

IN RE: WATER QUALITY DIVISION

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1 in number and volume of pages, so we've removed a chapter,
2 and also lost part of those definitions, so it was a
3 partial, so...

4 CHAIRWOMAN BEDESSEM: Uh-huh. A step in
5 the right direction. Okay. Thank you, Bill.

6 MR. DIRIENZO: Thank you.

7 MS. THOMPSON: I'd like to note for the
8 record, also, we did not receive any written comments
9 regarding this proposed change, so...

10 CHAIRWOMAN BEDESSEM: Thank you.

11 MR. FREDERICK: Thank you, Madam Chair,
12 members of the Board.

13 CHAIRWOMAN BEDESSEM: I'm sorry. I had one
14 last question. As far as written comments, were those
15 supposed to end today?

16 MS. THOMPSON: Unless you extended the
17 comment period, then yes. There -- they would be allowed
18 to submit them up through today, or if anyone came and
19 wanted to submit them in person.

20 CHAIRWOMAN BEDESSEM: That's why I wanted
21 to just double-check here --

22 MS. THOMPSON: Yes.

23 CHAIRWOMAN BEDESSEM: -- to make -- to,
24 first of all, see if there were any members of the public
25 here today that were interested in making any comments.

1 How about any other rules that are going to be
2 discussed today that anyone might be interested in? I just
3 want to know if we will have public testimony today.
4 Anyone?

5 MR. DRINNON: Chapter 25.

6 CHAIRWOMAN BEDESSEM: So we have potential
7 for public comment on Chapter 25.

8 Any other rule, which we've got --

9 BOARD MEMBER APPLGATE: Is 21 going to --

10 CHAIRWOMAN BEDESSEM: Yeah.

11 MS. THOMPSON: I guess --

12 THE REPORTER: One at a time, please.

13 CHAIRWOMAN BEDESSEM: So the request from
14 the Board was to move from easiest to harder, and whether
15 we could discuss Chapters 11 and 21 prior to 15 and 25 so
16 that we can also accommodate public comment as well.

17 MS. THOMPSON: Yes. And the 11 and 21 that
18 we'll be discussing next, also similar to Chapter 2 and 6,
19 also a streamlining effort on our behalf, on our effort --

20 CHAIRWOMAN BEDESSEM: So if you were
21 amenable to that, we'd like to --

22 MS. THOMPSON: Yes.

23 CHAIRWOMAN BEDESSEM: -- change that order.

24 Thank you.

25 MR. FREDERICK: Madam Chair, members of the

1 Board, our next discussion involves proposed revisions to
2 Chapter 11, Design and Construction Standards for Sewerage
3 Systems, Treatment Works, Disposal Systems or Other
4 Facilities Capable of Causing or Contributing to Pollution,
5 and Mobile Home Park and Campground Sewerage and Public
6 Water Supply Distribution Systems, and Chapter 21,
7 Standards for the Reuse of Treated Wastewater.

8 Again, this is a streamlining initiative effort.
9 Essentially the proposed revisions involve moving Chapter
10 21 to Chapter 11, new part H, and by removing redundant
11 passages. And Bill Tillman will be available here to
12 describe this a little bit more specifically for you and to
13 answer any questions you may have.

14 MR. TILLMAN: I'm Bill Tillman. I work as
15 a regulatory and enforcement engineer for water -- excuse
16 me, Wyoming Department of Environmental Quality, Water
17 Quality Division.

18 And as Kevin has alluded to, basically this was a
19 streamlining effort. We felt that Chapter 21 dealt with
20 reuse of treated wastewater, that it belonged in our
21 wastewater chapter as an additional section. The changes
22 that were made -- the addition of Chapter 21 is in part H
23 in its entirety. There were no substantive changes to it.
24 Other changes that we made in Part E were for redundant
25 passages, as Kevin alluded to.

1 In Section 49 there were several definitions that
2 were also in Part H that we eliminated. And there was also
3 redundancy in Section 52, Section 53 and Section 54, as
4 they are also covered in Chapter 21. There was one passage
5 that we did add to Section -- or to Part E, and that
6 pertained to the biosolids, understanding that Region 8 has
7 primacy over biosolids permitting. And in other rulemaking
8 efforts that we're going through, the removal of Chapter
9 15, which also addressed biosolids, if we took both of
10 those out, there's a part in Chapter 3 that says that in
11 the absence of the EPA not permitting biosolids, that we
12 would step in and do that permitting action. And so we
13 added this little passage, basically, to address that so
14 that eventually when Chapter 15 is deleted, that we would
15 have something in place, so when EPA does not permit
16 biosolids, there is at least a provision for us to step in
17 and do so.

18 Those are basically the only changes to -- or the
19 modifications to the chapter.

20 BOARD MEMBER APPELATE: Madam Chair. It's
21 Mr. Tillman?

22 MR. TILLMAN: Yes.

23 BOARD MEMBER APPELATE: You just said
24 this, but I was trying to keep up with you. So reserve 52,
25 53, 54, clarify again for me the deletions on those.

1 MR. TILLMAN: They are covered in Chapter
2 21, that is now Part H. So it would be redundancy. So we
3 removed those just for redundancy.

4 MS. THOMPSON: Madam Chair, we've handed
5 out new documents related to Chapter 11. We had a title
6 issue where we retitled the title of -- of Part E so that
7 it would be better descriptive of what was contained in
8 Part E, but the macro didn't update into the table of
9 contents, and that's -- and also didn't -- wasn't properly
10 updated in the SOPR. So we corrected that error, and
11 that's why you have those additional documents.

12 MR. FREDERICK: Madam Chair. I forgot to
13 mention in my reduction our intent, again, is to request
14 the Board move the regulation before the EQC. Thank you.

15 BOARD MEMBER APPLGATE: Madam Chair, I
16 have no comments.

17 BOARD MEMBER CAHN: I have editorials and
18 some questions.

19 So in Section 55, line 3642, on page 11-79.

20 CHAIRWOMAN BEDESSEM: This is on the
21 strikeout copy?

22 BOARD MEMBER CAHN: On the strikeout copy.
23 Thank you.

24 You talk about a soil textural analysis. And so
25 I'm just wondering how that -- I just have a question about

1 how that differs from a soil textural analysis we've been
2 talking about in Chapter 25, when we got a perc test and/or
3 soil textural analysis. So --

4 CHAIRWOMAN BEDESSEM: Lorie, can you repeat
5 the line number?

6 BOARD MEMBER CAHN: It's line 3642. The
7 classes of which will be determined by the use of Figure 1,
8 Tables 1 through 3, and soil textural analysis. Section
9 55(b), about the middle of the paragraph.

10 MR. TILLMAN: Right. I have not had a
11 chance to study that section and how that applies to this
12 chapter as opposed to Chapter 25. I can't speak to that at
13 this moment. But as we've alluded to before, the texturing
14 analysis that is posed as a complement to the perc test is
15 what we're proposing in Chapter 25. I'm not sure how this
16 soil texturing analysis, if it's different, because that
17 is, of course, to a soil loading, you know, for small
18 wastewater systems. I have not studied this chapter or
19 studied this diagram to be able to answer that question at
20 this moment, but I'd be more than happy to get back to you
21 at a later date as to how they compare.

22 CHAIRWOMAN BEDESSEM: I expect this is a
23 USDA soil textural analysis.

24 BOARD MEMBER CAHN: Which is different.
25 Okay.

1 And then --

2 CHAIRWOMAN BEDESSEM: Since we're talking
3 about plant growth here.

4 BOARD MEMBER CAHN: And then the next
5 question I had is on line 3656, in the redline/strikeout.
6 It says the following quality criteria shall not be
7 exceeded, and the second one down for BOD says 10 plus .0
8 milligrams per liter daytime. And I don't understand if
9 you're not to exceed, 10 plus would say to me greater than
10 10, or not to exceed 10 plus. So I'm wondering if there's
11 a typo in there?

12 BOARD MEMBER APPLGATE: The plus probably
13 shouldn't be there. Should be 10 point --

14 MR. TILLMAN: This chapter probably hasn't
15 been visited since the mid-'80s, and we did not -- since we
16 were only adding to the additional section, we did not go
17 through and analyze the entire chapter for typos and --

18 BOARD MEMBER CAHN: So I'm assuming the
19 plus needs to be removed. But before you finalize this, if
20 you can find out what that's supposed to be. I mean --

21 MR. TILLMAN: Sure.

22 MR. FREDERICK: I assume it's a typo.
23 That's the first time I think I've seen the standard that's
24 essentially a variable, so...

25 BOARD MEMBER CAHN: Okay. And then

1 starting on line 3644, calcium 2 plus, the 2 should be
2 superscript. Magnesium plus, the 2 should be superscript,
3 like it is in bicarbonate chloride. So that's your cation.
4 And I see those in other places.

5 Then starting on line 3657 for BOD, the liters
6 should be capitalized instead of lower case. And then that
7 would carry throughout. So if you did a search for slash
8 lower case L, it should be slash upper case L.

9 Then for bicarbonates, again, when we're saying
10 the following quality criteria shall not be exceeded when
11 we get to bicarbonates, we're saying not greater than.
12 Seems to me that the not greater than there is redundant,
13 because we're already saying not to exceed. So I would
14 take out the "not greater than" just to clarify.

15 Down on chlorides, at the bottom of the page,
16 11-80, again, the minus should be superscript. And
17 sulfates, the 4 should be subscript, and the 2 minus should
18 be superscript. Bicarbonates, the 3 minus should be
19 superscript.

20 Next page, arsenic, same issues with the 3 and
21 the 4. Boron, same issues with the 3 and the 3, should be
22 subscripts. And then oil and grease I think should be
23 opposite, the first 20,000 pounds per acre, and not
24 below -- right now it's only next to when surface applied,
25 and that doesn't make any sense. So I'm thinking oil and

1 grease needs to move up in the column.

2 On page 11-80 in the table, the liters for
3 milliequivalents or milligrams per liter, the L should be
4 capitalized. On page 11-85, line 3878, I think there needs
5 to be a space after the la -- just before "the."

6 On page 1187, line 3990, for the rest of the
7 chapter groundwater is one word, and here groundwater is
8 two. And I don't care which way you do it. Just be
9 consistent.

10 MR. TILLMAN: Excuse me, where was --

11 MS. THOMPSON: 3990, Section --

12 BOARD MEMBER CAHN: It's a definition.

13 MS. THOMPSON: It's a definition. It says
14 formerly Chapter 21, Section 3(j).

15 MR. TILLMAN: Gotcha.

16 BOARD MEMBER CAHN: I think it would be
17 more consistent to be one word with the rest of your
18 regulation.

19 Page 11-89, after -- see line 4088, after the
20 parentheses, I think you need a space before section.

21 Page 11-91, line 4153, same issue, a space before
22 section. Same thing on line 4162.

23 On line 4185, I believe provide should be
24 provided, fencing and signing shall be provided at sites.

25 On page 11-93, the liters in line 4250 should be

1 capped. For milliliters, the L should be capitalized.

2 And that's all I have.

3 BOARD MEMBER APPELATE: Madam Chair, would
4 you be willing to accept a motion to approve these --
5 approve the regulations with the idea that they would not
6 need to bring this back in front of us for these suggested
7 editorial changes?

8 CHAIRWOMAN BEDESSEM: Uh-huh.

9 BOARD MEMBER APPELATE: I'll make a motion
10 that we approve the changes to Chapters 11 and 21 --

11 CHAIRWOMAN BEDESSEM: With minor
12 corrections.

13 BOARD MEMBER APPELATE: -- with minor
14 editorial changes suggested.

15 BOARD MEMBER CAHN: I second.

16 CHAIRWOMAN BEDESSEM: All those in favor.

17 BOARD MEMBER APPELATE: Aye.

18 BOARD MEMBER CAHN: Aye.

19 CHAIRWOMAN BEDESSEM: Aye.

20 None opposed.

21 Rule is forwarded to the EQC.

22 MS. THOMPSON: Madam Chairman, may I
23 request a recess so we can rearrange the table, since we do
24 have members of the public who will be commenting on the
25 next chapter we will be presenting, and they'll need to use