

WATER QUALITY INFORMATION BULLETIN

Highlights For March 2009

Agenda: Rulemaking Hearings, Administrative Action Hearings and Business Meeting, March 9 and 10, 2009

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 revised water quality classifications, standards and designations for multiple segments 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)
 http://www.cdphe.state.co.us/op/wqcc/MeetingsandNotices/hearingnotices/rulemaking/wqrmnot.html

Notice of Public Administrative Action Hearing

 Section 303(d) Listing Methodology http://www.cdphe.state.co.us/op/wqcc/MeetingsandNotices/HearingNotices/AAH/AAHNotices.htm

Notice of Final Adoption

- Procedural Rules, Regulation #21 (5 CCR 1002-21)
- Classifications and Numeric Standards for Arkansas River Basin, Regulation #32 (5 CCR 1002-32)
- 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)
- Colorado Discharge Permit System Regulations, Regulation #61 (5 CCR 1002-61)
- Chatfield Reservoir Control Regulation, Regulation #73 (5 CCR 1002-73) http://www.cdphe.state.co.us/regulations/wqccregs/index.html

Summary of Proceedings/Motions (DRAFT)

Water Quality Control Commission Regular Meeting, January 12, 2009

http://www.cdphe.state.co.us/op/wqcc/MeetingsandNotices/MeetingSummaries/wqsumm.html

A. PERMIT ACTIONS

1. PERMITS SENT TO PUBLIC NOTICE ON FEBRUARY 20, 2009 – COMMENTS DUE BY MARCH 22, 2009

The website to view public notices and drafts: www.cdphe.state.co.us/wq/PermitsUnit/publicnotice/publiccomment.html

2. DISCHARGE PERMITS ISSUED - JANUARY 2009

<u>PERMITTEE</u>	PERMIT NO.	COUNTY	DATE ISSUED
Town of Keenesburg (A) Front Range Airport Fairplay Sanitation District Fairplay Sanitation District (A) Town of Mead (A) Western Sugar Cooperative (A)	CO-0041254 CO-0047741 CO-0040088 CO-0040088 CO-0046876 CO-0041351	Weld Adams Park Park Weld Morgan	01/22/2009 01/22/2009 01/26/2009 01/26/2009 01/28/2009 01/30/2009
Haciendas De La Florida	CO-0045349	La Plata	01/30/2009

(A) Denotes Amendment

3. GENERAL PERMIT CERTIFICATIONS - JANUARY 2009

<u>PERMITTEE</u>	PERMIT NO.	COUNTY	DATE ISSUED
Timpas Feedyard Ltd	COA-931076	Otero	01/05/2009
Leadville MHC, LLC	COG-588060	Lake	01/05/2009
Colibran Valley Gas Gathering, LLC	COG-072907	Mesa	01/05/2009
Peak to Peak Financial, LLC	COG-072935	Larimer	01/05/2009
Reynolds-Tierdael	COG-072943	Denver	01/05/2009
Trollco, Inc	COG-072953	Weld	01/05/2009
GLH Construction	COG-072952	Weld	01/05/2009
Kemp & Hoffman Construction	COG-072956	Arapahoe	01/05/2009
Douglas County School Dist	COG-607121	Douglas	01/05/2009
Two Rivers Metro Dist	COG-588070	Eagle	01/06/2009
Related West Pac, LLC (A)	COG-603039	Pitkin	01/06/2009
Town of Rangely	COG-589088	Rio Blanco	01/06/2009
Marathon Oil Co (A)	COG-072897	Garfield	01/06/2009
Oldcastle Southwest Group	COG-501510	Garfield	01/06/2009
BT Construction	COG-380038	Jefferson	01/06/2009
South Fork Water & Sanitation Dist	COG-588039	Rio Grande	01/07/2009
Town of Bennett	COG-589069	Adams	01/07/2009
Conoco Phillips Co	COG-601023	Rio Blanco	01/07/2009
City of Montrose (A)	COG-603009	Montrose	01/09/2009
K & C RV Center, LLC	COG-601018	Weld	01/09/2009
Edge Contracting, Inc	COG-072955	Adams	01/09/2009
Arapahoe Utilities & Infrastructure	COG-072954	Adams	01/09/2009
Arapahoe Utilities & Infrastructure	COG-072948	Adams	01/09/2009
American West	COG-072958	Adams	01/09/2009
Moltz Construction	COG-072960	Garfield	01/09/2009
Conoco Phillips Pipeline Co	COG-072966	Adams	01/09/2009
Conoco Phillips	COG-604055	Rio Blanco	01/09/2009
ETC Canyon Pipeline, LLC	COG-604054	Garfield	01/09/2009
City View Peloton 390	COG-603065	Boulder	01/14/2009

(A) Denotes Amendment

A. PERMIT ACTIONS (cont.)

3. GENERAL PERMIT CERTIFICATIONS - JANUARY 2009

PERMITTEE	PERMIT NO.	COUNTY	DATE ISSUED
Shell Frontier Oil & Gas, Inc (A) Arapahoe Park Race Track Town of Mead Connell Resources Conoco Phillips Pipeline Co CG Construction Garney Construction BT Construction K.R. Swerdfeger Garney Construction Terror Creek Co Christian Living Campus (A) Hamon Contractors Town of Naturita (A) Tezak Heavy Equipment The Weitz Co Mid-Town Pearl Homeowners Association Reynolds-Tierdael Yogi Bear's Jelly Stone Park	COG-603102 COG-589073 COG-589101 COG-072959 COG-072957 COG-072965 COG-072964 COG-072962 COG-072963 COG-072961 COG-850028 COG-603015 COG-072967 COG-024007 COG-024007 COG-072968 COG-603123 COG-603123 COG-072970 COX-631014	Rio Blanco Adams Weld Weld Adams Bent Arapahoe Jefferson El Paso Arapahoe Delta Arapahoe Boulder Montrose Fremont Broomfield Boulder Larimer	01/15/2009 01/15/2009 01/23/2009 01/26/2009 01/26/2009 01/26/2009 01/26/2009 01/26/2009 01/27/2009 01/27/2009 01/28/2009 01/28/2009 01/28/2009 01/29/2009 01/29/2009 01/29/2009 01/29/2009 01/29/2009 01/29/2009 01/29/2009 01/29/2009
Keystone Summit House	COX-622013	Summit	01/14/2009

⁽A) Denotes Amendment

B. STORMWATER DISCHARGE GENERAL PERMIT CERTIFICATIONS – FEBRUARY 2009

COR-010000	Light Industrial Activities	6
COR-020000	Heavy Industrial Activities	0
COR-030000	Construction Activities	69
COR-040000	Metal Mining	0
COR-060000	Recycling	0
COR-070000	Non-Standard MS4	0
COR-080000	Cherry Creek MS4	1
COR-090000	Statewide MS4	0
COR-340000	Sand and Gravel Mining	6
COR-320000	State Highway Sand and Gravel	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

RESPONSIBLE PARTY	ACTION	COUNTY	<u>DATE</u>
Cherokee Metropolitan Dist Baca Grande Water & Sanitation Dist	Domestic – Compliance Order on Consent Domestic – Notice of Violation/ Cease and Desist Order	El Paso Saguache	02/09/2009 02/09/2009
Big Springs Associates, LLC (Big Springs Trailer Park)	Drinking Water – Enforcement Order and Administrative Penalty	Chaffee	02/09/2009
The Black Forest Community Church	Drinking Water – Enforcement Order and Administrative Penalty	El Paso	02/09/2009
Climax Henderson Mine EnCana Oil & Gas (Mamm Creek)	Drinking Water – Enforcement Order Stormwater – Order for Civil Penalty	Clear Creek Garfield	02/09/2009 02/10/2009
Cedar Park Road Maintenance Corp- Cedar Springs Improvement Assoc & White Trucking and Construction, LLC	Industrial – Order for Civil Penalty	Larimer	02/10/2009
Town of Crowley	Domestic – Notice of Violation/ Cease and Desist Order	Crowley	02/13/2009
Academy Water and Sanitation Dist	Domestic – Notice of Violation/ Cease and Desist Order	El Paso	02/13/2009
Meridian Metropolitan Dist	Domestic – Compliance Order on Consent	Douglas	02/13/2009

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

RESPONSIBLE PARTY	HEARING TYPE	COUNTY	<u>DATE</u>
Cache Development, LLC	Administrative – Penalty	Grand Junction or Montrose	March 02-05, 2009
Village Homes of Colorado, Inc.	Administrative – NOV/CDO	Denver	March 17-18, 2009

D. CONSTRUCTION ACTIONS

1. Site Applications Reviews

<u>APPLICANT</u>	<u>TYPE</u>	FACILITY DESCRIPTION	<u>COUNTY</u>	<u>ACTION</u>
Town of Lyons	Site Application Amendment #4289	Polymer addition unit and solids dewatering system	Boulder	Approved 02/04/2009

D. CONSTRUCTION ACTIONS (cont.)

1. Site Applications Reviews

<u>APPLICANT</u>	<u>TYPE</u>	FACILITY DESCRIPTION	COUNTY	<u>ACTION</u>
Eagle River Water & Sanitation Dist	Site Application Amendment #4365	Modifications to the ATAD process that include primary sludge thickening, primary scum concentrating, additional WAS storage, new ATAD vessels, nitrification and denitrification of the ATAD digested solids, centrate equalization and significant changes to the odor control system	Eagle	Approved 02/17/2009
Parker Water & Sanitation Dist	Site Application Amendment #4518	Rerating increase from 1.5 to 2.0 MGD. Mechanical screening, grit removal, activated sludge, clarification, chemical coagulation, filtration, nitrification/denitrification and disinfection	Douglas	Approved 02/04/2009
Colorado Department of Transportation – Grizzly Creek Rest Area	Site Application Amendment #4603	Addition of a new pump to return nitrified flow to the septic tank and alkalinity addition	Garfield	Approved 02/17/2009
Centennial Water & Sanitation Dist – Marcy Gulch Wastewater Treatment Facility	Site Application #4623	Advanced filtration units with coagulant and flocculant chemical addition capabilities	Douglas	Approved 01/22/2009
Town of Nederland	Site Application #4972 Extension	Extended the site location approval until 01/31/2010	Boulder	Approved 02/04/2009
Roundup River Ranch	Site Application #5033	Septic tank followed by an Aquarius wastewater treatment system	Eagle	Approved 02/11/2009
Pagosa Area Water & Sanitation Dist – Lift Station #27 Park Avenue	Site Application #5036	Lift Station and force main. Design capacities 0.0265 MGD Average Capacity, 0.573 MGD Peak Capacity	Archuleta	Approved 01/15/2009
Town of Hudson – West Lift Station	Site Application #5039	Lift Station and force main. Design capacities 0.25 MGD Average Capacity, 1.1 MGD Peak Capacity	Weld	Approved 01/15/2009
Mesa County Whitewater Public Improvement Dist	Site Application #5040	Interceptor. Design capacities 2.0 MGD Average Capacity, 3.62 MGD Peak Capacity	Mesa	Approved 02/04/2009
Mid Valley Metro Dist – River Ranch Lift Station	Site Application #5041	Lift Station and force main. Design capacities 0.61 MGD Average	Eagle	Approved 02/04/2009
San Lazaro Park Properties, LLP	Site Application #5042	Capacity, 1.52 MGD Peak Capacity Mechanical barscreen and aerobic digester	Boulder	Approved 01/22/2009
City of Durango	Site Application #5043	Secondary sewer outfall to discharge treated effluent into the Animas River	La Plata	Approved 02/13/2009

D. CONSTRUCTION ACTIONS (cont.)

2. Plans and Specifications Reviews

<u>APPLICANT</u>	SITE APPLICATION	FACILITY DESCRIPTION	COUNTY	<u>ACTION</u>
Penrose Sanitation Dist	No Site Approval Required	New 8" PVC and 6" PVC replacement mains, manholes, short segments, and associated service lines	Fremont	Approved 02/13/2009
Pagosa Area Water & Sanitation Dist – Lift Station #27 Park Avenue	Site Application #5036	Lift Station and force main. Design capacities 0.0265 MGD Average Capacity, 0.573 MGD Peak Capacity	Archuleta	Approved 02/13/2009
Mesa County Whitewater Public Improvement Dist	Site Application #5040	Interceptor. Design capacities 2.0 MGD Average Capacity, 3.62 MGD Peak Capacity	Mesa	Approved 02/05/2009
Mid Valley Metro Dist – River Ranch Lift Station	Site Application #5041	Lift Station and force main. Design capacities 0.61 MGD Average Capacity, 1.52 MGD Peak Capacity	Eagle	Approved 02/05/2009

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.

1. 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.

APPLICANT	C.O.E PERMIT #	ACTIVITY	COUNTY	WATERBODY	DETERMINATION
#4216 Butte Rock Ranch, LLC	SPK-2008- 01689	Cimarron River restoration project	Montrose	Cimarron River, Gunnison River Basin, Seg. COGUUG26 of Upper Gunnison River Sub-basin	Only temporary impacts to water quality

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

1. PRELIMINARY DETERMINATION

APPLICANT	C.O.E PERMIT #	ACTIVITY	COUNTY	WATERBODY	DETERMINATION
#4217 Xcel Energy / Ames Hydroelectric Project	FERC P-400- 051	FERC re-license of hydroelectric plant	San Miguel	Hope Lake, Trout Lake, Howard Fork, Lake Fork, and South Fork San Miguel River, Dolores River Basin, Seg. COGUSM02 (Hope Lake, Trout Lake and Lake Fork, Seg. COGUSM07a (Howard Fork, and Seg. COGUSM08 (South Fork San Miguel River) of San Miguel River Sub-basin	Potential long-term water quality impacts. No new water quality impacts

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.

APPLICANT	C.O.E PERMIT #	ACTIVITY	COUNTY	WATERBODY	DETERMINATION
#4191 - White River Hub, LLC- Questar Overthrust Pipeline Company	No COE #; just FERC/PF08 000	Construction of natural gas pipeline	Rio Blanco	1st:Greasewood Gulch, Lee Gulch, Hatch Gulch, Dudley Gulch, Lower Colorado River Basin, Seg. COLCWh16 of White River Sub- basin, 2nd:Piceance Creek, Lower Colorado River Basin, Seg. COLCWH15 of White River Sub- basin	No Certification Required 02/10/2009 FERC License Issued 08/01/2008

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

2. Certification Determination

#4211 Town of Castle Rock / Sellars Gulch Improvement Phase II	NOW-2008- 1606-DEN	Project will consist of channel stabilization and create a trail in the project. Construct a drop structure on the tributary with two trail extensions. The proposed work would modify the existing channel under and downstream of the street bridge. Drop control structure to consist of a seepage cutoff wall, grouted boulder, and riprap. Install culverts and pave trail extensions. Applicant would also create more diverse riparian habitat with the project boundaries	Douglas	Unnamed tributary to Sellars Gulch, South Platte River Basin, Seg. COSPUS11a of Upper South Platte River Sub-basin	Regular
#4215 Ouray Hydroelectric Plant	FERC-733- 010	FERC re-license of hydroelectric facility	Ouray	Uncompahgre River, Gunnison River Basin, Seg. COGUUN03a of Uncompahgre River Sub-basin	Regular

3. The following NPDES permit has been reviewed to make a proposed determination for certification in accordance with section 401 of the Federal Clean Water Act. Public comment on this proposed determination will be received for thirty days following the date of publication of this newsletter. More information can be obtained from Nathan Moore (nathan.moore@state.co.us), (303) 692-3555.

<u>APPLICANT</u>	EPA PERMIT#	<u>ACTIVITY</u>	COUNTY	WATERBODY	DETERMINATION
Fort Carson MS4	CO-R042001	Separate Storm Sewer System (MS4)	El Paso	Various water bodies	Regular

F. OUTREACH AND PROJECT ASSISTANCE UNIT

1. LOAN APPLICATIONS RECEIVED

ENTITY	COUNTY	<u>AMOUNT</u>	PROJECT DESCRIPTION	DATE
Gunnison County	Gunnison	\$474,019	The project will replace a failing lift station and extend the North Gunnison central sewer collection system by 2.5 miles into the North Valley Subdivision, which is not currently served by a collection system and decommissions a non-permitted lagoon system	01/15/2009
City of Lamar	Prowers	\$5,020,000	The project will: relocate the existing chlorine building; make storage tank improvements; modify and improve the valve house; and, install a new 24" transmission main	01/14/2009
City of Fruita	Mesa	\$30,994,472	The project consists of constructing new 3.5 MGD wastewater treatment facility, approximately two miles of interceptor sewers and a new lift station	01/15/2009
City of Pueblo	Pueblo	\$26,500,000	The project consists of upgrading the existing facility to meet both future effluent ammonia limits and additional nutrient quality rules, along with the renovation of five existing lift stations	02/13/2009
City of Sheridan	Arapahoe	\$985,000	The project will eliminate current septic systems and provide a sanitary sewer grid that will connect to the Littleton/Englewood Wastewater Treatment Facility	02/13/2009
Town Rockvale	Fremont	\$295,000	The project will add storage and rehabilitate the distribution system	01/15/2009
City of Salida	Chaffee	\$325,000	The project will replace a failing roof over one of the City's treated water storage tanks and improves the security fencing for the South Arkansas Gallery System	02/17/2009
Town Blanca	Costilla	\$50,000	The project will install meters on all active taps within the water system	02/17/2009

2. LOANS APPROVED BY CWRPDA

ENTITY	COUNTY	<u>AMOUNT</u>	PROJECT DESCRIPTION	<u>DATE</u>
Town of Nederland	Boulder	\$2,500,0000	The project consists of upgrades and improvements to the Town's water treatment facility	01/30/2009

3. LOANS EXECUTED

NONE SINCE LAST PUBLICATION

F. OUTREACH AND PROJECT ASSISTANCE UNIT (cont.)

4. STATE GRANT CONTRACTS EXECUTED

NONE SINCE LAST PUBLICATION

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

<u>LOANEE</u>	COUNTY	PROJECT DESCRIPTION	<u>DATE</u>
Town of Two Buttes	Baca	The project consists of upgrading the drinking water collection, storage and distribution system	02/15/2009
Sunset Metro Dist	El Paso	The project consists of repairs and upgrades to the existing lagoons at the WWTF to meet compliance schedule	02/15/2009

6. WATER QUALITY IMPROVEMENT FUND

NONE SINCE LAST PUBLICATION

7. DRINKING WATER ELIGIBILITY ASSESSMENT

<u>LOANEE</u>	COUNTY	PROJECT DESCRIPTION	<u>DATE</u>
Bow Mar Water & Sanitation Dist	Arapahoe	The project consists of replacing the distribution system water mains	02/06/2009
Academy Water & Sanitation Dist	Saguache	The project consists of treatment upgrades, distribution system improvements, drilling a new supply well and land acquisition for the new well	01/21/2009
Baca Grande Water & Sanitation Dist	Saguache	The project consists of upgrades and improvements to the existing water treatment facility, new well pumps, upgrades to an existing 50,000 gallon storage tank, decommissioning a lagoon and line replacements throughout the system	01/21/2009
Town of Basalt	Pitkin	The project consists of constructing a new 1 million gallon water storage tank and transmission line to the distribution system and access road improvements	02/12/2009
Town of Crested Butte	Gunnison	The project consists of replacement of the Town's primary water distribution system and storage tank improvements and upgrades	02/12/2009

F. OUTREACH AND PROJECT ASSISTANCE UNIT (cont.)

8. PUBLIC HEARING/PUBLIC MEETING

<u>LOANEE</u>	COUNTY	PROJECT DESCRIPTION	DATE
City of Pueblo	Pueblo	The project consists of upgrading the existing facility to meet both future effluent ammonia limits and additional nutrient quality rules, along with the renovation of five existing lift stations	01/15/2009

9. FINDING OF NO SIGNIFICANT IMPACT AND CATEGORICAL EXCLUSION DETERMINATIONS

<u>LOANEE</u>	COUNTY	PROJECT DESCRIPTION	<u>DATE</u>
Town of Arriba	Lincoln	The project will replace the distribution system and evaluate water storage	02/12/2009

10. CONSTRUCTION LOAN COMPLETIONS

NONE SINCE LAST PUBLICATION

G. TOTAL MAXIMUM DAILY LOADS

NONE SINCE LAST PUBLICATION

SPECIAL NOTES

The WQCD proposes to grant variances for chloride and sulfate effluent limitations for the following facilities:

Legal Entity	Facility	Certification #	County
Sage Pointe Town of Wiggins Dotsero Mobile Home Park	Sage Pointe Water & Sanitation Co Wastewater Treatment Plant Wastewater Treatment Plant	COX-631004 COX-631013 COX-631012	Logan Morgan Eagle
Mesa County Valley School Dist	Loma Elementary School	COX-621024	Mesa

The Division will be accepting comments on the proposed variances until March 27, 2009. Comments and questions should be directed to Rick Koplitz at the address listed on the public notice page or at rick.koplitz@state.co.us. These proposed variances are for facilities that cannot comply with the corresponding effluent limits in cases where the source of chloride and/or sulfate is either the raw water and/or chemical addition used to improve the quality of the drinking water, e.g. drinking water treatment or residential water softeners.

SPECIAL NOTES

Low Risk Discharge Guidance for Potable Water

The WQCD has prepared for public review a draft of "Low Risk Discharge Guidance for Potable Water Discharges", in accordance with Division policy WQP-27. The Division will be accepting comments on the draft guidance until March 31, 2009. Comments and questions should be directed to Nicole Rolfe at the address listed on the public notice page or at nicole.rolfe@state.co.us. The document is available electronically on the WQCD website at http://www.cdphe.state.co.us/wq/PermitsUnit/publicnotice/publiccomment.html