



Colorado Department
of Public Health
and Environment

WATER QUALITY INFORMATION BULLETIN

Highlights For April 2009

- **Agenda: Rulemaking Hearing, Administrative Action Hearing and Business Meeting, April 13, 2009**
<http://www.cdphe.state.co.us/op/wqcc/MeetingsandNotices/wqag.htm>
- **Notice of Rulemaking Hearing**
 - Site Location and Design Approval Regulations for Domestic Wastewater Treatment Works, Regulation #22 (5 CCR 1002-22)
<http://www.cdphe.state.co.us/op/wqcc/MeetingsandNotices/hearingnotices/rulemaking/wqrmnot.html>
- **Notice of Administrative Action Hearing**
 - May hearing to consider amendments to 2009 Intended Use Plans for the Water Pollution Control Revolving Fund, the Drinking Water Revolving Fund, the Domestic Wastewater Treatment Grant Program and the Drinking Water Grant Program
<http://www.cdphe.state.co.us/op/wqcc/MeetingsandNotices/HearingNotices/AAH/AAHNotices.htm>
- **Notice of Final Adoption**
 - Water Pollution Control Revolving Fund Rules, Regulation #51 (5 CCR 1002-51)
 - Drinking Water Revolving Fund Rules, Regulation #52 (5 CCR 1002-52)
<http://www.cdphe.state.co.us/regulations/wqccregs/index.html>
- **Summary of Proceedings/Motions (DRAFT)**
Water Quality Control Commission Regular Meeting, March 9-10, 2009
<http://www.cdphe.state.co.us/op/wqcc/MeetingsandNotices/MeetingSummaries/wqsumm.html>

PUBLICATION DATE: April 3, 2009

A. PERMIT ACTIONS

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

The website to view public notices and drafts:

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

2. DISCHARGE PERMITS ISSUED – FEBRUARY 2009

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Town of Lochbuie (A)	CO-0047198	Weld	02/17/2009
Town of Bayfield (A)	CO-0020273	La Plata	02/26/2009
Fremont Sanitation Dist	CO-0039748	Fremont	02/26/2009
City of Salida	CO-0040339	Chaffee	02/26/2009
City of Fort Morgan	CO-0044849	Morgan	02/26/2009

(A) Denotes Amendment

3. GENERAL PERMIT CERTIFICATIONS – FEBRUARY 2009

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Flatiron Constructors, Inc	COG-072972	Weld	02/02/2009
American Infrastructure, Inc	COG-072971	Arapahoe	02/02/2009
Hamon Contractors	COG-072975	Larimer	02/02/2009
Severence Investment Group	COG-072973	Weld	02/02/2009
Jefferson County Road & Bridge	COG-072976	Jefferson	02/02/2009
Golden Triangle Construction	COG-072985	Denver	02/02/2009
Crested Butte South Metro Dist	COG-588045	Gunnison	02/03/2009
Leadville Mobile Home Park, LLC	COG-588060	Lake	02/03/2009
Town of Morrison	COG-641002	Jefferson	02/03/2009
Town of Stratton	COG-589100	Kit Carson	02/03/2009
Platte Canyon School Dist #1	COG-588108	Park	02/03/2009
Scott Contracting, Inc	COG-072982	Arapahoe	02/04/2009
Kemp & Hoffman Construction	COG-072983	Arapahoe	02/05/2009
Zak Dirt, Inc	COG-072984	Weld	02/05/2009
A&R Construction, LLC	COG-072988	Pueblo	02/05/2009
Glacier Construction Co	COG-072987	Arapahoe	02/05/2009
Naranjo Civil Constructors	COG-072986	Arapahoe	02/10/2009
Connell Resources, Inc	COG-072993	Larimer	02/10/2009
Triad Western Constructors, Inc	COG-072996	La Plata	02/12/2009
Duran Excavating, Inc	COG-072942	Weld	02/13/2009
Concrete Works of Colorado, Inc	COG-072989	Boulder	02/13/2009
Concrete Specialties & Utilities Constructors	COG-604057	Yuma	02/13/2009
Kearney and Sons Excavation	COG-072974	Larimer	02/17/2009
Aspen Earthmoving, LLC	COG-072977	Pitkin	02/17/2009
Jefferson County Road & Bridge	COG-072979	Jefferson	02/17/2009
Nelson Pipeline Constructors	COG-072978	Weld	02/20/2009
Navajo Civil Constructors	COG-072981	Arapahoe	02/20/2009
Barker Sand & Gravel	COG-072992	Larimer	02/20/2009
BT Construction, Inc	COG-072995	Adams	02/20/2009
Territory Unlimited, Inc	COG-072999	Adams	02/20/2009
Reynolds-Tierdael	COG-604056	Larimer	02/20/2009
Gould Construction	COG-073002	Garfield	02/24/2009
Connell Resources, Inc	COG-073000	Boulder	02/24/2009
Schulte Investment, Inc	COG-605002	Weld	02/24/2009
Denver Public Schools Balarat Outdoor Education Park	COX-622014	Boulder	02/24/2009

(A) Denotes Amendment

B. STORMWATER DISCHARGE GENERAL PERMIT CERTIFICATIONS – MARCH 2009

COR-010000	Light Industrial Activities	3
COR-020000	Heavy Industrial Activities	0
COR-030000	Construction Activities	112
COR-040000	Metal Mining	0
COR-060000	Recycling	0
COR-070000	Non-Standard MS4	0
COR-080000	Cherry Creek MS4	0
COR-090000	Statewide MS4	0
COR-340000	Sand and Gravel Mining	1
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

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
Central Plains Farms LLC (Gaytan Water System)	Drinking Water – Enforcement Order	Yuma	02/25/2009
Upper Surface Creek Domestic Water Users Association	Drinking Water – Enforcement Order	Delta	02/25/2009
Par Properties, LLC	Drinking Water – Enforcement Order & Administrative Penalty Assessment	El Paso	02/27/2009
John Baranway d/b/a Galambs Mobile Home Park	Drinking Water – Enforcement Order & Administrative Penalty Assessment	Adams	02/27/2009
Meeker Park Lodge, Inc	Drinking Water – Enforcement Order	Boulder	02/27/2009
Town of Gardner	Drinking Water – Amendment Number One to Enforcement Order DC-080826-2	Huerfano	02/27/2009
Baca Grande Water and Sanitation District Mobile Home Estates Wastewater Treatment Facility	Domestic – Notice of Violation/ Cease and Desist Order	Saguache	03/03/2009
Aspen Operating, LLC	Stormwater – Expedited Settlement Agreement	Mesa	03/05/2009
Bell Properties, LLP	Industrial – Compliance Order on Consent	Prowers	03/06/2009
Mountain View Village MHP	Drinking Water – Final Consent Decree	Jefferson	03/02/2009

C. ENFORCEMENT/CIVIL PENALTIES/CONSENT OF SETTLEMENT AGREEMENTS (cont.)

1. ENFORCEMENT – NEW ACTION

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
Knight Inc	Stormwater – Penalty Order	Pitkin	03/18/2009
Town of Bayfield	Domestic – Compliance Order on Consent	La Plata	03/18/2009
City of Brighton	Domestic – Compliance Order on Consent	Adams	03/18/2009
Lennar Colorado, LLC	Stormwater – Compliance Order on Consent	Adams & El Paso	03/19/2009
Renfroe-Brunner Development, LLC	Stormwater – Compliance Order on Consent	Weld	03/19/2009
Patterson Valley Water Company	Drinking Water – Amendment to Enforcement Order Dated November 26, 1999	Otero	03/25/2009
Town of Two Buttes	Drinking Water – Amendment to Enforcement Order DC-050729-1	Otero	03/25/2009
Valley Water Company	Drinking Water – Amendment to Enforcement Order DC-031230-03	Otero	03/25/2009
South Swink Water Company	Drinking Water – Amendment to Enforcement Order dated March 16, 2000	Otero	03/25/2009

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

NONE SINCE LAST PUBLICATION

D. CONSTRUCTION ACTIONS

1. Site Applications Reviews

<u>APPLICANT</u>	<u>TYPE</u>	<u>FACILITY DESCRIPTION</u>	<u>COUNTY</u>	<u>ACTION</u>
City of Rocky Ford	Site Application Amendment #3845	Construction of gas chlorination equipment in lieu of the previously approved liquid hypochlorite equipment	Otero	Approved 03/13/2009
Vestas Towers A/S	Site Application #5044	Lift station and force main. Design capacities 0.446 MGD Average Capacity, 1.116 MGD Peak Capacity	Pueblo	Approved 03/13/2009

D. CONSTRUCTION ACTIONS (cont.)

2. Plans and Specifications Reviews

<u>APPLICANT</u>	<u>SITE APPLICATION</u>	<u>FACILITY DESCRIPTION</u>	<u>COUNTY</u>	<u>ACTION</u>
City of Rocky Ford	Site Application Amendment #3845	Construction of gas chlorination equipment in lieu of the previously approved liquid hypochlorite equipment	Otero	Approved 03/18/2009
Town of Lyons	Site Application #4289	Polymer addition unit and solids dewatering system	Boulder	Approved 02/20/2009
Glacier View Meadows Water and Sanitation District	Site Application #4985	Septic tanks, SBR wastewater treatment facility, chlorine disinfection and subsurface disposal	Larimer	Approved 02/26/2009
Fraser Valley Metropolitan Recreation District – Pole Creek Golf Course Clubhouse	Site Application #5027	Septic tanks followed by an AdvanTex advanced wastewater treatment system and soil absorption	Grand	Approved 03/10/2009
City of Durango	Site Application #5043	Secondary sewer outfall to discharge treated effluent into the Animas River	La Plata	Approved 02/18/2009

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.

- 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 and a draft certification determination. 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 (COE) may also review 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>FEDERAL PERMIT #</u>	<u>ACTIVITY</u>	<u>COUNTY</u>	<u>WATERBODY</u>	<u>DETERMINATION/DRAFT CERT.</u>
#4218 Upper Yampa Water Conservancy District – Stagecoach Reservoir		FERC P-9202	Increase the storage capacity by increasing the storage level	Routt	Stagecoach Reservoir and Yampa River, Upper Colorado River Basin, Segment COUCYA02a (Yampa River) and COUCYA02b (Stagecoach Reservoir) of Yampa River Sub-basin	No new or increased impacts to water quality, Draft Conditional Certification

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

2. *The following projects have received a final 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>FEDERAL PERMIT #</u>	<u>ACTIVITY</u>	<u>COUNTY</u>	<u>WATERBODY</u>	<u>DETERMINATION</u>
#4022 Grand County	2004-75-197		Construction of a highway and trail	Grand	Wetlands adjacent to Fraser River, Upper Colorado River Basin, Seg. COUCUC10 of Upper Colorado River Sub-basin	Conditional Certification with Special Conditions
#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	Conditional Certification with Special Conditions
#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	Regular Certification
#4212 City of Fort Collins / Robert Benson Reservoir Re-Construction	NOW-2008-2391-DEN		Reconstruct the dam by removing existing vegetation, rip rap and other surficial materials, lowering the crest to the design level, and reconstructing the downstream embankment slopes. Applicant to build an emergency spillway	Larimer	Fossil Creek, Robert Benson Reservoir, South Platte River Basin, Seg. COSPCP13a of Cache le Poudre River Sub-basin	Regular Certification

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

2. Certification Determination

<u>APPLICANT</u>	<u>C.O.E PERMIT #</u>	<u>FEDERAL PERMIT #</u>	<u>ACTIVITY</u>	<u>COUNTY</u>	<u>WATERBODY</u>	<u>DETERMINATION</u>
#4213 Timbers Estates Metropolitan District/ North Turkey Creek	NOW- 2008-2658- DEN		Construct the stream diversion structure within the North Turkey Creek channel bed, provide erosion control at the upstream and downstream ends of the diversion structure, and place a pumping vault within the wetland area that will be recessed such that the top of the vault is at grade	Jefferson	North Turkey Creek, South Platte River Basin, Seg. COSPBE06 of Bear Creek Sub-basin	Regular Certification
#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	Regular Certification

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>
City of Burlington	Kit Carson	\$1,500,000	Expand/upgrade facility, at 80% capacity	03/05/2009
Bow Mar Water Sanitation District	Arapahoe	\$1,150,000	The project consists of distribution line replacement and rehabilitation	03/13/2009

F. OUTREACH AND PROJECT ASSISTANCE UNIT (cont.)

2. LOANS APPROVED BY CWRPDA

<u>ENTITY</u>	<u>COUNTY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>DATE</u>
City of Lamar	Prowers	\$5,013,050	The project consists of relocation of the existing chlorine building, storage tank improvements, modifications and improvements to the valve house, and installation of a new 24" transmission main	03/06/2009

3. LOANS EXECUTED

<u>ENITITY</u>	<u>COUNTY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>DATE</u>
Town of Rye	Pueblo	\$1,040,000	The project consists of upgrades and improvements to the Town of Rye Water Treatment Facility; Water Meters	03/27/2009

4. STATE GRANT CONTRACTS EXECUTED

NONE SINCE LAST PUBLICATION

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

<u>LOANEE</u>	<u>COUNTY</u>	<u>PROJECT DESCRIPTION</u>	<u>DATE</u>
Monument Sanitation District	El Paso	Collection/Interceptor Construction/Rehabilitation; Eliminate ISDS	03/16/2009
Town of Silver Plume	Clear Creek	Collection/Interceptor Construction/Rehabilitation	03/20/2009
Town of Palmer Lake	El Paso	Construction of New Water Treatment Facilities; Distribution/Transmission Lines Construction/Rehabilitation	02/20/2009

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 Ovid	Sedgewick	The project consists of distribution line replacement and rehabilitation	03/10/2009
Town of Basalt	Eagle	Construction of a new 1 million gallon water storage tank and transmission pipeline to include land acquisition for access easements across private property	03/26/2009

F. OUTREACH AND PROJECT ASSISTANCE UNIT (cont.)

7. DRINKING WATER ELIGIBILITY ASSESSMENT

<u>LOANEE</u>	<u>COUNTY</u>	<u>PROJECT DESCRIPTION</u>	<u>DATE</u>
Baca Grande Water and Sanitation District	Saguache	The project consists of upgrades and improvements to the existing water treatment facilities, new pump house and well pumps, new storage tank, upgrades to an existing 50,000 gallon storage tank, line replacements throughout the system and installation of water meters	03/26/2009
Colorado City Metro District	Pueblo	The project consists of upgrades and improvements to the Water Treatment Facility	03/25/2009

8. PUBLIC HEARING/PUBLIC MEETING

<u>LOANEE</u>	<u>COUNTY</u>	<u>PROJECT DESCRIPTION</u>	<u>DATE</u>
Gunnison County	Gunnison	The project will rehabilitate two failure prone lift stations and extend the North Gunnison central sewer collection system by 2.5 miles into the North Valley Subdivision; which is served by a non-permitted lagoon system. The lagoon will be decommissioned and sewage will be treated at the City of Gunnison WWTF	02/17/2009

9. FINDING OF NO SIGNIFICANT IMPACT AND CATEGORICAL EXCLUSION DETERMINATIONS

NONE SINCE LAST PUBLICATION

10. CONSTRUCTION LOAN COMPLETIONS

NONE SINCE LAST PUBLICATION

G. TOTAL MAXIMUM DAILY LOADS

TOTAL MAXIMUM DAILY LOADS SENT TO PUBLIC NOTICE ON APRIL 1, 2009 COMMENTS DUE BY APRIL 30, 2009

TMDLs developed under Section 303(d) of the Clean Water Act are pollutant specific and identify the available assimilative capacity, pollutant sources, and allocate assimilative capacity among those sources. TMDLs have been developed to address the pollutants and waterbodies indicated. Segment/pollutant combinations which appear on the 1998 303(d) list of impaired waters are indicated by an "**".

Eagle River, Belden to Highway 24 Bridge, COUCEA05a, 02c; copper, zinc*

Eagle River, Highway 24 Bridge to Martin Creek, COUCEA05b, 02c; copper, zinc*

Eagle River, Martin Creek to Gore Creek, COUCEA05c, 02c; copper, zinc*

Cross Creek, COARUA07b; copper, zinc

Comments will be accepted through April 30, 2009. Following the close of the public comment period, the TMDL will be revised as appropriate and submitted to EPA for approval. TMDL submittal constitutes final agency action.

(cont.)

Parties may request that the Colorado Water Quality Control Commission convene an adjudicatory hearing concerning a disputed TMDL as described in the Colorado Water Quality Management and Drinking Water Protection Handbook, WQCC Policy #98-2.

Copies of TMDLs may be obtained from the Water Quality Control Division, 4300 Cherry Creek Drive South, Denver, Colorado, 80246-1530. For more information, please call the Phil Hegeman at (303) 692-3518. Additional information is available on the Division's TMDL webpage at www.cdphe.state.co.us/wq/Assessment/Assessment_unit.html.

SPECIAL NOTES

LOW RISK DISCHARGE GUIDANCE: DISCHARGES OF UNCONTAMINATED UNCONFINED GROUNDWATER TO LAND

The WQCD has prepared for public review a draft of "Low Risk Discharge Guidance for Discharges of Uncontaminated Unconfined Groundwater to Land", in accordance with Division policy WQP-27. The Division will be accepting comments on the draft guidance until May 4, 2009. Comments and questions should be directed to Maura McGovern at the address listed on the public notice page or at maura.mcgovern@state.co.us. The document is available electronically on the WQCD website at <http://www.cdphe.state.co.us/wq/PermitsUnit/publicnotice/publiccomment.html>

POLICY FOR PERMIT COMPLIANCE SCHEDULES

The WQCD has prepared for public review a draft policy WQP-30 "Permit Compliance Schedules". The Division will be accepting comments on the draft guidance until May 4, 2009. Comments and questions should be directed to Janet Kieler at the address listed on the public notice page or at janet.kieler@state.co.us. The document is available electronically on the WQCD website at <http://www.cdphe.state.co.us/wq/PermitsUnit/publicnotice/publiccomment.html>