



Colorado Department
of Public Health
and Environment

WATER QUALITY INFORMATION BULLETIN

Highlights For December 2008

- **Agenda: Rulemaking Hearing, Administrative Action Hearing, Informational Hearing and Business Meeting, December 8, 2008**
<http://www.cdphe.state.co.us/op/wqcc/MeetingsandNotices/wqag.htm>
- **Summary of Upcoming Public Rulemaking Hearings and Proceedings**
For consideration of the adoption of site-specific revisions to the water quality standards for...
 - Cherry Creek Reservoir in the Classifications and Numeric Standards for South Platte River Basin, Laramie River Basin, Republican River Basin, Smoky Hill River Basin, Regulation #38 (5 CCR 1002-38)
 - Cherry Creek Reservoir Control, Regulation #72 (5 CCR 1002-72)http://www.cdphe.state.co.us/op/wqcc/MeetingsandNotices/hearingnotices/rulemaking/38_72Notice.pdf
- **Summary of Proceedings/Motions (DRAFT)**
Water Quality Control Commission Regular Meeting, November 10, 2008
<http://www.cdphe.state.co.us/op/wqcc/MeetingsandNotices/meetingsummaries/0811SUM.pdf>

PUBLICATION DATE: November 26, 2008

A. PERMIT ACTIONS

1. PERMITS SENT TO PUBLIC NOTICE ON NOVEMBER 26, 2008 – COMMENTS DUE BY DECEMBER 26, 2008

The website to view public notices and drafts:

www.cdphe.state.co.us/wq/PermitsUnit/publicnotice/publiccomment.html

2. DISCHARGE PERMITS ISSUED – OCTOBER 2008

| <u>PERMITTEE</u> | <u>PERMIT NO.</u> | <u>COUNTY</u> | <u>DATE ISSUED</u> |
|------------------------------------|-------------------|---------------|--------------------|
| New Elk Coal Co., LLC | CO-000906 | Las Animas | 10/24/2008 |
| Aspen Consolidated Sanitation Dist | CO-026387 | Pitkin | 10/31/2008 |

(A) Denotes Amendment

3. GENERAL PERMIT CERTIFICATIONS – OCTOBER 2008

| <u>PERMITTEE</u> | <u>PERMIT NO.</u> | <u>COUNTY</u> | <u>DATE ISSUED</u> |
|---|-------------------|---------------|--------------------|
| Pacific Edge Land & Cattle, LLC | COA-931057 | Sedgwick | 10/10/2008 |
| Asphalt Specialties Co | COG-500395 | Adams | 10/01/2008 |
| Town of Dove Creek | COG-589079 | Dolores | 10/01/2008 |
| The Consolidated Mutual Water | COG-380036 | Jefferson | 10/01/2008 |
| Northern Colorado Constructors (A) | COG-500438 | Weld | 10/06/2008 |
| Tezak Heavy Equipment | COG-072874 | El Paso | 10/06/2008 |
| Moltz Construction | COG-072878 | Eagle | 10/06/2008 |
| Northwest Pipeline GP | COG-604050 | Rio Blanco | 10/06/2008 |
| Vail Resorts Development Co (A) | COG-072800 | Summit | 10/07/2008 |
| American Infrastructure, Inc | COG-072871 | Jefferson | 10/07/2008 |
| Barker Construction, Inc | COG-072872 | Weld | 10/07/2008 |
| Edge Contracting, Inc | COG-072873 | Adams | 10/07/2008 |
| BT Construction, Inc | COG-072877 | Clear Creek | 10/07/2008 |
| Kelley Trucking, Inc | COG-072879 | Douglas | 10/07/2008 |
| Northwest Pipeline GP | COG-072880 | Rio Blanco | 10/07/2008 |
| BT Construction, Inc | COG-072883 | Larimer | 10/07/2008 |
| Zak Dirt, Inc | COG-072884 | Morgan | 10/07/2008 |
| Gateway Ranch Management | COG-072887 | Mesa | 10/07/2008 |
| Mendez, Inc | COG-072890 | Mesa | 10/07/2008 |
| Bassett Construction Co | COG-072885 | Pueblo | 10/07/2008 |
| RW Contracting, Inc | COG-072891 | Rio Grande | 10/07/2008 |
| Sema Construction (A) | COG-072723 | El Paso | 10/09/2008 |
| AT&T | COG-601017 | Statewide | 10/09/2008 |
| Encana Oil & Gas (USA) Inc | COG-072876 | Garfield | 10/14/2008 |
| Opus Northwest, LLC | COG-603107 | Denver | 10/15/2008 |
| Southwest Generation Operating Co., LLC | COG-600328 | El Paso | 10/18/2008 |
| Adams 12 Five Star Schools | COG-607115 | Broomfield | 10/23/2008 |
| Rogers & Sons | COG-607116 | Statewide | 10/23/2008 |
| Transit Mix of Pueblo, Inc (A) | COG-500082 | Pueblo | 10/27/2008 |
| BT Construction | COG-072892 | Boulder | 10/31/2008 |
| Edge Contracting, Inc | COG-072898 | Adams | 10/31/2008 |

(A) Denotes Amendment

B. STORMWATER DISCHARGE GENERAL PERMIT CERTIFICATIONS – NOVEMBER 2008

| | | |
|------------|-------------------------------|-----|
| COR-010000 | Light Industrial Activities | 2 |
| COR-020000 | Heavy Industrial Activities | 1 |
| COR-030000 | Construction Activities | 108 |
| COR-340000 | Sand and Gravel Mining | 3 |
| COR-320000 | State Highway Sand and Gravel | 0 |
| COR-040000 | Metal Mining | 2 |
| COR-060000 | Recycling | 0 |

Stormwater permit applications, guidance documents, etc, are available at:

<http://www.cdphe.state.co.us/wq/PermitsUnit/stormwater/index.html>

To find out more about the Stormwater Program contact: Nathan Moore (303) 692-3555 nathan.moore@state.co.us ,
Matt Czahor (303) 692-3575 matthew.czahor@state.co.us , or Kathy Rosow (303) 692-3521 kathleen.rosow@state.co.us

C. ENFORCEMENT/CIVIL PENALTIES/CONSENT OF SETTLEMENT AGREEMENTS

1. ENFORCEMENT – NEW ACTION

| <u>RESPONSIBLE PARTY</u> | <u>ACTION</u> | <u>COUNTY</u> | <u>DATE</u> |
|--|---|---------------|-------------|
| Rocky Mountain Materials & Asphalt, Inc | Stormwater - Notice of Violation/ Cease and Desist Order | El Paso | 11/10/2008 |
| LKA International, Inc – Golden Wonder Mine | Industrial - Notice of Violation/ Cease and Desist Order | Hinsdale | 11/10/2008 |
| Superior Farms, Inc | Stormwater - Final Expedited Settlement Agreement | Denver | 11/12/2008 |
| Bondad Hill Saloon, Inc | Drinking Water – Amendment to EO | La Plata | 11/12/2008 |
| Stratmoor Wastewater & Sanitation Dist | Drinking Water – Amendment to EO | El Paso | 11/12/2008 |
| Exxon Mobil Corp | Stormwater- Order for Civil Penalty | Rio Blanco | 11/12/2008 |
| EnCana Oil and Gas (South Parachute) | Stormwater- Order for Civil Penalty | Garfield | 11/12/2008 |
| Ute Pass Water Assoc, Inc | Drinking Water- Amendment to EO | La Plata | 11/17/2008 |
| The Heifer Authority, LLC | Industrial – Expedited Settlement Agreement | Weld | 11/18/2008 |
| Conejos Water & Sanitation Assoc | Drinking Water – Enforcement Order | Conejos | 11/18/2008 |

2. CONSENT OR SETTLEMENT AGREEMENTS TO PUBLIC NOTICE

NONE SINCE LAST PUBLICATION

3. FINAL AGENCY ACTIONS

NONE SINCE LAST PUBLICATION

4. NOTICE OF ENFORCEMENT HEARINGS

NONE SINCE LAST PUBLICATION

D. CONSTRUCTION ACTIONS

1. Site Applications Reviews

| <u>APPLICANT</u> | <u>TYPE</u> | <u>FACILITY DESCRIPTION</u> | <u>ACTION</u> | <u>COUNTY</u> |
|--|-------------------------------------|--|------------------------|---------------|
| Meridian Service Metropolitan District – Falcon Lift Station | Site Application Amendment #4834 | Lift Station and force main. Design capacities 0.150 MGD Average Capacity | Approved 11/05/2008 | El Paso |
| City of Fruita | Site Application #5025 | New mechanical plant, pretreatment, oxidation ditch, secondary clarifiers, UV disinfection and aerobic digestion of biosolids | Approved 10/22/2008 | Mesa |

2. Plans and Specifications Reviews

| <u>APPLICANT</u> | <u>SITE APPLICATION</u> | <u>FACILITY DESCRIPTION</u> | <u>ACTION</u> | <u>COUNTY</u> |
|----------------------------------|-------------------------|--|------------------------|---------------|
| Crested Butte Mountain Resort | Site Application #4999 | Lift Station and force main. Design capacities 0.017 MGD Average Capacity, 0.068 MGD Peak Capacity | Approved 11/12/2008 | Gunnison |

E. WATER QUALITY CERTIFICATIONS (Section 401)

Water Quality Certifications, under Section 401 of the Clean Water Act, provide for Division determinations that federally issued permits and licenses will comply with the Basic Standards and Methodologies for Surface Water, the Basic Standards for Ground Water, surface and ground water classifications and water quality standards, and all other applicable water quality requirements for the affected waters.

- For the purposes of the antidegradation requirements found in Section 31.8 of the Basic Standards and Methodologies, the following projects have been reviewed to make a preliminary determination of the significance of such projects. Public comment on these preliminary determinations will be received for thirty days following the date of publication of this newsletter. More information on the specific projects can be obtained from John Hranac (john.hranac@state.co.us), (303) 692-3586) or Christy Pickens (christy.pickens@state.co.us), (303) 692-3584. The U.S. Army Corp of Engineers also reviews these projects, under Section 404 of the Clean Water Act, and a list of their current public notice can be found on their web site.***

| <u>APPLICANT</u> | <u>C.O.E PERMIT #</u> | <u>ACTIVITY</u> | <u>COUNTY</u> | <u>WATERBODY</u> | <u>DETERMINATION</u> |
|-----------------------|---------------------------|----------------------------|---------------|---|---|
| #4156 Keyah Grande | SPK-2006-75- 335 | Keyah Grande Gravel Pit | Archuleta | Devil Creek, San Juan River Basin, Seg. COSJPI05 of Piedra River Sub- basin | Only temporary impacts to water quality |

E. WATER QUALITY CERTIFICATIONS (Section 401) (cont.)

1. PRELIMINARY DETERMINATION

| <u>APPLICANT</u> | <u>C.O.E PERMIT #</u> | <u>ACTIVITY</u> | <u>COUNTY</u> | <u>WATERBODY</u> | <u>DETERMINATION</u> |
|---|-----------------------|---|-----------------------|--|--|
| #4207 Public Service Company of Colorado /dba Xcel Energy | FERCP-12589-001 | Tacoma Hydro-electric Project | San Juan and La Plata | Cascade Creek, Columbine Lake, Little Cascade Creek, Aspaas Lake, Electra Lake and Animas River; Animas and Florida River Basins, Seg. COSJAF04b of Animas River Sub-basin, Seg. COSJAF12a | No new or increased water quality impacts are expected |
| #4209 Crested Butte Mountain Resort | SPK-2000-75-307CW | North Village Development and Reservoir | Gunnison | Tributaries of Washington Gulch, Gunnison River Basin, Seg. COGUUG09 of Upper Gunnison River Sub-basin | Potential long term water quality impacts |
| #4210 Gerencser, Inc. / Better Business Park | SPK-2001-75-341 | Construction of light industrial facilities and affordable employee lodging | Routt | Wetlands adjacent to an unnamed tributary to the Pampa River, Upper Colorado River Basin, Seg. COUCYA03 of Yampa River Sub-basin | Only temporary impacts to water quality |

2. The following projects have received a certification determination from the Division. For further information regarding these projects, please call the Division at (303) 692-3500.

| <u>APPLICANT</u> | <u>C.O.E PERMIT #</u> | <u>ACTIVITY</u> | <u>COUNTY</u> | <u>WATERBODY</u> | <u>DETERMINATION</u> |
|-------------------------------------|-----------------------|-----------------------------|---------------|--|-------------------------------|
| #3088 La Plata Conservancy District | 200375243 | Construction of a reservoir | La Plata | Long Hollow and Government Draw, San Juan and Dolores River Basins, Seg. COSJLP03b of La Plata River, Mancos River, McElmo Creek and San Juan River Sub-basins in Montezuma and Dolores Counties | Regular w/ Special Conditions |

E. WATER QUALITY CERTIFICATIONS (Section 401) (cont.)

2. Certification Determination

| <u>APPLICANT</u> | <u>C.O.E PERMIT #</u> | <u>ACTIVITY</u> | <u>COUNTY</u> | <u>WATERBODY</u> | <u>DETERMINATION</u> |
|--|-----------------------|--|---------------|---|------------------------------|
| #4204 City of Colorado Springs- Eng. Div. /Cottonwood Creek Improvements | SPS-2007-00678-SCO | Construction of drop structures, channel bottom and bank stabilization, and widening and realignment of creek area | El Paso | Cottonwood Creek, Arkansas River Basin, Seg. COARFO04 of Fountain Creek Sub-basin | Regular w/Special Conditions |

F. OUTREACH AND PROJECT ASSISTANCE UNIT

1. LOAN APPLICATIONS RECEIVED

| <u>ENTITY</u> | <u>COUNTY</u> | <u>AMOUNT</u> | <u>PROJECT DESCRIPTION</u> | <u>DATE</u> |
|--------------------------------------|---------------|---------------|---|-------------|
| Fremont Sanitation Dist | Fremont | \$2,000,000 | Project includes new sewer mains | 11/14/2008 |
| Town of Kit Carson, (Drinking Water) | Cheyenne | \$392,000 | Replacements, installations, improvements, and modifications to the water system's collection, treatment, and distribution facilities | 10/15/2008 |
| Town of Kit Carson, (Wastewater) | Cheyenne | \$259,000 | Conversion of the existing non-discharging stabilization cells to a discharging stabilization system | 10/15/2008 |
| Crested Butte South | Gunnison | \$2,000,000 | Upgrades to the wastewater treatment facility | 11/14/2008 |
| Town of Seibert (Drinking Water) | Kit Carson | \$465,000 | Improvements and modifications to the existing wells, upgrades to the town's treatment and distribution system, and storage tank improvements | 11/14/2008 |
| Town of Seibert (Wastewater) | Kit Carson | \$150,000 | Conversion of an existing aeration cell followed by a settling cell to a dual aeration cell lagoon system with the construction of wetlands | 11/14/2008 |

2. LOANS APPROVED BY CWRPDA

NONE SINCE LAST PUBLICATION

F. OUTREACH AND PROJECT ASSISTANCE UNIT (cont.)

3. LOANS EXECUTED

| <u>ENITY</u> | <u>COUNTY</u> | <u>AMOUNT</u> | <u>PROJECT DESCRIPTION</u> | <u>DATE</u> |
|-----------------------|---------------|---------------|--|-------------|
| Town of Paonia | Delta | \$448,200 | New Water Treatment Facility; Improvement / Expansion of Water Treatment Facility; Distribution / Transmission Lines Construction / Rehabilitation; Water Storage Facilities; Water Supply Facilities | 11/05/2008 |
| Olde Stage Water Dist | Boulder | \$250,000 | To replace the existing aged and deteriorating 40,000 gallon water storage tank with a 70,000 gallon tank which should prevent a break in water service to the District and maintain consistent water quality and delivery | 10/17/2008 |

4. STATE GRANT CONTRACTS EXECUTED

NONE SINCE LAST PUBLICATION

5. \$10,000 PLANNING AND/OR DESIGN GRANTS

NONE SINCE LAST PUBLICATION

6. WATER QUALITY IMPROVEMENT FUND

NONE SINCE LAST PUBLICATION

7. DRINKING WATER ELIGIBILITY ASSESSMENT

| <u>LOANEE</u> | <u>COUNTY</u> | <u>PROJECT DESCRIPTION</u> | <u>DATE</u> |
|--------------------|---------------|--|-------------|
| Town of Kit Carson | Cheyenne | Preliminary engineering report to evaluate alternatives for water system improvements. Supply currently exceeds the MCL for Uranium. Capacity, MCL exceeded, need alternate source construct storage/detention tank and piping | 10/28/2008 |

8. PUBLIC HEARING/PUBLIC MEETING

NONE SINCE LAST PUBLICATION

9. FINDING OF NO SIGNIFICANT IMPACT AND CATEGORICAL EXCLUSION DETERMINATIONS

| <u>LOANEE</u> | <u>COUNTY</u> | <u>PROJECT DESCRIPTION</u> | <u>DATE</u> |
|---------------|---------------|--|-------------|
| Town of Romeo | Conejos | Upgrade Wastewater Treatment Facility, I/I problems, replace leaking connections | 11/18/2008 |

F. OUTREACH AND PROJECT ASSISTANCE UNIT (cont.)

9. FINDING OF NO SIGNIFICANT IMPACT AND CATEGORICAL EXCLUSION DETERMINATIONS

| <u>LOANEE</u> | <u>COUNTY</u> | <u>PROJECT DESCRIPTION</u> | <u>DATE</u> |
|-------------------------|---------------|--|-------------|
| Town of La Veta | Huerfano | Project involves system wide improvements and modifications including a new water treatment plant building, plant upgrades, and new distribution system piping | 11/20/2008 |
| Penrose Sanitation Dist | Fremont | Project includes replacement of portions of vitrified clay pipe and replacement of some manholes | 10/09/2008 |

10. CONSTRUCTION LOAN COMPLETIONS

| <u>LOANEE</u> | <u>COUNTY</u> | <u>AMOUNT</u> | <u>PROJECT DESCRIPTION</u> | <u>DATE</u> |
|-----------------|---------------|---------------|---|-------------|
| City of Alamosa | Alamosa | \$11,865,063 | Construction of a new regional water treatment facility | 10/24/2008 |

G. TOTAL MAXIMUM DAILY LOADS

NONE SINCE LAST PUBLICATION

SPECIAL NOTES

NONE SINCE LAST PUBLICATION