



Colorado Department  
of Public Health  
and Environment

# **WATER QUALITY INFORMATION BULLETIN**

## ***Highlights For December 2009***

- **Agenda: Rulemaking Hearing, Administrative Action Hearing and Business Meeting, December 14, 2009**  
<http://www.cdphe.state.co.us/op/wqcc/Meetings/wqag.html>
- **Summary of Upcoming Public Rulemaking Hearings and Proceedings**  
For consideration of the adoption of revisions to the...
  - San Juan River and Dolores River Basins, Regulation #34 (5 CCR 1002-34)  
<http://www.cdphe.state.co.us/op/wqcc/RulemakingProceedings/WrittenComment/WCRM.html>
- **Summary of Proceedings/Motions (DRAFT)**  
**Water Quality Control Commission Regular Meeting, November 9, 2009**  
<http://www.cdphe.state.co.us/op/wqcc/Meetings/MeetingSummaries/wqsumm.html>
- **Water Quality Control Commission Long-Range Schedule**  
<http://www.cdphe.state.co.us/op/wqcc/Meetings/LRSandNotes/wqlongrange.html>
- **Explanatory Notes regarding Water Quality Commission Long-Range Schedule**  
<http://www.cdphe.state.co.us/op/wqcc/Meetings/LRSandNotes/wqlongrange.html>

***PUBLICATION DATE: December 4, 2009***

## A. PERMIT ACTIONS

### 1. PERMITS SENT TO PUBLIC NOTICE ON NOVEMBER 20, 2009 – COMMENTS DUE BY DECEMBER 20, 2009

The website to view public notices and drafts:

[www.cdphe.state.co.us/wq/PermitsUnit/publicnotice/publiccomment.html](http://www.cdphe.state.co.us/wq/PermitsUnit/publicnotice/publiccomment.html)

### 2. DISCHARGE PERMITS ISSUED – OCTOBER 2009

NONE SINCE LAST PUBLICATION

### 3. GENERAL PERMIT CERTIFICATIONS – OCTOBER 2009

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Arrow Electric Service, Inc	COG-073164	Chaffee	10/05/2009
53 Corporation, LLC	COG-073171	Douglas	10/05/2009
Zak Dirt, Inc	COG-073176	Weld	10/05/2009
Weeminuche Construction Authority	COG-073177	La Plata	10/05/2009
American West Construction, LLC	COG-315205	Jefferson	10/05/2009
Alameda Square, LLC	COG-073175	Denver	10/07/2009
GE Johnson Construction Co	COG-073178	Jefferson	10/07/2009
Intregrated Water Services, Inc	COG-073181	Las Animas	10/07/2009
Duckels Construction, Inc	COG-073184	Routt	10/07/2009
Marathon Oil Co	COG-073187	Garfield	10/07/2009
Town of Hot Sulphur Springs	COG-073188	Grand	10/07/2009
BT Construction Inc	COG-315206	Denver	10/08/2009
Garney Construction	COG-073179	Mesa	10/14/2009
Duckels Construction, Inc	COG-073185	Routt	10/14/2009
Colorado Interstate Gas Co	COG-073195	Otero	10/14/2009
Schmidt Eath Builders, Inc	COG-073196	Larimer	10/14/2009
Town of Saguache	COG-589103	Saguache	10/14/2009
Naranjo Civil Constructors	COG-073190	Arapahoe	10/19/2009
Colorado Interstate Gas Co	COG-073196	Pueblo	10/19/2009
ERS Constructions	COG-604067	Adams	10/19/2009
Western States Fire Protection	COG-604068	Larimer	10/19/2009
Enterprise Products Operating, LLC	COG-604069	Rio Blanco	10/19/2009
Naranjo Civil Constructors	COG-073191	Adams	10/21/2009
Fall Line Properties, LLC	COG-073192	Pitkin	10/21/2009
Rangeview Metro District	COG-589108	Arapahoe	10/21/2009
Fischer Construction, Inc	COG-073189	Clear Creek	10/22/2009
Scott Contracting, Inc	COG-073197	El Paso	10/22/2009
G.A. Western Construction Co	COG-073198	Eagle	10/22/2009
Kum & Go, LC	COG-073199	Grand	10/22/2009
RN Civil Construction	COG-073200	Eagle	10/22/2009
Conroy Excavating, Inc	COG-073201	Grand	10/22/2009
Territory Unlimited, Inc	COG-073203	Douglas	10/26/2009
City of Gunnison	COG-073204	Gunnison	10/26/2009
Aslan Construction	COG-073205	Pueblo	10/26/2009
Connell Resources, Inc	COG-073207	Weld	10/27/2009
Native Excavating, Inc	COG-073209	Routt	10/27/2009
Crossfire Seeding, LLC	COG-073210	La Plata	10/27/2009
Conroy Excavating, Inc	COG-073206	Grand	10/30/2009
Skyland Metro District	COG-603138	Gunnison	10/30/2009
Arapahoe Utilities & Infrastructure, Inc	COG-073211	Broomfield	10/31/2009

## B. STORMWATER DISCHARGE GENERAL PERMIT CERTIFICATIONS – OCTOBER 2009

COR-010000	Light Industrial Activities	0
COR-020000	Heavy Industrial Activities	1
COR-030000	Construction Activities	85
COR-040000	Metal Mining	0
COR-060000	Recycling	1
COR-070000	Non-Standard MS4	0
COR-080000	Cherry Creek MS4	0
COR-090000	Statewide MS4	0
COR-340000	Sand and Gravel Mining	4
COR-320000	State Highway Sand and Gravel	0
	No Exposure Certifications	2

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 permits contact: Nathan Moore (303) 692-3555 [nathan.moore@state.co.us](mailto:nathan.moore@state.co.us),  
 Matt Czahor (303) 692-3575 [matthew.czahor@state.co.us](mailto:matthew.czahor@state.co.us), or Kathy Rosow (303) 692-3521 [kathleen.rosow@state.co.us](mailto: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>
Marathon Oil Co	Stormwater – Order for Civil Penalty	Garfield	11/17/2009
Enterprise Products Operating, LLC	Stormwater – Order for Civil Penalty	Garfield	11/17/2009
Village Homes of Colorado, Inc	Stormwater – Order for Civil Penalty	Eagle	11/17/2009
Berry Petroleum Co	Stormwater – Order for Civil Penalty	Garfield & Rio Blanco	11/17/2009

### 2. CONSENT OR SETTLEMENT AGREEMENTS TO PUBLIC NOTICE

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
Kummer Development Corp	Stormwater – Compliance Order on Consent	Eagle	11/16/2009
SEMA Construction, Inc	Stormwater – Compliance Order on Consent	Mesa	11/16/2009

### 3. FINAL AGENCY ACTIONS

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
Steamboat Ski & Resort Corporation	Stormwater – Expedited Settlement Agreement	Routt	10/14/2009

### 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 Woodland Park	Site Application #3914 Amendment	Installation of a new influent channel with mechanical barscreen and grit removal. Use of the existing manual screens in the original influent channel for redundancy	Teller	Approved 10/23/2009
Paintbrush Hills Metropolitan District	Site Application #4512 Amendment	Upgrade of existing sodium hypochlorination disinfection system with a double containment sodium hypochlorite storage tank; addition of a new sodium bisulfate dechlorination system	El Paso	Approved 11/17/2009
Cherokee Metropolitan District – Lift Station #1	Site Application #4820 Extension	Extended the site location approval until 03/31/2010	El Paso	Approved 10/23/2009
Cherokee Metropolitan District – Lift Station #2	Site Application #4821 Extension	Extended the site location approval until 03/31/2010	El Paso	Approved 10/23/2009
Meridian Service Metropolitan District	Site Application #4834 Extension	Extended the site location approval until 10/24/2010	El Paso	Approved 10/23/2009
City of Aurora, Aurora Reservoir Water Purification Facility	Site Application #5024 Correction	Changed the peak hydraulic design capacity from 0.133 MGD to 0.360 MGD	Arapahoe	Approved 10/23/2009
Town of Hudson – Hudson Correctional Facility	Site Application #5035 Amendment	Temporary treatment facility to include an influent lift station to a package plant. 0.150 MGD hydraulic capacity and 375 lbs. BOD/day organic capacity	Weld	Approved 11/05/2009
Cornell Companies, Inc – Hudson Correctional Facility	Site Application #5085	Lift station to 12 frac tanks that serve as primary sedimentation and flow equalization for the Hudson Correctional Facility	Weld	Approved 11/18/2009

### 2. Plans and Specifications Reviews

<u>APPLICANT</u>	<u>SITE APPLICATION</u>	<u>FACILITY DESCRIPTION</u>	<u>COUNTY</u>	<u>ACTION</u>
Ralston Valley Water and Sanitation District – Phase SS13	No Site Approval Required	Removal and replacement of four clean-outs with four new manholes	Jefferson	Approved 11/06/2009
Ralston Valley Water and Sanitation District – Phase SS14	No Site Approval Required	Installation of approximately 724 linear feet of 6-inch PVC pipe that will serve as an under drain system. Installation of a single non-divided 4-foot diameter precast open bottom manhole to serve as infiltration system. Installation of two standard under drain manholes to serve as an access point	Jefferson	Approved 11/06/2009

## 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>
Cherokee Metropolitan District – Lift Station #2	Site Application #4821	Lift station and force main. Design capacities 2.56 MGD Average/Peak capacity 2.59 MGD	El Paso	Approved 11/10/2009
City of Aurora, Aurora Reservoir Water Purification Facility	Site Application #5024	Lift Station and force main. Design capacities .096 MGD Average Capacity, 0.360 MGD Peak Capacity	Arapahoe	Approved 10/26/2009
Saddler Ridge Metropolitan District – Phase I	Site Application #5075	Site preparation; gravel containment basin and equipment pad; treatment building; influent pump station consisting of a 6-foot diameter manhole with two non-clog, submersible pumps; 6-inch effluent discharge force main	Weld	Approved 11/10/2009
Mountain View Villages Water and Sanitation District	Site Application #5076	Influent pump station with two submersible pumps; headworks (manual bar screen); two parallel sequencing batch reactors with each process train consisting of an anaerobic chamber, a surge tank, and an SBR tank; a buried fiberglass post equalization tank with two submersible pumps; ultraviolet disinfection; and a building to enclose the headworks and the SBR tanks; and a backup emergency generator	Lake	Approved 11/04/2009

## 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 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](mailto:john.hranac@state.co.us)), (303) 692-3586) or Christy Pickens ([christy.pickens@state.co.us](mailto: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.***

**1. Preliminary Determination (cont.)**

<u>APPLICANT</u>	<u>PERMIT #</u>	<u>ACTIVITY</u>	<u>COUNTY</u>	<u>WATERBODY</u>	<u>DETERMINATION</u>
#4214 Will-O-Wisp Metropolitan District / Raw Water diversion and pipeline	NWO-2008-2659-DEN	Project purpose is to divert and direct water to the water treatment plant	Park	Elk Creek, South Platte River Basin, Seg. COSPUS04 of Upper South Platte River Sub-basin	This project is located on reviewable waters. Potential long-term impacts to water quality exist. Draft Conditional Certification
#4242 City of Colorado Springs – Fountain Creek	Has not been issued yet	Construction of grouted boulder drop structures and bank stabilization	El Paso	Fountain Creek, Arkansas River Basin, Seg. COARFO02a of Fountain Creek Sub-basin	Only Temporary impacts to water quality. Draft Regular Certification
#4243 City of Salida – Arkansas River Whitewater Park	SPA-2009-00661-SCO	Construction of structures to enhance existing whitewater recreation facilities	Chaffee	Arkansas River, Arkansas River Basin, Seg. COARUA03 of Upper Arkansas River Sub-basin	Only temporary impacts to water quality. Draft Regular Certification
#4244 City of Colorado Springs Public Works and Engineering – Sand Creek Stormwater	Has not been issued yet	Stream stabilization between Constitution Avenue and Powers Blvd	El Paso	Sand Creek, Arkansas River Basin, Seg. COARFO04 of Fountain Creek Sub-basin	Use Protected no further AD review required. Draft Regular
#4245 Crystal Lakes Water and Sewer Assn	NWO-2003-80495	Proposing to enlarge the existing Lower Lone Pine Reservoir	Larimer	North Lone Pine Creek, and Lower Lone Pine Reservoir, South Platte River Basin, Seg. COSPCP09 and COSPCP18 of Cache Le Poudre River Sub-basin	The project impacts reviewable waters. Further anti-degradation review is required. Draft Conditional Certification

**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>PERMIT #</u>	<u>ACTIVITY</u>	<u>COUNTY</u>	<u>WATERBODY</u>	<u>CERTIFICATION</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, Seg. COSJAF12a of Animas River and Florida River Sub-basins	Regular with Special Conditional Certification

**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>PERMIT #</u>	<u>ACTIVITY</u>	<u>COUNTY</u>	<u>WATERBODY</u>	<u>CERTIFICATION</u>
#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, Seg. COGUSM07a, Seg. COGUSM08 of San Miguel River Sub-basin	Regular with Special Conditional Certification
#4234 Southeast Metro Stormwater Authority / Little Dry Creek	NWO-2009-1299-DEN	Construct a drop structure, stabilize the banks and control the erosion problems	Arapahoe	Little Dry Creek, South Platte River Basin, Seg. COSPUS16c of Upper South Platte River Sub-basin	Regular Certification
#4236 City of Durango / Animas River Trail and Bridge	SPK-2003-75101	Construction of pedestrian bridge over the Animas River	La Plata	Animas River, San Juan River Basin, Seg. COSJAF05a of Animas and Florida Rivers Sub-basin	Regular Certification
#4238 Urban Drainage and Flood – Sulphur Gulch	NWO-2009-1647-DEN	Excavate and place fill material to repair channel erosion	Douglas	Sulphur Gulch, South Platte River Basin, Seg. COSPCC04 of Cherry Creek Sub-Basin	Regular with Special Conditional Certification

**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 (30) days following the date of publication of this newsletter. More information can be obtained from Nathan Moore ([Nathan.moore@state.co.us](mailto:Nathan.moore@state.co.us), (303) 692-3555.**

NONE SINCE LAST PUBLICATION

**F. OUTREACH AND PROJECT ASSISTANCE UNIT**

**1. LOAN APPLICATIONS RECEIVED**

<u>ENTITY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Town of Windsor	\$5,059,508	Construction of a new lift station and headworks	Weld	10/23/2009

## F. OUTREACH AND PROJECT ASSISTANCE UNIT (cont.)

### 2. LOANS APPROVED BY CWRPDA

<u>ENTITY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
City of Lamar	\$5,020,000	Relocation of existing chlorine tank, storage tank improvements, modifications and improvements to the valve house, and installation of a new 24" transmission line	Prowers	10/23/2009
City of Grand Junction	\$3,800,000	Replacement of existing cast iron and steel water distribution lines	Mesa	10/23/2009
Colorado Springs Utilities	\$12,633,307	Replacement of the 20 million gallon Highline Reservoir roof	El Paso	10/23/2009
East Cherry Hills Water District	\$1,500,000	Replacement of approximately 10,000 linear feet of leaking distribution system line, service lines, hydrants, and water meters	Arapahoe	10/23/2009
Gateway Metropolitan District	\$576,575	Replacement of two existing steel water storage tanks, system looping with additional valves, and replacement of problematic water distribution lines	Pitkin	10/23/2009
Town of Ophir	\$500,000	New water treatment plant and building, new infiltration gallery and construction of an additional new 35,000 gallon treated water storage tank	San Miguel	10/23/2009

### 3. LOANS EXECUTED

NONE SINCE LAST PUBLICATION

### 4. STATE GRANT CONTRACTS EXECUTED

<u>ENTITY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Sheridan Lake Water Co	\$25,000.00	SSTTA Grant	Kiowa	11/14/2009

### 5. WATER QUALITY IMPROVEMENT FUND

<u>LOANEE</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Colorado Division of Parks & Outdoor Recreation	\$33,400.86	Arkansas Headwaters Recreation Area	Lake	11/10/2009

### 6. CONSTRUCTION LOAN COMPLETIONS

NONE SINCE LAST PUBLICATION

### 7. DRINKING WATER ELIGIBILITY ASSESSMENT

NONE SINCE LAST PUBLICATION

### 8. \$10,000 PLANNING AND/OR DESIGN GRANTS

NONE SINCE LAST PUBLICATION



## F. OUTREACH AND PROJECT ASSISTANCE UNIT (cont.)

### 9. PUBLIC HEARING/PUBLIC MEETING

NONE SINCE LAST PUBLICATION

### 10. FINDING OF NO SIGNIFICANT IMPACT AND CATEGORICAL EXCLUSION DETERMINATIONS

<u>LOANEE</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
City of Woodland Park	The Project consists of replacing hand cleaned bar screens with a fine mechanical screen and wash press, and adding a vortex grit remover and grit classifier	Teller	11/23/2009
Town of Ophir	New water treatment plant and building, new infiltration gallery and construction of an additional new 35,000 gallon treated water storage tank	San Miguel	11/20/2009

## G. TOTAL MAXIMUM DAILY LOADS SENT TO PUBLIC NOTICE ON DECEMBER 1, 2009 COMMENTS DUE BY DECEMBER 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 below:

North Fork Gunnison River below Lazear, COGUNF03; selenium  
Leroux Creek and Jay Creek, COGUNF05; selenium  
Short Draw, COGUNF06a; selenium  
Big Gulch and Cottonwood Creek, COGUNF06b; selenium  
Uncompahgre River from LaSalle Road to Confluence Park, COGUUN04b; selenium  
Uncompahgre River from Confluence Park to Gunnison River, COGUUN04c; selenium  
Tributaries to the Uncompahgre River, COGUUN12; selenium  
Gunnison River from Crystal Reservoir to the Uncompahgre River, COGULG01; selenium  
Gunnison River from the Uncompahgre River to the Colorado River, COGULG02; selenium  
Tributaries to the Gunnison River, COGULG04a; selenium  
Lower Kannah Creek, COGULG04b; selenium  
Red Rock Creek, COGULG04c; selenium

Comments will be accepted through December 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. 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](http://www.cdphe.state.co.us/wq/Assessment/Assessment_unit.html).*

## SPECIAL NOTES

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NONE SINCE LAST PUBLICATION