clerks registering operators for training and paying fees for operators. DOW does not have anything officially developed for wastewater alternative operator staffing plans, but there are alternative operator staffing plans for drinking water. This same concept could be used for wastewater alternative operator staffing plans and determined on a case by case basis.

Small Systems (Gary Larimore)

The subcommittee added utility members but has not formally met. The subcommittee should form an agenda and discuss package treatment plants and the small systems initiative discussed with the Nutrient Subcommittee.

Compliance (Sarah Gaddis)

The subcommittee has not met, but hopes to schedule a meeting for January 20, 2017. The subcommittee would like to define its objectives and asked Mr. Goodman to give his guidance. The subcommittee is going to discuss compliance rates and issues, and NetDMR analyses changes.

It was recommended that the subcommittee research how to link Wastewater Laboratory Certification, specifically Field-Only Laboratory's, to NetDMR. Ms. Gaddis requested that someone for the Laboratory Certification Section at DOW be added to the subcommittee. The subcommittee should also discuss how to manage the expected increase in violations.

Water Resources Board

Mr. Goodman led the discussion regarding the Water Resources Board. Water is an economically limiting factor. There are currently a lot of gaps in data for water resources in Kentucky. This Board was established in KRS 151.113. The Board met several times and is discussing what data is currently available and where the gaps are. A list of projects was compiled and the Board voted on ranking the projects. A Kentucky Water Plan was ranked as the highest priority so over the next 5 years Kentucky will be developing a State Water Plan.

The committee discussed the use of purple pipes, re-using wastewater, and would like to discuss these topics further at the next WWAC meeting.

Next meeting March 14, 2017, 10 am to 12 pm ET, Training Room C

WASTEWATER ADVISORY COUNCIL
March 14, 2017
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