

1 THE WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY

2 WATER AND WASTE ADVISORY BOARD MEETING

3 -----

4 TRANSCRIPT OF PROCEEDINGS

5 WATER QUALITY DIVISION

6 -----

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8 PURSUANT TO NOTICE duly given to all parties in  
9 interest, the Water and Waste Advisory Board Meeting  
10 commenced on the 11th day of December, 2015, at the hour  
11 of 9:00 a.m., at the Herschler Building, 122 West 25th  
12 Street, Room B-63, Cheyenne, Wyoming.

13 In attendance from the Water and Waste Advisory  
14 Board: Marjorie Bedessem, Klaus Hanson; via  
15 videoconference, Lorie Cahn, Calvin Jones, David  
16 Applegate. In attendance from the Water Quality  
17 Division: Kevin Frederick, William Tillman, Gina  
18 Thompson.

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1 P R O C E E D I N G S

2 (This portion of proceedings  
3 commenced at approximately 9:30 a.m.,  
4 December 11, 2015.)

5 MR. FREDERICK: Good morning. Kevin Frederick,  
6 administrator of the Water Quality Division.

7 So we are before you again today yet again on  
8 some proposed revisions to Chapter 25, Small Wastewater  
9 Systems. And a little bit of background before we kind  
10 of go over some of the modifications that have been  
11 prepared for your consideration. The rule, as you know  
12 it, had passed from the Water and Waste Advisory Board  
13 to the Environmental Quality Council and was presented  
14 before the EQC earlier this year for public comment and  
15 review.

16 At the hearing with the Environmental Quality  
17 Council there were several commenters that provided some  
18 suggested considerations for the council with respect to  
19 changes that they believe should be considered before  
20 the rule proceeded any further before the council. At  
21 that time the council essentially voted to table an  
22 action on the draft regulation and provide Water Quality  
23 Division an opportunity to essentially give some further  
24 consideration to the comments that were made at the  
25 Environmental Quality Council hearing that day.

1           We noted in particular there seemed to have  
2 been concerns mainly expressed in a few areas. One  
3 dealt with the proposed revisions regarding components  
4 and placement of components in septic systems. Another  
5 related to the permitting system that DEQ was applying  
6 to outdoor privies, as well as wastewater irrigation  
7 systems. And the permitting systems that we had  
8 proposed and had been passed from the advisory board to  
9 the council for the privies and the irrigation systems  
10 essentially required individual permit applications for  
11 construction of those types of facilities.

12           Subsequent to that meeting with the council, we  
13 formally withdrew the proposed rule from the council,  
14 and staff then took several steps to begin to give  
15 consideration to the comments that we essentially heard  
16 and received at the EQC hearing.

17           In particular, to address one of the concerns  
18 that was also raised regarding the potential economic or  
19 financial impact on septic tank manufacturers under the  
20 proposed regulation, staff developed a survey to  
21 essentially reach out to the approved septic tank  
22 distributors or manufacturers here in Wyoming and in  
23 neighboring states to essentially pose the question,  
24 what, if any, effects would you see, financially or  
25 otherwise, if these regulations were implemented. And

1 Mr. Tillman here will share those results with you in a  
2 few moments.

3 We also looked more closely at the permitting  
4 systems approach that we had taken with respect to  
5 privies and irrigation systems and recognize that there  
6 were some legitimate issues that have been raised  
7 regarding the complexity perhaps of permitting privies  
8 in particular, which arguably are generally those types  
9 of wastewater disposal systems that oftentimes present  
10 minimal impact to the environment, given the nature of  
11 the construction. Construction requirements essentially  
12 require that they be self-contained, et cetera,  
13 et cetera.

14 And given that, in particular, we felt that it  
15 would be appropriate to -- rather than requiring fairly  
16 detailed engineering designs and so forth of privy  
17 systems, to actually focus more on collecting  
18 information, location, name of the owner, and contact  
19 information so that we could at least begin to develop  
20 an inventory of where these systems were being  
21 constructed. And then the regulation also contained  
22 some construction requirements that have to be met as  
23 well.

24 So it informs the owner that there are some  
25 conditions for obtaining coverage under a permit-by-rule

1 approach and essentially requires providing a minimal  
2 amount of information to the department, which would  
3 then be followed up with essentially a formal  
4 notification to the owner, in response to his  
5 application, that they would have then received coverage  
6 under the permit-by-rule provisions within the  
7 regulation.

8           With respect to the irrigation systems, a  
9 similar type of approach was taken, again, looking more  
10 on the lines of trying to essentially establish  
11 operating conditions that we felt would be protective  
12 of, essentially, human health and the environment by  
13 restricting applications to the actual property that was  
14 being irrigated, et cetera. And we backed off a little  
15 bit on some of the other requirements with respect to  
16 testing and so forth.

17           And I think at the end of the day we probably  
18 came up with a regulation that, really, at the end of  
19 the day, accomplishes what we're attempting to  
20 accomplish here and provides a reasonable approach for  
21 environmental protection. And I think it's something  
22 that benefits the department as well as the public.

23           So with that, I'll turn it over to Mr. Tillman.  
24 He can brief you up a little bit more on some of the  
25 specifics.

1 Thank you.

2 MR. TILLMAN: Bill Tillman. I'm the regulatory  
3 enforcement engineer for Water Quality Division, water  
4 and wastewater section.

5 Again, what I'd like to go over, since we have  
6 presented this rule to you on numerous occasions before,  
7 we'd just like to touch on the changes that you saw from  
8 what was approved last time and the changes that we will  
9 propose for approval this time.

10 MS. BEDESSEM: And then, tell me, Bill, we're  
11 working off the draft that's dated December 4, 2015?

12 MR. TILLMAN: Yes.

13 MS. BEDESSEM: And the difference between that  
14 December 4th copy and the previous one is?

15 MR. TILLMAN: They're outlined in green, as  
16 opposed to red and blue.

17 MS. THOMPSON: Yes. And Madam Chairman, in the  
18 earlier version we sent out on the public notice day,  
19 we -- some of the formatting in the greywater section,  
20 Section 17 -- some of that formatting was not properly  
21 conveying what we were doing. Because of the third  
22 color, it got a little confusing. So I went back  
23 through, and everything that's changed since the EQC  
24 hearing is in green. If it's stricken through, it's  
25 proposed to be removed, and if it's underlined, we're

1 proposing to add that language.

2 MS. BEDESSEM: Okay. Thank you. Because I  
3 knew both copies had green in it as well, and I was  
4 trying to figure out what the difference was between the  
5 two.

6 MS. THOMPSON: Mostly, the greywater section  
7 did not get properly formatted.

8 MS. BEDESSEM: Okay.

9 MS. CAHN: This is Lorie. I'm having a hard  
10 time hearing Bill. I can hear Gina, and I can hear  
11 Kevin very well. I'm just wondering if Bill -- maybe  
12 Bill and Kevin will switch places -- sorry -- or Gina or  
13 something. I don't know.

14 And then I just have a request that when -- the  
15 next time either we or the -- this red-line strikeout,  
16 perhaps at the beginning there could be something that  
17 would just say, blue means this, green means that, red  
18 means this, so that it would make it -- just up front,  
19 an errata sheet or something that would explain, make it  
20 easier to understand what changed.

21 MS. BEDESSEM: So just a cover sheet with the  
22 packet that says, on such and such draft -- especially  
23 because this one had -- you had to have so many colors  
24 because so many different things happened to it, that we  
25 can refresh everybody's memory that the blue was from



1 this date and whatever, so that when we're looking at it  
2 however many months later, we have a cheat sheet that  
3 says what that meant.

4 MR. FREDERICK: That's a good idea. We can do  
5 that, Madam Chair.

6 MS. BEDESSEM: Thank you.

7 MR. HANSON: Madam Chair, did I understand  
8 correctly that basically we have to look at the green  
9 stuff today?

10 MR. TILLMAN: Yes.

11 MR. HANSON: That's what I did. Okay. I just  
12 wanted to be sure. And I also have to admit, I'm  
13 somewhat color blind between blue and green. It became  
14 a bit of a problem.

15 MS. CAHN: Wow. That brings up a good issue.  
16 I wonder if one version we need to see is accepting all  
17 changes that were made the last time we saw it and then  
18 just something with red-line strikeout for somebody like  
19 Klaus, who is color blind. I never really thought about  
20 that problem.

21 MR. TILLMAN: I'd like to hope that in the  
22 future we don't have as many versions that go through  
23 the board, so that we can avoid this problem in the  
24 future.

25 MR. HANSON: And I should allay Lorie's fears.

1 Most of the time I can do it because I concentrate on  
2 it. But sometimes it becomes -- under certain light  
3 conditions, it becomes very difficult and I notice that.  
4 Is this green or is this blue? Especially when they are  
5 small segments. Thank you, though.

6 MR. FREDERICK: There's some other options we  
7 can consider as well. Using bold type, for instance, or  
8 italicized, or changing the font size or something.

9 MR. HANSON: Just leave it this way.

10 MR. FREDERICK: I want to stay with the  
11 Christmas colors.

12 MS. BEDESSEM: Right. Okay.

13 Go ahead, Bill.

14 MR. TILLMAN: Again, as Administrator Frederick  
15 has indicated, I think the changes that -- the things  
16 we'll present today are just the changes from the last  
17 time, again, for simplicity. Again, there are only a  
18 few areas that received change, but we did have some  
19 changes due to another rule promulgation.

20 Chapter 27 was passed through the EQC, so we  
21 had some citation changes. It was previously  
22 Chapter 16, so now it's in Chapter 27. There were some  
23 citation changes there. That's in the Objective  
24 Section 2 on line 19, 18 and 19. We had citation  
25 changes.

1           In Section 4 we just added one definition, and  
2           that was the definition of the 100-year floodplain. It  
3           was a term that we had used several times in the text,  
4           but we had never given a definition for it. Although we  
5           understood it, we thought it would be, for clarity's  
6           sake -- for others to understand exactly what we meant  
7           by the 100-year floodplain.

8           In Section 8 on soil absorption systems, we  
9           made a correction there on lines 581 through 596.

10           MS. BEDESSEM: We're talking in the strikeout  
11           copy.

12           MR. TILLMAN: 581 through 596. And the changes  
13           there are basically, we had already given chambered  
14           systems in a bed configuration a 30 percent reduction in  
15           the area, but we had not done the same thing for the  
16           chambered trench. So that correction was just added to  
17           that.

18           MR. HANSON: May we interrupt you with  
19           something that occurred to me on line 438. And it  
20           says -- this is the table there. And I looked at the  
21           table and then I thought to myself, is this in feet or  
22           is this in centimeters or meters or whatever. There is  
23           a statement on the previous page, minimum -- line 423  
24           says "Minimum horizontal setback distances (in feet),"  
25           but it doesn't say that on the table itself. It would

1 be so easy to include that behind the heading, to simply  
2 say "in feet," or something like that, so you don't have  
3 to look for it. Just occurred to me.

4 MR. TILLMAN: We can make that change. Not a  
5 problem.

6 MR. HANSON: It's minor.

7 MS. BEDESSEM: But helpful.

8 So are you just going through those and we'll  
9 reserve our comments to the end?

10 MR. TILLMAN: Yes. Actually, it doesn't  
11 matter. I suppose if there's comments or questions as  
12 I'm presenting on different sections, we can answer  
13 those as I go through.

14 MS. BEDESSEM: I have just -- this is just  
15 semantics, but I don't understand the use of the word  
16 "otherwise" in line 35. Isn't it just "Any Chapter 3  
17 permit-to-construct issued for facilities subject to  
18 this chapter prior to the effective date. . .and any  
19 facility authorized. . ."?

20 MR. TILLMAN: Madam Chair, I believe we took  
21 that language from UIC chapters that have already been  
22 promulgated. That might have been boilerplate language.

23 MS. BEDESSEM: I guess I just don't understand  
24 what the "otherwise" means.

25 MR. TILLMAN: I don't have an answer.

1 MR. FREDERICK: Madam Chairman, it appears to  
2 be redundant.

3 MS. BEDESSEM: Can we just delete it? I just  
4 couldn't figure out what it was for. I was looking for  
5 other than what. Thank you.

6 Anybody else have a comment on anything so far?

7 Okay. Bill, carry on then.

8 MR. TILLMAN: Moving on to Section 10 --

9 MR. HANSON: Oh, I had one comment. I'm sorry.  
10 On line 159, I just wanted to be sure that it is  
11 correct. This is the definition, "'Pipe invert' means  
12 the bottom or lowest horizontal point of the internal  
13 surface of the pipe." Usually horizontal, of course,  
14 would refer to vertical, the vertical point. But you do  
15 mean the lowest horizontal point?

16 MR. TILLMAN: Correct.

17 MR. HANSON: Okay. I just wanted to be sure  
18 that I understood that correctly. Thank you.

19 MR. TILLMAN: Again, moving on to --

20 MS. CAHN: On that point, though, is the word  
21 "horizontal" even necessary, because it just means the  
22 bottom or lowest point of the internal surface of the  
23 pipe. Since it's typically on a piece of pipe that's  
24 going from vertical, changing -- I mean, going up and  
25 then going down, I'm wondering if it would be less

1 confusing just to remove the word "horizontal."

2 MR. TILLMAN: We can look at that. I believe  
3 this definition we pulled from text from one of --

4 MS. BEDESSEM: From another chapter?

5 MR. TILLMAN: From another handbook, a civil  
6 engineer handbook or so. We can look as to whether we  
7 can drop the horizontal part of that definition.

8 MS. BEDESSEM: Okay.

9 MS. CAHN: That sounds good. And on these  
10 definitions, we got comments from Lou Harmon on some of  
11 the definitions. Are we going to go over those now or  
12 later? It might be simpler to have you guys address how  
13 you're going to incorporate Lou's comments later. Or do  
14 you want to do it as we go?

15 MR. TILLMAN: We were going to address comments  
16 received during the public notice after we presented.

17 MS. CAHN: Okay. That sounds good. Thanks.

18 MR. TILLMAN: Any other comments?

19 Moving on to Section 10. Section 10 is on  
20 Septic Tanks and Other Treatment Tanks. And as  
21 Mr. Frederick indicated, during our presentation of  
22 public notice to the EQC, we had some discussion as to  
23 whether or not the changes that we were previously  
24 proposing -- if they would have an economic impact on  
25 the septic tank manufacturers. And basically, we went

1 back and took a look at those regulations. Basically,  
2 we had developed those regulations from the EPA handbook  
3 on small wastewater systems. And there's another piece  
4 of guidance or design information that was the ASTM  
5 criteria for concrete septic tanks. They varied very  
6 slightly, an inch or two here or there, in their  
7 requirements for internal fixtures.

8           So what we did, we went back and looked at both  
9 of those regulations and came up with what we believe is  
10 a blended regulation that takes both of them into  
11 account so that we could be -- make sure that no one  
12 would -- or try to minimize the economic impact to those  
13 manufacturers. And it was suggested that we perform a  
14 survey on the septic tank manufacturers, which we did.  
15 We sent out approximately 36 surveys. We received about  
16 a third of them back, roughly, 12 of them. None of them  
17 indicated any impact to their design or economically to  
18 their company on the proposed regulations.

19           So the regulations that we're proposing now  
20 should not impact anyone at this point.

21           MS. CAHN: Bill, I would like a clarification  
22 on that, that I believe the survey that you sent out was  
23 after you came up with these revised blended  
24 regulations, and then once the -- with the proposed  
25 changes that you have now in green, after that, you sent

1 it out to the manufacturers, and that they're  
2 comfortable with this. I just wanted to make that  
3 clear. They did not look at the previous ones.

4 MR. TILLMAN: That is correct.

5 MS. CAHN: Okay. Thank you.

6 MR. TILLMAN: That is correct.

7 So, again, the changes that we are proposing  
8 are lines 725 through 734. And again, they're, again,  
9 moderate changes, an inch or two here or there on the  
10 inlet baffles and also on other requirements within the  
11 vent space on the top of the tank, and so on.

12 Again, we also added, I guess, in the opening  
13 part, on the materials that are approved, we also added  
14 the material thermoplastic to the approved list of  
15 materials. That would be in line 659. I missed that.

16 MS. BEDESSEM: Yeah. Hard to see.

17 MR. TILLMAN: Again, that was a comment that we  
18 also received during the EQC hearing.

19 In lines 752 through 761, 859 through 861, and  
20 also 937 through 940, in several areas in different  
21 types of tanks we discussed this access opening in the  
22 lid and the riser that goes to the surface. And we  
23 added some language, changed some wording around to try  
24 to be clearer, that we essentially mean that the access  
25 opening is a part of the lid and that the access riser



1 actually goes from that lid to the surface and they are  
2 two different components. That was the clarity that we  
3 were hoping to achieve with those changes there.

4 In lines 950 through 953 we made changes to the  
5 condition there, basically to accommodate septic tank  
6 manufacturers, some of them who would like to use septic  
7 tanks as interceptors, because in a true interceptor  
8 design, you would desire that that divider wall go clear  
9 to the lid of the tank. But to accommodate those that  
10 would like to use septic tanks, we had a slight  
11 modification of the outlet baffle to, again, try to keep  
12 all of the large chunks in that tank and keep them out  
13 of the tank for treatment that would go onto the leach  
14 field.

15 MR. HANSON: You skipped 936 through 940, but  
16 that's --

17 MR. TILLMAN: I believe I mentioned -- okay.  
18 937, I believe. It's 936. My mistake.

19 Also there was a citation change on line 1067.

20 The other changes, moving on to Section 16,  
21 which are privies --

22 MR. FREDERICK: What page?

23 MS. BEDESSEM: 43.

24 MR. TILLMAN: I skipped one citation change,  
25 and that would be in line 1495 on page 25-41. In the

1 middle of the page we changed the word "floodplain," the  
2 way it was written.

3           Section 16 on privies, as Administrator  
4 Frederick had indicated before, we changed our  
5 permitting requirements for those type of systems for  
6 privies and outhouses. We added the term "outhouse" to  
7 the language in this section because, again, sometimes  
8 it's interchangeable. Some people use the term  
9 "privie," some use "outhouses." We wanted to make sure  
10 that we were inclusive of both names.

11           But essentially what --

12           MS. CAHN: Sorry. Can you explain the  
13 difference between an outhouse and a privy when the  
14 outhouse is used as a toilet facility?

15           MR. TILLMAN: There is no difference,  
16 essentially. It's a terminology thing that people --  
17 some people use "privy," some people use the term  
18 "outhouse." But technically there is no difference in  
19 what they are.

20           MS. CAHN: I'm just wondering -- I found it  
21 confusing to have both the term "outhouse" and "privy,"  
22 because to me they're synonymous. There is no  
23 definition of a privy or an outhouse. I'm wondering if  
24 we could use one or the other and just make a new  
25 definition that would say, includes other terms such

1 as -- either define "privy" or define "outhouse," just  
2 because the term "outhouse" also includes outbuildings.  
3 Some people use it for outbuildings that don't  
4 necessarily have toilet facilities.

5 To me, I just found it confusing. Instead of  
6 clarifying it, it made it more confusing to me. So  
7 since they're not defined, a suggestion would be we  
8 define one or the other or both.

9 MR. TILLMAN: Would it be simpler if we simply  
10 removed our change, go back to just privies, as we had  
11 before?

12 MR. HANSON: Let me make a different  
13 suggestion, and that would be to change the "and" to  
14 "or." That's as simple as can be. "Privies or  
15 outhouses. . ." Then it's clear that you mean the same  
16 thing.

17 MR. TILLMAN: Lorie, is that acceptable to you?  
18 Lorie, did you --

19 MS. CAHN: I'm just thinking. I'm sorry.

20 MS. BEDESSEM: I like using "or" just because I  
21 think some people might not be familiar with the term  
22 "privy" or are used to, you know, referring to it as  
23 outhouses. So if they go search through and find -- if  
24 they do anything, they'll find it, "outhouse" in there.  
25 So I would tend to want to leave it in there. But when

1 we say "privies and outhouses," it implies that they're  
2 two separate universes.

3 MR. HANSON: But if you say "or," they are the  
4 same.

5 MS. CAHN: I think that's a good suggestion.

6 MR. TILLMAN: We will change that to "or  
7 outhouses."

8 MR. FREDERICK: I'd recommend making that same  
9 change on line 1583 also.

10 MS. BEDESSEM: I think you could just do a  
11 search through for the word "outhouse" and stick "or" in  
12 front of it everywhere you find it.

13 MS. CAHN: I couldn't hear Kevin.

14 MR. TILLMAN: His suggestion was that we change  
15 the title in line 1583 to "Privies or Outhouses." But I  
16 believe Madam Chair Marge suggested that we just leave  
17 it as it is, because the document will be  
18 word-searchable when it's on the --

19 MS. BEDESSEM: No. I'm suggesting that you  
20 search the document --

21 MR. TILLMAN: Oh.

22 MS. BEDESSEM: -- you do a word search for  
23 wherever "outhouse" is and fix it throughout the entire  
24 chapter to put the word "or" in there.

25 MS. THOMPSON: We'll do a find and replace and

1 replace all of those.

2 MS. BEDESSEM: Right. So rather than having to  
3 go through and say you've got to fix it on this line,  
4 this line, and this line, just go through the whole  
5 chapter and find where you need it, fix it. So then it  
6 would change the title.

7 MR. TILLMAN: Okay.

8 Lorie, did you hear all of that?

9 MS. CAHN: Yes, I did. Thank you.

10 MR. TILLMAN: Again, moving on, privies and  
11 outhouses now will be, rather than an individual permit,  
12 they will be permitted by rule, requiring that basically  
13 they send in some basic information, as far as owner,  
14 address, location, so that they would be in compliance  
15 with our rule. We could have it for tracking compliance  
16 means, but otherwise they could send this in, begin  
17 construction, and no other permit would be required from  
18 us -- no application, excuse me, would be required from  
19 us.

20 MS. CAHN: I have a question, and let me know  
21 if we need to save this for board discussion. What  
22 happens to an existing outhouse that somebody has on a  
23 ranch that's just a hole in the ground that doesn't have  
24 a vault or isn't self-contained? What happens to  
25 existing uses?

1           MR. TILLMAN: Basically, the Timing of  
2 Compliance section addresses anything going forward.  
3 Those that are existing, we would probably have to issue  
4 a general permit to cover those facilities that were  
5 constructed prior and require that, a certain time  
6 frame, that they give us certain information through  
7 conditions in the permit so that we can basically  
8 include them to be permitted under our permitting  
9 system. So similar to what the UIC program did on some  
10 of their well classifications that were converted, we  
11 would issue a general permit that would have --

12           MS. CAHN: So there would be a general permit  
13 that would include noncompliant existing outhouses?

14           MR. TILLMAN: Yes. And then we would have  
15 conditions within that permit to try to address our  
16 concerns, so we would have information about where they  
17 are and what their construction are. And then we would  
18 address some of those things. Like you said, if they  
19 were truly just a hole in the ground with no bottom,  
20 then we would have to work with them to try to reach  
21 some sort of compliance in those instances.

22           MS. BEDESSEM: Does it say that anywhere in  
23 here? Because I'm reading the timing of compliance.  
24 All it says is if you had a permit before, that previous  
25 permit applies. If you are subject to this after the

1 effective date, then you get a new permit.

2 MR. TILLMAN: No, it does not say that in  
3 there, in that wording. But like I said, we had talked  
4 about that, how we would address, essentially, systems  
5 that were already out there. And Administrator  
6 Frederick said basically they had done this or had  
7 encountered the same situation with different injection  
8 wells that were under previous operation, I believe, and  
9 gave me an example of the type of permitting that we  
10 would have to basically issue in order to cover those  
11 things.

12 I'm not sure how we would put that into the  
13 chapter. I guess it was something that we anticipated  
14 someone would ask about, and we do have a plan going  
15 forward of how to address those things.

16 MS. BEDESSEM: Just administratively?

17 MR. TILLMAN: Yes.

18 MS. CAHN: So I'm still a little bit confused.  
19 So suppose a rancher who was running cattle on a  
20 40-acre, 160-acre ranch, and it's a part-time use,  
21 there's no permanent residences there, and they have an  
22 outhouse for workers out there they're using when  
23 they're there seasonally. What does that rancher need  
24 to do with regards to a hole in the ground that they --  
25 with cattle all around it? What does that rancher need

1 to do for that outhouse? I'm confused.

2 MR. TILLMAN: Basically what we would do, we  
3 would probably require that they send us the information  
4 as far as where they are, where the privy is located.  
5 We would also include conditions that are in our current  
6 regulation as far as the requirements for privies and  
7 outhouses. And if he is not -- again, if it truly is a  
8 hole in the ground that's open, we would probably have  
9 to have discussions as to how we would try to address  
10 that, to seal that in some way or somehow install some  
11 sort of tank or holding tank that would isolate that  
12 from the environment, because, again, to have truly a  
13 hole in the ground with waste flowing directly through,  
14 even though it would be seasonal use, that is a serious  
15 potential for contamination to the water environment.

16 So we would have to address those -- something  
17 like that on a case-by-case basis, but we would try to  
18 work with them to figure out a solution.

19 MS. CAHN: With cattle poop and urine all over  
20 the place.

21 MR. TILLMAN: Well, yes.

22 MS. BEDESSEM: I guess I'm confused because I  
23 don't know why anybody would come to you and say, I have  
24 an outhouse. There's no requirement.

25 MR. FREDERICK: Madam Chairman, just for



1 clarification, even under existing regulations, prior to  
2 the modifications that we made here, privies have  
3 required permits. So they're either permitted or  
4 they're not.

5 MS. BEDESSEM: Or they're illegal.

6 MR. FREDERICK: Exactly. So we'll try and  
7 provide an opportunity, through a general permit, to  
8 essentially say to those that haven't a permit  
9 already --

10 MS. BEDESSEM: To try to bring those into the  
11 fold.

12 MR. FREDERICK: -- here's your opportunity to  
13 have legal coverage under a general permit; however,  
14 you'll have to essentially demonstrate that you've -- or  
15 acknowledge that you've complied with the requirements  
16 in place in Chapter 25.

17 MS. BEDESSEM: That makes more sense. Thank  
18 you.

19 MR. HANSON: Madam Chair, a little bit of  
20 levity. I just imagine the idea there, in line 1654,  
21 you're sitting on your outhouse in the 100-year  
22 floodplain and it floats away with you. So that's not  
23 permitted any longer.

24 MS. BEDESSEM: Apparently not.

25 MR. HANSON: I like that. But, more serious,

1 on the last -- line 1663 and 1664, I think that's a real  
2 onus there. You have to establish latitude and  
3 longitude of the outhouse. Isn't that a bit complicated  
4 for a rancher out there in the field?

5 MS. BEDESSEM: But it's an "or quarter-quarter  
6 section." Most ranchers will be able to come up with a  
7 quarter-quarter section. They can figure that out.

8 MR. HANSON: Okay. I thought they were being  
9 taxed too hard there.

10 MS. BEDESSEM: Yeah, I can see that.

11 So thank you for explaining the business about  
12 the general rule that they supposedly were required to  
13 have gotten a permit prior to this anyway. But  
14 probably, in all honesty, if someone has an outhouse  
15 with a hole in the bottom, they are probably never going  
16 to call you anyway.

17 MR. FREDERICK: We probably aren't going to be  
18 out looking for them either.

19 MS. BEDESSEM: Right. They are not the height  
20 of where DEQ needs to put their efforts.

21 I just also want to say that converting some of  
22 these to permit by rule seems not only does it benefit  
23 the regulated community, but it prevents you guys from  
24 having an extensive workload on an item that really  
25 doesn't have a dramatic environmental impact. So it

1 focuses your energies appropriately. So thank you.

2 Go ahead.

3 MR. TILLMAN: Any other comments on that  
4 section?

5 MS. CAHN: So I guess I just want  
6 clarification. So are we going to have some statement  
7 about compliance, that existing outhouses should contact  
8 you guys to come into compliance with the new  
9 regulations, or something that talks about preexisting  
10 that are unpermitted or something? Or was it just going  
11 to be silent on that? I didn't quite hear what the  
12 resolution was.

13 MR. TILLMAN: I believe that we've always  
14 required permits for privies and outhouses. So if they  
15 have them, they should have been permitted already. I  
16 don't know if we will publicly address that in the rule  
17 per se. But we are considering issuing a general permit  
18 to cover some of these systems. Privies is one of them,  
19 I believe greywater systems will be another, that will  
20 now be under a permit by rule. But in order to try to  
21 address systems that may have already been out there  
22 operating, try to bring them into compliance under that  
23 permit so that they would have legal coverage.

24 MS. CAHN: Okay. Thank you.

25 MR. TILLMAN: Moving on to Section 17,

1 Greywater Systems. Again, greywater systems will now be  
2 permit by rule, as opposed to an individual permit.

3           Also within the greywater section, when we were  
4 looking at that, based on a lot of the comments that  
5 were received during the public notice, and also  
6 specifically during the EQC hearing, we went back and  
7 basically looked at a lot of the requirements and  
8 conditions that we felt were helpful but people were  
9 saying they were -- they were considering them too  
10 restrictive. So we essentially gutted a lot of the  
11 requirements to what we consider to be bare bones, the  
12 bare minimum things that we were asking people to do.

13           Namely, as Administrator Frederick indicated  
14 before, any greywater generated on your property needed  
15 to stay on your property, and you needed to be mindful  
16 of water bodies and protecting the underground water  
17 systems. Other than that, kind of do what you would  
18 like to do with it. So people should have the freedom  
19 to design that system as they will, with very minimal  
20 requirements, other than, again, keeping it on your  
21 property and keeping it out of the water table or bodies  
22 of water.

23           Again, you'll see that most of the section has  
24 been stricken, to where there are very minimal  
25 requirements. I would like to speak specifically to, we

1 previously had a requirement for disinfection if you  
2 were going to irrigate aboveground. Merely that is now  
3 just a suggestion, that you are free to irrigate  
4 aboveground, as you will, but we suggest that you  
5 disinfect that, but if you choose not to, that is your  
6 choice and you will not be penalized for it. But,  
7 again, if someone happens to get sick as a result of  
8 that, it was noted there that that was something that  
9 should have been addressed.

10 MS. BEDESSEM: So the language is "should"  
11 instead of "must."

12 MR. TILLMAN: It is "should" and it is that  
13 purposely.

14 Again, at the very end we require some basic  
15 information for them to report to us as far as the  
16 location address, the owner, and when the construction  
17 will begin.

18 And those are the changes to the chapter.

19 MS. BEDESSEM: Will you then go over the  
20 response to the most recent comments?

21 MR. TILLMAN: Yes, we can do that.

22 Are there any questions from the board at this  
23 point or can we move to -- we had one comment during the  
24 public notice session.

25 MS. CAHN: Could we just take a five-minute

1 break?

2 MR. TILLMAN: Sure.

3 MS. CAHN: Thank you.

4 MR. HANSON: A privy break.

5 MR. FREDERICK: Or outhouse.

6 (Recess from 10:04 a.m. to 10:16 a.m.)

7 MS. BEDESSEM: We're now reconvening the Water  
8 and Waste Advisory Board.

9 So, Mr. Tillman, if you would like to continue  
10 with addressing the comments that were provided.

11 MR. TILLMAN: Okay. Basically, I think we only  
12 received one comment, and it was received electronically  
13 on our new system, which apparently worked fairly well.

14 And again, the comments that we received, we  
15 received them electronically. And as Gina noted, we  
16 took those and she converted them to a Word document,  
17 and then we responded to those comments. We'll go  
18 through each of them. They're not that lengthy.

19 First of all, the first comment, again, from  
20 Mr. Louis Harmon, his comment: Technical sites need to  
21 be provided for Figures 1 through 6 and a table of  
22 allowable infiltration rates based on percolation rates.

23 It didn't come through in the formatting, but,  
24 again, those Figures 1 through 6 were to be deleted, or  
25 they're proposed to be removed. And the allowable

1 percolation -- infiltration rates based on percolation  
2 rates was basically where we took a table -- excuse  
3 me -- the Figure 7 and converted it to a table form that  
4 was presented before. And the previous graph that was  
5 in the regulation, that has been in there since, I  
6 believe, 1984, so we're not sure of its origin. It was  
7 empirically derived and installed into the chapter, and  
8 all we did was basically take that same information and  
9 put it into a table. So we do not have --

10 MS. BEDESSEM: An appropriate citation.

11 MR. TILLMAN: -- the appropriate citation for  
12 that.

13 His next comment: Mound system means an  
14 on-site wastewater system where the bottom of the  
15 absorption surface is above the elevation of the  
16 existing site grade and the absorption surface is  
17 contained in a mounded fill body above the grade. This  
18 should be changed to say, where any part of the  
19 infiltration chamber or absorption surface is --

20 MS. BEDESSEM: Shouldn't that say "above"?

21 MR. TILLMAN: I believe he meant to say  
22 "above," but it's written "about" --

23 MS. BEDESSEM: Yeah, it's "above."

24 MR. TILLMAN: -- above the elevation of the  
25 existing site. There are mound systems that are

1 partially excavated.

2           Our response: The excavation for a mound  
3 system may be minimal, but we are unaware of a situation  
4 where it does not require any excavation. The suggested  
5 language does not clarify the intent of the passage and  
6 we will leave the passage as written.

7           I believe basically what -- our interpretation  
8 is he was saying that there are some mounded systems  
9 that may not be excavated. But we discussed it amongst  
10 the group and asked people. And even essentially if you  
11 scarify the surface, if you don't dig down any depth, if  
12 you scarify the surface, that is still considered an  
13 excavation. So we didn't think that that word in the  
14 definition caused any confusion.

15           MS. BEDESSEM: I feel like we're not getting to  
16 the point of Lou's comment. Maybe I'm missing it. The  
17 comment -- forgive me if I'm misunderstanding this. The  
18 comment is that the mound systems where the bottom is  
19 above the elevation of the existing site grade and the  
20 absorption surface is contained in a mounded fill above  
21 the grade. That's the way it's currently written.

22           MR. TILLMAN: Correct.

23           MS. BEDESSEM: He's suggesting to change it  
24 where any part is above the elevation of the existing  
25 site. It seems if he's saying there are mound systems



1 that are partially excavated so that the bottom isn't  
2 necessarily completely above the elevation of the  
3 existing site grade, okay, but -- so the bottom isn't  
4 necessarily above --

5 MR. TILLMAN: The bottom.

6 MS. BEDESSEM: Right. So let's say it's six  
7 inches below and then they refilled with the material  
8 and it's above, then I don't see the harm in changing it  
9 to say, if any of it is above the existing grade,  
10 because all of it may not be. I'm not seeing how your  
11 response takes care of the comment.

12 So, Kevin, am I missing the point here?

13 MR. FREDERICK: I can understand --

14 MS. BEDESSEM: The response seems backwards to  
15 me than what the comment is.

16 MR. FREDERICK: I can understand the comment.  
17 I just question how often you would actually encounter  
18 that situation. As I understand it, the purpose of the  
19 mound system is actually to increase that infiltrative  
20 surface in the vadose zone above the water table.

21 MS. BEDESSEM: It's basically your -- so maybe  
22 it's the confusion of what is called the bottom of the  
23 absorption system. If you're trying to increase the  
24 distance from where you're discharging your wastewater,  
25 infiltrating through the soil before you get to the

1 water table, you're building a mound and you're pumping  
2 your wastewater up above. But it's entirely possible  
3 that when you build the mound system, that you excavate  
4 the top six inches, scarify, re-create, this is your --  
5 particularly, a lot of times, if you're making a mound  
6 system out of a different material, like peat or  
7 something like that, the bottom of the absorption system  
8 isn't above the existing ground surface, because you  
9 just dug six inches in and put your new peat material  
10 in.

11 So to say that a mound system -- the bottom has  
12 to be above the existing grade would imply that that's  
13 not a mound system, but it is. The majority of it is  
14 above existing grade, but you've got some below.

15 And I've worked with systems that look like  
16 that pretty routinely. I don't see the harm in changing  
17 the word from "the bottom" to "any part" is above grade.  
18 It's a minimal change which does not -- which broadens  
19 the definition to account for these other situations.

20 I'm getting a nod in the back here.

21 MR. CRIPE: Madam Chair, Rich Cripe. I would  
22 concur with how you described your explanation. I think  
23 we didn't understand how it was worded, but I don't see  
24 any harm in adding that because there could be the  
25 potential of that occurring.

1 MS. BEDESSEM: Yeah, I've seen systems like  
2 that. Right now it wouldn't include it, but it should  
3 include it.

4 MR. TILLMAN: Okay. We will make that change.

5 MS. BEDESSEM: Thank you.

6 MS. CAHN: Let's go over the wording. I agree  
7 with Marge that it should be changed. So let's just say  
8 what the wording is going to be.

9 MS. BEDESSEM: What lines is it?

10 MR. FREDERICK: In part, we have it defined on  
11 line 145.

12 MS. BEDESSEM: In the definition of mound  
13 system?

14 MR. FREDERICK: Yes.

15 MS. CAHN: I'm assuming we're going to have it  
16 say, Mound system, parenthesis, means an on-site  
17 wastewater system where any part of the absorption  
18 surface is above the elevation of the existing site  
19 grade, and the absorption surface is contained in a  
20 mounded fill body above the grade.

21 Is that everybody's understanding?

22 MR. TILLMAN: That's what it says now.

23 MS. BEDESSEM: No.

24 MS. CAHN: No. I took out "the bottom" --

25 MR. TILLMAN: Oh.

1 MS. CAHN: -- and replaced it with "any part."

2 MS. BEDESSEM: Lou's suggestion was also to  
3 say, ". . . where any part of the infiltration chamber  
4 or absorption surface. . ."

5 Rich, is that fine?

6 MS. CAHN: Yeah.

7 MS. BEDESSEM: ". . .above the elevation of the  
8 existing grade, and the absorption surface is contained  
9 in a mounded fill body above the grade."

10 MR. TILLMAN: Sounds fine.

11 MS. BEDESSEM: Okay.

12 MR. HANSON: So we're just changing those two  
13 words.

14 MS. BEDESSEM: To say "any part of the  
15 infiltration chamber or absorption surface."

16 MR. HANSON: Oh, infiltration -- so we're  
17 changing also absorption surface, right?

18 MS. BEDESSEM: Yeah. We'll just add  
19 "infiltration chamber or absorption surface."

20 MR. HANSON: Okay.

21 MS. CAHN: Marge, can you read your change now?

22 MS. BEDESSEM: This is Lou Harmon's suggested  
23 change, which is, Mound system means an onsite  
24 wastewater system where any part of the infiltration  
25 chamber or absorption surface is above the elevation of

1 the existing site grade and the absorption surface is  
2 contained in a mounded fill body above the grade.

3 MS. CAHN: Thank you.

4 MS. BEDESSEM: Is that okay, Rich?

5 MR. TILLMAN: Next comment, again, the  
6 definition of "septic tank." His comment: Septic tank,  
7 quote/unquote, means a buried water-tight tank designed  
8 and constructed to receive and treat raw wastewater.  
9 His suggestion is delete the word "buried."

10 MS. BEDESSEM: I'm sorry. I was just -- I  
11 apologize, but in that mound system definition, to make  
12 the latter half consistent with the front half of that  
13 sentence, would it have to say, and a majority of the  
14 absorption surface is contained in a mounded fill body  
15 above the grade?

16 MR. CRIPE: Repeat that, please.

17 MS. BEDESSEM: Tell me if this makes sense.  
18 Mound system means an on-site wastewater system where  
19 any part of the infiltration chamber or absorption  
20 surface is above the elevation of the existing site  
21 grade, and the majority of the absorption surface is  
22 contained in a mounded fill body above the grade.

23 MR. MARK: I don't think that's congruous if  
24 you say "and the majority." You can't say "any" and  
25 then say "the majority." I don't think that makes

1 sense.

2 MS. BEDESSEM: Okay. Where it says "any part."

3 Okay.

4 MR. MARK: Unless you wish to qualify any part  
5 as a majority. Then you don't need any part; you just  
6 need a majority.

7 MS. BEDESSEM: Okay. I agree with you. Thank  
8 you.

9 Okay. He took care of it.

10 MR. TILLMAN: The next comment refers to the  
11 definition of the word "septic tank." His comment was,  
12 quote, septic tank, unquote, means a buried water-tight  
13 tank designed and constructed to receive and treat raw  
14 wastewater. Delete the word "buried."

15 Our response: We were unaware of any situation  
16 that would require the septic tank to not be buried and  
17 we didn't understand exactly his justification for just  
18 removing the word "buried" from the passage. So we were  
19 going to leave the definition as it was stated.

20 MS. BEDESSEM: And Lou can correct me, but the  
21 assumption is that it's still a septic tank, whether  
22 before it's installed, after installed. Whether or not  
23 it's buried, it's still a septic tank. So it doesn't  
24 have to be buried for it to be a septic tank.

25 MR. TILLMAN: No.

1 MS. BEDESSEM: So it just didn't seem  
2 necessary. I think that was probably the only reason  
3 he -- is that correct, Mr. Harmon?

4 MR. HARMON: I agree with your point. The  
5 other is that I think we'll run into some situations  
6 where somebody wants to install a septic tank that is --

7 MS. CAHN: I'm having a hard time hearing you,  
8 Bill.

9 MS. BEDESSEM: This is Mr. Harmon speaking  
10 about his comment.

11 MR. HARMON: Madam Chairman, I agree with the  
12 point that you made that it's a septic tank, regardless.  
13 Also, why preclude the situation where somebody decides  
14 to install a septic tank that is, in fact, not buried,  
15 because it can still be made to satisfy the requirements  
16 of the regulation otherwise, without being buried.

17 MS. BEDESSEM: Maybe it's integral to its use  
18 in the chapter?

19 MR. CRIPE: Madam Chair, I think we have a  
20 section that would cover that, and that would be in  
21 Section 5. It's not like we don't take into things that  
22 are variances or something of that matter. My  
23 experience on that, most of the time they're buried  
24 because the sewer line is down. I think we've allowed  
25 the opportunity, if we do run across something that's

1 not this situation, that Section 5 could address that.

2 So I understand his point, but I think we're --  
3 I don't think it takes away from it. It just is trying  
4 to communicate.

5 MS. BEDESSEM: Okay. And this has probably  
6 always been the definition for years, right?

7 MR. FREDERICK: I don't know where that came  
8 from.

9 MR. TILLMAN: Not sure.

10 MS. THOMPSON: Madam Chairman, that actually is  
11 a proposed new definition to the chapter. It's not in  
12 the existing Chapter 25 that's currently in effect. It  
13 proposes a new definition.

14 MR. TILLMAN: As you stated, it does not take  
15 away from a septic tank is a septic tank, regardless.  
16 So again --

17 MR. FREDERICK: Delete "buried."

18 MR. TILLMAN: We'll delete "buried." That's  
19 fine.

20 MR. HANSON: Or say "normally buried" or  
21 whatever.

22 MR. TILLMAN: We won't have any qualifiers.  
23 We'll just say -- we'll just delete "buried."

24 MR. HANSON: Okay.

25 MR. TILLMAN: Next comment, again, definition.



1 Soil absorption system means a shallow, covered  
2 excavation made in unsaturated soil into which  
3 wastewater effluent from the septic tank is discharged  
4 through distribution piping for application onto  
5 absorption surfaces through porous media or manufactured  
6 components placed in the excavations.

7 The word "excavations" should be replaced with  
8 "surface" in order to include mounded systems which may  
9 not include an excavation.

10 We truly did not understand his comment as far  
11 as the surface. Again, as we've mentioned before, if  
12 you scrape the surface with a bucket in order to scarify  
13 it, that is considered an excavation. I'm not sure  
14 where you would put a soil absorption system flat on the  
15 prairie without doing something to prepare that. So we  
16 were going to leave the passage as written.

17 MR. HANSON: The suggestion is to change the  
18 last word, "excavations," with what?

19 MR. TILLMAN: No. "Excavation" is in a couple  
20 places.

21 MR. HANSON: Oh, okay. Change them all, in all  
22 the places.

23 MR. TILLMAN: Yeah, to "surface."

24 MS. BEDESSEM: Throughout this chapter,  
25 whenever mound is discussed, is it referred to

1 specifically as a mound system? Or is it just a subset  
2 of soil absorption systems?

3 MR. TILLMAN: I believe it's referred to as a  
4 mounded system. It's a separate section.

5 MS. BEDESSEM: So the soil absorption system  
6 does not have to include mounded systems?

7 MR. TILLMAN: No. The soil absorption system  
8 can be a bed, chamber, mounded system. There are  
9 different varieties of --

10 MS. BEDESSEM: Yeah, but that was just a  
11 contradiction.

12 MR. CRIPE: Yes, it does include it. Madam  
13 Chair, it's a general statement there. So, yes, it  
14 would include all of those.

15 MS. BEDESSEM: So mound is a subset then of  
16 this.

17 MR. TILLMAN: Yes. I'm sorry.

18 MS. BEDESSEM: I understand the basis of  
19 Mr. Harmon's comment, in that if mound systems are a  
20 subset of soil absorption systems, that the definition  
21 should not exclude them or be confusing with respect to  
22 a mound system. So I understand the purpose in wanting  
23 the change in terminology there.

24 Because it says, can be placed in the  
25 excavation, you know. And even if the surface is

1 scarified, that doesn't mean the piping is not actually  
2 put in that excavation. That's just the base for the  
3 mound that's going to be above it, and the piping and  
4 all the infrastructure are above it. So it doesn't  
5 seem, the way it's written, that it's really inclusive  
6 of mound systems and that it does need to be tweaked to  
7 include them. It seems like there could be a  
8 couple-word change to go ahead and do that.

9 MR. FREDERICK: Madam Chairman --

10 MS. BEDESSEM: Could you just say "shallow,  
11 covered excavation or mound system," something like  
12 that, "made in unsaturated soil"?

13 MR. FREDERICK: Madam Chairman, perhaps one  
14 option, on line 194, would be to change it to read  
15 "manufactured components that may be placed in the  
16 excavations."

17 MS. CAHN: What about, Soil absorption system  
18 means a shallow, covered surface or mound made in  
19 unsaturated soil into which wastewater effluent from the  
20 septic tank is discharged through distribution piping  
21 for application onto absorption surfaces through porous  
22 media or manufactured components, period.

23 MS. BEDESSEM: So soil absorption system means  
24 a shallow, covered excavation surface or mound? Is that  
25 what you said?

1 MS. CAHN: Excavation or mound.

2 MS. BEDESSEM: All you're doing is adding the  
3 words "or mound" after excavation and removing "placed  
4 in excavations" at the end.

5 MS. CAHN: That's my suggestion.

6 MS. BEDESSEM: I think that would work. Any  
7 other comment on that?

8 Thank you. I think that accomplishes that.

9 MR. TILLMAN: We will make that change as  
10 suggested.

11 The next comment: The design values are taken  
12 from a respected text published in 2003 using data  
13 developed previous to the publication date. There has  
14 been very dramatic changes in water consumption by  
15 domestic fixtures and appliances in the last 15 years.  
16 For instance, toilet flushes now flush with 1.6 to 1.8  
17 gallons of water, as opposed to 5 gallons in 1990 and  
18 3.8 in 2000. Tables 1 and 2 need to be updated to take  
19 reduced water consumption into account. It may be  
20 necessary to have a clause requiring larger design  
21 volumes for replacement systems for older structures.

22 Our response: While Mr. Harmon believes that  
23 the flows should be further reduced from the proposed  
24 revision, several of our delegated authorities have  
25 expressed concern that the flows have been overly

1 reduced. We believe the proposed values properly  
2 balance the reduced flows from the fixtures and  
3 appliances since the regulations were originally  
4 written. So we feel the passage should remain as  
5 written.

6           Again, we took those values from a given range  
7 of values, so we thought we were in the middle. We  
8 understand his interest in lowering those values, but to  
9 be conservative in our design, we felt that we should  
10 keep our flows where they are.

11           MS. BEDESSEM: Any questions from the board?

12           Continue on.

13           MR. TILLMAN: Next comment: Small wastewater  
14 systems shall not be located beneath buildings, parking  
15 lots, roadways, driveways, irrigated landscaping, or  
16 other similar compacted areas, unquote. It is unduly  
17 restrictive to not allow either septic tanks or  
18 absorption systems beneath irrigated landscaping. The  
19 water applied to the irrigated landscaping, along with  
20 natural precipitation, is generally less than falls  
21 naturally over much of the country where small  
22 wastewater systems of similar design are employed.

23           Our response: The additional water load put on  
24 absorption system could not be accounted for in the  
25 system design. While we understand that Mr. Harmon

1 believes the arid climate would offset that irrigation  
2 water contribution to the leach field, we're concerned  
3 that that irrigation could lead to system failure over  
4 time.

5 MS. BEDESSEM: So is there a waiver option for  
6 those situations?

7 MR. CRIPE: Madam Chair, yes. Like I've stated  
8 before, Section 5 allows for things if there would be a  
9 variance or something. What we would probably want to  
10 see or know is quantities, because when they're sizing  
11 that leach field, that is affecting the capacity. So if  
12 it could be demonstrated what they were doing, then that  
13 could be evaluated. But without taking that into  
14 consideration, especially if you have one that's in a  
15 clayey soil, that has the potential of affecting that.  
16 And that's why we try to ensure that it's not in places  
17 where there is high ground water and things of that  
18 nature.

19 So, short answer, yes, we could address that in  
20 Section 5.

21 MS. BEDESSEM: So if, for example, the plot  
22 plan for the site was such that you're in a particularly  
23 difficult situation, for example, where if -- to meet  
24 this requirement, the soil absorption system would have  
25 to be put somewhere where the costs were going to triple

1 for this, if the applicant could use a variance process  
2 to say we're accounting for these flows, we're taking  
3 this into account with the design flows in Section 5  
4 because we really need to put it in this area where  
5 there is an irrigation system, your staff would consider  
6 that?

7 MR. CRIPE: Yes. I've actually had to address  
8 something similar in bags, where they had soil that was  
9 not in their favor of trying to do. There were several  
10 options that I actually threw out there on how they  
11 could size the thing.

12 So, short answer, yes, we would consider that.  
13 It would probably need to have someone other than just  
14 the homeowner getting involved into it because we'd need  
15 to understand a little more of the picture, and they may  
16 not have those abilities to do that.

17 MS. BEDESSEM: But it could be accommodated  
18 through that variance procedure.

19 MR. CRIPE: Yes.

20 MS. BEDESSEM: Whether or not you grant it is  
21 another story, especially if the main motivation is  
22 cost, like it costs three times more on this place,  
23 whatever. If the applicant can accommodate it with  
24 design flows, would you still not approve it because  
25 they could put it in another location, it would just

1 cost three times more? This is for any own edification.

2 MR. CRIPE: I don't know that we would take  
3 that stance, because we would have to look at what we're  
4 going on. We'd be concerned with -- we'd have to look  
5 at the whole picture, because what are you putting in  
6 there, you know. But we've tried to take the approach  
7 in here that we're already creating the design packages  
8 to save cost to the homeowners in that. So we're not  
9 trying to add more cost.

10 MS. BEDESSEM: I was just talking -- when I  
11 said cost, that was just having to do with that  
12 particular site. There were some idiosyncrasies there  
13 that, you know, another location wasn't going to work.

14 But you've clarified that you can address it  
15 through a variance, so I'm not sure that you necessarily  
16 have to change this language, if you can do it in  
17 Section 5.

18 Does the board have any other questions or  
19 comments on that? Okay.

20 MR. TILLMAN: The last comment is in Section 10  
21 regarding abandoning tanks. His comment: If the tank  
22 is too big to be abandoned in place, the bottom needs to  
23 be drilled or broken up so that water infiltrating from  
24 the surface can exit the tank.

25 Our response: A proposed passage requires



1 abandoned-in-place tanks to be filled with the native  
2 soil or pit run or sand and the access covers removed.  
3 Therefore, if the tank is full of sand or material and  
4 is no longer being used for treatment, then water  
5 infiltrating the tank will simply fill the tank up and  
6 would exit where it entered and flow down the sides  
7 again into the water table. We didn't see that it would  
8 be necessary to break up the bottom. We didn't believe  
9 that that would basically help the situation any.

10 MS. BEDESSEM: It would probably add quite a  
11 bit of cost if somebody just wanted to abandon in place.

12 MR. TILLMAN: Right. And not to mention the --  
13 there's also concern of going inside a confined space,  
14 breaking out the bottom. What does that do structurally  
15 to the -- it just doesn't seem necessary if it was  
16 already basically filled with some material and with the  
17 covers left off of it so that the water would come in,  
18 go out, or would fill up and then it would no longer  
19 fill anymore, was our understanding of it. We didn't  
20 think this would benefit that practice.

21 Those were the comments that we received.

22 MR. HANSON: It strikes me that, of course,  
23 collecting in a tank that's still contained, even with  
24 the cover off, you could have a concentration of things  
25 in there that will not dilute because they can't get out

1 at the bottom. So I thought it would be kind of nice to  
2 at least drill a few holes in the bottom and say -- and  
3 you fill it and then nothing could concentrate in there  
4 that could be untoward or harmful.

5 MR. TILLMAN: We asked that it be basically  
6 pumped out, emptied, to begin with. So I guess we were  
7 thinking that anything left in there would be minimized.

8 MR. HANSON: Minimized, yeah. I don't have a  
9 great desire one way or the other. But I thought it  
10 might be more healthy.

11 MS. BEDESSEM: Mr. Harmon would like to make a  
12 comment.

13 MR. HARMON: I make this comment from having  
14 been a civil engineer too long. I've encountered  
15 numerous situations where abandoned facilities, not just  
16 simply septic tanks, but other abandoned facilities,  
17 were left capturing water underground. And it  
18 eventually manifests itself as a sinkhole, a mud hole,  
19 or otherwise complicates the life of the people  
20 utilizing the site for future purposes.

21 You don't have to send anybody in the tank to  
22 knock a hole in the bottom. You can either stick the  
23 backhoe down in there, get a long-handled -- I mean, a  
24 long drill shaft, and just a little bit of opening in  
25 the bottom. And I've done this for years on projects

1 I've been involved with, old basements and other things  
2 where you've created a tub. And it's so inexpensive to  
3 punch a hole while you're there the first time than it  
4 is to come back later and figure out how to fix your  
5 swamp or your mud hole.

6 MS. BEDESSEM: Sinkhole.

7 MR. HANSON: Basically what I suggested, where  
8 something untoward could collect in there.

9 MS. CAHN: I don't think it's unreasonable to  
10 expect people -- that if they don't want to dig up the  
11 tank and remove it, that they should at least punch  
12 holes in it.

13 MR. HANSON: I agree.

14 MS. BEDESSEM: Sounds like the majority of the  
15 board wants you to drill a hole in the bottom of the  
16 tank. Word of the advisory board.

17 MR. FREDERICK: Any particular minimum size of  
18 the hole or numbers or locations? Okay.

19 MR. HANSON: Could you say just to make it  
20 permeable in some way?

21 MR. FREDERICK: Sufficient to drain.

22 MR. HANSON: Yeah, sufficient to drain.

23 MR. FREDERICK: Something along those lines.

24 Okay. Can we do that, Bill?

25 MR. TILLMAN: We can do that.

1 MR. FREDERICK: We can do that.

2 MR. TILLMAN: Any other comments from the  
3 board?

4 MR. HANSON: Madam Chair, I finally realized  
5 that I have a comment. It was just a grammatical matter  
6 in Permit by Rule, line 167. It says, at the end of  
7 that, "is not required to apply for and obtain. . ." It  
8 probably would be clearer to add a "to obtain" because  
9 those are two parallel statements. 167. And I made  
10 myself a note, and then I didn't understand my own note.  
11 But I understand it now.

12 In line 167, it says, "but is not required to  
13 apply for and to obtain a permit," because they are two  
14 parallel statements, okay. Just add the word "to" to  
15 make it clearer.

16 MS. CAHN: I'm going to disagree. It doesn't  
17 need the "to" because it's already got the "to" with the  
18 "apply." So if you look at one clause, you have "but is  
19 not required to," and then you have two things, apply  
20 for and -- to obtain is already applied by having the  
21 "to" before "apply." So it does not need it.

22 MR. HANSON: I agree, but I thought it was  
23 clearer with the "to." But I'll leave that up to you.

24 MS. BEDESSEM: I don't even know what line this  
25 was.

1 MR. HANSON: 167.

2 MR. TILLMAN: So is it the recommendation we  
3 leave it as is, Ms. Cahn?

4 MS. CAHN: That's my recommendation. But I'll  
5 leave it up to the rest of the board.

6 MR. HANSON: I withdraw it. I thought it was  
7 unclear without it, because I'm a grammarian and I like  
8 it parallel. But it's not that necessary.

9 MS. BEDESSEM: Leave it as is then.

10 MR. HANSON: Leave it as is.

11 MS. BEDESSEM: Thank you, Klaus.

12 MR. TILLMAN: That concludes our presentation  
13 of this chapter.

14 MS. BEDESSEM: Any comments or questions from  
15 board members?

16 MS. CAHN: Should we do from the public first?

17 MS. BEDESSEM: Do we have any members of the  
18 public who would like to make any comment on Chapter 25?

19 Okay. I'm not hearing any. No one is coming  
20 up to the podium to speak.

21 MR. HANSON: That's because we don't have a  
22 podium.

23 MS. BEDESSEM: Well, come up to the microphone.

24 So we're -- we can move on to board member  
25 questions or comments. I don't have any additional

1 questions or comments.

2 MS. CAHN: I have a few.

3 First of all, I just want to say I'm pleased to  
4 see the changes that you made and pleased that with  
5 these changes you were able to go out and get agreement  
6 from tank manufacturers. So I think that's great. I  
7 appreciate the changes you've made.

8 I have a minor thing, which is that there's  
9 not -- there's problems between the red-line strikeout  
10 and the clean, where I found grammatical errors in the  
11 red-line strikeout that, luckily, are correct in the  
12 clean version. So I'll just probably phone -- there's  
13 places where there's two words, like "to" and "to" or  
14 "and" and "and" or there's a missing word in the  
15 red-line strikeout. So I'll just go over those with  
16 Gina. I obviously won't have caught them all. But  
17 I'll do that separately because it doesn't change the  
18 intent.

19 And then there are also problems still with  
20 "that" versus "which." So I will go over those with  
21 Gina as well. There's a few of those left. So I'll go  
22 over those. If you want, I can go over one as an  
23 example or we can just move on.

24 MR. TILLMAN: Please just send those in,  
25 please.

1 MS. CAHN: Excuse me?

2 MR. TILLMAN: Please send those in. Gina will  
3 capture those.

4 MS. CAHN: I will.

5 And then I guess I'm still struggling with the  
6 privy versus outhouse. I would like, the first place  
7 that the word "privy" is used, if we're not -- to me,  
8 the simple thing is to give a definition. But since you  
9 don't want to give a definition, what I would like to  
10 see is, the first place that the word "privy" is used,  
11 we would just add in there, "also referred to as  
12 outhouses." And then it would be clear to people that  
13 these aren't two different things, because I still think  
14 people are going to struggle with, wait a minute, what's  
15 the difference between a privy and an outhouse. They're  
16 not going to realize that we intend that to mean the  
17 same thing.

18 If we do a word search, look for the first  
19 place the word "privy" is used, other than -- the first  
20 place is in the title of the section. Then we could  
21 just leave it for the first place in the text it's used,  
22 and not clutter up the title, but the first place we use  
23 it just in the text, other than in the title.

24 MS. BEDESSEM: Right.

25 She's saying to not put that clarifier in

1       parentheses in the title because that would be --

2               MR. TILLMAN:   Okay.   But --

3               MS. BEDESSEM:   But in the first place within  
4       the text after the title.

5               MR. TILLMAN:   We're not going to use the word  
6       "privies or outhouses"?

7               MS. CAHN:   We will.   But the first place -- so  
8       I don't know; I haven't done a search.   But let's  
9       suppose that the word "privy" is not used anywhere until  
10      we get to Section 16.   So if Section 16 is the first  
11      place it occurs, then in the first line that says  
12      "privies and outhouses" -- or "privies or outhouses," we  
13      would just change it to "privies, also known as or also  
14      referred to as outhouses" or --

15              MS. BEDESSEM:   But then thereafter, Lorie, are  
16      you suggesting that you can say "privies or outhouses"  
17      thereafter?

18              MS. CAHN:   That's fine.   Or we could just leave  
19      it as "privies."   Either way.   I just think that it's  
20      still confusing, when we say "privies or outhouses,"  
21      that people are thinking, wait a minute, what's the  
22      difference.   That's what I did when I read through this.  
23      And I don't think it will help me, or somebody else like  
24      me, the first time they're reading it.   They're going to  
25      wonder, what's the difference.   So I just think we need



1 to make it clear, the first time we use that --

2 MS. BEDESSEM: That they're synonymous.

3 MS. CAHN: -- that we mean it to be the same  
4 thing. Also referred to as outhouses or also known as  
5 outhouses or --

6 MR. HANSON: I'm sure that would be line 1583,  
7 Section 16. That's where the title is, and that's  
8 probably where you want to insert that.

9 MR. FREDERICK: For clarification, Madam Chair,  
10 I thought Ms. Cahn suggested that we not --

11 MS. BEDESSEM: Not do it in the title.

12 MR. HANSON: Oh, not do it in the title.

13 MS. BEDESSEM: No, not do it in the title, but  
14 the first place that it's mentioned.

15 MR. TILLMAN: Which would be line 1585.

16 MS. BEDESSEM: Uh-huh. And then "privies or  
17 outhouses" thereafter, as was previously agreed, but  
18 just clarifying that it's synonymous the first time that  
19 it's used.

20 MR. FREDERICK: Thank you.

21 MS. BEDESSEM: Additional comments?

22 MS. CAHN: Yeah. So let's see.

23 I had another question about privies that I  
24 just was thinking of during the break, and that is, what  
25 if a privy is in a place where they can't reasonably get

1 a backhoe to -- I'm thinking again on a remote ranch,  
2 seasonal use -- to install a vault?

3 MR. TILLMAN: Your question is what happens in  
4 that case?

5 MS. CAHN: Yeah. What does somebody do that  
6 needs -- on a seasonal-use ranch, where they've got an  
7 existing outhouse in a place that it was built with a  
8 hole in the ground and they can't get a backhoe out  
9 there to install a vault.

10 MR. TILLMAN: I guess the only thing I can  
11 think of is that you use a shovel to dig a hole.  
12 Otherwise, I'm not sure exactly how you would install  
13 anything else. Again, we would discourage them digging  
14 a hole and just using that. So in order to put in  
15 something larger, like a vault, I would think you would  
16 have to manually dig that hole if you couldn't get  
17 mechanized equipment in there.

18 There are ranch hands at the ranch, correct?

19 MS. CAHN: What was that?

20 MR. TILLMAN: There are ranch hands at that  
21 ranch, so. . .

22 MS. CAHN: Yeah, there would be a single  
23 person, potentially. That happens.

24 MR. TILLMAN: I guess I'm not sure what they  
25 would do, other than that, if they couldn't get

1 mechanized equipment up there.

2 MR. MARK: Madam Chair, I'm pretty sure the  
3 ease of installation is going to dictate the privy  
4 location.

5 MS. CAHN: I didn't hear that comment.

6 MR. MARK: The ability to install the privy or  
7 pit toilet is going to dictate the location. If you  
8 can't get a backhoe in there, you're not going to  
9 hand-dig a privy.

10 MS. CAHN: I'm thinking of existing uses where  
11 there are ones where -- I mean, I know of -- I can think  
12 of one that I know of on a ranch that -- I guess they'll  
13 have to dig by hand.

14 MR. MARK: Madam Chair, I would guess we don't  
15 know about that location.

16 MS. BEDESSEM: Yeah. Chances are that general  
17 permit will come out and this person is not going to  
18 apply for it.

19 MR. TILLMAN: Ms. Cahn, as we discussed, I  
20 think, during the break, people that typically have dug  
21 a hole, rather than put a sealed tank underneath an  
22 outhouse or a privy, chances are those folks are not  
23 going to be the ones that are going to be reporting back  
24 in that they have set such a facility on their property.  
25 So the likelihood of those people moving them or doing

1 anything to them are probably nil. So that -- although  
2 that is a possibility, we don't anticipate we're going  
3 to hear from those folks.

4 MS. CAHN: Okay. All right. Okay.

5 And then my next comment is on page 25-17. And  
6 it's in line 453. I know we've had discussion before  
7 about how difficult it would be to show 4-log removal of  
8 pathogens. So really, in essence, you're getting that  
9 through design. I would just like to add the words,  
10 after -- so I would like to add the words "be designed  
11 to," because that's really how you're getting that.  
12 They're not expected to prove -- to show that.

13 So the sentence would read, "The treatment  
14 shall reduce the nitrates to less than 10 milligrams per  
15 liter of NO3 minus as N and be designed to provide 4-log  
16 removal of pathogens. . ." And then the rest of the  
17 sentence wouldn't change. So just adding the words "be  
18 designed to," I think that would clarify that it's not  
19 something they're going to go to a lab and measure and  
20 spend a lot of money.

21 MS. BEDESSEM: Isn't that the same with the  
22 case for nitrates? She's just saying that you're not  
23 putting -- taking a sample at the boundary of the  
24 absorption system and that it's supposed to be designed  
25 to reduce the nitrates to less than 10 milligrams

1 nitrate and 4-log removal of pathogens. So shouldn't it  
2 just say, the treatment system shall be designed to  
3 reduce the nitrates to less than --

4 MS. CAHN: We could do it that way. I guess  
5 with nitrate analysis being inexpensive and readily  
6 available, somebody can design it and then they can test  
7 it and prove that it -- so I'm good either way, Marge.  
8 If you want to put "be designed to" up front, we could  
9 say "the treatment shall be designed to" and that would  
10 cover both of them or we could leave it where I  
11 suggested it, since nitrate removal -- I'm good either  
12 way. Both of those satisfy me.

13 MR. TILLMAN: We'll move it to "The treatment  
14 shall be designed to," so it covers all of it.

15 MS. CAHN: Then I just had one other question.  
16 And this was in the Statement of Principal Reasons. And  
17 it was on page 6. There is some yellow highlight left  
18 in the version I received, which was a draft on 11/10,  
19 and I just didn't understand what the yellow highlights  
20 were for.

21 MS. THOMPSON: That was probably an oversight  
22 on my part. Yeah. I believe I added that passage, and  
23 to let myself know that I added it, I highlighted it.

24 MS. CAHN: Okay. So when this goes before  
25 either us again or EQC, those highlights will be

1 removed.

2 MS. THOMPSON: That is correct.

3 MS. CAHN: Wait a minute. I've got some more  
4 tabs sticking out.

5 I was wondering -- this is kind of a procedural  
6 question. I notice that if I look, let's say, on the  
7 comment responses for 7/25/14, that some of these  
8 responses are now -- would be different. The comment  
9 responses that existed before would now kind of be  
10 obsolete because changes were made that had been  
11 requested before and now they've been made. Rather than  
12 have you go back and have to go back through all the  
13 previous comments, I'm just wondering if, wherever this  
14 goes next, whether it's EQC or our board again, there  
15 could just be a note put on the top that says, responses  
16 to comments may be obsolete or may be superseded by the  
17 most recent comment, because something in here will say,  
18 we didn't address -- we didn't accept that comment, we  
19 didn't change it, but then, after EQC, something got  
20 changed.

21 So I think it's a little confusing. It was a  
22 little confusing for me to read through everything in  
23 the board packet. It would just be a note in the front  
24 that says, please see the most recent comment responses,  
25 or something, that these haven't been changed, because

1 I'm not expecting you to go back in and change all the  
2 comment responses to show what you've done now.

3           So, for instance, greywater, there were a lot  
4 of comments asking that greywater be permit by rule or  
5 simpler and not be so prescriptive. You've done that  
6 now. But if you were to look through these comments, it  
7 would look like you're not going to do that. And I'm  
8 okay. I'm just asking procedurally if --

9           MS. BEDESSEM: I guess I feel like the response  
10 to comments is a document that was finalized on that  
11 date. You don't go back and change those response to  
12 comments. I think you're going to have a new response,  
13 you're going to revise this and finalize this, and  
14 you'll have this newest response to comments to address  
15 Mr. Harmon's comments.

16           But I think the next place -- this would go to  
17 the EQC, you do your presentation and explain what was  
18 changed, if you do a summary or something so that they  
19 know what was changed, then that summary, combined with  
20 the response to comments, I would think would be  
21 sufficient.

22           MS. CAHN: Okay.

23           MR. TILLMAN: Correct.

24           MS. CAHN: I'm okay with that. Thanks for the  
25 discussion.

1           And then I have one other. My last comment is,  
2 in the response to comments from [SRO\*PB] entity -- so  
3 now I'm looking in our board packet, the responses to  
4 tank survey comments. In our board packet, it's the  
5 very last piece of this. On page 2 of those comment  
6 responses -- actually, it starts on page 1, [SRO\*PB] is  
7 asking for -- it's about the 20-inch-diameter access  
8 riser. And they said -- the response is, we understand  
9 that the previously proposed wording indicated that the  
10 riser should be 20 inches in diameter.

11           And DEQ says, our response was to require that  
12 the tank opening be a minimum of 20 inches. We have  
13 clarified the section to state that the access opening  
14 is required to have a diameter of 20 inches. But it  
15 should be, is required to have a minimum of diameter of  
16 20. So I think the word "minimum" is left out of your  
17 response.

18           Do you see what I'm saying?

19           MR. TILLMAN: Okay.

20           MS. CAHN: You're not saying the access riser  
21 has to --

22           MS. BEDESSEM: Yeah, the last sentence.

23           MS. CAHN: The very last sentence in --

24           MR. TILLMAN: To have a minimum diameter of 20  
25 inches?



1 MS. BEDESSEM: Uh-huh.

2 MR. TILLMAN: Okay. That's fine.

3 MS. BEDESSEM: It's just an error in the  
4 response to comments. You can just fix it.

5 MR. TILLMAN: That's fine. We can add that.

6 MS. BEDESSEM: Because that is what you did.

7 MR. TILLMAN: Yes.

8 MS. CAHN: I believe in the regulation you did  
9 change it to a minimum of.

10 MR. TILLMAN: Yes.

11 MS. CAHN: Okay. I just thought it would  
12 clarify the response.

13 And I think -- let me just check all my tabs,  
14 but that, I think, is all of my comments.

15 MS. BEDESSEM: While Lorie is checking, do any  
16 of the other board members have any comments or  
17 questions for Mr. Frederick and Mr. Tillman?

18 MS. THOMPSON: Madam Chairman, I believe that  
19 Mr. Applegate is the only one left on the line. I  
20 believe Mr. Jones' WiFi cut out again.

21 MS. BEDESSEM: Okay. Was he on intermittently?

22 MS. THOMPSON: He was.

23 MR. APPLGATE: I don't have any comments.

24 MS. BEDESSEM: I hope your voice gets better,  
25 Dave.

1 MS. CAHN: We hope you feel better than you  
2 sound.

3 MS. BEDESSEM: Yeah.

4 MR. FREDERICK: Madam Chair, I'd like to  
5 suggest, for the board's consideration, that they  
6 recommend that the rule now be moved to the  
7 Environmental Quality Council. Thank you.

8 MS. BEDESSEM: I'll entertain a motion.

9 MR. HANSON: So moved.

10 MS. CAHN: So moved. So moved with -- I move  
11 that we send these, as revised, as discussed at this  
12 board meeting, on to the Environmental Quality Council.

13 MR. HANSON: Second.

14 MS. BEDESSEM: Any further discussion?

15 All in favor?

16 MR. HANSON: Aye.

17 MS. BEDESSEM: Aye.

18 MS. CAHN: Aye.

19 MR. APPLGATE: Aye.

20 MS. BEDESSEM: The rule package will go to the  
21 EQC with the endorsement of the advisory board.

22 MR. FREDERICK: Thank you.

23 MS. BEDESSEM: I just want to say that I know  
24 this has been through the advisory board and the EQC and  
25 it's had numerous editions, but I think what you've

1 ended up with is a better final product that I think  
2 will make your job easier, as well as the public's  
3 ability to the understand these rules a lot better.

4 So thank you for everything that you did to get  
5 it to this point.

6 MR. TILLMAN: Thank you.

7 MS. BEDESSEM: And best of luck at your EQC  
8 meeting. I'm sure it will go well.

9 Anything further?

10 Oh. One question about, on the web site, the  
11 advisory board, the listing of our contact  
12 information -- Gina, you said it was at the very bottom  
13 of the page? I couldn't find it, for the life of me.

14 MS. THOMPSON: It's an embedded link. Once we  
15 adjourn, I can show you how to access that information.

16 MS. BEDESSEM: I'm just saying that, if I  
17 struggle so hard to find it, there's got to be a better  
18 way to do this.

19 MS. THOMPSON: I believe the way it's set up is  
20 consistent with the protocol of the web site.

21 MS. BEDESSEM: Show me afterwards then. I was  
22 trying to find Mr. Applegate's contact information, and  
23 I went all over. I'm thinking, okay, I have this listed  
24 amongst all the boards. But for the life of me, I  
25 couldn't figure out where to --

1           MS. CAHN: I have it in front of me. And this  
2 has come up enough times that I really think I would  
3 like to request that we change this.

4           I'm looking at it. It has board members, it  
5 lists our names and where we're from, no information  
6 about how to get ahold of us. Then it has a line that  
7 says Resources, then it says Show, Entries, Search, and  
8 then it has a file and then it says Date. And then it  
9 says -- at the very bottom it says 2015, 10/13, Water  
10 and Waste Advisory Board member contact information,  
11 PDF, showing one to one of one entry previous, one next.

12           And it's not at all obvious. And I have been  
13 phoned by people who said, I had a heck of a time  
14 finding you, I had to Google you, your contact  
15 information was not on the web page. And I've gone to  
16 look for it myself and not found it. And then Gina  
17 showed us where it was. And then Marge called me and  
18 said, I can't find it.

19           So, to me, it's just not working. Although we  
20 can say, yes, it's technically there, it really doesn't  
21 work because it's not obvious, even though it's there.

22           So my suggestion is that we either change it to  
23 include that information when you list the board members  
24 or we put in a link, a hot link, to individuals' contact  
25 information right when you put their name down. So it

1 would say Dave Applegate, Casper, and it would be a hot  
2 link and they could link to it and find out how to email  
3 him or call him.

4           So that's my -- I just don't think the way it  
5 is right now works. I just think there's been too many  
6 people who haven't found the information, even though  
7 it's there, including myself, including Marge, including  
8 members of the public.

9           MS. BEDESSEM: We're also really impatient.

10           So you're saying, Gina, you go to Water and  
11 Waste Advisory Board, then you scroll down to Resources.

12           MS. THOMPSON: So under Resources, there is a  
13 line -- there's a link to board members. When we bring  
14 up the link to board members, we have you listed, and  
15 then the specific contact information is attached to the  
16 page as a separate pdf.

17           I can talk to the webmaster and see how we  
18 can --

19           MS. BEDESSEM: Yeah, I know -- the IT machine  
20 here. But it appears that -- it's sort of like, on my  
21 email, if you're not on the front page, you're lost to  
22 me. So I think when it comes up, the part to click to  
23 get to the contact is so far down on the page that  
24 people don't find it.

25           MS. THOMPSON: We can talk to the webmaster to

1 see what we can do to make this easier to access that's  
2 still within the design parameters.

3 MS. BEDESSEM: Right, that we don't buck the  
4 system too badly. But somehow we can move it up where  
5 people can find it.

6 Okay. Thank you.

7 And so when is -- our next meeting is  
8 January --

9 MS. THOMPSON: January 22nd. It's a Friday.  
10 And we're scheduled to meet in Casper. And so far on  
11 the agenda -- which the public notice period for this  
12 will be sent out on December 22nd. So we're still  
13 setting our agenda. We will be more than happy to  
14 provide the videoconferencing, so anyone who needs that,  
15 please let me know. And we'll work --

16 MS. BEDESSEM: And also depending on weather, I  
17 suppose.

18 MS. THOMPSON: Right. We'll work to set that  
19 up. We're meeting at the OGCC.

20 MS. BEDESSEM: Oh.

21 MS. THOMPSON: If we end up doing a  
22 videoconference, the formatting and setup will be  
23 similar to today. But you should expect to get public  
24 notice and supporting documentation packages slightly  
25 after the 22nd of December.

1 MS. CAHN: Happy holidays.

2 MS. THOMPSON: Exactly.

3 MR. TILLMAN: Merry Christmas.

4 MS. BEDESSEM: Yeah.

5 MR. HANSON: The address, by the way, is 2211  
6 King Boulevard, for my GPS.

7 MS. THOMPSON: Yes. Again, we're still setting  
8 the agenda for that, so I don't have specific items. I  
9 know that it will be very SHWD-heavy, Solid and  
10 Hazardous Waste-heavy.

11 MS. BEDESSEM: SHWD. I haven't heard that  
12 before.

13 MR. TILLMAN: We made it up.

14 MR. HANSON: In case of weather, you can set up  
15 videoconferencing at a fairly short notice, right?

16 MS. THOMPSON: Yes.

17 MR. HANSON: Because this morning I was  
18 debating. Then I thought --

19 MS. BEDESSEM: It wasn't that bad.

20 MR. HANSON: It wasn't that bad.

21 MS. THOMPSON: For instance, Mr. Applegate woke  
22 up feeling unwell, and we were able to accommodate that  
23 quickly. If, for some reason, you're not able to attend  
24 by video, we did figure out this morning how to help you  
25 attend by phone. So we can still do that as well. And

1 I'll pass that information on to Mr. Jones so that he  
2 doesn't have to struggle with the WiFi next time.

3 MR. HANSON: But if you have a computer with a  
4 camera on it, there should be no problem, right?

5 MS. THOMPSON: And a good Internet connection.

6 MR. HANSON: Yeah.

7 MS. CAHN: I would just like to thank Gina for  
8 her efforts. This went really smoothly today, I think  
9 better than any meeting, in terms of my ability to hear.  
10 And I know Gina put a lot of work into making this  
11 happen and testing it ahead of time. So I really  
12 appreciate it. It really worked well. Thank you very  
13 much.

14 MS. THOMPSON: You're welcome.

15 MS. BEDESSEM: And we can hear you really well  
16 on this end, better than ever before. So that's very  
17 good.

18 MS. CAHN: Good.

19 MS. BEDESSEM: Yeah, it was really good.

20 Well, you take care of that ankle, Lorie.

21 So I think we can then conclude the fourth  
22 quarter Water and Waste Advisory Board meeting.

23 Everyone have happy holidays.

24 (Proceedings concluded at

25 11:21 a.m., December 11, 2015.)




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## REPORTER'S CERTIFICATE

I, Lisa D. Anthony, a Registered Professional Reporter and Certified Realtime Reporter, do hereby certify that I stenographically recorded the foregoing proceedings contained herein, constituting a full, true and correct transcript.

Dated this 18th day of December, 2015.

  
Lisa D. Anthony  
Lisa D. Anthony, RPR, CRR