

WWAB Meeting

1 WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY

2 WATER AND WASTE ADVISORY BOARD

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4 WYOMING WATER AND WASTE
5 ADVISORY BOARD MEETING
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7 TRANSCRIPT OF BOARD MEETING

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9 Pursuant to notice duly given to all parties in
10 interest, this matter came on for hearing on the 24th day
11 of March, 2017, at the hour of 9:05 a.m., at the Wyoming
12 Game & Fish, Room 171, the Elk Room, 5400 Bishop Boulevard,
13 Cheyenne, Wyoming before the Wyoming Water & Waste Advisory
14 Board, Chairman Marjorie Bedessem presiding, with board
15 members Klaus Hanson, Brian Deurloo, Alan Kirkbride and
16 Lorie Cahn also in attendance.

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1 mean, you are potentially reducing runoff from those areas.

2 BOARD MEMBER HANSON: Then maybe we need to
3 take up legislatively why this is illegal, because --

4 MS. PATTERSON: I think that might be a
5 different division, different department. It might be a
6 State Engineer's Office question.

7 BOARD MEMBER HANSON: Yeah.

8 MS. PATTERSON: Yeah. We just deal with
9 the water quality part, not water quantity part.

10 BOARD MEMBER HANSON: Thank you. No. I'm
11 just wondering why it's illegal, you know. Does it have an
12 impact or something like that?

13 MS. PATTERSON: I think it's water rights.

14 CHAIRMAN BEDESSEM: Any other comments or
15 comments from the board? Then let's move to our ten-minute
16 break. How about five of?

17 (Board meeting recessed

18 10:44 a.m. to 11:00 a.m.)

19 CHAIRMAN BEDESSEM: Let's reconvene the
20 Water & Waste Advisory Board meeting. Lorie, are you on
21 the line now?

22 BOARD MEMBER CAHN: Yes, I am.

23 CHAIRMAN BEDESSEM: Thanks, Lorie.

24 We'll turn it back over to the Water Quality
25 Division.

1 MR. FREDERICK: Thank you, Madam Chairman.

2 So, as I mentioned briefly earlier, the Water
3 Quality Division took advantage of a slow period, I guess,
4 with the advisory board schedule to try and do a little
5 cleanup, a little housework, and tidy up some of our rules
6 and regulations where we had identified some issues with
7 references to other regulations that we wanted to make
8 corrections to and minor things like that, and I will turn
9 it over to Gina to kind of review or summarize essentially
10 what sort of things we addressed in this particular
11 endeavor.

12 And just so you know, when we're working with our
13 rules and regulations -- and I've done this myself over the
14 years -- when I find a cross-reference that's changed, I'll
15 make a note in the margin in a red pen. So for my own
16 reference, at least I know that there's a change that's
17 been made, and I believe -- well, I'm certain that a lot of
18 other staff members essentially do the same thing.

19 So the idea was to give all of us an opportunity
20 to essentially pull those out, let's go through, check our
21 margin notes and our hard copy rules and regs in our
22 offices that we use as our work copies and essentially take
23 advantage of an opportunity to try and do some cleanup. So
24 essentially that's what we did. That's what this is all
25 about before you now.

1 And Gina, anything else you'd like to add?

2 MS. THOMPSON: No. We did a pretty
3 systematic approach. When we were trying to figure out
4 which rules we were going to bring to you today, we ruled
5 out anything that was going to come up before you later in
6 the year or potentially next year, because we would start
7 to be working on those anyway.

8 So we didn't want to duplicate our efforts, if we
9 didn't have to, or waste any time on your behalf, and we
10 sent a form out to all of the programs in Water Quality,
11 which were then kind of disseminated out to the staff. It
12 was in electronic form, and everyone provided their chapter
13 citations, explained what they thought the problem was,
14 explained what they thought it should be changed to.

15 Some of the problems that were pointed out did
16 not fall within the scope of what we wanted to do today.
17 We didn't want to change any standards. We didn't want to
18 change limits or add any extra requirements, really. We
19 just wanted to fix and correct whatever was in place that
20 was causing some confusion for people.

21 In addition to getting some suggestions from our
22 Water Quality Division, we did get some suggestions from
23 the Land Quality Division. We cross-referenced their rule
24 in spots and we had an old rule cross-reference that didn't
25 exist anymore. We weren't aware that it had been removed

1 and so this was an opportunity for us to fix that as well.

2 And we were also able to just ensure that any
3 other cross-references we had to other division rules, that
4 those were correct.

5 So while this pile looks quite large, and I'm
6 sure there was a bit of shock when you got the mailing, in
7 my humble opinion, I feel like it's pretty minor stuff.

8 We weren't trying to really change anything. We
9 were just trying to make those corrections that we saw were
10 a problem and try to make things consistent with the way
11 we've been doing rules before you for the last few years.
12 Yes.

13 BOARD MEMBER HANSON: I was kind of amused
14 that you took away the medieval approach by taking out all
15 the "which's" and replacing them with "that's."

16 MR. FREDERICK: It was a "which" hunt.

17 MS. THOMPSON: It was a "which" hunt, and
18 that particular -- that tiny effort alone was exhausting.

19 BOARD MEMBER HANSON: Okay.

20 MS. THOMPSON: And hopefully, I caught all
21 of them. Rulemaking can be very tedious. You have to be
22 very methodical. Both the clean and the strike and
23 underline have to match perfectly. So I'm very humble
24 here. If you found anything that I've missed and you
25 believe that it should be changed, please definitely let me

1 know.

2 But we really did try to be very careful and get
3 all of those types of things. Because as you know, the
4 last few years worth of rulemakings, the old rules had a
5 lot of errors in them, and we've just tried to fix a lot of
6 those today, make that correct.

7 BOARD MEMBER HANSON: So that was just a
8 funny remark, because I didn't think it was necessary, but
9 you did it. And English is not my native language, so I
10 appreciate it anyway.

11 MR. THOMPSON: Thank you.

12 BOARD MEMBER HANSON: The other thing that
13 I did observe was --

14 BOARD MEMBER CAHN: While we're on the
15 subject of "which" versus "that," Madam Chair, could I be
16 recognized?

17 CHAIRMAN BEDESSEM: Yes. Go ahead, Lorie.

18 BOARD MEMBER CAHN: Klaus, it's actually
19 extremely important whether you use "which" or "that,"
20 particularly in regulations, because they mean very
21 different things, and I want to commend Gina for a very
22 thorough job on catching them.

23 Although I will have comments on specific ones
24 where they were changed wrongly and some questions about
25 individual ones in terms of the meanings are very different

1 and I don't understand which meaning is meant, so when we
2 get to that, I will have some comments related to that.

3 Thank you.

4 CHAIRMAN BEDESSEM: Thanks for the heads-
5 up, Lorie.

6 Klaus, would you continue?

7 BOARD MEMBER HANSON: The other
8 observation, and I didn't check it closely, I said it was
9 commendable that you included wherever measurements were
10 mentioned, the rest of the world standards of measurement,
11 but I thought it wasn't all consistent. Some were missing.

12 They didn't -- so you might want to go through
13 the documents and add those where the metric equivalent was
14 missing or the temperature was missing. I couldn't keep
15 track of all of them, but I think it should be easy to just
16 do that. And I think it's commendable to do that, because
17 that way, it's more readable in the general fashion, but it
18 probably, if you add consistency to that, it would be
19 appreciated --

20 MS. THOMPSON: Sure.

21 BOARD MEMBER HANSON: -- on my part, since
22 I grew up with that other system. And I checked some of
23 them. I couldn't find any where they are where the
24 equivalences were correct. So that was also important to
25 me that I realized that. Thank you.

1 MS. THOMPSON: Okay. So, Madam Chair, what
2 we would like to do, if it's all right with you, we do not
3 want to go change by change because, as you could tell,
4 there were quite a few, but as we go through each chapter
5 and kind of give you an overview of what was done in that
6 chapter and maybe give a little background information, if
7 there needs to be some, we could take questions or
8 suggestions at that time, if that's amenable.

9 CHAIRMAN BEDESSEM: I think that would be
10 just fine.

11 MS. THOMPSON: Okay. All right. So we'll
12 go ahead and we'll start out in the strike and underline in
13 Chapter 3.

14 And basically we did -- we corrected a few
15 incorrect uses of "which" to "that." We corrected some
16 punctuation errors.

17 And our main reason for opening this chapter was
18 we had some incorrect cross-references to old underground
19 injection control rules that we had repealed through you
20 all a few years ago, and we needed to make sure that this
21 chapter, this construction permit chapter, that it
22 reflected the correct Chapter 27. So we've corrected the
23 cross-references there.

24 Did you all have any questions or additional
25 suggestions for minor corrections in Chapter 3?

1 BOARD MEMBER DEURLOO: Madam Chairman, I
2 do.

3 Yes. So on page 3-3 (d) (ii), "out-fall,"
4 everywhere else I've seen "outfall" is just one -- okay.
5 So too silly?

6 CHAIRMAN BEDESSEM: No, no, no. You're
7 perfectly fine. It's just that it's a lot easier since
8 they were wonderful to give us line numbers, if you could
9 just say the line numbers, it's a lot easier to follow than
10 I, double I.

11 BOARD MEMBER DEURLOO: You're so right.
12 Line 62, "out-fall" I've seen everywhere else as one word,
13 but however you want to do it.

14 And then page 3-10, line 365, I see this several
15 times through all of these chapters, Gina, where
16 "Department" is possessive and then you're changing it to
17 Department of Environmental Quality's, as it needs to be an
18 apostrophe S. And that occurs several times throughout,
19 just to be consistent, if you want it to be possessive or
20 not.

21 MS. THOMPSON: Sure. I would like to point
22 out this particular correction, I was trying to change it
23 because it's a -- it isn't just a working document. It's a
24 proper citation of a rule. So I was trying to change that
25 there.

1 But I can definitely review to make sure that we
2 have been consistent, because that was one of the items I
3 was trying to find, but due to the way we have to slow down
4 and do it kind of word by word, I probably missed some.

5 BOARD MEMBER CAHN: Gina, I support your
6 change on this one. I think it's correct not to be
7 possessive on this.

8 MS. THOMPSON: Okay.

9 BOARD MEMBER DEURLOO: Okay. I'm an
10 engineer. I'll leave it to the expert.

11 BOARD MEMBER CAHN: I would like to, on
12 line 355, let's get to kind of a bigger issue, which is I
13 sent Gina an e-mail asking which -- you know, which manual
14 or which guidance are you using for a style guide, and the
15 answer came back that it's the Chicago Manual of Style.
16 And in the Chicago Manual of Style, just in a general rule
17 in terms of the use of numbers, numbers are not typically
18 spelled out if they're greater than ten, if they're ten or
19 greater.

20 And so I just -- I don't find on line 355, for
21 example, where we say "a minimum thirty," spelled out,
22 parentheses, 30, "the public comment period," to me, that
23 doesn't -- first of all, it doesn't follow the Chicago
24 Manual of Style, and second, to me, it makes it more clumsy
25 to review regulations if it's always spelling out numbers

1 as the numeral and as the number. Nobody doesn't know that
2 thirty is 30 whether it's written or spelled out and so I
3 would like to see changes made.

4 I agree that it shouldn't -- well, in this case,
5 30 as spelled out was added. I don't think that adds
6 anything. I think it makes it clumsier, and I would prefer
7 to follow the Chicago Manual of Style where the 30 as
8 spelled out would not be there. It would just be as it was
9 with 30.

10 MS. THOMPSON: Madam Chair.

11 BOARD MEMBER CAHN: But the question
12 becomes whether or not there need to be hyphens, because
13 it's followed by "public comment period." So it would
14 be --

15 CHAIRMAN BEDESSEM: So are you saying a
16 hyphen between --

17 BOARD MEMBER CAHN: -- a unit of measure.

18 CHAIRMAN BEDESSEM: Are you saying a hyphen
19 30 and day?

20 BOARD MEMBER CAHN: I have to go back to
21 the Chicago Manual of Style on that to check that
22 specifically, but I think it's one I question. Because if
23 it's a unit of measure, I know it would have a dash, a
24 hyphen, if it's modifying a noun. I'd have to check on
25 this one, and I will make a point of doing that and getting

1 back to Gina on that one.

2 MS. THOMPSON: So, Madam Chair and
3 Ms. Cahn, I'd like to explain my reasoning for this. When
4 I first started coming before this advisory board with
5 rulemakings for the division, we had a -- we were unaware
6 of a habit we had of part of a rule would have the number
7 with the -- it would be spelled out with the number behind
8 it and then we wouldn't be consistent through the chapter.
9 And I recalled discussions with the board where we were
10 instructed to be consistent with ourselves, and I believe
11 that the way I laid it out here is what we had chosen to
12 do. But what we can do -- I don't have a preference either
13 way and especially since Miss Cahn has noted in our style
14 guide that we generally use that the style is different, I
15 can make those changes.

16 This will be a problem in all the rules that I've
17 given you today. And I agree with her that it does come
18 across as clunky. So we can make that change and it's
19 not -- that's not a problem. But again, I apologize. It's
20 going to be in every chapter. So that will be a recurring
21 theme today.

22 MR. FREDERICK: Let me ask Gina, and
23 recognizing we've got two copies of each rule here, so
24 you're essentially going to have to go through half of this
25 volume to make those modifications.

1 BOARD MEMBER CAHN: Kevin, I'm having a
2 hard time hearing you. I'm sorry.

3 MR. FREDERICK: Sorry, Lorie. I was
4 commenting to Gina that since we essentially have two
5 copies of each of the regulations before us here, the work
6 that's going to be involved for Gina to go through these is
7 essentially going to be equivalent to half of the volume of
8 materials that we've got before us, which is definitely
9 going to take some time.

10 I understand the importance of trying to be
11 consistent with style and all of that, and I guess I'd just
12 like to ask Gina, how heavy of a lift is this going to be
13 for you to make those global changes through these rules?
14 Have you got an idea?

15 MS. THOMPSON: You know, I don't have a
16 time estimate off the top of my head. It took me, you
17 know, the better part of a couple of weeks to put all of
18 these in, off and on. I was working on things
19 simultaneously. I would say it would probably be, you
20 know, two or three days worth of work just to make sure
21 that we've carefully gone through.

22 So it's doable, but, you know, for this
23 particular item, it will take probably a couple of days
24 just because -- I believe it was Chapter 20 I had to -- I
25 fixed, so to speak, I fixed quite a bit of that numbering

1 in consistency and that was kind of a large chapter. So
2 definitely at least, you know, two or three days, going
3 through very carefully.

4 MR. FREDERICK: So, Madam Chair, a couple
5 of questions. Is it the desire of the board that we make
6 these changes, first of all? Secondly, if we do, is there
7 a need to come back before the board again to review those
8 changes?

9 BOARD MEMBER CAHN: Madam Chair, could I be
10 recognized?

11 CHAIRMAN BEDESSEM: Yes. Please go ahead,
12 Lorie.

13 BOARD MEMBER CAHN: Kevin, I'm not sure
14 it's a good time for the board to answer that question
15 until we've seen -- the board, the entire board, has seen
16 the extent of our comments. I think if the only comment is
17 to change, you know, delete 60 spelled out and 30 spelled
18 out, I think that's a very different question than after
19 we've seen all of the comments. So I guess I would prefer
20 if we could delay that question.

21 CHAIRMAN BEDESSEM: I'm fine with that. We
22 can -- let's go through the rest of the issues and bring
23 that back up again at the end.

24 MS. THOMPSON: Sure.

25 CHAIRMAN BEDESSEM: So I believe you were

1 going through your set of comments.

2 BOARD MEMBER DEURLOO: Well, I don't want
3 to take --

4 CHAIRMAN BEDESSEM: No. She was just, you
5 know, trying to hit on the double spelling and the numeric
6 issue at the time. Lorie will have a chance to go through
7 hers, but if you want to go through the list of the ones
8 you have.

9 BOARD MEMBER DEURLOO: I'll try to be
10 quick.

11 MS. THOMPSON: Sure.

12 BOARD MEMBER DEURLOO: So page 3-14, line
13 533.

14 BOARD MEMBER CAHN: Can I ask you to
15 identify yourself since I'm not there?

16 BOARD MEMBER DEURLOO: This is Brian
17 Deurloo.

18 BOARD MEMBER CAHN: Thank you.

19 BOARD MEMBER DEURLOO: 3-14, line 533.
20 Several times throughout the chapters you referred to the
21 "Administrators," capital A. I don't know. Is "the
22 division" supposed to be capitalized? Because it's -- page
23 3-14, line 533, "division." So maybe you want to spell it
24 out, the Water Quality Division. It's again around your
25 consistency thing.

1 There's another consistency -- I'm not going to
2 address every one of them, but there's a lot of times in
3 the chapters where you state the rule should be as follows
4 or something and so you have a semicolon, and then you list
5 out several things, and every line is separated by a
6 semicolon, right?

7 Sometimes I see the second to the last one being
8 segued by an "and" like you have on page 3-15. So 3-15,
9 line 559, I was trained that you start the whole -- I don't
10 even know what you'd call them. You start it all with a
11 colon and then each one is separated by a semicolon. If
12 they're all additive to each other, the second one to the
13 last one has an "and." This should also be a rule, right?
14 But it's "or." It's an "or," and/or. But it's all over
15 the board in all of these and so that's something you may
16 want to address. It may be good.

17 I have a few more. So like I said, there's
18 plenty of those. I'll leave that up to you.

19 Page 3-20, line 801, Kevin, what do you think?
20 Geohydrology. I've always referred to that as
21 hydrogeology, but I'll leave that at the DEQ's pleasure
22 what they want to do with that, but I was referred to as
23 hydrogeology.

24 MR. FREDERICK: I've seen it used both
25 ways.

1 BOARD MEMBER DEURLOO: Have you? All
2 right. And then finally, my last comment on a big level is
3 page 3-19, line 766, I found it very ambiguous. It reads,
4 starting on 765, "If an applicant proposes a facility of
5 this nature and can provide the documentation." I just --
6 there's probably a thousand examples of something like this
7 in here, but I would change the word "the" to "supporting."
8 It just seems ambiguous, and I'll leave it at that.

9 MR. FREDERICK: Madam Chair, in the
10 interest of time, I would like to suggest for your
11 consideration that we speak to those proposed modifications
12 that we're bringing before the board.

13 BOARD MEMBER DEURLOO: Oh, okay.

14 MR. FREDERICK: And if there's interest on
15 behalf of the board to ask the Water Quality Division to
16 consider additional modifications that we're not bringing
17 before the board today, I'd be more than happy to have that
18 conversation.

19 CHAIRMAN BEDESSEM: So you would prefer
20 that when we go through our comments, we comment on the
21 changes that you're proposing, and then after we conclude
22 those, go back through again. Or do you want to do that by
23 chapter?

24 So like we'll do this chapter, we'll go through
25 the changes you're proposing, and then we'll go through any

1 additional ones the board would like you to look at.

2 MR. FREDERICK: Either way would be fine
3 with me.

4 CHAIRMAN BEDESSEM: I think that would be
5 fine. We'll do it that way.

6 So as each of us go through, we'll segregate them
7 in that category.

8 MR. FREDERICK: And again, Madam Chair,
9 just to clarify. It wasn't our intent to go through each
10 chapter and look at all the minor aspects of style, if you
11 will. We're more interested in this opportunity here to
12 make corrections that we feel are necessary and help
13 improve the rule. That's not to say that there certainly
14 are other edits that couldn't or perhaps shouldn't be made
15 to the regulation, but I'm just a little concerned that the
16 way the conversation is going, we're going to walk away
17 from here with perhaps a lot more work than what we're
18 actually trying to accomplish here.

19 CHAIRMAN BEDESSEM: But I understand that
20 you're concerned about having a longer "to do" list when
21 you leave.

22 MR. FREDERICK: Yeah.

23 CHAIRMAN BEDESSEM: I would like to bring
24 up, though, that this goes back to an issue that has come
25 before the board before where we've talked about when a

1 rule comes before the board whether our board members need
2 to restrict their comments to the proposal or whether they
3 can comment on anything in the rule or whether they can
4 comment only on the sections that are being revised.

5 And when this issue came up before and we asked
6 to get an AG's opinion, we were told that we could not have
7 an AG's opinion because the AG did not represent the
8 advisory board. So my request is I see this issue coming
9 up continually, and I would like to request that -- you
10 know, as water quality administrator, you can't approve
11 this, but if you would ask the department director if the
12 agency can request that the AG's office provide us a
13 statement with direction as to what is appropriate or not
14 so that our board members are consistent in how they view
15 the packages that you give us.

16 I just think it's a question the advisory board
17 has asked numerous times, getting the response that the AG
18 can't give us a response because they don't work for us, it
19 seems like the agency needs to ask the AG's office to give
20 us that guidance so that this issue doesn't come up at
21 future meetings, because inevitably, it will, okay?

22 MR. FREDERICK: Sure.

23 CHAIRMAN BEDESSEM: And then based on that
24 guidance that we receive, we can have a better idea of how
25 to organize these meetings, whether we can comment on

1 others, and how we segregate out those comments during the
2 meetings.

3 So do any other board members want to add any
4 comments to that?

5 MR. FREDERICK: Let me respond, Madam
6 Chairman.

7 CHAIRMAN BEDESSEM: Uh-huh.

8 MR. FREDERICK: I'm certainly open to
9 making a request. I think it's important, though, to make
10 clear that certainly the board has the opportunity to
11 comment on changes that it would like to see made to the
12 rules and regulations that we are bringing before you for
13 your opinion. I don't know that we need necessarily an
14 AG's opinion to acknowledge that. I think the board
15 already has that discretion.

16 I think if that's the case, however, it would be
17 important to distinguish between those recommendations
18 outside the proposed rule changes that the board would like
19 to have the division consider. In doing so, it would allow
20 us to at least move forward with the proposed modifications
21 that we're bringing to the board and asking them to
22 consider. I think that there are two separate discussions
23 there.

24 CHAIRMAN BEDESSEM: Uh-hum.

25 MR. FREDERICK: One is clearly before the

1 board. There's been public notice. But certainly any
2 other comments that the board wishes to make,
3 recommendations for consideration, I think you have that
4 discretion.

5 CHAIRMAN BEDESSEM: So what I'm hearing is
6 that your opinion is we can comment on anything in here,
7 but if we segregate the comments, then at least we can
8 attend to the matter at hand and then discuss that
9 following. So the remarks that Lorie made with respect to
10 the numbers situations, that is in your proposal.

11 MS. THOMPSON: Yes.

12 CHAIRMAN BEDESSEM: And it's also -- it
13 shouldn't be that hard, I don't think, to track, because
14 you can just -- you know, when you go to your corrections,
15 you know, you don't accept and hit next and go, but it's
16 just a matter of matching it in another document. That's
17 the difficulty.

18 MS. THOMPSON: Right. So I'll just kind of
19 explain the process at this point in time.

20 So previously when we would send you a strike and
21 underline, it would be in that kind of review comments
22 stage, but our Secretary of State's Office has recently
23 upgraded their rules service, and in order to comply with
24 how they present rules on their page at the formal
25 rulemaking process, if we submit them in that review

1 comments stage, they don't render properly on their website
2 and they reject our submissions. So what we've started
3 doing is just kind of hand striking and underlying them so
4 that we don't have to have multiple versions and just to --
5 you know, so we don't have to go back every time and kind
6 of create something new.

7 So what we'll do is we'll just go through and
8 find -- there are ways, but this is a hand-stricken book.
9 This is hand done.

10 CHAIRMAN BEDESSEM: This is supposed to be
11 an improvement in efficiency.

12 MS. THOMPSON: Right.

13 CHAIRMAN BEDESSEM: It is clearly not
14 saying that's the case.

15 MS. THOMPSON: There are certain parts of
16 the process that it has made much easier and I think it
17 serves the public much better. It's much easier for the
18 public to find out -- if they're not familiar with us, it's
19 much easier for them to find out when rules are on notice.
20 It's much easier for other agencies and for legislators to
21 find the information that they need.

22 And it is a pleasant-looking site. It's just as
23 the person in the trench, it puts a little bit more work on
24 me on this part. So we can figure it out, but it's hand
25 done.

1 BOARD MEMBER CAHN: Gina --

2 MS. THOMPSON: Yes, ma'am.

3 BOARD MEMBER CAHN: -- if you want to call
4 me after this meeting, I've run into this problem before
5 when you have redline/strikeouts and you make a PDF of it
6 that you lose some of the things. And there is work around
7 that that I discovered -- well, I didn't discover, but a
8 tech editor processor discovered it in the company that I
9 worked for before, and I'd be happy to share that, the
10 trick with you, about how to get it to work so you don't
11 have to do these by hand --

12 MS. THOMPSON: Sure.

13 BOARD MEMBER CAHN: -- in the PDF version.
14 So just give me a call afterwards and we can go over that.

15 MS. THOMPSON: Sure. Thank you.

16 CHAIRMAN BEDESSEM: There has to be a way.

17 MR. FREDERICK: Madam Chair, just another
18 point that I would like to make relating to in this
19 particular setting making essentially changes to the rules
20 and regulations at the board's request. Recognizing that
21 doing so in this particular setting probably does not rise
22 to the level of transparency that we're normally held to
23 with respect to making sure that the changes that we make
24 in our rules and regulations are public noticed and that
25 people at least are aware that we're making changes and

1 have an opportunity, then, to come before the board and
2 speak to those proposed changes, I certainly recognize that
3 what we've spoken about so far has been minor in terms of
4 editorial revisions or grammatical revisions that probably
5 don't rise to the significance of much, if any, public
6 interest; however, if we go down that path in this case, we
7 have to be aware that there may be other situations that
8 come up where the board is asking what we might consider to
9 be substantial changes to our regulations that would best
10 be held in a more public forum and consistent with our rule
11 process.

12 CHAIRMAN BEDESSEM: Okay. So we'll
13 continue now with Chapter 3 with any board comments, but at
14 this point we're just going to discuss ones specifically
15 related to what the proposed changes are. So, Brian, I
16 assume you're done with your set.

17 Okay. Klaus?

18 BOARD MEMBER HANSON: Madam Chair, this
19 jives with what I read here in my inherent laziness that
20 led me down that path; namely, I gave up reading the whole
21 document. I just looked for changes. Because on our sheet
22 here, it says WQD will present proposed revisions to the
23 chapter, and then at the end, it says something similar, we
24 have included a clean and whatever copy, and I thought we
25 were being held to that standard. And since I was too lazy

1 to read every single page, I kept it that way, you know.

2 Thank you.

3 CHAIRMAN BEDESSEM: Okay. Did you have
4 anything specific you wanted to say on Chapter 3?

5 BOARD MEMBER HANSON: No.

6 CHAIRMAN BEDESSEM: Alan, anything?

7 BOARD MEMBER KIRKBRIDE: No, I don't.

8 CHAIRMAN BEDESSEM: Lorie, do you have
9 anything else on Chapter 3?

10 BOARD MEMBER CAHN: If we're going to -- as
11 far as the changes that were made, my general comment holds
12 throughout the chapter. I do have, if we're at the point
13 where we're going to talk about a change that wasn't made,
14 I would have one comment to that effect, if it's the
15 appropriate time to do that.

16 CHAIRMAN BEDESSEM: I think we're done with
17 all of the other comments on the proposed changes, so yes,
18 Lorie, you may continue.

19 BOARD MEMBER CAHN: Okay. So it would be
20 on page 3-11, line 408, it would be an example again of
21 both spelling out 10 and written ten, the numeral 10, and
22 the sentence says, "If accurate to within 10 meters." The
23 standard in the Chicago Manual of Style, it should say
24 within Roman numeral 10 meters.

25 CHAIRMAN BEDESSEM: You don't mean Roman

1 numeral.

2 BOARD MEMBER CAHN: Not Roman numeral.
3 Number 10 not spelled out. So I would delete the t-e-n and
4 the two parentheses. And I would just ask that be looked
5 at throughout the chapter, all these chapters. Thank you.

6 CHAIRMAN BEDESSEM: Okay. Any other
7 comments from the board?

8 Okay. And I assumed that you received no
9 comments on these non-substantive changes.

10 MS. THOMPSON: We received one comment on
11 Chapter 11, and when we get to that point, I will
12 distribute a copy for you to look at.

13 CHAIRMAN BEDESSEM: Thank you.

14 MS. THOMPSON: We received it through our
15 online portal system, and, you know, I agree with -- I
16 agree with the commenter. He found an error that we had
17 made while we were fixing another error, but we will go
18 over that in specifics when we get to Chapter 11. But that
19 was the only comment that we received.

20 So if we move on to the strike and underline of
21 Chapter 8. This particular chapter we did not have any
22 cross-reference corrections. It was mostly correcting
23 "which" to "that" and capitalization errors.

24 And then when we look at Table 1 and the Table 1
25 explanation, we had some formatting errors that our

1 groundwater program went through and pointed out, you know,
2 where we had some inconsistencies with ourself in those
3 areas. So we've corrected those formatting errors. And
4 then later on in the chapter, Section 6 and 8, corrected
5 some spelling and capitalization errors as well.

6 So regarding the proposed changes in the strike
7 and underline, does the board have any comments for me or
8 any questions for me?

9 CHAIRMAN BEDESSEM: I have a question,
10 Gina. When you have a unit of measure, is the -- you know,
11 in the rules, there is not really a list of units of
12 measure. So a lot of times -- well, most often, if -- you
13 know, the first time you use it, you will spell the thing
14 out and then put the unit of measure next to it.

15 And so, for example, on line 75, page 82, when
16 you have milliequivalents per liter, for a layman, they may
17 not know what that is. So I don't know that it's used
18 prior to that. So is that -- do you follow the same rule
19 where the first time you see it, you spell it out and then
20 put the, you know, abbreviation next to it?

21 MS. THOMPSON: That's a good question. I
22 was relying on an old memory of an old problem where we
23 were --

24 MR. FREDERICK: Excuse me just a minute,
25 Madam Chairman.

1 MS. THOMPSON: Oh, it is defined.

2 CHAIRMAN BEDESSEM: Okay. It's defined?

3 MS. THOMPSON: He's pointed it out that it
4 is defined on line 49.

5 CHAIRMAN BEDESSEM: Okay. Thank you.
6 That's what I need to know.

7 MS. THOMPSON: So I was trying to be
8 consistent where, in previous rulemakings, we weren't
9 always consistent with how we were noting things.
10 Specifically, the one that I have hanging on my wall that
11 seems to be in every chapter, it's a problem in every
12 chapter, is milligrams per liter where sometimes we would
13 capitalize the M and sometimes we would capitalize the L,
14 or sometimes it would all be in lower case and so we were
15 just trying to be consistent there.

16 CHAIRMAN BEDESSEM: But this is perfect,
17 because you do have it specifically defined above --

18 MS. THOMPSON: Okay. Thank you.

19 CHAIRMAN BEDESSEM: -- so that it's an
20 appropriate change. Lorie?

21 BOARD MEMBER CAHN: Yeah. And I agree with
22 what you've done on this example where it's
23 milliequivalents per liter. And I agree that's not a
24 standard unit for the lay public and so I think the way
25 you've done it is really good where you spell it out the

1 first time and then use the acronym afterwards; however,
2 when we get to things like -- that are standard units, like
3 inch and feet, then I would not like to see those spelled
4 out. And we can get to those comments when we get to
5 the -- I just want to point standard units is different
6 than sort of nonstandard units. Thank you.

7 CHAIRMAN BEDESSEM: Okay. Thank you.

8 We'll just go through the board members and see
9 if anybody has any comments for you.

10 Klaus, anything on Chapter 8?

11 BOARD MEMBER HANSON: It just occurred to
12 me as Lorie was discussing it, in the text, does the word
13 SU then appear? Because that would be kind of hard to find
14 as a definition. In other words, if I'm a layman reading
15 that, I'm looking, here is SU. What does it mean?

16 CHAIRMAN BEDESSEM: How do you know to go
17 to the definition that says standard unit?

18 BOARD MEMBER HANSON: Yeah. You see, would
19 it be best to turn this around and say SU means standard
20 unit? I'm just asking for my own edification. Because how
21 would I find SU in the definitions?

22 CHAIRMAN BEDESSEM: Well, that same thing
23 happens again with milliequivalents per liter. If you run
24 across meq/l and you can't look up meq/l on the
25 definitions, you look up milliequivalents. I see that as a

1 problem. I don't have a suggestion, but --

2 BOARD MEMBER HANSON: Maybe we need a
3 shorter list where the abbreviations are listed and then
4 referenced to the name and then you can go first to the
5 list. You see what I mean?

6 MS. THOMPSON: Uh-hum.

7 BOARD MEMBER HANSON: All the abbreviations
8 just listed and say see such-and-such. I'm just looking
9 from my perspective as a bloody layman, how do I find these
10 things?

11 CHAIRMAN BEDESSEM: Well, thank goodness
12 for Google.

13 MS. THOMPSON: Control F.

14 BOARD MEMBER HANSON: I tried Google
15 before, but I didn't have the password or the address for
16 this place, so I couldn't open Google.

17 CHAIRMAN BEDESSEM: Yeah.

18 BOARD MEMBER HANSON: But that's minor.
19 You know, probably everybody who reads this knows the stuff
20 anyway.

21 MR. FREDERICK: Madam Chair, I understand
22 where Board Member Hanson is coming from. It is certainly
23 helpful to have the list of acronyms. Nevertheless, I
24 guess it, in my mind at least, begs the question as to
25 whether or not, in light of the governor's initiative to

1 actually reduce --

2 BOARD MEMBER HANSON: Making it wider.

3 MR. FREDERICK: -- the size of the
4 regulation, understanding there's value to having a list of
5 acronyms, I suspect that the majority of folks that are
6 going to be reading environmental regulations probably have
7 a pretty good understanding of what most of the acronyms
8 that are used refer to.

9 And they also have the definitions that do
10 include defining what a standard unit is, including the
11 acronym for standard unit. So I certainly understand the
12 value, but I question whether or not it really conforms to
13 what I think the governor's initiative is intended to do.

14 CHAIRMAN BEDESSEM: So I have one more on
15 this. Is in Section 3 -- well, I guess it's line 109 on
16 8-3. "Groundwaters of the state," you've got state lower
17 case, yet state is capitalized in the three other places
18 it's used in that. It seems like it should be capitalized
19 there, too, because you're talking about Wyoming.

20 MS. THOMPSON: Right.

21 CHAIRMAN BEDESSEM: Lowering that and
22 making it not capitalized conflicts with several other
23 times it's used in the same sentence. Thoughts? I
24 understand why groundwater is not capitalized, but I just
25 think state needs to stay capitalized.

1 MS. THOMPSON: Right. I don't have a
2 problem with that change.

3 CHAIRMAN BEDESSEM: Okay.

4 BOARD MEMBER DEURLOO: I always get
5 confused on that one when like the word "federal" or word
6 "state" should be capitalized. I'm sure there is some rule
7 on that, but I don't know what it is.

8 MS. THOMPSON: There are. And it's usually
9 on a case-by-case basis, what's the context of the use and
10 so I'll need to -- I need to look -- I need to pull up the
11 style guide to see, because I don't remember the rule off
12 the top of my head, but I know there are rules when is
13 it -- you know, when is the state capitalized and when is
14 it not.

15 CHAIRMAN BEDESSEM: But it is just not
16 consistent within that sentence.

17 MS. THOMPSON: Sure. I understand.

18 CHAIRMAN BEDESSEM: And if state needs to
19 be capitalized, you obviously looked it up to change it in
20 138 and 139. And it seems to me that you would want to
21 capitalize because, for some reason, I still think of
22 state -- it's not clear to me that it means an actual State
23 of Wyoming. It could be the state or the condition.

24 MS. THOMPSON: Okay.

25 CHAIRMAN BEDESSEM: So my preference would

1 be that you left it capitalized so we understood you were
2 talking about the State of Wyoming as opposed to a state or
3 condition and so again, like I said, on 138 and 139 as
4 well.

5 And, you know, you've got under 159 and 164
6 groundwater of the state, and there's a whole bunch of
7 things in section (d) that all have state capitalized and
8 so to change them the way you're changing them doesn't seem
9 consistent. So my vote is to not do those changes and
10 leave them back up there, because otherwise, I think it's
11 reverberating through the whole chapter.

12 MS. THOMPSON: Right. And I can see that.
13 I think my search criteria was slightly different. I think
14 I made it plural and didn't realize that there were some
15 singular occurrences.

16 CHAIRMAN BEDESSEM: Groundwater of the
17 state rather than groundwaters of the state.

18 MS. THOMPSON: So I will do that.

19 CHAIRMAN BEDESSEM: Thank you. That's all
20 I had.

21 So, Klaus, you were -- Brian, do you have
22 anything?

23 BOARD MEMBER DEURLOO: No, ma'am.

24 BOARD MEMBER KIRKBRIDE: No, I don't.

25 CHAIRMAN BEDESSEM: Lorie, do you have

1 anything else on Chapter 8? I think you're still on mute.

2 BOARD MEMBER DEURLOO: I do have something
3 I just noticed.

4 CHAIRMAN BEDESSEM: Okay.

5 BOARD MEMBER DEURLOO: Page 8-11, line 313,
6 college chemistry, if memory serves me right, sulfide,
7 isn't that a subscript rather than a superscript? Kevin,
8 shouldn't S₂ be --

9 CHAIRMAN BEDESSEM: It should be 2 minus,
10 shouldn't it, S₂ minus?

11 BOARD MEMBER DEURLOO: It just doesn't look
12 right.

13 CHAIRMAN BEDESSEM: It's not right.

14 BOARD MEMBER DEURLOO: Two sulfur atoms is
15 a subscript rather than a superscript. It's not sulfur
16 squared.

17 MS. THOMPSON: I agree. I think I hit the
18 wrong -- they're right next to each other in the words. So
19 you're right.

20 BOARD MEMBER DEURLOO: It's a subscript.

21 CHAIRMAN BEDESSEM: It's a subscript.
22 You're right.

23 BOARD MEMBER HANSON: It should be below.

24 BOARD MEMBER DEURLOO: Correct.

25 MR. FREDERICK: And Brian, to your point, I

1 think --

2 CHAIRMAN BEDESSEM: You're right. It's S2.

3 BOARD MEMBER DEURLOO: It's just like H2S,
4 because that would be minus as well.

5 MR. FREDERICK: And Gina will make the
6 subscript correction in line 312 --

7 BOARD MEMBER DEURLOO: Right.

8 MR. FREDERICK: -- for H2S. Good. Thank
9 you.

10 BOARD MEMBER DEURLOO: Maybe we just want
11 to confirm.

12 CHAIRMAN BEDESSEM: Confirm. I think it's
13 S2 minus. Anyway, you double-check.

14 BOARD MEMBER DEURLOO: Well, you're part of
15 the lab, aren't you, Bill?

16 MR. TILLMAN: I'm an engineer, chemical
17 engineer. I'll take a look at it.

18 CHAIRMAN BEDESSEM: Because the dissociated
19 hydrosulfide is HS, but the sulfide is from like from
20 hydrogen sulfide. So it would be the sulfide portion of
21 it? Anyway, you check.

22 MS. THOMPSON: Yes, ma'am.

23 MR. FREDERICK: We will.

24 CHAIRMAN BEDESSEM: You will check on
25 the --

1 MS. THOMPSON: Yes, ma'am. I will check
2 on -- the gentleman who led on the effort on this chapter
3 in our groundwater section, I'll go right to him and I'm
4 sure --

5 BOARD MEMBER CAHN: I'm back. I'm on my
6 phone now. The GoToMeeting closed.

7 MS. THOMPSON: Oh. It was still showing
8 open on my browser. I'm not sure.

9 BOARD MEMBER CAHN: It closed me out at
10 quarter to 12:00. Five minutes ago, it closed me out.

11 MS. THOMPSON: I apologize for that. I
12 thought when I was setting it up, I asked to go until 4:00.
13 Don't worry, we won't go to 4:00. I extended it out late
14 so it wouldn't kick you off. So I apologize for that
15 problem.

16 So we are in Chapter 8, and we found some
17 superscript corrections. Did you have any comments for us
18 on Chapter 8?

19 BOARD MEMBER CAHN: Yes, I do. On page
20 8-12, line 352, the correction from areally, spelled
21 a-r-e-a-l-l-y, change to aerially, spelled a-e-r-i-a-l-l-y,
22 is incorrect.

23 The original areally, as in area, was correct,
24 not aerial, as in borne by the air, because we're talking
25 about below surface receivers underground, and there is no

1 aerial spreading to it the underground from the air. It is
2 intended to mean the area surrounding that. So the first
3 spelling was correct.

4 MS. THOMPSON: Okay.

5 BOARD MEMBER HANSON: I have the same one.
6 That's why I raised my hand.

7 MS. THOMPSON: Okay.

8 CHAIRMAN BEDESSEM: Okay.

9 BOARD MEMBER CAHN: And if I may, I did
10 text somebody who had the -- I don't have the Chicago
11 Manual of Style in front of me, so I did text somebody who
12 did, a tech editor.

13 So if we could go back to Chapter 3, page 3-10.
14 It should say on line 355, according to the Manual of
15 Style, Chicago Manual of Style, it would say a minimum, and
16 then it would be the number 30, and then there would be a
17 hyphen, day public comment period.

18 CHAIRMAN BEDESSEM: Thank you, Lorie.
19 That's consistent with what our company does. That's where
20 we put the hyphens. So thank you.

21 BOARD MEMBER CAHN: And then I don't know
22 if you guys were finished. I have one editorial comment on
23 Section 8 that was in a sentence that was changed, but it's
24 a minor suggested change that would be at the discretion of
25 DEQ, if they wanted to do it or not. Is it okay to --

1 CHAIRMAN BEDESSEM: Yeah. The other
2 comments are completed.

3 BOARD MEMBER CAHN: Excuse me?

4 CHAIRMAN BEDESSEM: I said the other
5 comments are completed. So you may go ahead.

6 BOARD MEMBER CAHN: Okay. Page 8-1, line
7 25, in the definition of domestic water, and it says,
8 "Domestic water means a water that is suitable for uses,"
9 and I would just suggest that maybe the "a" is not
10 necessary. It could just be domestic water means water
11 that is suitable for usage. I think it reads better, but I
12 will leave that up to DEQ for their preference is fine.

13 CHAIRMAN BEDESSEM: Thank you. I think
14 that rounds up all the comments on that one.

15 MS. THOMPSON: All right. If we move on to
16 the strike and underline of Chapter 9.

17 BOARD MEMBER CAHN: Gina, this is Lorie. I
18 get a note when I try to go into the GoToMeeting that we're
19 waiting for Connie Scranton to start the meeting.

20 CHAIRMAN BEDESSEM: Hold on a second.

21 (Pause.)

22 MS. THOMPSON: Okay. So proposed revisions
23 to Chapter 9, more of the same, correcting uses of "which"
24 to "that." This particular chapter is where we had our
25 incorrect cross-references to Land Quality rules and

1 regulations. So we verified that the cross-references are
2 correct with their rules developer and so we've made those
3 corrections so that users of both chapters will be
4 correctly referenced to the right Land Quality chapter.

5 This particular chapter we did quite a few
6 formatting changes and general grammar corrections, and
7 then we had to make adjustments for Roman numerals and to
8 Arabic numerals as well.

9 CHAIRMAN BEDESSEM: So, Gina, I have the
10 same concern about taking away capitalization with respect
11 to state.

12 MS. THOMPSON: Okay.

13 CHAIRMAN BEDESSEM: Because as I said,
14 state, you know, has other meaning, and to be sure that
15 we're talking about the State of Wyoming, not the condition
16 or whatever. You know, this comes up in line 80, 81, 85,
17 261, 300, 430, 520.

18 MR. FREDERICK: We'll just do a global on
19 that, Madam Chair.

20 BOARD MEMBER DEURLOO: Madam Chair, may I
21 suggest search all the documents for "state." Learn the
22 rule and search for "state."

23 CHAIRMAN BEDESSEM: Yeah. Yeah, because
24 there's like four or five more before the end of the
25 chapter.

1 MS. THOMPSON: Okay.

2 CHAIRMAN BEDESSEM: Okay. We'll just go
3 through our board members and see if they have any comments
4 related to the changes in particular. Klaus?

5 BOARD MEMBER HANSON: Nope.

6 CHAIRMAN BEDESSEM: Brian?

7 BOARD MEMBER DEURLOO: There's several
8 changes I see, but I'm not going to mention any of them
9 because it's outside the scope, I think. But I'd do a
10 search on the 30-day as well, because I see one here on
11 page 9-20, line 875. But as far as the recommended
12 "which's" and "that's," and I checked, did cross-
13 references.

14 Just one question for Gina. I see repeatedly it
15 says "Land Quality Rules and Regulations." I see "Water
16 Quality Rules and Regulations." Just for -- when you're
17 referring to section -- or Chapter 18 (sic), Section 2(a),
18 for example, on page 9-9, is it Land Quality Rules and
19 Regulations or is it Land Quality Division Rules and
20 Regulations?

21 MS. THOMPSON: So the proper citation of
22 the rule, like what they are called by the Secretary of
23 State is the Land Quality Rules and Regulations.

24 BOARD MEMBER DEURLOO: Okay.

25 MS. THOMPSON: And ours are Water Quality

1 Rules and Regulations. Sometimes you'll see an acronym,
2 WQRR. That means those exact regulations. That's like the
3 proper name of them.

4 BOARD MEMBER DEURLOO: Perfect.

5 MS. THOMPSON: So that's their proper name.

6 BOARD MEMBER DEURLOO: Got it. Thank you.

7 Other than that, that's mine, Madam Chairman.

8 Thank you.

9 BOARD MEMBER KIRKBRIDE: I don't have
10 anything.

11 CHAIRMAN BEDESSEM: Lorie, you're up.

12 BOARD MEMBER CAHN: Okay. Yes. Can you
13 guys hear me okay? I've got you on a speakerphone to make
14 it easier for me to use my hands. Is that okay or do I
15 need to pick it up?

16 CHAIRMAN BEDESSEM: You sound great.

17 BOARD MEMBER CAHN: Okay. Is that better?

18 CHAIRMAN BEDESSEM: You sound very good.

19 BOARD MEMBER CAHN: Is that better?

20 BOARD MEMBER DEURLOO: You're good.

21 CHAIRMAN BEDESSEM: You sound good.

22 BOARD MEMBER CAHN: Okay. Great. All
23 right. So on page 9-1, the change from "which" to "that,"
24 on line 22, I was not able to determine the meaning of the
25 sentence in order to determine whether "which" or "that" is

1 appropriate and so I think the author needs to determine.

2 So the sentence reads, "The area of review may
3 coincide with a permit area and adjacent lands, or may be
4 determined by use of a mathematical model and formula."
5 Here is the question of whether it's "which" or "that,"
6 "have been developed to describe groundwater hydraulics and
7 flow."

8 And so the question is if you have "that," it
9 means that it's a very specific that that mathematical
10 model and formula has been developed describe the flow as
11 opposed to it's something -- the info is not required for
12 the definition or the meaning of the sentence.

13 So would the sentence mean the same if you took
14 out the clause or the part from the "which" or "that" have
15 been developed to describe? So, in other words, if we
16 said, "Or may be determined by the use of a mathematical
17 model and formula." Would that --

18 MS. THOMPSON: I think the reason I thought
19 it was "that" was because you wanted the mathematical model
20 and formula to describe the groundwater hydraulics and flow
21 and I felt that it would have lost its meaning. And if it
22 was -- if it didn't matter and we could hack off that last
23 sentence and still keep the meaning of the sentence, then I
24 would have left it as "which," but I thought that --

25 BOARD MEMBER CAHN: Okay.

1 MS. THOMPSON: -- the passage after the
2 "that" was important. I didn't write this chapter
3 originally.

4 BOARD MEMBER CAHN: Okay.

5 MS. THOMPSON: Kevin, do you have an
6 opinion?

7 BOARD MEMBER CAHN: I think in this case,
8 it's somewhat ambiguous, which is correct, so that's why I
9 asked. And as you clarified the meaning, I think "that"
10 would be appropriate. Should I go ahead?

11 CHAIRMAN BEDESSEM: Yes. Please, continue.

12 BOARD MEMBER CAHN: Okay. This is
13 something that on page 9-15 that we've spoken about before
14 on line 640 and that's the use of the word "assure" versus
15 either "ensure" or "insure." And you can only assure a
16 person. And if you are insuring or ensuring an outcome,
17 then it should be either ensure or insure, and I don't have
18 any preference for "in" or ensure. But it should be, "The
19 Director finds necessary to insure or ensure the
20 availability of adequate financial resources."

21 So even though we're talking about the quality
22 assurance, you still can't assure that outcome. You can
23 only assure a person about financial assurance, if that
24 makes sense.

25 CHAIRMAN BEDESSEM: Uh-hum. So that's, you

1 know, something for the department to consider, and if you
2 have to change that, I don't think that is outside the
3 realm of changes we can do without having additional public
4 involvement.

5 MS. THOMPSON: Sure.

6 BOARD MEMBER CAHN: Right, right.

7 CHAIRMAN BEDESSEM: Continue, Lorie.

8 BOARD MEMBER CAHN: Then on page 9-18, on
9 782 through 785, this is something we've talked about.
10 This would be again in the realm of as the department sees
11 fit. It's a suggestion.

12 We've talked before about trying to make
13 gender-neutral language rather than the director, he
14 determines and required him to provide, if we could just
15 repeat "the director" again so, you know, "The Director
16 shall revoke a permit if at any time." Rather than "he
17 determines," it would be "the director" determines.

18 And provisions of the act would have required
19 rather than "him" to provide, just be would have required
20 "the director" to provide. So that's just an example of a
21 suggestion, but take it or leave it as you see fit.

22 And that's all I have on Chapter 11. Oh, wait,
23 wait, wait. Sorry, I had one more.

24 CHAIRMAN BEDESSEM: You mean Chapter 9.

25 BOARD MEMBER CAHN: Okay. Yeah, sorry,

1 Chapter 9. On page 9-20, 883, the "that" was -- or "which"
2 improperly changed to "that." So it shouldn't be "Name of
3 receiver to that each discharge." It should be "Name of
4 receiver to which each discharge is made."

5 MS. THOMPSON: I agree with that. I think
6 I was -- I think I read that wrong when I was going through
7 before. So thank you for pointing that out.

8 BOARD MEMBER CAHN: But all the other
9 "that's" to "which's" are good.

10 CHAIRMAN BEDESSEM: Okay. Does that
11 conclude your comments, Lorie?

12 BOARD MEMBER CAHN: Yes, it does. Thank
13 you very much, Madam Chair.

14 CHAIRMAN BEDESSEM: Anything else from the
15 board members?

16 BOARD MEMBER HANSON: Not from me.

17 CHAIRMAN BEDESSEM: We're good.

18 BOARD MEMBER DEURLOO: Yeah, I'm just
19 reading about "which" and "that." I'm good.

20 CHAIRMAN BEDESSEM: We can move on to
21 Chapter 11.

22 MS. THOMPSON: So Chapter 11, this is one
23 of our larger chapters. I have a comment to pass out to
24 you.

25 And Lorie, I'm passing out the comment from

1 Mr. Robert Lucht regarding Chapter 11, and I believe I
2 included that in your e-mail yesterday.

3 BOARD MEMBER CAHN: Yes, you did. Thank
4 you very much.

5 MS. THOMPSON: And basically Mr. Lucht just
6 points out that we've -- I got a little happy with the
7 striking and underlining and I cut something I shouldn't
8 have. So we will address his comment and make that
9 correction, but I just want to point out that we did
10 receive a comment on the record.

11 All right. So with Chapter 11 in the strike and
12 underline, no new changes here, really. I'm guessing that
13 we'll be undoing quite a bit of the numeric spelling out.
14 So we'll go back through there and make sure that we're
15 taking out all those spellings and that where it's attached
16 to a unit of measure that we're adding that hyphen.

17 We've corrected some formatting, corrected
18 which's, that's. We did have a wrong cross-reference in
19 Section 31. We were still cross-referencing an old WPDES
20 chapter. We've changed that cross-reference in Section 31
21 from Chapter 10 to Chapter 2 and we've made some
22 corrections.

23 This is a very old chapter. This is one of our
24 original chapters, promulgated in -- I believe the work
25 started in '81 or '82, went into effect in early '84, and

1 it hadn't really been substantially updated. So back in
2 those early works, they would use Roman numerals, and as
3 we've progressed as an agency and as a division, we've
4 switched to Arabic numerals and so I made several
5 corrections throughout the document to just reflect that so
6 if someone was just doing a search, they wouldn't be able
7 to find, you know, Chapter XII because it's Chapter 12 now,
8 so that kind of thing.

9 Do you have any questions? Yes.

10 BOARD MEMBER HANSON: Just one observation.
11 In the title at line 4, "pollution and" needs to be
12 separated.

13 MS. THOMPSON: Oh, yeah, I see that.

14 BOARD MEMBER HANSON: It's in the original
15 and the cross-out section.

16 CHAIRMAN BEDESSEM: And Gina, for some odd
17 reason, my copies didn't have strike/underline. I had the
18 same in both sections.

19 BOARD MEMBER DEURLOO: Oh, really.

20 CHAIRMAN BEDESSEM: My Chapter 11, I have
21 the original in both. Not the original, the change to
22 both.

23 MS. THOMPSON: I apologize for that. I'm
24 assuming I sent someone two strike/underlines. So I
25 apologize.

1 CHAIRMAN BEDESSEM: So someone else might
2 have two strike/underlines, but I got the two --

3 MS. THOMPSON: I apologize. That was all
4 me. I did this all by myself. I can't even pass the buck
5 on that.

6 CHAIRMAN BEDESSEM: Can I peek at that?

7 BOARD MEMBER CAHN: I kind of have a
8 different situation in mind. For example, on page 11-65 in
9 the clean version, I have underlines, but no strikeouts.

10 So, for instance, on line -- page 11-65, line
11 2880, I have 8 underlined and then -- but I don't have the
12 strikeout of the Roman numeral. So I'm not sure. I'm
13 assuming this is a --

14 CHAIRMAN BEDESSEM: Accident.

15 BOARD MEMBER CAHN: -- change based on
16 having a problem with trying to get redline/strikeouts to
17 show up in the PDF.

18 MS. THOMPSON: Okay. I see. You're on 280
19 as far as like Chapter 8 where that changes; is that
20 correct?

21 BOARD MEMBER CAHN: No. I'm on Chapter 11.

22 MS. THOMPSON: Right.

23 BOARD MEMBER CAHN: Aren't we in Chapter
24 11?

25 MS. THOMPSON: Are you looking at your

1 clean copy?

2 BOARD MEMBER CAHN: I'm looking at my clean
3 copy of Chapter 11 on page 11-65, and the 8 is underlined.
4 So the changes that were -- the new things that were added
5 show up in the clean copy underlined and the things that
6 were deleted don't -- you know, are right, but they don't
7 show up deleted, but for some reason, the changes show up
8 underlined in my version on the clean.

9 MS. THOMPSON: Yes.

10 BOARD MEMBER CAHN: Does that make sense?

11 MS. THOMPSON: Yes. And I will look at
12 that to see why that is that way, because it's appearing
13 that way in mine as well.

14 BOARD MEMBER CAHN: I think that's the
15 horrible problem with trying to make PDFs out of redline/
16 strikeout and preserve the redline/strikeout.

17 MS. THOMPSON: Do we have any other
18 questions or any other concerns on the changes we've made
19 to Chapter 11 besides the issues we've discussed in
20 previous chapters where we need to go back and look at how
21 we're spelling things out?

22 BOARD MEMBER CAHN: I have a lot. So let
23 me see if I can -- I don't know if somebody else wants to
24 go first.

25 CHAIRMAN BEDESSEM: Let me go through the

1 board first and we'll wrap up with you, Lorie.

2 Klaus, do you have anything?

3 BOARD MEMBER HANSON: I forget now. On
4 11-10 on the second line at the top, did we change the 30
5 days?

6 MS. THOMPSON: Uh-hum.

7 CHAIRMAN BEDESSEM: Yeah, we did.

8 BOARD MEMBER HANSON: It's correct the way
9 it's here now or no?

10 MS. THOMPSON: So the correct version or
11 the correct way to do it will be just do the Arabic
12 numerals and then a hyphen.

13 CHAIRMAN BEDESSEM: No.

14 BOARD MEMBER CAHN: There is no hyphen --

15 MS. THOMPSON: Okay.

16 BOARD MEMBER CAHN: -- if it's not
17 modifying a noun.

18 CHAIRMAN BEDESSEM: Then there is no
19 hyphen.

20 BOARD MEMBER CAHN: That's very important.
21 If it was a 30-day public comment period, there would be a
22 hyphen after 30, and then the number 30 before it became 30
23 and days, but because we're saying it's backfilled for 30
24 days, period, it's not modifying a noun. So, therefore,
25 there is no hyphen required.

1 MS. THOMPSON: I get where you're going
2 with that. Thank you.

3 CHAIRMAN BEDESSEM: Anything else, Klaus?

4 BOARD MEMBER HANSON: This, by the way, is
5 the chapter where you have the metric and the other system
6 and you might want to go through it.

7 MS. THOMPSON: Okay.

8 BOARD MEMBER HANSON: My cold took over.

9 CHAIRMAN BEDESSEM: And this also is the
10 case where this pops up in this chapter, too, when you have
11 numbers less than ten and that are spelled out. That's
12 great, but you don't need the number after it.

13 BOARD MEMBER KIRKBRIDE: Madam Chairman.

14 CHAIRMAN BEDESSEM: Uh-hum.

15 BOARD MEMBER KIRKBRIDE: On 11-12, line
16 509, changed foot to feet, and I assume that you thought
17 that through. I don't know. As I read it, I struggle with
18 that or I just wonder.

19 MS. THOMPSON: Sure. And I can -- I'll
20 speak to that as well. In a previous wastewater chapter
21 that we had brought before the board, we would talk about a
22 separation distance, and it had to be this many foot, but
23 it's more than one foot, and my recollection of the
24 discussion was that when we have distances that are more
25 than one foot that it needs to be feet because it's --

1 BOARD MEMBER KIRKBRIDE: Fine with me. I
2 don't have a problem with that.

3 CHAIRMAN BEDESSEM: But you say -- you
4 don't say it's a two-feet spacing, do you? I would say
5 it's a two-foot spacing.

6 BOARD MEMBER DEURLOO: It might be a
7 Wyoming vernacular.

8 BOARD MEMBER CAHN: Yeah. It's definitely
9 not feet spacing. It's foot.

10 CHAIRMAN BEDESSEM: And this is spacing.
11 It says at 400 feet maximum spacing. It's a 400-foot
12 spacing.

13 MS. THOMPSON: Okay.

14 CHAIRMAN BEDESSEM: So in this case, I
15 think because it's modifying spacing that it needs to stay
16 foot, you know.

17 BOARD MEMBER HANSON: I do, too.

18 CHAIRMAN BEDESSEM: Like five-foot spacing.

19 BOARD MEMBER CAHN: And it should be just
20 f-t. That's a standard. It should be 400, dash, f-t
21 maximum spacing.

22 CHAIRMAN BEDESSEM: Right. And there's a
23 dash because it's modifying spacing. So it's 400, dash,
24 f-t.

25 BOARD MEMBER CAHN: Right. And f-t.

1 MS. THOMPSON: Yes. Yes, ma'am.

2 CHAIRMAN BEDESSEM: Okay. So any other
3 comments from the board members who are actually in the
4 room?

5 BOARD MEMBER KIRKBRIDE: No.

6 BOARD MEMBER DEURLOO: I do. As a
7 suggestion, because there's probably -- after our
8 conversation, after our board meeting today, there's a
9 suggestion another large search criteria is search the word
10 "one," search the word "two," search the word "three" and
11 just go. I think you're going to find several places where
12 you need to use what Lorie was talking about earlier,
13 spelling out one, two, three -- one through nine, right?

14 MS. THOMPSON: Sure.

15 BOARD MEMBER DEURLOO: Because you don't
16 spell out ten. And also, I noticed several times -- and I
17 know what we're looking at is a PDF version, and I'm sure
18 you'll pick it up. I just want it for the record, when you
19 do pick up the changes, I notice there's plenty of times
20 that you're missing spaces between the edits and the next
21 word.

22 MS. THOMPSON: Sure.

23 BOARD MEMBER DEURLOO: So that's going to
24 be simple. I do have a couple minor --

25 BOARD MEMBER CAHN: The weird thing about

1 that is that in the redline/strikeout version, the spaces
2 are missing, but when you go to the clean version,
3 sometimes the space is in there that's missing in the
4 redline/strikeout.

5 BOARD MEMBER DEURLOO: All right. Yeah,
6 because probably from before the track changes.

7 CHAIRMAN BEDESSEM: And because they're by
8 hand.

9 BOARD MEMBER CAHN: Yeah, because they're
10 by hand. So they're not consistent.

11 CHAIRMAN BEDESSEM: So you had two others?

12 BOARD MEMBER DEURLOO: Two minor things
13 that were not pointed out in your redlines. Page 11-11,
14 line 455, the word "deter mine," determine, right?

15 BOARD MEMBER KIRKBRIDE: "Deter mine."

16 BOARD MEMBER DEURLOO: "Deter mine."

17 MS. THOMPSON: We are not deterring a mine
18 maximum flow.

19 BOARD MEMBER HANSON: Don't deter mine.

20 BOARD MEMBER DEURLOO: And then page 11-20,
21 line 837, National Pollutant Discharge Elimination System
22 Permit, I can see why NPDES. I don't know if "permit"
23 should be capitalized there or not. It's for you guys to
24 decide.

25 MS. THOMPSON: I'm sorry, sir, what page?

1 BOARD MEMBER DEURLOO: 11-20, page 11-20,
2 line 837.

3 MS. THOMPSON: I believe -- I will check to
4 make sure that -- because I don't think that's a proper
5 citation. I don't think we've done that properly. I think
6 "permit" should be lower case. And I'm wondering if we had
7 spelled out the NPDES acronym earlier in the document, too,
8 but I will definitely make sure "permit" is lower case.

9 BOARD MEMBER DEURLOO: Yeah, it's totally
10 up to you. I just wanted to point it out.

11 CHAIRMAN BEDESSEM: Okay. I think we're
12 done with -- Klaus has one more.

13 BOARD MEMBER HANSON: I found one of those
14 inconsistencies. It's a minor one, page 11-12. On top, it
15 defines in the third line, 24 inches equals 61 centimeters.
16 If you go to the next page, at line 550, it says 24 inches
17 being .6, and it should be .61, or the other one should be
18 .6. It's minor, but this is what I mean to go through in
19 these conversions.

20 CHAIRMAN BEDESSEM: Right. They should all
21 be meters or they should be centimeters. They shouldn't
22 have centimeters in one and the other --

23 BOARD MEMBER HANSON: Yeah. It just
24 occurred to me all of a sudden. I didn't check all the
25 other ones.

1 MS. THOMPSON: No, I'll go through.

2 BOARD MEMBER HANSON: If you go through
3 them. And it took me a while to find that one again.

4 CHAIRMAN BEDESSEM: You found a perfect
5 example not very far from each other in the document.

6 So, Lorie, we're going to turn it over to you to
7 go through whatever ones you have in 11, Chapter 11.

8 BOARD MEMBER CAHN: Okay. Let's start
9 on -- let's see.

10 BOARD MEMBER HANSON: Is Lorie going
11 through the strikethrough version?

12 BOARD CHAIRMAN BEDESSEM: Yes.

13 BOARD MEMBER CAHN: I'm going to go with
14 the strike/underline version. And I have not, by any
15 stretch of the imagination, I'm not going to talk about
16 every single one in here. I'll just try to give some
17 examples.

18 So 11-11, on the top of the page, line 450, the
19 space is missing after parentheses, 8, parentheses, inch
20 diameter. So that one should be replaced with cross out
21 the spelling out of 8, delete the parentheses. It should
22 be 8, dash, and then it should be i-n, period, for inch.
23 And then it needs to be parentheses, 20.3, dash,
24 centimeters, parentheses, diameter, or larger except.

25 And then 6, cross out the s-i-x, cross out the

1 parentheses. And then there's no dash here because we're
2 talking about -- well, no, there is, 6-inch sewer. So 6,
3 dash, inch, but it would be i-n, period, parentheses, 15.2,
4 dash, centimeter sewers.

5 And the same, continuing on down, the next
6 sentence starting on line 452 is difficult because we're
7 starting a sentence with a number. And so I would -- go
8 ahead.

9 CHAIRMAN BEDESSEM: Lorie, I was going to
10 say, yeah, if you start a sentence with it, then you have
11 to spell it out.

12 BOARD MEMBER CAHN: Right. But I would
13 propose as a suggested suggestion for DEQ to consider, this
14 happens a number of places. You can reword the sentence to
15 start with "Sewers that are larger than 18 inches may be
16 laid on curves" rather than saying 18, parentheses, 18,
17 dash, you know, or inch, i-n, period, or larger sewers may
18 be laid on curve.

19 So it's a simple change in the construction of
20 the sentence to not start it with a number and I think that
21 would read easier. So that's just a suggestion to
22 consider.

23 So I think I would do a search for the word
24 inches or inch and then those should be i-n, periods. And
25 the same. I would search for foot and feet spelled out and

1 change that to f-t.

2 I'll give just another example. On page 11-12,
3 line 500, as an example, it would be, "Force mains shall
4 be --" cross out f-o-u-r, cross out, parentheses, number 4,
5 dash, i-n, period, parentheses, 10, dash, c-m, parentheses,
6 diameter or greater.

7 MS. THOMPSON: Okay.

8 BOARD MEMBER CAHN: And then I'm confused
9 on the next sentence. It says, "Pressure sewer collection
10 system piping shall be one (2) inch minimum," and I'm not
11 sure.

12 MS. THOMPSON: I noticed that as well. I
13 need to go back and look and see what the original was.

14 BOARD MEMBER CAHN: Okay.

15 MS. THOMPSON: Because I don't think 2 is
16 correct, but I need to double-check it --

17 BOARD MEMBER CAHN: Okay.

18 MS. THOMPSON: -- if that's okay.

19 BOARD MEMBER CAHN: So then if it's one-
20 inch minimum, it will be number 1, dash, i-n-c-h,
21 parentheses, 2.4, dash, c-m, parentheses, minimum if one is
22 correct or if two is correct.

23 MS. THOMPSON: Right.

24 BOARD MEMBER CAHN: I'll just finish this
25 page out. So going down again to line 509, it would be

1 400. So the 400, dash, f-t, because it is followed by.
2 And then it would be 122, dash, M, parentheses, maximum
3 space spacing.

4 MS. THOMPSON: Okay.

5 BOARD MEMBER CAHN: Hopefully, you get the
6 idea.

7 Page 11-13, line 524, after the 4, parentheses,
8 the space is missing. And this will again be changed to
9 "minimum size shall be --" four will be struck out,
10 f-o-u-r, parentheses, struck out, number 4, space, inches,
11 parentheses, 10.2, dash, c-m, and no hyphen is required
12 there, so, et cetera.

13 Oh, okay. Next one. This is one of my
14 favorites. On line 526, "Minimum slope shall be 2 feet per
15 100 feet, parentheses, 2 meters per 100 meters." So I
16 would prefer the rest of the document has 2 vertical per 2
17 horizontal, and I would prefer that we leave it unitless
18 since it's just the slope and that would be consistent with
19 the rest of the document. So I think it would read better
20 to say, "Minimum slope shall be 2 --"

21 BOARD MEMBER DEURLOO: 2 to 1.

22 BOARD MEMBER CAHN: However you use it in
23 the other places. Two horizontal or per, you know,
24 horizontal, whatever, and just -- obviously, when we
25 convert two feet into two, it doesn't come up with two

1 meters.

2 BOARD MEMBER HANSON: That's different.

3 BOARD MEMBER CAHN: And I think it would
4 avoid these kind of problems with trying to convert --
5 units are unnecessary in slope and then trying to convert
6 them to another standard makes it really clumsy.

7 MS. THOMPSON: Right. That particular, the
8 way it's laid out right now, that's in the rule right now.
9 That's from 1984. So that's been weird for almost 40
10 years. So we can fix that, I think, and make that clearer.

11 BOARD MEMBER HANSON: Because it's quite a
12 different slope.

13 BOARD MEMBER CAHN: I'm glad I found that
14 one. That was one of the more humorous ones.

15 BOARD MEMBER HANSON: Lorie, can I just --

16 BOARD MEMBER CAHN: Yes.

17 BOARD MEMBER HANSON: On the previous page,
18 because you were there, 11-12, under line 500, force mains
19 shall be four inches equals ten centimeters and two inches
20 do not, then, equate --

21 MS. THOMPSON: Right. I need to fix that,
22 yeah.

23 BOARD MEMBER CAHN: Yeah. We talked about
24 that. So it's probably one inch. Or if it is two inches,
25 then the centimeters need to change.

1 BOARD MEMBER HANSON: Yeah.

2 BOARD MEMBER CAHN: Okay. I think I've
3 covered this problem with inches and I think I've covered
4 that. I won't give you all of my comments like that.

5 Okay. Now come to another "that" versus "which"
6 where the meaning is unclear to me.

7 So on page 11-18, line 788, the sentence read,
8 "Electrical equipment in enclosed wetwells which," and then
9 that might be changed to "that may be subject to explosive
10 concentration," and goes on to say, "including all raw
11 sewage."

12 CHAIRMAN BEDESSEM: What line is that?

13 BOARD MEMBER DEURLOO: 788.

14 BOARD MEMBER CAHN: It's on line 788, the
15 bottom of the page. So I think in this case "which" is
16 probably what the author meant. So I think it's all
17 wetwells, electrical equipment. I think we're talking
18 about all wetwells, not just ones that are subject to
19 explosive concentrations of hazardous gases or flammable
20 liquids, because then it goes on to say, "Including all raw
21 sewage."

22 So I think in that case after wetwells, a comma,
23 and then "which" would be preferable to saying "that,"
24 because I think it's supposed to be a clause in the middle
25 that says, "Which may be subject to explosive concentration

1 of hazardous gases or flammable fluids." So I think it's
2 just more information about the wetwells and not intended
3 to be only ones that are subject to explosive
4 concentration.

5 So I think you're going to have to talk to the
6 author of that or somebody who knows. I don't know enough
7 about electrical code to know which is correct.

8 MS. THOMPSON: So now that you've pointed
9 that out, I agree. I think this is all electrical
10 equipment in enclosed wetwells. So it is electrical
11 equipment in enclosed wetwells. So like all wetwells.

12 CHAIRMAN BEDESSEM: So it should be
13 "which."

14 MS. THOMPSON: Yeah. We'll just change it
15 back and add a comma.

16 BOARD MEMBER DEURLOO: With a comma.

17 BOARD MEMBER CAHN: And add the comma,
18 great.

19 Okay. There's -- on the next page, 11-19,
20 there's many examples of 24 hours a day versus 12 air
21 changes per hour, things like that, where you have to look
22 at whether you're modifying the -- you have to look whether
23 you're modifying a noun to decide whether you need hyphens.

24 MS. THOMPSON: Sure.

25 BOARD MEMBER CAHN: But I would just like

1 to bring up another example on 820, line 820, on page
2 11-19. So it should be 30 foot -- yeah, candles, and in
3 that case, the hyphen actually, I believe, goes between the
4 foot, f-t, and candles. So it would be 30 foot, dash,
5 candles rather than 30, dash, foot candles. That one has
6 definitely two different meanings, depending on where the
7 dash goes.

8 On line 842, there is a space missing after Roman
9 numeral 8.

10 CHAIRMAN BEDESSEM: You mean Arabic numeral
11 8.

12 BOARD MEMBER CAHN: Sorry, yes. I have
13 Roman numerals on the brain. Thank you, Marge. Arabic
14 numeral.

15 On page 11-26, line 1138 where we have 500,000
16 gallons per day starting a sentence, a simple work around
17 would be to start the sentence with "Plants that are,
18 Arabic numerals, 500,000 g-p-d, parentheses, 1891.5 meters
19 cubed per day, parentheses, or smaller may have a manually
20 cleaned unit," and that would avoid this awkward thing of
21 having to spell out 300,000 gallons per day.

22 So line -- okay. So line 1150 is an example of
23 the three. Remove the three, the t-h-r-e-e, and then it
24 would be end of the parentheses around Arabic numeral 3 and
25 it be 3, dash, m-i-n. Minutes should be abbreviated. That

1 is a standard unit that everybody knows.

2 And then on the next line down -- am I going too
3 fast?

4 MS. THOMPSON: No.

5 CHAIRMAN BEDESSEM: No. You're doing fine.

6 BOARD MEMBER CAHN: Okay. 1152. There
7 should be a -- well, actually, there wasn't a space, but
8 we're going to delete the 60 spelled out. So that will
9 solve the problem with the spacing.

10 On page 11-33, line 1450, I was wondering if
11 something is missing from the beginning of the sentence.
12 It reads, "Pump suction and discharge shall be three inches
13 minimum." And I'm wondering what should be three inches
14 minimum. It's obviously not pump suction. So should it be
15 discharge piping diameter? So something is missing.

16 MS. THOMPSON: I think --

17 CHAIRMAN BEDESSEM: Seems like the word
18 "piping" is missing.

19 BOARD MEMBER DEURLOO: Or is it pressure?
20 It could be vacuum. It could be pressure. I don't know.

21 MS. THOMPSON: That one I'm going to have
22 to defer to the water and wastewater program, because I'm
23 not --

24 MR. FREDERICK: I suspect it's diameter.

25 MR. TILLMAN: Madam Chair.

1 CHAIRMAN BEDESSEM: Uh-hum. Hold on,
2 Lorie. Lorie, can you wait for just a moment?

3 Bill Tillman?

4 MR. TILLMAN: In a different industry to
5 say pump suction is a diameter is perfectly acceptable. I
6 guess in a public vernacular, they might need "pipe" to go
7 with that, but in chemical engineering in the refining
8 industry, say pump suction is, X diameter is, that's what's
9 meant. And it's the piping that is the diameter, but you
10 say the pump suction.

11 CHAIRMAN BEDESSEM: But it would not change
12 the sentence or change the meaning if you said pumps -- if
13 you had to put pump suction and discharge piping shall be
14 three inches?

15 MR. TILLMAN: No. It would not change the
16 meaning at all, Madam Chair.

17 CHAIRMAN BEDESSEM: Then we could add
18 "piping," and then the people who know, our laymen, would
19 still understand the sentence.

20 MR. TILLMAN: That would be correct.

21 BOARD MEMBER CAHN: Could we add
22 "diameter"?

23 BOARD MEMBER DEURLOO: I think that's the
24 only word you need to add.

25 BOARD MEMBER CAHN: Piping diameter?

1 BOARD MEMBER DEURLOO: I think that's all
2 you need to add. Pump suction and discharge shall be three
3 inches at a minimum diameter.

4 CHAIRMAN BEDESSEM: Pumping diameter.

5 MR. FREDERICK: Well, wouldn't it be
6 diameters?

7 BOARD MEMBER HANSON: Yeah, diameters.

8 CHAIRMAN BEDESSEM: Well, piping shall be
9 three inches minimum diameter. So "piping" before and
10 "diameter" at the end. Would that work?

11 BOARD MEMBER DEURLOO: Either way is fine.

12 CHAIRMAN BEDESSEM: Pump suction and
13 discharge piping shall be three inches minimum diameter.

14 All right. Continue, Lorie.

15 BOARD MEMBER CAHN: Then we'll get rid of
16 the t-h-r-e-e, the parentheses, because the three-inch
17 minimum, it will be 3, dash, i-n, period, and then 7.6,
18 dash, centimeter minimum. And then of the next sentence.
19 I think we should add "diameter." The sludge piping shall
20 be 4 inches. So sludge piping diameter.

21 And I had the same questions on line 1459 and
22 1458 where "Pump suction and discharge piping shall be 3
23 inches minimum." Again, maybe diameter. Next sentence,
24 "Sludge piping shall be 4 inches or larger," 4-inch
25 diameter or larger.

1 CHAIRMAN BEDESSEM: Okay. Continue on.

2 BOARD MEMBER CAHN: Line 11 -- or page
3 11-35, line 1554, it says, "Rock trickling filters depth,"
4 and I think it should be "Rock trickling filter depths."

5 BOARD MEMBER HANSON: Yeah, absolutely
6 right.

7 CHAIRMAN BEDESSEM: Continue.

8 BOARD MEMBER CAHN: Okay. On page 11-39,
9 line 1732 where we have "a 3 foot per second," it will be
10 maintained a. "A" is what's voluntary. It's optional.
11 "Maintain a 3 foot per second velocity" or just say
12 "Maintain 3 foot per second velocity." It would be the
13 Arabic numeral 3, f-p-s, parentheses, velocity. And I
14 won't go over this. Just because it was a different unit,
15 I wanted to talk about that.

16 On page 11-40, line 1777, after one and a half
17 days, there should be a space. Or after one and a half,
18 parentheses, there should be a space, but I don't think we
19 need to spell out one and one half, parentheses, 1, Arabic
20 numeral 1 and one half.

21 CHAIRMAN BEDESSEM: It's the same thing
22 we've been talking about before.

23 MS. THOMPSON: Yeah, I'll check that.

24 BOARD MEMBER CAHN: Excuse me?

25 CHAIRMAN BEDESSEM: It's the same thing

1 where we don't -- if we are spelling it out, we don't need
2 it also in Arabic numerals and that's kind of covered
3 throughout.

4 BOARD MEMBER CAHN: Yeah. Okay. On page
5 11-42, line 1862, here is the thing with the slopes. But
6 at the end of the sentence, "it shall be stable under
7 varying water level conditions." There needs to be a
8 water, dash, level conditions. So the hyphen is missing,
9 besides the other changes we're going to make to the
10 numbers.

11 MS. THOMPSON: Okay.

12 BOARD MEMBER CAHN: On page 11-43, line
13 1887, the 10 to the minus 7 centimeters per second, the
14 minus 7 should be superscript. And I think I found that in
15 a number of places. So if you would just search for minus
16 7, you should be able to find them all.

17 On page 11-47, line 2073, "Groundwater shall be
18 at least 5, parentheses, 2."

19 MS. THOMPSON: Okay.

20 BOARD MEMBER CAHN: So I think we mean 5
21 feet because it's got 1.5 meters. So delete the f-i-v-e,
22 delete the parentheses, change the 2 to a 5.

23 CHAIRMAN BEDESSEM: Well, we're not even
24 using the 2.

25 MS. THOMPSON: No, I think I might have

1 done a paste problem. I'm going to have to look to see if
2 I did that elsewhere.

3 BOARD MEMBER CAHN: What happened?

4 CHAIRMAN BEDESSEM: We're not even using
5 the number anyway.

6 MS. THOMPSON: Right. Okay.

7 BOARD MEMBER CAHN: Right. But the
8 replacement of the -- the replacement of f-i-v-e was with
9 the Arabic numeral 2.

10 CHAIRMAN BEDESSEM: But we're not replacing
11 because numbers less than 10 are just the word.

12 MS. THOMPSON: We're going to take that
13 out.

14 BOARD MEMBER CAHN: No, no, not when
15 they're as part of the unit. If they're part of the unit,
16 they are not spelled out. So if it's followed by a unit.

17 CHAIRMAN BEDESSEM: Gotcha, gotcha. Okay.
18 Thank you.

19 BOARD MEMBER CAHN: Okay. 11-48, there's a
20 missing -- sorry, page 11-48, line 2103, top of the page,
21 there's a space missing after the parenthesis, but I think
22 when the parentheses is removed and the f-o-u-r is deleted,
23 we'll be okay. So it will read at least Arabic numeral 4,
24 i-n, period, parentheses, 10.2 c-m, parentheses, in
25 diameter.

1 Oh, yeah. And so here is an example on the next
2 line. 2104 is another example of slope having 5 feet per
3 1,000 feet, parentheses, 5 meters per 1,000 meters. So I
4 think if you search for the word "slope," you should be
5 able to find all of these problems.

6 MS. THOMPSON: Okay.

7 BOARD MEMBER CAHN: And then let's see,
8 page 11-56.

9 CHAIRMAN BEDESSEM: Hold on, Lorie.

10 I'm sorry. Maybe I might be asking a foolish
11 question here. You know, a lot of these where we talk
12 about a slope of five feet per thousand feet, we're talking
13 vertical over horizontal. Then a while ago, there was a
14 couple of ones where the slopes were horizontal over
15 vertical. Did you see that?

16 MS. THOMPSON: I did not pick up on that,
17 but I would not be surprised if we used both, because this
18 chapter --

19 CHAIRMAN BEDESSEM: Is just very old.

20 MS. THOMPSON: Well, you know, if it had
21 been written differently and been very old, we wouldn't
22 care, but I think that -- I think there are multiple people
23 working on this at multiple grammar skill levels, and none
24 of them are currently with the agency, because it is so
25 old. So we can't even get -- we can't even go back and ask

1 questions I guess is my point there.

2 BOARD MEMBER HANSON: They're all dead.

3 MS. THOMPSON: There is lots of little gems
4 of strangeness buried throughout, and I think we've
5 uncovered one where the slope, we didn't name it
6 consistently.

7 CHAIRMAN BEDESSEM: Some are like three to
8 one, four to one, and others are percentages.

9 MS. THOMPSON: Horizontal over vertical.
10 We'll find some consistency and apply that.

11 MR. FREDERICK: Isn't, by definition, slope
12 vertical?

13 BOARD MEMBER CAHN: Vertical per 1,000
14 horizontal feet.

15 CHAIRMAN BEDESSEM: Right. But there is
16 another part in here where it is not.

17 BOARD MEMBER CAHN: Right, right. I know.
18 It's not consistent. That's what I was pointing out. But
19 then again, if you mention five per 1,000, we don't need to
20 have -- we could have five vertical per 1,000 horizontal
21 and then we don't have to have any units, because it's
22 unitless.

23 MR. FREDERICK: Or one to 200.

24 CHAIRMAN BEDESSEM: But there's another
25 section here we passed a little ago that was --

1 MS. THOMPSON: It was reversed.

2 BOARD MEMBER CAHN: It's horizontal over
3 vertical?

4 CHAIRMAN BEDESSEM: Hold on, Lorie.

5 Bill?

6 MR. TILLMAN: One thing to consider is
7 Chapter 11, down the road, is due for modification since it
8 hasn't been touched since 1984, roughly. So we will find
9 some of these gems and --

10 CHAIRMAN BEDESSEM: Fix them.

11 MR. TILLMAN: -- resolve them.

12 BOARD MEMBER HANSON: Some kind of slippery
13 slope.

14 MS. THOMPSON: Yes, exactly, slippery slope
15 indeed.

16 CHAIRMAN BEDESSEM: We'll fix the unit and
17 you'll fix the definitions when you come back with this
18 chapter.

19 BOARD MEMBER CAHN: On page -- Madam Chair,
20 may I continue?

21 CHAIRMAN BEDESSEM: Go ahead.

22 BOARD MEMBER CAHN: 11-55, page 11-55, line
23 2421, I just want to bring up an example here where even
24 though there's no units, we're missing hyphens. So it
25 should be, "An approved reduced," add a hyphen, "pressure,"

1 add a hyphen, "zone backflow preventer," because we
2 have -- even though there's no units, we're modifying a
3 noun.

4 On page 11-56, line 2454, there's a space missing
5 after the parentheses, but I think when we get rid of the
6 parentheses, that will get resolved. And feet will be f-t.

7 Oh, and you will have a hyphen, because it's 15
8 feet deep. So it will be 15, dash, f-t, parentheses, 4.6
9 meters, parentheses, deep.

10 Okay. Page 11-58. This is one for
11 discretionary. On line 2530, I think the word "contract"
12 should be "contracting." So "All plants shall in addition
13 be capable of performing or contracting out the analytical
14 work." I think "or contract out" doesn't match with
15 performing. So they're not parallel constructions.

16 And then to continue, "required to," again, we
17 have the word "assure," and it needs to be either "ensure"
18 or "insure," your preference.

19 When I go to the "which" and "that" on line 2539
20 same page, it's correct. The "that" is correct, but when I
21 go to the clean version, it shows up in blue, on like the
22 word that shows up in blue on my clean version. So for
23 some reason -- and I don't know if that happens with other
24 people's versions.

25 CHAIRMAN BEDESSEM: I don't know. Gina

1 will take a look.

2 MS. THOMPSON: I have no idea why that is
3 the way it is, because the rest of the clean chapter is in
4 black and white. So I don't know. I don't know how it --
5 I don't know.

6 BOARD MEMBER CAHN: Yeah. We'll fix that.
7 Like I say, it's that conversion issue with PDFs.

8 Okay. Line 2574, the same page. Again, we're
9 starting out a sentence with 24. So it would be
10 preferable, rather than 24-hour continuous exhaust, to
11 start out the sentence with continuous Arabic numeral 24,
12 dash, h-r, for hour, exhaust capability shall be provided.
13 I think just do a global search for foot-candles.

14 BOARD MEMBER DEURLOO: Lorie, can I stop
15 you there? I was waiting for you to get to page 11-59.
16 This is Brian. Foot-candles. So everywhere you have
17 imperial 2SI conversions, I understand that the conversion
18 here to metric is lux, l-u-x. Hundred-foot candles equals
19 1,076 lux, if you want to have that conversion in there.

20 MS. THOMPSON: Is that l-u-x, lux?

21 MR. DEURLOO: Yeah, Lima Uniform X-ray.
22 It's up to you if you want to put that in there. Maybe
23 confirm with one of your engineers at your office.

24 CHAIRMAN BEDESSEM: But at a minimum, it
25 would be foot-candles as opposed to feet-candles.

1 MS. THOMPSON: Yes. I'll kind of qualify
2 my response there. I'm not sure that I will at this time
3 incorporate that change, but as Mr. Tillman explained, we
4 will be going through. I'm just concerned that that starts
5 getting very close to the edge of the scope of the public
6 notice.

7 BOARD MEMBER DEURLOO: Fair enough.

8 MS. THOMPSON: I don't want to make
9 trouble. I don't want to, you know, disqualify your
10 comments in any way, but definitely, we should find out
11 what that equivalent is, and if we don't incorporate it
12 here, it should definitely be either incorporated in the
13 next iteration or we will make our inclusion of metric
14 consistent not just here and there, but either all the way
15 or not at all.

16 BOARD MEMBER DEURLOO: Great. Thank you.

17 BOARD MEMBER CAHN: On page 11-59, line
18 2586, between feet and candles, there was an extra space.
19 So it should be f-t, dash, candles, no space.

20 On page 11-66, line 2856, there is again the
21 problem with assure structural stability should be entered
22 in and that's discretionary.

23 CHAIRMAN BEDESSEM: Okay.

24 BOARD MEMBER CAHN: On page 11-69, line
25 3022, I'm not sure I understand the word "surface" in the

1 sentence. So it says, "Rocks larger than six inches in
2 length shall not be placed within five feet surface of the
3 interior slope of any pond embankment," and I'm not sure
4 what surface applies to. I may need to ask Bill for that.

5 MR. TILLMAN: Just without looking at the
6 chapter, my guess is that they're referring to the slope of
7 the pond of that going from the interior of the pond up to
8 the berm is probably the slope that they're -- the surface
9 that they're referring to.

10 BOARD MEMBER CAHN: So within five feet of
11 the --

12 CHAIRMAN BEDESSEM: Surface.

13 BOARD MEMBER CAHN: I'm not sure what
14 surface of the interior slope means. Anywhere along that
15 slope within five feet of it?

16 MS. THOMPSON: So this might be one where
17 we need to take it back to the office and read it through
18 and kind of break it up to see what we --

19 CHAIRMAN BEDESSEM: Yeah. You're not going
20 to be making the change there anyway because we don't need
21 to put the number in for five.

22 MS. THOMPSON: Right, right.

23 CHAIRMAN BEDESSEM: Leave as is and he'll
24 address it when he's going through the chapter.

25 BOARD MEMBER CAHN: I wanted to bring it up

1 because I noticed it this go-round, and if I don't bring it
2 up now, I may not notice it the next go-round, but I want
3 you to put it on your --

4 CHAIRMAN BEDESSEM: List.

5 BOARD MEMBER CAHN: -- back burner, or
6 whatever, but put it on your list of things to address.

7 On page 11-70, there's another -- line 3038
8 another assure. On page 11-71, line 3096, "radio logical"
9 is one word, not two words.

10 MS. THOMPSON: Okay. I see that now.

11 BOARD MEMBER CAHN: More "ensures" and ten
12 to the minus seven's.

13 CHAIRMAN BEDESSEM: Just for your comfort
14 level, this is the worst chapter.

15 MS. THOMPSON: Okay, good. I agree that it
16 is the worst chapter. So I feel validated in that opinion.

17 CHAIRMAN BEDESSEM: Right.

18 MS. THOMPSON: And I apologize that we're
19 here today on this one, but I was in like kindergarten when
20 this was promulgated.

21 BOARD MEMBER HANSON: That explains it.

22 MS. THOMPSON: This is really bad. You
23 know, thank you for sitting through this with us and
24 helping us to make it better.

25 CHAIRMAN BEDESSEM: So, Lorie, let's get

1 through the last changes pretty expeditiously.

2 BOARD MEMBER CAHN: Okay. I've got two
3 more changes on this chapter. Well, two more pages. On
4 page 11-79, line 3426, "control ling" is one word, and then
5 underneath it, "ad sorption" is one word. Something
6 happened with spacing.

7 MS. THOMPSON: Yeah.

8 BOARD MEMBER CAHN: And then let's see.
9 Line 11-92. So here we have -- sorry, page 11-92, I'm
10 sorry, line 3995.

11 CHAIRMAN BEDESSEM: And all the ones
12 thereafter.

13 BOARD MEMBER CAHN: Excuse me?

14 CHAIRMAN BEDESSEM: The problem is repeated
15 in, you know, four section parts thereafter. So go ahead.

16 BOARD MEMBER CAHN: Oh, okay. In this case
17 when we talk about a 30-foot buffer, which will be Arabic
18 numeral, dash, f-t, we don't have the meters here. So just
19 for consistency, this entire section seems to be missing
20 the meters throughout.

21 So I don't care whether meters are in there or
22 not, but for consistency, if you're putting in SI units,
23 then please add them into the full section.

24 BOARD MEMBER HANSON: Lorie, there are two
25 more the same. Right down there at 4002 and 4005, same

1 thing.

2 MS. THOMPSON: Uh-hum. Yes.

3 BOARD MEMBER CAHN: Yep. And 3999 and it
4 goes on. It's the entire Section 79.

5 BOARD MEMBER HANSON: They give up on
6 meters there.

7 MS. THOMPSON: I know why this is weird
8 here. I apologize for the, you know, stream of
9 consciousness. This particular section, we imported this
10 from another chapter that was written later and so the
11 later-written chapter was missing the metrics. So we'll
12 make that consistent. But I think that's why this section
13 seems particularly bad about omitting the metric. So we
14 will make that change.

15 CHAIRMAN BEDESSEM: Is that it for Chapter
16 11, Lorie?

17 BOARD MEMBER CAHN: That is for Chapter 11
18 for me --

19 CHAIRMAN BEDESSEM: Okay. Let's quickly
20 move on.

21 BOARD MEMBER CAHN: -- without going
22 through every single line, just the examples.

23 CHAIRMAN BEDESSEM: Yeah. I think, you
24 know, there are some general themes here that you can
25 probably pick up in all the remaining chapters, and we

1 probably don't need to go into the minutia of them, so is
2 there anything specific you want to say, Gina, regarding
3 Chapter 20?

4 MS. THOMPSON: No. Imagining that in
5 Chapter 20 the same -- some of the same formatting errors
6 will be repeated. We did correct some cross-references in
7 this chapter. So it wasn't all formatting errors and
8 changing which's to that.

9 But I will need to go through this chapter after
10 speaking with you today and find those areas where we need
11 to adjust how we've stated a number, add a comma -- or not
12 a comma, add a hyphen where it's appropriate. So I'm
13 imagining that this will be pretty pervasive in this
14 chapter as well.

15 CHAIRMAN BEDESSEM: So board members who
16 are in the room, Klaus, do you have any specific things on
17 20?

18 BOARD MEMBER HANSON: No.

19 CHAIRMAN BEDESSEM: Brian?

20 BOARD MEMBER DEURLOO: No.

21 BOARD MEMBER KIRKBRIDE: No.

22 CHAIRMAN BEDESSEM: Lorie, do you have
23 something specific on 20 that isn't covered previously?

24 BOARD MEMBER CAHN: Yeah. On 20-11, page
25 20-11, line 476, there's an extra space after the word

1 "equipment," between equipment and meet. And the spacing
2 in this chapter has a lot of weird spacing. And then
3 again, there's the same line, there's the assure should be
4 ensure, insure as discretionary.

5 On line 20 -- or page 20-13, there's a lot of
6 spacing issues. Line 570, there's a large space after
7 Section 21, period. On line 584, there's a large space
8 after "If it is complete," period. Line 586, there's a
9 large space after "In the application," period.

10 Going down to line 593, after "Regulations,"
11 there's -- so I'm not sure what's happening, but just
12 check. That was just one page, for example --

13 MS. THOMPSON: Sure.

14 BOARD MEMBER CAHN: -- of spacing issues.
15 I'm not sure.

16 They continue throughout the chapter. I see some
17 on 2032 and 2033.

18 MS. THOMPSON: So I'll turn on the
19 formatting marks and look at this in greater detail to
20 determine if I -- if we have some hidden page breaks or
21 section breaks that might be contributing to those spacing
22 errors and just -- we'll just tighten up those spacing
23 errors as well, because that looks like it is throughout
24 the whole document.

25 BOARD MEMBER CAHN: And that -- let's see.

1 That does it for me for general comments that have the same
2 theme for Chapter 20. Thank you, Madam Chair.

3 CHAIRMAN BEDESSEM: Okay. So we can move
4 on to Chapter 25?

5 MS. THOMPSON: So Chapter 25, this one is
6 very new and so we actually did the least amount of work to
7 it. But we did find that we had an erroneous cross-
8 reference, which we fixed, and we had a punctuation error
9 in Appendix B, which is the land application appendix. So
10 those are the only two changes we're suggesting in this
11 particular chapter.

12 BOARD MEMBER HANSON: You were referring to
13 25-8; is that right?

14 MS. THOMPSON: Actually, that's a hyperlink
15 that's appearing strangely. I'm referring to Section 10.
16 It's a cross-reference to URC Chapter 27.

17 BOARD MEMBER HANSON: Section 10.

18 MS. THOMPSON: So it's line 685 on page
19 25-18. We referenced the wrong section in the new Chapter
20 27.

21 BOARD MEMBER HANSON: Okay.

22 MS. THOMPSON: And then the only other
23 change was on line 1329, Appendix B, dash, 1, there was a
24 period there, but it needed to be a colon since we were
25 making a list below.

1 CHAIRMAN BEDESSEM: Okay. Anybody have any
2 comments on Chapter 25?

3 BOARD MEMBER KIRKBRIDE: No.

4 CHAIRMAN BEDESSEM: Okay.

5 BOARD MEMBER CAHN: Madam Chair?

6 CHAIRMAN BEDESSEM: Go ahead, Lorie.

7 BOARD MEMBER CAHN: On page 25-17, line
8 647, the "which" should be a "that" in my understanding of
9 the sentence, such as string, rags, buttons, or other
10 materials which are detrimental to the waste treatment
11 system potentially, depending on the meaning of the
12 sentence, and I'll leave that to -- I suppose all of those
13 things are detrimental to the waste treatment system. So
14 then it could be, comma, which.

15 But I think because the streams, rags and buttons
16 are such as, I believe that might be more appropriate,
17 because we're talking about all things that are detrimental
18 to the waste treatment system. So I don't know. What do
19 you think, Gina?

20 MS. THOMPSON: You know, for consistency
21 sake I think, you know, it either needs a comma or it needs
22 a that. I'm probably more inclined to just put in a that
23 and take out the which.

24 BOARD MEMBER CAHN: Okay. I would agree
25 with that. And that's all I have, Madam Chair.

1 CHAIRMAN BEDESSEM: Okay. Let's move to
2 26.

3 MS. THOMPSON: Chapter 26, the last chapter
4 that we'll present to you today. Mostly changing Roman
5 numerals to Arabic. And we had some incorrect cross-
6 references.

7 You may remember we had taken Chapter 26 out of
8 Chapter 11. It used to be Part G, I believe. And when we
9 put it in to this new Chapter 26, they neglected to update
10 the cross-references. So we fixed those.

11 That was our primary reason for including it
12 today, because this chapter is used quite often by a
13 variety of industry folks. And at our URC program, our
14 underground water staff were kind of frustrated with how
15 many times they were having to correct that error with
16 people, because we were confusing them. So yeah, just
17 mostly just correcting Roman numerals, correcting
18 cross-references. We had some spelling errors.

19 And then we will again need to look at any
20 numbering changes that we brought to you today to make sure
21 that they are consistent with what we've agreed to today,
22 because I can see where we have the same errors again. So
23 we will look at those again.

24 CHAIRMAN BEDESSEM: Any specific comments
25 from the board on Chapter 26?

1 BOARD MEMBER DEURLOO: Madam Chairman,
2 unless, Klaus, do you have any?

3 BOARD MEMBER HANSON: No. I didn't get
4 this far.

5 BOARD MEMBER DEURLOO: Oh, you didn't? I
6 had a lot of fun with this chapter.

7 MS. THOMPSON: Good.

8 BOARD MEMBER DEURLOO: I have -- as
9 industry representative, I have worked a lot under Chapter
10 26. I've worked a lot under these chapters.

11 Mr. Frederick, what is -- do you have a schedule
12 for when you would be updating this chapter?

13 MS. THOMPSON: It's actually a happy
14 coincidence that you mention that.

15 BOARD MEMBER DEURLOO: Oh, goody.

16 MS. THOMPSON: Because we have been
17 discussing it internally. It will not be on this year's
18 schedule. So you're not going to see it in the
19 presentation we'll make to you later.

20 However, we've been discussing -- we're already
21 discussing next year's schedule and what we can kind of
22 look forward to in that realm. And our groundwater folks
23 are very eager to update this. So we will bringing this to
24 you probably by the first half of 2018, depending on how --
25 depending on what we get into.

1 I'm hesitant to commit to an exact quarter at
2 this point because I don't know what their proposed changes
3 are. So I don't know how much outreach we'll need to do in
4 advance, et cetera. But this one is coming up again in
5 2018, because it is problematic, but we really wanted to
6 get those cross-references corrected.

7 BOARD MEMBER DEURLOO: Yeah, sure.

8 MS. THOMPSON: Those were really confusing.

9 BOARD MEMBER DEURLOO: I understand that.
10 It's all about the which's, that's and the cross-
11 references. I totally understand that.

12 MS. THOMPSON: Yeah. It's a substantial
13 rewrite.

14 BOARD MEMBER DEURLOO: It does need a lot
15 of -- a lot of questions need to be addressed on this
16 particular chapter, I believe.

17 As far as -- I'll just make -- Madam Chairman,
18 I'll just make a few comments here and there. Page 26-2,
19 line 55, you say, "All sounding tubes should have a screw
20 cap." That seems more like a rule or a guidance than a
21 definition of a sounding tube. Just for future reference,
22 you may want to move that.

23 I've got a lot of -- but I'm going to stay away
24 from that. Numbers, we talked about that.

25 Okay. So page 26-5, line 193, when you do an

1 e.g. or an i.e., is that -- Lorie, you seem to be the
2 expert at this most of the time. Should we not have
3 parentheses around when we're calling out "for examples, in
4 other words"?

5 BOARD MEMBER CAHN: Yes. So i.e. is "in
6 other words" and e.g. is "such as." So they mean very
7 different things.

8 BOARD MEMBER DEURLOO: Correct. But we
9 should have -- e.g. seems to me that it's correct in that
10 on line 193, page 26-5, it seems e.g. is correct in that
11 example, but should it not have parentheses around it?

12 CHAIRMAN BEDESSEM: And not a comma after
13 it.

14 MR. FREDERICK: Correct.

15 BOARD MEMBER DEURLOO: I don't know.

16 MS. THOMPSON: I can look at the style
17 manual to see if there is any guidance on that.

18 BOARD MEMBER CAHN: Yeah. I think that
19 sounds good, look at the style manual. I don't have that
20 at my fingertips.

21 BOARD MEMBER DEURLOO: Okay. All right.

22 MS. THOMPSON: It is a rather large book.
23 I can see why she wouldn't just carry it with her
24 everywhere. It's giant.

25 BOARD MEMBER DEURLOO: Is it really?

1 MS. THOMPSON: It's pretty big. It's
2 helpful, but I didn't bring mine, because it's kind of a
3 hefty thing.

4 BOARD MEMBER DEURLOO: Line 195,
5 "Entrance." Take this for what it's worth. It should be
6 ingress instead of -- if you're going to use egress, that
7 should say ingress.

8 In line 200 --

9 BOARD MEMBER CAHN: You don't think they
10 mean both going in and going out?

11 CHAIRMAN BEDESSEM: Ingress is going in.

12 BOARD MEMBER DEURLOO: Ingress is going in.

13 BOARD MEMBER CAHN: No, but they've got
14 egress.

15 BOARD MEMBER DEURLOO: I know. Ingress or
16 egress.

17 MS. THOMPSON: That might be one where we
18 might leave that to the next iteration.

19 BOARD MEMBER DEURLOO: That's fine.

20 MS. THOMPSON: Because I'm not sure and
21 I'll need to weigh it out.

22 CHAIRMAN BEDESSEM: For the next --

23 BOARD MEMBER DEURLOO: Just put a red line
24 like Mr. Frederick was saying earlier.

25 There's a comma on line 200 on 26-5 right before

1 "tap hole." It seems like it shouldn't be there.

2 MS. THOMPSON: Okay.

3 BOARD MEMBER DEURLOO: A sounding tube tap
4 hole.

5 CHAIRMAN BEDESSEM: Should it be saying "or
6 tap hole or plug"? A sounding tube or tap hole with plug
7 or similar access.

8 BOARD MEMBER DEURLOO: I don't even really
9 know what those are.

10 MS. THOMPSON: I think that we need --

11 CHAIRMAN BEDESSEM: It's okay.

12 MS. THOMPSON: If we leave the comma
13 there --

14 CHAIRMAN BEDESSEM: It's okay.

15 MS. THOMPSON: And put one after plug,
16 because we struggle with our Oxford commas, and I think
17 that we need one there, because it looks like it's a list
18 of three things to me.

19 BOARD MEMBER DEURLOO: Yes.

20 MS. THOMPSON: It looks like it's a
21 sounding tube or similar access. So I will add a comma,
22 because I think that -- I think it's a list. And I know
23 that we struggled with our Oxford commas in this old
24 chapter and it makes the list confusing when you don't put
25 it in there.

1 BOARD MEMBER DEURLOO: I like the Oxford
2 commas.

3 MS. THOMPSON: I like them, too, but the
4 author of this one didn't.

5 BOARD MEMBER DEURLOO: Right. Page 26-7,
6 I'm just going to read it out loud. I'm starting at line
7 258. "Each sheet of material shall contain mill markings
8 that will identify the manufacturer." It seems -- "will"
9 just does not seem like it need to be there. If you're
10 changing -- if you're striking "which," it would read --
11 and you strike "will," "Each sheet of material shall
12 contain mill markings that identify the manufacturer and
13 specify."

14 MS. THOMPSON: Yes, we can strike that. I
15 don't see a problem with that.

16 BOARD MEMBER HANSON: You could also make
17 it identifying.

18 BOARD MEMBER DEURLOO: Yes, you could.
19 26-9, line 348, you have "i.e., deviation
20 checks." It seems to me there should be a parentheses
21 around the i.e. callout there. Line 359 "additional" is
22 spelled wrong, "addition al."

23 Line 363, "To assure that groundwater supply."
24 We're not trying to make the groundwater supply feel
25 better. I think it should probably be ensure, e-n-s-

1 u-r-e.

2 MS. THOMPSON: I'm sorry, what line are you
3 on there?

4 BOARD MEMBER DEURLOO: 363. Change assure
5 to ensure, e-n. Line 365, "Demonstrates his attention."
6 It probably should be "their attention," I'm guessing it.

7 I had a really tough time on line 398 on page
8 26-10. And Kevin, maybe you could help me out with this.
9 It reads, starting on line 397, "Impervious material shall
10 be placed opposite the confining formation above and below,
11 parentheses, and including, the screened or perforated
12 interval for a minimum of fifty feet or more."

13 Maybe it's just one of those ones for later, but
14 it's just like why would I want to put in impervious
15 material across my screen. But I just wanted to point that
16 out. It just seems wrong.

17 And there was one here --

18 CHAIRMAN BEDESSEM: Well, but it's under
19 plugging and abandonment, because you're trying to plug.

20 MR. FREDERICK: You're right.

21 CHAIRMAN BEDESSEM: This is plugging and
22 abandonment.

23 BOARD MEMBER DEURLOO: You're right. I was
24 wrong.

25 CHAIRMAN BEDESSEM: Not if you want the

1 well to work.

2 MR. FREDERICK: I was going to say I
3 thought I would have caught something as obvious as that.

4 BOARD MEMBER DEURLOO: My bad. And as long
5 as you're referencing chapters, the very last page, 26-11,
6 line 449, describing in the preceding paragraph, which --
7 Gina, which paragraph are you talking about? Wouldn't it
8 be better just to say paragraph (e)? Are you talking about
9 line 442 or are you talking about -- should you not call
10 that out paragraph (e) or whatever you're talking about?

11 MS. THOMPSON: We could change that from
12 where we have proposed to change it from "preceding" to
13 "proceeding," which is a spelling correction. We could
14 kill that and just say, "As well as those described in
15 paragraph (i) above," so that they know to go, you know,
16 jump back up and look. We can do that.

17 BOARD MEMBER DEURLOO: So you did mean
18 Roman numeral?

19 MS. THOMPSON: I believe so.

20 BOARD MEMBER DEURLOO: That's where I was
21 confused. Thank you. That's all I have.

22 CHAIRMAN BEDESSEM: Any other comments from
23 the board in the room? Hearing none, Lorie, do you have
24 any additional comments?

25 BOARD MEMBER CAHN: Just a few. On line --

1 sorry, page 26-4, line 145, after "crystalline," there's a
 2 space is missing between "crystalline" and "or." And also
 3 search for other instances of "assure" should become "en"
 4 or "in," such as page 26-3, line 113.

5 CHAIRMAN BEDESSEM: Got that.

6 BOARD MEMBER CAHN: On page 26-8, line 325,
 7 after 10, parentheses, there's a space missing and then the
 8 parentheses will go away. And on line 331, after 2,
 9 parentheses, and inches, there's no space, and that will
 10 hopefully get resolved when we delete t-w-o and the
 11 parentheses. And that the same issues we've talked about
 12 in other chapters would apply here. Thank you, Madam
 13 Chair.

14 CHAIRMAN BEDESSEM: Okay. Thank you,
 15 Lorie. I think that concludes our page-for-page comments.

16 Now, considering there seems to be a fair amount
 17 of work involved here, I guess my question is I know that
 18 you're seeking today for us to approve these changes, and
 19 I'm comfortable -- you know, the board may be comfortable
 20 doing that, assuming that you have this laundry list that
 21 you'll just have to attend to, which is significant and a
 22 lot of attention to detail. So do any members of the board
 23 want to discuss or have any reservations about that or
 24 whether they want any additional input?

25 BOARD MEMBER CAHN: Madam Chair?

1 CHAIRMAN BEDESSEM: Yeah. Go ahead, Lorie.

2 BOARD MEMBER CAHN: I think that it's a
3 significant amount of changes, editorial changes, that
4 we're not just talking about a half a dozen changes. There
5 are pages that will be many changes per page. So I'm not
6 comfortable with having this go forward without us looking
7 at it again myself.

8 MR. FREDERICK: So, Madam Chair, I think
9 you may have two motions before you. The first dealing
10 with whether or not the board would like to essentially
11 approve the proposed revisions that we brought before you
12 today with the modifications that were made to those
13 proposed changes by the board, and then I think the second
14 motion is whether or not the board would like us to
15 consider moving ahead with the other revisions that you're
16 suggesting be made to these rules and regulations.

17 CHAIRMAN BEDESSEM: I guess I'm not -- I
18 mean, I'm not sure that that's the split as I would see it,
19 because there's a number of things that, you know, that are
20 up to your discretion that you might or might not include
21 in this, but I think from our perspective, there's so much
22 minutia here that it would be nice to have another copy
23 with all these changes done that we can just -- and then
24 that way you can tell us, we decided to do this and we
25 decided not to do this, and so on so forth --

1 MS. THOMPSON: Sure.

2 CHAIRMAN BEDESSEM: -- and just give you
3 another set of eyes and then just to go approve that as a
4 batch. I don't know. I think maybe we're talking about a
5 motion where we approve you to make these changes and come
6 back and just have us look at the final copies and approve
7 it next time or finally approve it next time around. Does
8 that hamper you if it doesn't actually move to the EQC
9 until the next quarter?

10 MR. FREDERICK: My preference would be to
11 have the board take an action on what we brought for you
12 for consideration today. I think that's very easy. I
13 think it's very simple for us to do. It would be simple
14 for us, then, to essentially accept those changes and get
15 those out of the way so the next time we come back with
16 other proposed revisions that you recommended today, you
17 won't have to address those any longer. You won't have to
18 go through the changes of "which" to "that," the changes of
19 the section references, that will be behind us.

20 MS. THOMPSON: So I think I just got where
21 he's going with this. So our next meeting -- if you
22 approve what we've done, you wouldn't have to go through
23 the exhaustive list that we've gone through today in
24 addition to the --

25 CHAIRMAN BEDESSEM: So I would agree. I

1 think we can approve what we've agreed to today, have you
2 make the changes and essentially it would just come back to
3 us. Essentially we don't have to go through in detail, but
4 just so that we can look and see, you know, what you
5 decided to add and not add on those extra ones and then
6 just to make -- in other words, have another set of eyes to
7 make sure what we agreed to actually got carried out.

8 MR. THOMPSON: Sure.

9 MR. FREDERICK: Absolutely. We would have
10 to public notice those --

11 MS. THOMPSON: Right.

12 MR. FREDERICK: -- and bring those back
13 before the board for another review and another opportunity
14 for public comment. I don't know if we're quite tracking,
15 though. My recommendation is with respect to the proposed
16 changes that we brought to the board today, the redline,
17 the strikeout that we went through today for the board to
18 take an action just on those.

19 CHAIRMAN BEDESSEM: But we had -- we had
20 suggested changes to those. So with the changes --

21 MR. FREDERICK: Incorporating those
22 changes, yes.

23 CHAIRMAN BEDESSEM: So I would entertain a
24 motion.

25 BOARD MEMBER HANSON: I so move to

1 incorporate.

2 BOARD MEMBER CAHN: I'm confused, need
3 clarification on the motion. I'm confused. Are we
4 authorizing DEQ to go ahead and start working on making the
5 changes that we suggested and going through and finding all
6 the other ones and then coming back to us with just those
7 changes or are we authorizing them to make those changes
8 and any additional changes they were wanting to make, and
9 then while they're at it, if there are others things in the
10 chapters that they want to do and then come back to us? So
11 I guess I need clarification on what the motion is.

12 BOARD MEMBER DEURLOO: Can I speak to
13 that --

14 CHAIRMAN BEDESSEM: Yes, Brian.

15 BOARD MEMBER DEURLOO: -- Madam Chairman?
16 Lorie, this is the way I -- and this is for the
17 group discussion, but this is the way I'm hearing the
18 conversation go, and I want Mr. Frederick discussing as
19 well, that we make a motion -- and I'm not making one right
20 now, but we make a motion that we approve the changes that
21 we discussed and agreed upon in this meeting of all the
22 things that basically touch a blue or a red change within
23 the chapters in front of us. Anything that does not --
24 that is not adjacent to or part of the strikethrough or
25 change is a suggestion for you to come back to us with

1 those changes at our next meeting. Is that what I hear?

2 CHAIRMAN BEDESSEM: I guess my question is
3 would you come back to us with those changes?

4 MR. FREDERICK: Madam Chairman, likely not
5 at the next meeting. It's going to definitely take some
6 time to go through and incorporate the board's suggested
7 revisions into these rules and get them out for public
8 comment, public notice and bring them back before the
9 board. I suspect it's probably going to be even the third
10 or the fourth quarter meeting.

11 MS. THOMPSON: So --

12 MR. FREDERICK: Excuse me. More likely
13 the -- you'll be meeting again in June. Possibly the third
14 quarter.

15 MS. THOMPSON: So we have a presentation
16 where we will go over our anticipated schedule for the
17 year. And you'll get a copy of this when we get to that
18 presentation. But our second quarter meeting, because of
19 outreach efforts we're currently doing and commitments
20 we've made on other chapters, we were planning to bring
21 several chapters to you next quarter. We had anticipated
22 that this one would not be delayed.

23 So our third quarter meeting, which would be --
24 what is that, Septemberish? That one for Water Quality
25 Division is a little bit lighter. And my understanding is

1 the Solid & Hazardous Waste Division may have a rulemaking
2 for you for their storage tank rules, but for us, the third
3 quarter is the next lighter quarter. So we probably would
4 not make the second quarter meeting to make these revisions
5 and then come back to you.

6 CHAIRMAN BEDESSEM: Yes, Klaus.

7 BOARD MEMBER HANSON: Madam Chair, I think
8 there ought to be some --

9 BOARD MEMBER CAHN: Pardon --

10 CHAIRMAN BEDESSEM: Hold on, Lorie.

11 BOARD MEMBER HANSON: I think there ought
12 to be some discretion; for example, the changes from
13 "insure" to "ensure" and so on. There was no disagreement
14 on that.

15 MS. THOMPSON: Right.

16 BOARD MEMBER HANSON: Include them even
17 though they weren't in your strikeout version. If you feel
18 there was some discussion and not necessarily agreement on
19 the change, then bring it back, but I don't want to read
20 all the "assures" and "ensures" again, quite frankly. I
21 think we're agreed on that. So I think there needs to be
22 discretion on your part what you include and what you don't
23 include, if that's permissible.

24 CHAIRMAN BEDESSEM: If they're not
25 substantive. I mean, most of the comments that were made

1 today that were substantive as far as the content of the
2 rule, we said this is just something we're letting you know
3 about and you can deal with them at some later point.

4 MS. THOMPSON: Sure.

5 CHAIRMAN BEDESSEM: And so that's really
6 not on the table at this point.

7 BOARD MEMBER HANSON: Correct.

8 BOARD MEMBER CAHN: This is Lorie. When
9 would you make -- I mean, I guess it's hard for me to
10 understand why you wouldn't -- if you're going to make all
11 of the changes we talked about today that were part of the
12 changes that you guys had already made, why wouldn't you
13 include the changes at the same time that are the suggested
14 changes? And so that's one question. And then the second
15 question is when would you be looking at these rules for
16 other types of changes that are substantive that you might
17 be making to update them? So those are my two questions.

18 MR. FREDERICK: You know, in retrospect,
19 bringing the rule back before the board, it can go either
20 way with respect to whether we bring back the proposed
21 revisions that we've already presented to you here today,
22 together with any other changes to the rule that the board
23 wants us to essentially incorporate into the rule at the
24 next meeting, or I should say at the third quarter meeting
25 likely at the earliest.

1 The motion could simply be to incorporate or make
2 modifications to the revision to the regulations that the
3 board suggested we consider for incorporation or changes to
4 the regulation, including those that we brought before you
5 today.

6 My thinking was that we've already, I believe,
7 gone through and identified which of the proposed revisions
8 we brought forth today you were comfortable making and
9 which you weren't. I think we're going to have to, in all
10 likelihood, come back with these same proposed revisions
11 that we already covered. You'll see them in redline/
12 strikeout one more time, and if you can avoid going over
13 them by --

14 MS. THOMPSON: We can make it green or
15 something.

16 CHAIRMAN BEDESSEM: I have a question. Can
17 we not -- we were in agreement with the changes that needed
18 to happen, but there's a lot of minutiae as far as having
19 to go through this and make these changes and it's not that
20 easy for a person to do. So I don't see why we cannot
21 approve the changes as agreed upon here and the ones that
22 we've left to your discretion and ask for the courtesy of
23 before it runs forward to the EQC to run it by us just so
24 that we might be able to catch anything that slips through
25 the cracks.

1 MS. THOMPSON: So it's informational and
2 not as you're going to postpone your vote to let us
3 proceed?

4 CHAIRMAN BEDESSEM: No. So like if, by
5 example, you made all these corrections in good faith that
6 we agreed to, but, you know, accidents happen and it didn't
7 get fixed on page 6 --

8 MS. THOMPSON: Right.

9 CHAIRMAN BEDESSEM: -- that you can run it
10 by us and we'll say, "Oh, by the way, you missed the one on
11 6," and you'll go, "Oh, okay," and you fix it and then send
12 it to the EQC more as a courtesy thing, because it's very
13 much attention to detail. And it's complicated if you two
14 talk about how to do it where you don't have to do this by
15 hand, where you can figure out a way to automate it, there
16 is still the potential for, you know, things to get missed
17 and, you know, that's a hard thing to do. And I think it's
18 not that we disagree on anything, it's just a matter of
19 getting down to that detail.

20 So I think we're all in agreement with what needs
21 to happen to the chapter. So it's not like we have to see
22 it again because we're going to change our mind or, you
23 know, have some disagreement.

24 MS. THOMPSON: Sure.

25 CHAIRMAN BEDESSEM: But I think it's more

1 of another check, you know, just simply as kind of an
2 offline courtesy so that if anything got missed before the
3 package goes to the EQC, we check and let you know if
4 there's something that got missed by accident.

5 MR. FREDERICK: So that suggests to me,
6 then, you're willing to recommend today moving the
7 regulation to the Environmental Quality Council, provided
8 that the regulation incorporates those modifications that
9 were recommended that we make to the rule. However, you
10 would like courtesy review --

11 CHAIRMAN BEDESSEM: Uh-hum.

12 MR. FREDERICK: -- prior to our presenting
13 the modified rule to the EQC.

14 CHAIRMAN BEDESSEM: To make sure those
15 modifications actually happened, because there's so much
16 meticulous detail.

17 MS. THOMPSON: And not an additional
18 comment period or anything like that.

19 CHAIRMAN BEDESSEM: No, no.

20 BOARD MEMBER CAHN: Madam Chair?

21 CHAIRMAN BEDESSEM: Yes, Lorie.

22 BOARD MEMBER CAHN: Madam Chair. So I'm a
23 little bit -- I'll just want to play the devil's advocate.
24 So we get a copy that's not part of a board packet. It's
25 an informal submittal to us. We look at it as volunteers

1 and then what if we say, oops, there's 50 mistakes on here?

2 How is that then handled?

3 So I'm comfortable with not having it go through
4 another public comment period. I'm okay with that. But I
5 still feel that if I'm going to be sitting down and looking
6 at the changes in something as large as this three-ring
7 binder that's an inch and a half thick that I would -- I
8 guess I'd prefer that it is part of the board meeting and
9 don't necessarily need to take public comment on it.

10 But I just feel like there's a significant --
11 even though the changes are not significant in and of
12 themselves, there's a significant number of changes and
13 that's where my discomfort level is is the volume of
14 changes that need to be made. And we didn't even discuss
15 all of them. We discussed them in principle, in general.

16 CHAIRMAN BEDESSEM: Is it possible to do
17 that without -- since these are not substantive changes,
18 without having to go through public comment?

19 MS. THOMPSON: I think someone would have
20 to make a motion to close the comment period.

21 BOARD MEMBER CAHN: So moved.

22 MS. THOMPSON: Because I believe we've done
23 that in other rulemakings before where the board saw fit
24 that DEQ needed to come back and make an additional
25 presentation before you voted to approve the rule forward,

1 but that you did not see the need to extend the comment
2 period.

3 The way the comment period reads in the notice
4 that was published for today's meeting is the comment
5 period closes at the end of today's meeting when you
6 adjourn. So somewhere in the motion, you would need to
7 note for the record that we are not extending the comment
8 period, that the comment period is closed, but that you're
9 expecting DEQ to bring the rule back to you before you vote
10 or make motions to vote to --

11 CHAIRMAN BEDESSEM: To move it to the EQC.

12 MS. THOMPSON: Right.

13 CHAIRMAN BEDESSEM: So now we have two
14 motions on the floor. We have Lorie's motion to close the
15 comment period, and Klaus, could you repeat your motion?
16 Do you recall what that was?

17 BOARD MEMBER HANSON: I don't think I got
18 past "I move."

19 CHAIRMAN BEDESSEM: Oh, okay. So we don't
20 have two motions on the floor. I don't know we'd have to
21 read back. I suppose it's possible to have a motion to --
22 you know, approve of the changes as discussed here and then
23 request that the final version be brought back to the board
24 at the next meeting whereupon we can vote for.

25 BOARD MEMBER DEURLOO: So basically what we

1 would be moving for is to move that the edits that were in
2 the public notice be approved. Is that right?

3 CHAIRMAN BEDESSEM: As modified --

4 BOARD MEMBER DEURLOO: As modified.

5 CHAIRMAN BEDESSEM: -- by what the board
6 has requested today.

7 BOARD MEMBER DEURLOO: But it has to be I
8 think we -- the motion has to include the edits that were
9 in the public notice, right?

10 BOARD MEMBER CAHN: No. Madam Chair.

11 CHAIRMAN BEDESSEM: Go ahead, Lorie.

12 BOARD MEMBER CAHN: I believe that because
13 the edits are editorial in nature, you know, correcting
14 grammar and English, that I don't believe with them
15 changing the meaning of the sentence, I don't believe we'd
16 have to go out to the public again based on that.

17 CHAIRMAN BEDESSEM: I'm going to --

18 BOARD MEMBER CAHN: So I would say that DEQ
19 could make both our suggested changes and the changes that
20 were redline/strikeouts that we found errors in and not
21 have to go out for public comment again.

22 The other thing that I would like to just kind of
23 bring up is that I think the fact that we got one public
24 comment, and it was on an editorial, would indicate there
25 isn't a large concern on the part of the public.

1 CHAIRMAN BEDESSEM: No.

2 BOARD MEMBER CAHN: The nature of the
3 editorial changes that were made.

4 CHAIRMAN BEDESSEM: So let's go back, if we
5 didn't feel like we had a complete motion from Klaus, but
6 we had a motion from Lorie to end the public comment period
7 today. Do I have a second for that motion?

8 BOARD MEMBER HANSON: Second.

9 CHAIRMAN BEDESSEM: Okay. Thank you. All
10 those in favor of terminating the public comment period as
11 of today's meeting vote aye.

12 (Board members voted aye.)

13 CHAIRMAN BEDESSEM: All opposed? No.

14 Okay. The public comment period will end as of
15 today.

16 Can I entertain a motion with respect to
17 approving the edits as modified by the board today?

18 BOARD MEMBER CAHN: To come before the
19 board at a subsequent meeting?

20 BOARD MEMBER HANSON: No.

21 CHAIRMAN BEDESSEM: Basically to give the
22 go-ahead to DEQ to make those changes as we agreed upon
23 today and then bring the final version back to the board at
24 the next meeting.

25 MS. THOMPSON: Yes.

1 BOARD MEMBER CAHN: So moved.

2 MR. FREDERICK: Are you moving -- are you
3 motioning move the rule to the council?

4 MS. THOMPSON: No.

5 BOARD MEMBER CAHN: No.

6 MR. FREDERICK: So you're essentially not
7 approving anything today. You're essentially recommending
8 that we make the modifications we discussed today and then
9 bring the rule back before the advisory board --

10 BOARD MEMBER CAHN: Correct.

11 MR. FREDERICK: -- so you can have another
12 shot at the modifications.

13 CHAIRMAN BEDESSEM: I think they'll all be
14 completed, though. So that's one option. That's one
15 option.

16 BOARD MEMBER CAHN: Another option is we
17 don't -- I mean, normally I think we do motions that say
18 whether -- that we approve this to go forward to EQC with
19 modifications. So we could either make that motion and
20 vote on that or we could not make that motion if that's not
21 what the board is feeling like it's ready for or feeling
22 comfortable with that.

23 CHAIRMAN BEDESSEM: So what's the downside
24 of approving what we've agreed to today is that there are
25 so many minute changes --

1 BOARD MEMBER DEURLOO: Yeah.

2 CHAIRMAN BEDESSEM: -- that we're not
3 positive what the final set will look like?

4 MS. THOMPSON: Right.

5 BOARD MEMBER DEURLOO: Yeah.

6 BOARD MEMBER KIRKBRIDE: Well, I would just
7 say that I don't know that we dealt with anything that
8 affects anything any well driller or sewer guy is going to
9 do. It was all edit, wasn't it?

10 MS. THOMPSON: Yes.

11 BOARD MEMBER CAHN: Yes.

12 BOARD MEMBER HANSON: Maybe my suggestion
13 to begin with was to give the board certain digression or
14 discretion to bring back if they felt there was no
15 unanimity of opinion on a given change.

16 CHAIRMAN BEDESSEM: There isn't.

17 BOARD MEMBER HANSON: I think there are
18 very few of those.

19 MS. THOMPSON: Right.

20 BOARD MEMBER HANSON: Everything else, to
21 my taste, should be incorporated at this point, and then if
22 there are any significant changes that the staff doesn't
23 feel uncomfortable about incorporating, bring those back to
24 us, we'll discuss them quickly, and I hope there are not
25 too many, and then send the whole thing forward.

1 CHAIRMAN BEDESSEM: So can I have a motion
2 to approve the changes as modified by the board comments?

3 BOARD MEMBER HANSON: So moved.

4 BOARD MEMBER KIRKBRIDE: I'll second that.

5 CHAIRMAN BEDESSEM: Okay. All those in
6 favor?

7 (Board members voted aye.)

8 CHAIRMAN BEDESSEM: Okay. None opposed.
9 So you have your work cut out for you, my dear. Please
10 work with Lorie.

11 So then the next board meeting you're expecting
12 for us to have a meeting in June?

13 MS. THOMPSON: Yes, I believe so.

14 CHAIRMAN BEDESSEM: Okay.

15 BOARD MEMBER HANSON: When in June?

16 MS. THOMPSON: That is something we can
17 discuss. We haven't proposed any dates for you. We've
18 been using, you know, the last two weeks of each -- of the
19 last month of the quarter to kind of shoot for a target
20 when we're laying out our timelines for our milestones.

21 CHAIRMAN BEDESSEM: So we'll see. We'll
22 expect another Doodle poll from you, I'm sure.

23 BOARD MEMBER DEURLOO: A what poll?

24 MS. THOMPSON: A Doodle poll. It's a
25 service that lets us schedule.

1 BOARD MEMBER CAHN: Madam Chair?

2 CHAIRMAN BEDESSEM: Yes, Lorie?

3 BOARD MEMBER CAHN: So when Gina is
4 finished -- I didn't mean to interrupt, but I would like
5 the floor when she's finished.

6 CHAIRMAN BEDESSEM: She's done.

7 BOARD MEMBER CAHN: We also have a
8 worksheet in the back of our -- were we going to discuss
9 the soil texture guidance document?

10 CHAIRMAN BEDESSEM: Yes, we are. I believe
11 Bill was going to be discussing that.

12 BOARD MEMBER CAHN: Okay. Great.

13 CHAIRMAN BEDESSEM: We are going to take a
14 ten-minute break.

15 (Board meeting recessed

16 1:45 p.m. to 1:56 p.m.)

17 CHAIRMAN BEDESSEM: Water & Waste Advisory
18 Board meeting is now reconvening. At this moment, I would
19 like to designate Klaus Hanson as a board member to
20 basically administer the rest of the meeting in my absence
21 since I need to depart.

22 BOARD MEMBER HANSON: Thank you, Madam
23 Chair.

24 CHAIRMAN BEDESSEM: So you're willing,
25 Klaus. I will exit as you finish up here today. Thank you

1 very much. And thanks to the board for passing the
2 non-substantive rule changes on to the EQC, and we'll look
3 forward to an update from DEQ as to what the final
4 resolution was for a number of those items that were left
5 to DEQ discretion. So thank you very much.

6 BOARD MEMBER HANSON: Don't miss your
7 plane.

8 CHAIRMAN BEDESSEM: I won't.

9 BOARD MEMBER HANSON: I need some help as
10 to what's next on the agenda.

11 MS. THOMPSON: Sure. So, Mr. Hanson, or
12 Dr. Hanson, we are going to discuss the soil texture
13 evaluation of proposed soil absorption. I think it's the
14 last document in your notebook there.

15 BOARD MEMBER HANSON: Correct. And it's
16 actually only a three- or four-page document.

17 MS. THOMPSON: Correct, with a form and
18 some pretty pictures.

19 BOARD MEMBER HANSON: Okay. And you're the
20 one to present this?

21 MR. TILLMAN: Yes, I am.

22 BOARD MEMBER HANSON: Please go ahead.

23 MS. THOMPSON: So go ahead and introduce
24 yourself.

25 MR. TILLMAN: My name is Bill Tillman. I