



State of Utah

Department of
Environmental Quality

Richard W. Sprott,
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

Water Quality Board
Joe Piccolo, *Chair*
Paula Doughty, *Vice-Chair*
David F. Echols
Darrell H. Mensel
LeLand J. Myers
Richard W. Sprott
Jay Ivan Olsen
Gregory L. Rowley
Steven P. Simpson
Merritt K. Frey
Daniel C. Snarr
Walter L. Baker,
Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

MINUTES

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD**

168 North 1950 West Room 101
Salt Lake City, Utah 84116
Friday, August 17, 2007

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Paula Doughty	Jay Olsen
Dave Echols	Joe Piccolo
Leland Myers	Rick Sprott
Darrell Mensel	Daniel Snarr
Merritt Frey	

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Faye Bell, Ed Macauley, Emily Canton, John Whitehead, Paul Krauth, Shelly Quick, Carl Adams, Judy Etherington, Lisa Nelson, Steve Palmer, David Snyder, Dorrie Panayotou, Jeff Studenka, Jeff Ostermiller, Emily Bartusek, Robert Bird, Ying-Ying Macauley

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Don Summit	JBS Swift & Company
Paul Fulgham	Certification Council
Terral Dunn	RWAU/ Certification Council
Phil Wright	Local Health Departments
Kevin Cowan	NDSO
Dru Whitlock	CH2M Hill
Matt Myers	CH2M Hill
Steve Myers	Forsgren Engineering
Travis Higby	Forsgren Engineering
Russell Sanderson	South Valley WRF
Hugh Hedges	South Valley WRF
Wayne Ballard	SLSD
Jeff Salt	Great Salt Lake Keeper
Sharon Siebold	WEAU
Douglas Stipes	JBS Swift & Company
Dale Pierson	RWAU

Mike Luers	SBWRD
Gordon Anderson	Mona City
Ron Sims	USU
RW Okey	Certification Council
Dustin Matsumori	George K. Baum/South Valley Sewer
Randy Williams	SLVHD
Steve Gerrke	Salt Lake Tribune
Ken Spiers	Bowen Collins/South Valley Sewer

Chair Piccolo called the Board meeting to order at 10:10 a.m. He welcomed those in attendance and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE JUNE 15, 2007 MEETING

Motion: It was moved by Mr. Olsen and seconded by Mr. Echols to approve the minutes of the June 15, 2007 Board meeting. The motion was unanimously approved.

Introductions of new staff: Mayor Piccolo introduced to the Board Merritt Frey, who is replacing Dr. Neil Kochenour on the Board, representing Wildlife & Recreation. Mr. Ostermiller, Monitoring Section Manager, introduced Robert Bird and Sandy Wingert who are new monitors to his section. Ms. Macauley introduced Dorothea Panayotou to the Water Quality Management Section.

Recognition Award for Dr. Ron Sims: Mayor Piccolo recognized and thanked Dr. Sims for his time serving on the Board. Dr. Sims has served on the Water Quality Board from April 1995 to April 2007 as the representative of Member at Large.

Executive Secretary's Report: Mr. Baker explained to the Board that the Division of Water Quality is going to be pursuing the requirement of operating permits for projects sponsored by such entities as the Forest Service, UDOT Rest Stops, and non-discharging lagoons.

Representative Painter will present a bill in the upcoming legislature to modify Title 19-5 Utah Water Quality Act to add a new member to the Water Quality Board who would represent local health departments, making twelve members on the Board.

Work continues on the Great Salt Lake and the selenium standard.

RULEMAKING

Administrative Rules for Non-point Source Grants: Ms. Quick proposed revisions to Administrative Rules R317-101 and R317-102 establishing procedures to provide grants for non-point source projects and onsite wastewater systems, and to revise existing non-point source (NPS) loan program requirements, and to provide a loan origination fee for loan projects. This effort is in response to the 2007 legislative changes to the Utah Code Annotated 73-10c enabling the State Revolving Fund to provide hardship grants for NPS projects. Staff is requesting Board approval to initiate rulemaking.

Motion: It was moved by Mr. Myer and seconded by Ms. Doughty to approve staff's request to Initiate Rule Making on R317-101 and R317-102, State Revolving Fund Loan and Grant Procedures. The motion was unanimously approved.

Adoption by reference of EPA approved TMDLs: Mr. Adams explained that staff is recommending that the TMDL Section proceed to rulemaking for the adoption of all EPA approved TMDLs received since the last adoption.

Motion: It was moved by Mr. Sprott and seconded by Mr. Mensel to approve staff's request to proceed to rulemaking. The motion was unanimously approved.

Administrative Rules for Operator Certification: Ms. Etherington presented to the Board Wastewater Operator Certification Council recommendation to consider modifications to the Utah Administrative Code R317-10, "Administrative Rules for Certification of Wastewater Works Operators." The objective of the proposed revision is to clarify the guidelines and procedures used by the wastewater operator certification program and bring the rules into harmony with actual practices of the Division. The Council recommends that the proposed changes be made to Utah Administrative Code R317-10.

Motion: It was moved by Mr. Myer and seconded by Mr. Echols to approve staff's request to Initiate Rule Making on R317-10. The motion was unanimously approved.

Administrative Rules for Onsite Wastewater Systems: Mr. Snyder explained in response to a written request from Advanced Drainage Systems, Inc. (ADS), a manufacturer of gravelless chambers, that staff has developed revisions of the existing rule to reflect newer technical information and a more descriptive reference for manufacturing standards. This proposed rule revision has been presented and accepted at the COWP (Council of Onsite Wastewater Professionals) and CLEHA (Council of Local Environmental Health Associations). Staff is requesting the Boards approval to proceed to rulemaking for the adoption of the proposed changes.

Motion: It was moved by Mr. Echols and seconded by Mr. Myers to approve staff's request to Initiate Rule Making R317-4-9.4 Gravelless Chambers. The motion was unanimously approved.

LOAN PROGRAM

Financial Assistance Status Report – Ms. Canton updated the Board on the "Summary of Assistance Program Funds" as outlined on page 3.1.

Adoption/Assessment of the Loan Origination Fee: Ms. Canton explained to the Board that on May 22, 2007, the Division of Drinking Water and the Division of Water Quality published a public notice for a joint public hearing to present information regarding the proposed loan

origination fees. The proposed loan origination fee is equal to 0.5% of the principal loan amount and is due in full at the time of loan closing. Loan recipients may use loan proceeds to pay the loan origination fee. Staff is requesting that the Water Quality Board approve staffs request to adopt a loan origination fee of 0.5% on the principal loan amount to previously authorized projects in lieu of an administrative fee.

Motion: It was moved by Mr. Myers and seconded by Ms. Doughty to approve staff's request to adopt the loan origination fee of 0.5% on the principal loan amount. The motion was unanimously approved.

Introduction of South Valley Sewer District loan request: Ms. Lisa Nelson introduced Wayne Ballard with SVSD, Kenneth Spiers with Bowen Collins & Associates and Dustin Matsumori with George K. Baum & Company. The South Valley Sewer District (SVSD) is requesting financial assistance in the amount of a \$22,110,000 loan at an interest rate of 2.3% repayable over 20 years. A new treatment plant is necessary to meet the needs of the growing population of the entities that comprise the SVSD. Based on life-cycle cost analysis it was determined that constructing a new plant at Riverton is the preferred alternative. The selected treatment process is Membrane Bio-Reactor Activated Sludge. This project is being presented as an introduction to the Water Quality Board at this time. Mr. Spiers presented a power point presentation to the Board. Mr. Mensel explained that he had received some negative comments concerning this project and asked that those in opposition to this project be invited to attend the next Board meeting prior to making motions on the request to present their views. Ms. Frey also requested that staff present a waste load analysis for the Jordan River.

South Valley WRF Design Advance: Mr. Palmer introduced Russ Sanderson with SVWRF, Dustin Matsumori with George K. Baum & Company and Hugh Hedges with SVWRF. On May 19, 2006 the Water Quality Board authorized a loan of \$20,000,000 to South Valley Water Reclamation Facility (SVWRF) for the design and construction of its wastewater facility upgrade, Phase 4D. SVWRF is now requesting a design advance in the amount of \$1,742,000 to complete the design of the facility and review air piping, electrical and equipment shop drawings. In addition staff is requesting that the Board increase SVWRF amount by \$2,220,000 to \$22,110,000 at a reduced interest rate of 2.3% to provide funding for a non-point source loan of \$2,000,000 and a loan origination fee of \$110,000. Staff recommends increasing SVWRF's loan amount from the \$20,000,000 at 3.5% authorized May 19, 2006 to \$22,110,000 at 2.3% to cover the increased cost of the loan origination fee and a non point source project. Staff is also recommending a hardship design advance of \$1,742,000.

Motion: It was moved by Mr. Myers to approve replacing the current loan authorization with the staff recommended loan of \$22,110,000 at an interest rate of 2.3% with a term of 20 years. The new loan includes \$2,000,000 allocated for an as yet unidentified non-point source project and a hardship design advance of \$1,742,000 with the provision that the non-point source project be presented to the board for approval. The motion was seconded by Ms. Doughty. The motion was unanimously approved.

Mona City request for a Planning Advance: Ms. Nelson introduced Travis Higby, Forsgren Associates, Inc. and Gordon Anderson, Mona City Council. Mona City is requesting a Hardship Planning Advance in the amount of \$49,000 to prepare a feasibility study which will allow them to evaluate wastewater collection and treatment system alternatives to handle their rapid growth.

Motion: It was moved by Mr. Snarr to approve staff's request to grant Mona City's request for a Hardship Planning Advance in the amount of \$49,000. The motion was seconded by Mr. Myers. The motion was unanimously approved.

OTHER BUSINESS

Operator Certification Report – Test Passing Rate: Ms. Etherington introduced Sharon Siebold with WEAU. In response to the request made in the April 15, 2007 Water Quality Board meeting asking how Utah compares to other states in the number of those who take and pass the ABC exam. Listed in the summary on page 4.10 the members of the Operator Certification Council recommend that each facility should have their own library to lend out materials to assist their own personnel in taking the exam. Ms. Siebold had taken all the exams herself and has noticed that many of the operators taking the test do not study prior to taking the exam. WEAU believes ABC offers the best options in testing operators. WEAU does not support periodic re-certification testing. Mr. Sprott asked if Ms. Etherington could get the number of certified people actually working in the field that have passed the wastewater operator certification exam. (Staff note: As of August 28, 2007, there are currently 1,065 certified wastewater operators in Utah, most of who have passed the certification exam, and most of whom are currently employed at wastewater treatment facilities as shown in slides 34 and 35 of the presentation.)

NEXT MEETING

At the DEQ Building #2 in Salt Lake City on September 14, 2007 in room 101 beginning at 9:00 a.m.

Joe Piccolo, Chairman
Utah Water Quality Board