

WATER POLLUTION CONTROL ADVISORY COUNCIL

Friday November 8, 2019, 10:00 A.M.

DEQ's Metcalf Building (1520 E. 6th St, Helena, MT)

Room 040

AGENDA

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NOTE: Interested persons, members of the public, and the media are welcome to attend at the location stated above. Reasonable accommodations will be made for persons with disabilities who wish to participate in this meeting. Please contact Hannah Riedl by telephone (406-444-0549) or by e-mail (Hannah.Riedl@mt.gov) no later than 24 hours prior to the meeting to advise of the nature of the accommodation needed.

10:00	Call to Order Introducing Daryl Barton, facilitating WPCAC beginning 2020	Trevor Selch
10:02	Approval of Agenda	Trevor Selch
10:05	Approval of Minutes from September 6	Trevor Selch
<u>Action Items</u>		
10:10	Arsenic Standards for Parts of the Yellowstone River	Michael Suplee
<u>Briefing Items</u>		
11:00	Renewal of the Petroleum Cleanup General Permit	Haley Sir
11:15	The Statewide TMDL Advisory Group and brainstorming opportunities to coordinate	Hannah Riedl
11:30	General Public Comment During this time, members of the public may comment on any public matter within the jurisdiction of the Council that is not otherwise on the meeting agenda. For items on this meeting agenda, time for public comment will be provided after Council discussion of each item.	Trevor Selch
11:40	Agenda Items for Upcoming Meetings	Hannah Riedl
11:45	Schedule 1st Meeting of 2019 Tentative proposed dates: January 3, January 10	Hannah Riedl
11:50	Adjourn	Trevor Selch

**DRAFT MEETING MINUTES
WATER POLLUTION CONTROL ADVISORY COUNCIL
10:00 A.M., FRIDAY, NOVEMBER 9, 2018
METCALF BUILDING
1520 EAST SIXTH AVE., HELENA, MT**

Council Members:

Trever Selch
Michael Wendland
Adam Sigler
Earl Salley
Stevie Neuman

PRESENT

Craig Workman

PHONE

Others:

Anna Miller
Lindsay Volpe
Mike Abrahamson
Becky Anseth
Hannah Riedl

Tina Christianson
Scott Buecker
Keeley Barry

CALL TO ORDER

Chair Selch called the meeting to order at 10:03 A.M.

APPROVAL OF AGENDA

Chair Selch brought forward approval of the agenda. Michael Wendland moved to accept the agenda and Earl Salley seconded and the agenda was approved.

APPROVAL OF MINUTES

Chair Selch brought forward approval of the July 12th and July 26th meeting minutes. There were no changes. Earl Salley moved to accept the minutes. Michael Wendland seconded and the minutes were approved as recorded.

BRIEFING ITEMS

Delivering Local Assistance Program and other Commerce Funding Sources – Becky Anseth, Dept. of Commerce.

Becky Anseth presented information on funding opportunities for infrastructure projects. See the link below for the electronic versions of the Delivering Local Assistance guidelines and webinar slides.

<https://comdev.mt.gov/Programs-and-Boards/Delivering-Local-Assistance>

Questions:

1. Mike Wendland asked if there is a match on the DLA grant? Becky Anseth replied there is no match required on the DLA grant, however it is encouraged.
2. Has the coal board funds always been growth or decline? Becky Anseth confirmed that it has always been growth or decline.
3. Hannah Riedl asked what the likelihood that the Delivering Local Assistance program will be renewed? Becky Anseth replied that it is hard to predict, due to not knowing how successful the initial

program will be. The program was authorized in House Bill 652 and it has multiple programs within it. It is unique in the fact that this is the first time that the State has provided funding through bonding.

DNRC's Renewable Resource Grants and Loans, SRF and WASACT – Lindsay Volpe and Anna Miller.

Lindsay and Anna presented information on their funding programs. Below are the links to the materials discussed at the meeting.

WASACT Brochure: <http://dnrc.mt.gov/divisions/cardd/wasact/2017WASACTbrochure.pdf>

Funding Table: <http://dnrc.mt.gov/divisions/cardd/docs/resource-development/w2asact-docs/WASACTFundingProgramTableFeb2019.pdf>

Rate Study: <http://dnrc.mt.gov/divisions/cardd/news/2018-statewide-water-and-wastewater-rate-study>

Questions:

1. Hannah Riedl asked if the emergency grant programs have resources/funding for alternative water sources that would fulfill the needs of those impacted by harmful algae blooms. Lindsay Volpe stated that harmful algae bloom wouldn't be considered an emergency, so it wouldn't fit into the types of grants the Development Division has, however it would possibly fit into the DNRC's Renewable Resource grants. A Watershed Management or a RRGL Planning grant which would allow access to resources and funding. She also suggested working with the community and irrigation members to identify concerns and develop a plan to possibly build an offsite water system which could be funded by grant programs. Another option may be to work to fund a project to address the algae and develop a strategic plan to address the contamination issue.
2. Adam Sigler asked regarding Townsend, what the rate increase for wastewater looked like for residents. Anna Miller replied she didn't know as she would have to do the math, but confirmed it will be a large increase.
3. Trever Selch asked if we are seeing increasing revenue for the grant programs that are funded by the coal tax and what are the long-term liabilities? Becky Anseth replied that the changes to the revenues are small fluctuations.

DEQ's Optimization Training and Additional SRF and WASACT Information – Mike Abrahamson.

Numeric nutrient standards prevent the growth of nuisance algae in receiving streams to keep our streams in good condition. The general variance process tries to obtain the highest attainable condition based on available technology and affordability to communities. DEQ's first approach in 2005 to help permittees reach highest attainable condition was to educate engineers on better design concepts for removing nutrients from wastewater. However, there was a large cost, and therefore higher rates, associated with building these facilities that were not feasible with smaller communities. DEQ changed focus to optimization efforts, which shifts focus from engineers to operators, and infrastructure to operational strategies.

The goal of optimization is to produce low-cost, or no-cost, changes to operations that improves treatment performance. Operators often lack the training needed to do this type of work, so technical experts were brought in, funded by the SRF, to offer them a free 2-day advanced operator training: Grant Weaver from Connecticut (for mechanical treatment plants) and Steve Harris from Arizona (for wastewater lagoons). The training offers operators the knowledge, support and confidence to try new things. Management support is also critical to success.

DEQ has two staff members that accompany Grant Weaver and Steve Harris to site visits and trainings to learn the techniques and processes to help optimization. As the contracts phase out with the consultants, the hope is that DEQ will be able to lead these efforts in the future. DEQ provides regulatory support by offering a regulatory discretion letter for communities that offers support and reassurance to communities who want to try this out.

Optimization is funded mainly through a 0.25% special admin fee on SRF loan's interest rates. As these loans are paid back, the money goes into a pot and can be used for Clean Water Act projects. \$45,000 has been allocated for the technical experts, and additional costs staff are also associated with this, so it ends up costing approximately \$90,000 total.

Questions

1. Adam Sigler asked what fraction of operators or facilities have undergone the training? Mike replied that he doesn't have specific numbers, however he estimates between 42 to 48 facilities.
2. Scott Buecker wanted to add about talking to the municipalities about expectations of operators and salaries.

Nonpoint Source Program's Focus Watershed Update and State HAB Program Update – Hannah Riedl

The non-point source program has implemented a strategy where a majority of financial and technical resources are focused in a given watershed for 2 to 3 years. The remaining resources can still be dispersed across the state. Funding may still only be used in watersheds with watershed restoration plans, but the program still looks to support communities without watershed restoration plans, through mini-grants.

In the first year, the watershed that has been designated as the focus is the Bitterroot Watershed in Ravalli and Missoula County. There is a call for 319 applications and the deadline is in November. 50% of that funding will go towards high quality projects in the Bitterroot.

Major goals of this focused approach - it is recognized that Montana is a large state with limited resources and by focusing our attention for a short time period on a watershed, it can support increased community involvement to generate water quality improvement actions or projects. We also want to evaluate trends, to demonstrate future success and to document water quality and landowner successes.

In 2019 alone, the program will distribute about half of the funds that have been distributed there in the last 12 years. The program has also provided small grants to help develop shovel-ready projects for 319 funding. Also working on TMDL implementation evaluations – TMDL's are a plan that identifies pollution sources in streams that are not meeting water quality standards and defines the reduction needed to come from the sources to achieve those standards. As of this summer, the Engineering Bureau has provided optimization training with all the wastewater treatment plants in the Bitterroot. Long term nutrients monitoring is being conducted on the Bitterroot River, working closely with the Clark Fork Coalition and the Bitterroot River Protection Association. The Nonpoint Source Program held a symposium, in July, with stakeholders in the Bitterroot Watershed to summarize projects they have been working on and had a great turn out. The Nonpoint Source Program is in the process of selecting the next focus watershed.

Harmful Algae Bloom

Hannah showed and talked about a map of reports of harmful algae blooms. She stated she relies on Trevor and his Fisheries Biologists in the regional offices to check things out. She said that last summer the majority of reports came out of Canyon Ferry, Hauser and Holter reservoir, however this summer, more reports are coming from around the state (43 reports this summer).

Adam Sigler commented that something to put on the radar for next year is the extension has an Ag agent update in the spring to educate the county agents about relevant topics, based on the number of calls he receives, he believes it would be well received.

General Public Comment

No comment from any member of the public.

Agenda Items for Upcoming Meetings – Hannah Riedl

2020 schedules

State TMDL Advisory group (STAG)

Watershed Restoration Plan Development around the State

Next meeting is Friday, November 8th.

Adjourn

Motion to adjourn at 11:53 AM by Earl Salley. Adam Sigler seconded.

Arsenic Standards for Parts of the Yellowstone River



October 29, 2019

TO: Members of the Water Pollution Control Advisory Council & the public

FROM: Michael Suplee, Ph.D., Water Quality Standards & Modeling Section

MEETING DATE: November 8, 2019

SUBJECT: Arsenic Standards for Parts of the Yellowstone River

ACTION REQUIRED BY COUNCIL:

ACTION ITEM, a recommendation to take the matter to BER for initiation of rulemaking.

BACKGROUND:

At present, there is single human-health based arsenic standard of 10 µg/L across Montana (Department Circular DEQ-7). It has been recognized for some time that arsenic concentrations are elevated along the upper and middle Yellowstone River, and that that is most likely due to natural causes—from sources in Yellowstone National Park. State laws allow for situations where the background concentration of a pollutant is naturally elevated (75-5-222 and 75-5-306, MCA). Therefore, in 2015, DEQ began a project to determine how much of the river's arsenic is nonanthropogenic (natural), and to identify updated arsenic standards for the river, if appropriate. The project included field data collection and inhouse computer modeling. Although staff departures delayed completion of the work, it is now finished and DEQ has identified a series of river segments and seasons for which site-specific arsenic standards can be established at concentrations at or above the 10 µg/L human-health based standard. The basis of the standards will be explained to WPCAC, including their magnitude, frequency, and duration, which beneficial uses are involved, how nondeg will be addressed, how permits will be written, etc. If these new standards are adopted by the BER, they will provide more accurate (and less stringent) permit limits for dischargers along the Yellowstone River who have arsenic in their effluent.

RECOMMENDATION:

The Department recommends the Council vote to allow the standards to proceed to the BER for their consideration.

Please contact us with any questions (*Michael Suplee, Ph.D., DEQ – Metcalf Building P.O. Box 200901, Helena, MT 59620; 406.444.0831; msuplee@mt.gov*)

Attachments: (*Draft rule notice, two technical support documents.*) To access the technical support documents, visit <http://deq.mt.gov/water/Surfacewater/standards>, Click on **Supporting Technical Documents** tab, **Natural and Nonanthropogenic Standards** drop-down, and the two document there pertain to the development of the proposed arsenic standards for the Yellowstone River.



October 28, 2019

TO: Members of the Water Pollution Control Advisory Council & the public

FROM: Haley Sir

MEETING DATE: November 8, 2019

SUBJECT: Renewal of the Petroleum Cleanup General Permit

ACTION REQUIRED BY COUNCIL:

This is a briefing to inform the council of the renewal of the Petroleum Cleanup General Permit. Any questions or comments are welcome.

BACKGROUND:

The Petroleum Cleanup General Permit allows discharges originating from corrective actions involving the cleanup of gasoline, diesel fuel, kerosene, jet fuel, heating oil, other petroleum products, or the cleanup of sites related to the transportation of these materials (including pipelines). Wastewater from petroleum cleanup corrective actions may include surface and/or ground water resulting from excavation activity, remediation activity, surface and/or ground water contaminated by spills, or ground water resulting from pumping and/or monitoring aquifers.

All discharges to state waters from these cleanup actions are regulated under the Montana Pollutant Discharge Elimination System. Dischargers are required to obtain authorization under the general permit, which contains effluent limitations and frequent monitoring for pollutants of concern. The permit was first issued in 1992 and last renewed in 2013. A hearing and public comment period will be held before the final permit is issued.

RECOMMENDATION:

There are no recommendations at this time.

Please contact us with any questions.

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