

WINNIPESAUKEE RIVER BASIN PROGRAM

ADVISORY BOARD MEETING MINUTES

July 18, 2019 – Belmont Corner Meeting House

Members Present: The meeting was called to order by Wes Anderson (Laconia), assistant chair, at 10:05 am. Sharon McMillin (NHDES), Johanna Ames (Tilton), Jeanne Beaudin (Belmont), Steve Dolloff (Meredith), Scott Dunn (Gilford), and Ray Korber (Bay District) were present at that time. Ron White (DAS) arrived momentarily.

Minutes: Jeanne moved, seconded by Steve, to approve the June 27, 2019, meeting minutes. The motion passed.

Monthly Summary Report: Sharon provided the following updates. They were based on the *Monthly Summary Report* for June 2019.

- Flow Metering Services Study – There are no updates.
- Asset Management/Collection System Evaluations Initiative – There are no updates.
- WRBP Infrastructure Ownership/Responsibilities – There are no updates.
- Governance Work Plan – There are no updates.
- Rate Assessment Formula – See the Rate Assessment Workgroup Update below.
- Replacement Fund Legislation – See Pendleton Beach Forcemain Emergency Response & Repair Update below. Also see Replacement Fund Update below.
- Commercial Discharge Permit (CDP) – See CDP Update below.
- WRBP Rules Update – There are no updates.

Pendleton Beach Forcemain Emergency Response and Repair Update: The pipeline company's CCTV crew discovered additional perforated areas in the forcemain. The first 800+/- feet that they were contracted to assess prior to lining was as expected and deemed appropriate for the lining process. However, when they looked upstream from where they were supposed to terminate the lining, they saw sand piles and bubbles from additional perforated areas. They went as far as they could go in that direction; then came in from the other direction to assess the entire extent of the forcemain (approx. 1200 feet). The forcemain cannot return to service without repairing all the perforated areas, which will be lined using the cured-in-place process. WRBP staff asked for quotes from Busby and the pipeline lining company for the additional work and then put together the amendment.

The amendment should be on the G&C agenda on July 31st. It will take approximately 3 to 4 weeks to finish the design once the amendment approval has been received and approximately one week to perform the work. WRBP, Busby, and W-P reviewed the film footage and the damage is both at junctions and along pipe segments.

Johanna asked who would be assisting Busby with the work. Sharon explained that Green Mountain Pipeline would be performing the lining work. Two other companies were initially interested in bidding. Only one of those two submitted a bid and Green Mountain provided the better estimate. They have

also been more responsive and went beyond their initial scope with the additional CCTV work since they were already on site. Steve asked what the life expectancy of the repair was. Sharon explained that while it is a fairly new technology, W-P said it has been used for 20 years elsewhere. W-P hoped that it would last 40 to 50 years; as long as standard pipe replacement would last. The liner material and type of installation was chosen with care; with a permanent repair in mind.

CDP Update: Sharon announced that there has been some pushback from some companies in the member communities. Assistance from the member communities may be required in order to obtain information from these companies. The focus remains on dental offices, restaurants, boat washes, and brew pubs. Brew pubs are asking why they are considered “industrial” on the federal level. They did not want to pay the \$1,200 annual permitting fee because they are “just making beer.” Like some of the other industries, the brew pub industry discharges wastewater with very high BOD levels. During recent CDP outreach efforts, a photo-developer using a silver-based technology was also discovered. There was no silver reclamation of any kind occurring at this facility so further due diligence and permitting are proceeding.

Wes expressed concern about rug cleaning companies and the impact from PFCs they might be having on the WRBP WTP. Sharon explained that in addition to the traditional concerns with various types of dry cleaners, there is now the additional concern about PFAS. Most carpet cleaners contain PFAS. Products used by car and boat washes also contain PFAS. Without education, it is difficult to know what is in these products and many others, because PFAS are not listed on product labels or on SDS. WWTPs are not designed to remove PFAS and there are no currently available technologies that will cost-effectively help WWTPs remove them. There is a great potential for source reduction if the member communities begin educating the public about where PFAS are discharged into the WRBP collection system. The CDP outreach efforts will help determine where PFAS are coming from.

Rate Assessment Workgroup Update: Wes announced that he received a second draft from W-P last night. He has not had an opportunity to review it yet. It is evident, upon a cursory review, that additional flow metering in the four communities will not provide for 100% flow metering accuracy in the four southern communities. W-P’s recommendation may be to implement Task 3, which was to determine an alternate method of calculating flow (hybrid approach) in the four communities. As soon as W-P works the bugs out of the 2nd draft, he will present a clean copy to the other Advisory Board members; hopefully, in time for them to reach a decision at next month’s meeting.

Authority Workgroup Update: Ray announced that working with State agencies (governance issue) has been really difficult. When he and Wes pressed their attorney on the issue, the attorney said that he has not yet received a letter from the AG’s office confirming the level of cooperation that could be expected both from the AG’s office and other State agencies. Their attorney was expecting a response by the 8th but nothing had been received to date. Wes suggested city managers in the member communities coordinate efforts if the letter was not received within the next couple of days.

Replacement Fund Legislation: Wes asked if members had a chance to look at Scott’s proposal to amend the Replacement Fund. Sharon handed out a packet containing the State’s current RSA 485-A:51 (for the Replacement Fund); the previously proposed “with Reserve Account” language version of 485-A:51; and Scott’s recently proposed 485-A:51 language version. She noted that the Advisory Board had, at previous meetings, decided to strike the Reserve Account language since the WRBP can bond major projects. She also noted that the Pendleton Beach repairs would be under the existing language

whereby only Gilford and Laconia would reimburse the Replacement Fund for repairs of their infrastructure. Wes asked if the other Advisory Board members could vote on Scott's proposal today; or, would need to discuss it with their governing bodies first, before it was presented to the State legislature. He noted that he would have to discuss it with Laconia's governing body first. Scott noted that his proposal conceptually moved away from a fee based on direct benefits back to "we are all in this together."

Sharon noted that Scott's proposal was a departure from the current practice. Assessment was not just based upon flow. The Advisory Board had discussed using the O&M percentages as they are now or in the future for the subsurface; and, a percentage use based upon flow for the pump stations within the system. The Bay District pumping station is not in the system right now. The Advisory Board had also decided that a Reserve Account was not necessary since the WRBP could bond through the State.

Sharon further noted that Scott's proposal was a departure from the current practice because the Replacement Fund was currently based upon replacement costs; in Scott's, it would be based upon flow. She asked how flow amounts collected would be determined; would there be a cap or a target, and, how would this be explained to an accountant? Scott explained that he was not attempting to change from basing upon replacement costs to another method. Sharon noted that the language in his proposal said "not exceed." Scott suggested that it was just a grammar (or wording) issue and that it could be changed as he meant no more than 5 percent; but, no less than 5 % either.

Sharon has been working with the Accounting Department to determine a method of assessment that would take capacity, proportional flow contribution, and other aspects into consideration in order to establish a baseline assessment based on replacement cost of depreciable assets. Funds would be reimbursed based on which members needed to use the fund. She offered to scrub the Reserve Account language from the previously proposed 485-A:51 for the Advisory Board to consider along with Scott's proposal. Right now, the Accounting Department planned (per the AG's office) upon using a 90%:10% reimbursement between Gilford and Laconia to comply with the current 485-A:51. Wes recommended Advisory Board members ask their governing bodies to provide feedback on the language; as it seemed that all of the members present at the meeting agreed that the language in the current 485-A:51 required revision.

Wes asked Sharon when the new dollar value for the Replacement Fund would be out. Sharon explained that the Accounting Department was closing out the current fiscal year right now and would be able to work on the new valuation as soon as that process was completed. The Accounting Department determines the replacement cost of any equipment valued over \$25K to include as depreciable assets, and this evaluation has not yet been completed. Wes said that an order of magnitude would be useful so far as town planning goes, if the Accounting Department could at least provide that information.

Sharon also explained that she had only a quarter of FY19's budget to use during the continuing resolution (CR) and did not have enough money in the operating budget to operate and maintain the facilities. To remain compliant, she may need to use the Replacement Fund for the various purchases or services that fall in the first quarter and exceed the available CR budget. She noted that the WRBP and its needs were very different than the other programs. Wes noted that this is a perfect example of why the member communities need to get out from under the legislature where they were not hooked to the political system. Jeanne noted that the member communities were expected to pay their bills to

the State; and, expected the State to pay its bills. Wes said he planned to send out a letter to the other Advisory Board members about this issue to share with their governing bodies since something needed to be done.

Other Business: The meeting was adjourned at 10:55 am. The next meeting will be held at the Meeting House in Belmont on Thursday, August 15, 2019, at 10:00 am. The minutes were prepared by Pro-Temp Staffing.