



State of Utah

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Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

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

Water Quality Board
Myron E. Bateman, *Chair*
Clyde L. Bunker, *Vice Chair*
Merritt K. Frey
Gregg A. Galecki
Jennifer M. Grant
Leland J. Myers
Shane E. Pace
Hugo E. Rodier
Amanda Smith
Walter L. Baker
Executive Secretary

MINUTES
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD
DEQ Building Board Room #1015
195 North 1950 West
Salt Lake City, Utah 84116
December 5, 2013

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Myron Bateman	Amanda Smith	Shane Pace
Leland Myers	Merritt Frey	Gregg Galecki
Hugo Rodier		

Excused: Clyde Bunker and Jennifer Grant

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Leah Ann Lamb, John Whitehead, Faye Bell, Ed Macauley, Lisa Nelson, Bill Damery, Paul Krauth, John Mackey, Svetlana Kopytkovskiy, Beth Wondimu, Mark Stanger, Carl Adams, David Snyder, Mike Allred, Mike Stanger, Judy Etherington

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Jim Harps	Logan City
Matt Dugdale	Logan City
Alexandra Rasband	Logan City
Issa Hamud	Logan City
Craig Ashcroft	Carollo Engineers
Tracy Richardson	Wasatch County Health
Brian Cowan	Weber-Morgan Health
Carl Shupe	Davis County Health
Jeremy Roberts	SL County Health Dept.
Rob Dubuc	Western Resource Advocates
Chris Caudey	U of U Student
James Jarromd	U of U Student
Rachelle Blackham	DCHD
Dee Jeffe	DCHD
Richard Worley	Bear River Health Dept.
Roger Francom	Skull Valley Water/USM
Bryan Slade	Tooele County Health Dept.
Jim Olson	Water Works Engineers

Myron Bateman called the Board meeting to order at 9:35 a.m. and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE OCTOBER 23, 2013 MEETING

Mr. Myers noted a correction under the Executive Secretary's report third paragraph down, last sentence should be changed to read "Neither are the full impacts of the changing salinity concentrations known" instead of reading "Neither are the full impact on selenium concentrations known".

Motion: It was moved by Mr. Pace and seconded by Mr. Myers to approve the minutes of the October 23, 2013. The motion was unanimously approved.

Executive Secretary's Report: Mr. Baker reported that staff had recently concluded settlement negotiations with Chevron Pipeline Company regarding the Willard Bay diesel spill. Expectations are that within the next week the settlement agreement will be sent to public notice for 30 days. Following the public notice, staff will bring the proposed agreement settlement to the Board for approval. The new requirement resulting from SB21 passed in 2012 <http://le.utah.gov/~2012/bills/sbillenr/SB0021.pdf>, requires all settlements that exceed \$25,000 to come before the Board for approval.

During the last Board meeting, Board members were informed of the development with Union Pacific Railroad's causeway that crosses the Great Salt Lake. Permits from the U.S. Army Corps of Engineers as well as the Division of Water Quality (DWQ) are required. The Corps of Engineers permit will be a nationwide permit and will be issued December 5th or 6th. The permit with DWQ, due to urgency since the causeway is currently in imminent failure mode, will be issued with the normal public notice period being shortened to a day or two. Once the 401 certification is issued, DWQ will immediately re-open the 401 certification for more in-depth public comment. Changes to the 401 certification can be made, if needed, as a result of the comments received.

The ground water permit for Red Leaf Oil Shale is expected to be issued within the next two weeks. There were several public comments received and all have been discussed with the Attorney General's office in preparation of the responsiveness summary.

Recognition of Rule R317-4 Revision Work Group: Mr. Bateman asked members of the CLEAH's COWP work group to come forward to receive an appreciation award from the Board for their valuable service. After 3 years of dedicated work, Rule R317-4, that governs small onsite wastewater disposal systems, has been updated and replaced. The rule became effective on November 1, 2013.

<http://www.rules.utah.gov/publicat/code/r317/r317-004.htm>

FUNDING REQUEST

Financial Assistance Status Report: Mr. Macauley updated the Board on the "Summary of Assistance Program Funds", as shown on page 2.1 of the Board packet.

<http://www.waterquality.utah.gov/WQBoard/2013/12Dec/agenda.htm> (E. 1. Financial Status Report)

Logan City Funding Request: Ms. Nelson introduced Issa A. Hamud (Logan City), Craig Ashcroft (Carollo Engineering) and Matt Dugdale (George K. Baum & Company). In the October Board meeting it was discussed that a new wastewater treatment plant was needed. A loan of \$70,000,000 is being requested at an interest rate of 0.0%, repayable over 20 years to fund the project. Ms. Nelson discussed nine analyses showing what the interest rate would do to the MAGI rates, and Mr. Dugdale expressed why it was important to keep the rate at 0.0%.

<http://www.waterquality.utah.gov/WQBoard/2013/12Dec/agenda.htm> (E.1. Logan Authorization) Mr.

Hamud expressed that the City would like to keep the interest rate at 0.00%. Staff recommended an interest rate of 0.5%. Mr. Pace made a motion to approve the loan at 1% interest rate. Mr. Myers seconded

the motion. Mr. Hamud requested postponing a decision on the requested loan until January 2014, so the city can re-evaluate its proposal.

Motion: It was moved by Mr. Pace and seconded by Mr. Myers to withdraw the motion until January's Board meeting. The motion was unanimously approved.

RULEMAKING

Request to Initiate Rulemaking to Adopt Colorado River Selenium Total Maximum Daily Load (TMDL) Study into Rule (R317-1-7): DWQ conducted a study in cooperation with local stakeholders in the Moab Area Watershed Partnership on `upstream salinity control efforts within the Gunnison and Grand Valley Basin that will reduce selenium loads to the Colorado River. No public opposition was expressed to the findings of the TMDL study.

Motion: It was moved by Mr. Myers and seconded by Mr. Pace to initiate Rulemaking to R317-1-7 *Colorado River Selenium TMDL* with the change that Moab City's wasteload allocation be based on the chronic selenium water quality standard of 4.6 ug/L and capacity flow since the source of impairment originates from outside the state's jurisdiction. The motion was unanimously approved.

**Next Meeting – January 22, 2014 @ 9:30 a.m.
DEQ Building Board Room #1015
195 North 1950 West
Salt Lake City, Utah 84116**

Myron Bateman, Chair
Utah Water Quality Board