



Colorado Department  
of Public Health  
and Environment

# **WATER QUALITY INFORMATION BULLETIN**

## **Highlights For January 2010**

- **Agenda:** There is no Commission meeting scheduled for January 2010. An agenda for the February 8, 2010 meeting will be posted approximately two weeks prior to the date of the meeting.  
<http://www.cdphe.state.co.us/op/wqcc/Meetings/wqag.html>
- **Notice of Public Rulemaking Hearing**  
For consideration of the adoption of revisions to segment 16g of the...
  - Upper South Platte River 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/WQClassandStandards/Reg38/38NoticeMarcyGulch.pdf>
- **Notice of Triennial Review Informational Hearing**
  - Pretreatment Regulation #63 (5 CCR 1002-63)  
<http://www.cdphe.state.co.us/op/wqcc/IH/Triennial/63trih2010.pdf>
- **Summary of Proceedings/Motions (DRAFT)**  
**Water Quality Control Commission Regular Meeting, December 14, 2009**  
<http://www.cdphe.state.co.us/op/wqcc/Meetings/MeetingSummaries/wqsumm.html>

***PUBLICATION DATE: December 30, 2009***

## A. PERMIT ACTIONS

### 1. PERMITS SENT TO PUBLIC NOTICE ON DECEMBER 18, 2009 – COMMENTS DUE BY JANUARY 18, 2009

The website to view public notices and drafts:

<http://www.cdphe.state.co.us/wq/PermitsUnit/PUBLICNOTICE/publiccommentnewpage.html>

### 2. DISCHARGE PERMITS ISSUED – NOVEMBER 2009

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Homestake Mining Co	CO-022756	Saguache	11/30/2009
Colorado City Metro Dist	CO-021121	Pueblo	11/30/2009

(A) Denotes Amendment

### 3. GENERAL PERMIT CERTIFICATIONS – DECEMBER 2009

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Holland Creek Metro Dist	COG-641132	Eagle	11/04/2009
Naranjo Civil Constructors	COG-073219	Boulder	11/04/2009
Brannan Construction Co	COG-073218	Adams	11/04/2009
Connell Resources, Inc	COG-501520	Larimer	11/12/2009
GLH Construction, Inc	COG-073215	Weld	11/12/2009
Stanek Constructors Inc	COG-073221	Adams	11/12/2009
Public Service Co of Colorado	COG-073214	Arapahoe	11/12/2009
Shell Frontier Oil & Gas, Inc	COG-603141	Rio Blanco	11/12/2009
SG Interests, Ltd	COG-604071	Gunnison	11/12/2009
Copper Mountain, Inc	COG-603140	Summit	11/12/2009
Twin Peaks Utilities & Infrastructure	COG-073213	El Paso	11/12/2009
Sema Construction	COG-073216	Larimer	11/16/2009
Sabells Enterprises, LLLP	COG-073217	Douglas	11/16/2009
RMS Utilities, Inc	COG-073224	Alamosa	11/16/2009
City of Rifle	COG-073220	Garfield	11/18/2009
Lillard & Clark Construction Co., Inc	COG-315207	Denver	11/18/2009
Hoehne School Dist R-3	COG-588110	Las Animas	11/19/2009
Northern Colorado Water Conservancy Dist	COG-604072	Larimer	11/20/2009
Pate Construction Co., Inc	COG-073229	El Paso	11/20/2009
Edge Contracting, Inc	COG-073228	Arapahoe	11/20/2009
High Country Pipeline Contractors, Inc	COG-073233	El Paso	11/30/2009
C&J Gravel Products, Inc	COG-073230	La Plata	11/30/2009
Goodland Construction, Inc	COG-073232	Jefferson	11/30/2009
Naranjo Civil Constructors	COG-073227	Arapahoe	11/30/2009
Suncor Energy (USA) Pipeline Co	COG-604070	Weld	11/30/2009
Glacier View Meadows Water & Sewer Assn	COX-631020	Larimer	11/20/2009

(A) Denotes Amendment

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

COR-010000	Light Industrial Activities	1
COR-020000	Heavy Industrial Activities	0
COR-030000	Construction Activities	72
COR-040000	Metal Mining	1
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	24*
COR-320000	State Highway Sand and Gravel	0
	No Exposure Certifications	3

\*21 of these new certifications were for sites previously under the COR-320000 general permit (CDOT Sand and Gravel), which expired 10/31/2009

Stormwater permit applications, guidance documents, etc, are available at:  
<http://www.cdphe.state.co.us/wq/PermitsUnit/index.html>

## 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>
Cornerstone Townhomes, LLC	Stormwater - Order for Civil Penalty	Adams	11/30/2009
Mountain Air Ranch Inc	Drinking Water – Enforcement Order	Jefferson	12/21/2009

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

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
Mountain Coal Company, LLC	Industrial – Compliance Order on Consent	Gunnison	12/01/2009

### 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>
Colorado State Parks and Outdoor Recreation – Golden Gate Canyon State Park Reverend's Ridge Campground	Site Application #1164 Amendment	Upgrade existing lagoon wastewater treatment system to include new influent lift station, new influent screening, new membrane bioreactor system package plant, and new ultraviolet disinfection system	Gilpin	Approved 11/23/2009

## D. CONSTRUCTION ACTIONS (cont.)

### 1. Site Applications Reviews

<u>APPLICANT</u>	<u>TYPE</u>	<u>FACILITY DESCRIPTION</u>	<u>COUNTY</u>	<u>ACTION</u>
City of Thornton – Skylake Ranch Lift Station	Site Application #3788	Lift station and force main. Design capacities 0.23 MGD Average Capacity, 0.60 MGD Peak Capacity	Adams	Approved 12/11/2009
Metro Wastewater Reclamation Dist	Site Application #4726 Amendment	Upgrade existing South Secondary Complex to include new primary effluent pump station, new south secondary aeration basins, new mixed liquor distribution structures, renovation of ten clarifiers, two new RAS/WAS pump stations, new south blowers, and modifications of existing centrate distribution system	Adams	Approved 11/23/2009
St. Julien Partners – Gunbarrel Lift Station	Site Application #5084	Lift station and force main. Design capacities 0.026 MGD Average Capacity, 0.144 MGD Peak Capacity	Boulder	Approved 11/23/2009
Town of Mancos	Site Application #5088	Influent lift station, flow metering, fine screening, grit removal, Aquarius Technologies treatment tanks, AquaDisk cloth textile filtration with associated backwash pond, ultraviolet disinfection	Montezuma	Approved 12/15/2009

### 2. Plans and Specifications Reviews

<u>APPLICANT</u>	<u>SITE APPLICATION</u>	<u>FACILITY DESCRIPTION</u>	<u>COUNTY</u>	<u>ACTION</u>
Redstone Water and Sanitation Dist	Site Application #4908	Replacement of activated sludge package plant, and sodium hypochlorite disinfection system with Aero-Mod wastewater treatment facility and UV disinfection	Pitkin	Approved 12/15/2009
Town of Erie – Phase II	Site Application #5054	Inclusion of the previously approved Phase I construction, primary treatment-headworks, secondary treatment-integrated fixed-film activated sludge process, cloth disk filtration, disinfection, emergency power and solids processing with lime stabilization	Weld	Approved 12/06/2009

## 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](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.**

<u>APPLICANT</u>	<u>PERMIT #</u>	<u>ACTIVITY</u>	<u>COUNTY</u>	<u>WATERBODY</u>	<u>DETERMINATION</u>
#4246 Colorado Springs Utilities - Sand Creek at N. Carefree	SPA-2009-00732-SCO	Rehabilitation of an existing grade control/drop structure and the construction of a new grade control/drop structure to protect an existing sanitary sewer line	El Paso	Sand Creek, Arkansas River Basin, Seg. COARFO04 of Fountain Creek Sub-basin	Use protected no further antidegradation review required. Draft Regular Certification
#4247 Colorado Springs Utilities - Monument Creek N. of Unita	SPA-2009-00698-SCO	Construction of a sloping boulder drop structure to protect an existing concrete-encased sanitary sewer line	El Paso	Monument Creek, Arkansas River Basin, Seg. COARFO06 of Fountain Creek Sub-basin	Only temporary impacts to water quality. Draft Regular Certification
#4248 Southeast Metro Stormwater Authority – West Toll gate Creek	NWO-2002-80836-DEN	Excavate and place fill material for bank stabilization	Arapahoe	West Toll gate Creek, South Platte River Basin, Seg. COSPUS16h of Upper South Platte River Sub-basin	This segment is reviewable. Further anti-degradation review is required. Draft Regular Certification
#4249 Urban Drainage and Flood Control Dist – Happy Canyon Creek at Surrey Ridge	NWO-2009-966-DEN	Excavate and place fill material for bank stabilization	Douglas	Happy Canyon Creek, South Platte River Basin, Seg. COSPUS11a of Upper South Platte River Sub-basin	The receiving waters are use protected. No further anti-degradation is required. Draft Regular 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.**

NONE SINCE LAST PUBLICATION

**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.**

<u>APPLICANT</u>	<u>EPA PERMIT #</u>	<u>ACTIVITY</u>	<u>COUNTY</u>	<u>WATERBODY</u>	<u>DETERMINATION</u>
General Permit	CO-R100000	Stormwater associated with construction activities	Statewide	Various water bodies	Regular Certification

**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>
Pine Drive Water Dist	\$241,154	The project consists of replacing two underground vaults with two above ground vaults, along with the replacement of pumps with VFDs and aging meters	Pueblo	11/15/2009

**2. LOANS APPROVED BY CWRPDA**

<u>ENTITY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Town of Windsor	\$5,059,508	Replacement of two lift stations with one new lift station, a new headworks facility, and a new interceptor	Weld	12/04/2009
City of Kit Carson	\$449,208	Replacements, installations, improvements, and modifications to the water system's collection, treatment, and distribution facilities	Cheyenne	12/04/2009
Town of Ophir	\$500,000	Construction of a new water treatment facility, new water infiltration gallery, transmission piping and addition of a new 35,000 gallon treated water storage tank	San Miguel	12/18/2009

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

### 3. LOANS EXECUTED

<u>ENITITY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Gateway Metro Dist	\$575,000	Replacement of existing water storage tank; upper and lower loop for water distribution system and associated valves	Pitkin	12/18/2009
City of Lamar	\$3,953,950	Relocation of the existing chlorine building, storage tank improvements, modifications and improvements to the valve house, and installation of a new 24" transmission main	Prowers	12/16/2009
Town of Boone	\$315,000	Conversion of the existing non-surface water discharging stabilization cells to a surface water discharging stabilization system with the utilization of constructed wetlands for effluent polishing. In addition, a section of the collection system needs replacement as it was originally installed with unacceptable grades	Pueblo	12/15/2009

### 4. STATE GRANT CONTRACTS EXECUTED

NONE SINCE LAST PUBLICATION

### 5. WATER QUALITY IMPROVEMENT FUND

<u>ENTITY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Colorado Division of Parks & Outdoor Recreation	\$33,400.86	2-Year Watershed Plan for Arkansas Headwaters Recreation Area	Chaffee	12/01/2009

### 6. CONSTRUCTION LOAN COMPLETIONS

NONE SINCE LAST PUBLICATION

### 7. DRINKING WATER ELIGIBILITY ASSESSMENT

<u>LOANEE</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Fountain Valley Authority	Replacement of approximately 1500 feet of the corroded 16" ductile iron water transmission line that supplies the Security Water District terminal storage tank	El Paso	12/14/2009

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

<u>LOANEE</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Town of Vona	Replacement of the Town's water storage standpipe	Kit Carson	12/10/2009
City of Walsenburg	Transmission/Distribution line rehabilitation	Huerfano	12/10/2009
City of Manitou Springs Drinking Water	Raw water diversion and transmission/distribution line rehabilitation	El Paso	12/10/2009

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

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

<u>LOANEE</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Pine Drive Wastewater Dist	The project consists of replacing two underground vaults with two above ground vaults, along with the replacement of pumps with VFDs and aging meters	Pueblo	12/10/2009
Town of Fowler	Lagoon Rehabilitation	Otero	12/10/2009
Avondale Water & San Dist	New Lift Station, Lagoon Rehabilitation, Collection/Interceptor Rehabilitation	Pueblo	12/10/2009
City of Manitou Springs Wastewater	Collection/Interceptor Rehabilitation, Stormwater Infrastructure Rehabilitation	El Paso	12/10/2009

**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 Glenwood Springs	The proposed project is a new regional Wastewater Treatment Plant, construction of a new forcemain and lift station that will connect the existing WWTP to the new facility	Garfield	12/08/2009
City of Alamosa	Construction of a new, elevated finished water storage tank and approximately 400 linear feet of new water transmission main	Alamosa	11/05/2009
Town of Ophir	Construction of a new water treatment facility, new water infiltration gallery, transmission piping and addition of a 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  
COMMENT PERIOD EXTENDED UNTIL JANUARY 15, 2010**

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



(cont.)

Lower Kannah Creek, COGULG04b; selenium

Red Rock Creek, COGULG04c; selenium

Comments will be accepted through January 15, 2010. 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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### **Comments Requested on Draft “Compliance Assurance and Enforcement Guidance” for the Water Quality Control Division’s Facility-Operator Program (Comments requested before February 1, 2010)**

The Facility-Operator Program within the Water Quality Control Division has the primary responsibility to ensure that each public water system, each domestic wastewater system and each industrial wastewater system in Colorado is operated under the supervision of an appropriately certified operator in responsible charge (“ORC”).

This requirement is detailed in Colorado statute at §25-9-101, *et seq.*, C.R.S. and in the Water and Wastewater Facility Operators Certification Requirements, Regulation 100, 5 CCR 1003.2.

In order to fulfill this commitment, the Facility-Operator has drafted a guidance document which outlines the steps to be taken by the Division in order to assure compliance and, failing timely compliance, to initiate enforcement action. The material to be reviewed is found in three documents: “Compliance Assurance and Enforcement Guidance: Facility-Operator Program” (Draft – December 2009), “Flow Chart - Compliance Assurance and Enforcement Guidance: Facility-Operator Program” (Draft – December 2009), and “Administrative Penalty Guidance and Calculations: Facility-Operator Program” (Draft – December 2009).

A link to these guidance documents is posted on the Water Quality control Division website home page at [www.cdphe.state.co.us/wq](http://www.cdphe.state.co.us/wq). We would appreciate receiving your comments on these documents. Please submit your comments to the Facility-Operator Program ([betsy.beaver@state.co.us](mailto:betsy.beaver@state.co.us)) by February 1, 2010.