

MISSOURI DEPARTMENT OF NATURAL RESOURCES / ACEC/MISSOURI LIAISON COMMITTEE



MINUTES March 8, 2023



On Wednesday, March 8, 2023, ACEC Missouri held their Liaison Committee Meeting in person with representatives of the Missouri Department of Natural Resources. In attendance were the committee members listed below.

ATTENDEES:

MDNR:

John Hoke
Scott Huckstop
David Lamb
Kyra Moore
Chris Nagel
Sara Pringer
Emily Wilber

ACEC/MO:

Elke Boyd
Mark Bross
Steve Hicks
Karen Rieken

DISCUSSION ITEMS:

1. **Introductions (Meeting led by Mark Bross)**

2. **Update on Water Protection Program Director**

This position is being temporarily being managed by Emily Wilber and Scott Huckstep. The Department hopes to have a permanent selection made by the first of April.

3. **MDNR PFAS Workgroup Update.**

The workgroup has met twice and has begun to get information together to tackle this subject with a well-rounded thought process. The workgroup has been broken up into eight subgroups comprising of approximately 80 members. The subgroups are:

Drinking Water, Water Quality Standards, Pretreatment, Technology, Bio Solids, Sampling Methods, Policy and Communications, and Funding.

The process seems to be working well so far and the group hopes to have some ideas on how to move forward with the PFAS issues once the rule making is completed. Half of the groups will report in May and the other half in August at the DNR Water Quality Forums. Final deliverables by December 2023. The EPA is working on this currently and hopes to have a draft rule by end of March and a final rule by the end of the year.

4. Regulatory Impact of PFAS Containing Domestic Wastewater on Land Application Systems

This item has not been discussed much by the workgroup. One of the questions will be, is land application still feasible if testing requirements are expensive and no one knows what kind of limits will be set. Could be just pushing the problem on to someone else.

5. Update on WOTUS and Impact on 404/401 Certifications

The Rule is reverting to the 1986 Rule for the most part on March 26th, basically pre-2015. The MDNR process should not change much at all.

6. FAC Update on ARPA Roll Out

All communities that applied were notified in November if they were awarded any funds. MDNR has set up Webinars to assist communities with streamlining paperwork, which can be found on their website. MDNR will be issuing partial awards for engineering services starting next week. This is just to assist any community that would want to get a jump start on their project if they are struggling to begin with. The MDNR website has all of the forms needed for administration as well as a portal to access their information.

7. Potential for Additional Water/Wastewater/Stormwater Funding from State Surplus Funds

Currently there is no means for the additional funding to be placed. It was mentioned that MoDOT is going to get a portion of the surplus and it would be nice if other types of infrastructure projects could do the same. Currently the only source of funding is through the SRF Program.

8. Status of Bipartisan Infrastructure Law Funding to States & Territories to Address Emerging Contaminants like PFAS in Drinking Water

There will be Emerging Contaminant Grants available. MDNR has \$24.4M for two years of funding and then there will be an additional three years of funding as well. This will be for small communities of 10,000 or less and they must have an emerging contaminant issue, such as PFAS or Manganese. The EPA has a list of typical projects that can use this grant funding.

9. MDNR Regulatory Update (drinking & wastewater)

Drinking Water - Proposed draft mcls for PFAS should be coming out soon from EPA, we are hopeful the final mcls will be available by the end of the year. MDNR will have two years to set their ruling and then the communities will have one year after that in which to comply. MDNR has been sampling small systems, under 3,300, and the EPA will sample 10,000 or less. The lead and copper rule should be out this summer. Inventory Funding is available through the SRF program. EPA has placed Cyber Security as a primary issue, new regulations could be coming. This is for SCADA system/operational issues not necessarily administration/billing issues. Computer based testing will begin for operators in April. They are phasing out the paper tests.

Wastewater – There will be a few rule changes to the following items:

- Disposal of wastewater in subdivisions
- Total Phosphorus Rule
- Water Quality Standards Rule
- Total Nitrogen Rule & Ammonia Criteria
- Pump Station Storage Requirements

Wastewater Treatment Facilities Setbacks Wastewater Lagoons at Rock Quarries

Some of these items are being revisited due to the Red Tape Reduction that occurred a few years back. The Department, along with other stakeholders, have recognized that there needs to be more guidance in some areas and they may be adding a few things back for more clarification.

10. Nutrient Reduction Implementation in NPDES Permits

This is an ongoing process with the impaired lakes and watersheds, smaller lakes and water sheds are being monitored as well, both up and down stream. The James River Basin was discussed in depth and is being used as a model of how other basins and communities within the basin can work together to solve these issues at hand.

11. Update on Solid Waste

The Landfill Permitting Rule is being modified in a few areas. This is another situation in which the Red Tape Reduction needs to be clarified. The areas are:

Gas Collection Systems
Federal Coal Combustion Residuals
Ash Impoundments & Landfills

Chapter 5 regarding Transfer Stations and Operating Standards are also seeing a change. Loads can remain onsite after hours to accommodate landfill operating hours. Chapter 7 regarding Infectious Waste, information in Chapter 5 that touches on Infectious Waste is being removed and placed in Chapter 7 for clarification. The Hazardous Waste Rules are being reviewed. See the attached sheet for proposed rule changes and meeting dates for various stakeholders.

12. Update on Energy Issues

The MDNR website gives five various sources of funding for energy related issues mainly concerning small to medium sized communities.

13. Other Topics

MDNR Fees legislation is moving forward. Stakeholders have been involved and MDNR has reviewed the language and is in approval of it.

Joint conference with MDNR and ACEC for Environmental and Energy with a number of speakers will be hosted by DNR on April 14, 2023. Registration is now open.

14. Next Meeting

The next meeting is scheduled for Wednesday, July 26, 2023, and will be held virtually.