



Colorado Department
of Public Health
and Environment

WATER QUALITY INFORMATION BULLETIN

Highlights For April 2010

- **Agenda: Rulemaking Hearing, Informational Hearing, Administrative Action Hearing and Business Meeting, April 12, 2010**
<http://www.cdphe.state.co.us/op/wqcc/Meetings/wqag.html>
- **Notice of Public Rulemaking Hearings**
 - Classification and Numeric Standards for Arkansas River Basin, Regulation 32 (5 CCR 1002-32)
 - Classification and Numeric Standards for Upper Colorado River Basin and North Platte River (Planning Region 12), Regulation 33 (5 CCR 1002-33)
 - Classification and Numeric Standards for Rio Grande River Basin, Regulation 36 (5 CCR 1002-36)
 - Classification 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/JulyTM/TM.html>
 - Colorado Discharge Permit System, Regulation 61 (5 CCR 1002-61)
 - HCSFO Financial Assurance Criteria Regulation of Colorado Housed Commercial Swine Feeding Operations, New Regulation 66 (Proposed 5 CCR 1002-66)
http://www.cdphe.state.co.us/op/wqcc/RulemakingProceedings/61_66/61_66.html
- **Notice of Public Administrative Action Hearing**
 - Revisions to 2010 Drinking Water and Wastewater Financial Assistance Intended use Plans to provide consistency with EPA guidance
<http://www.cdphe.state.co.us/op/wqcc/AAH/IUPjun2010/NoticeIUP2010revisionJuneAAH.pdf>
- **Notice of Final Adoption**
 - Colorado Section 303(d) List of Impaired Waters and Monitoring and Evaluation List, Regulation 93 (5 CCR 1002-61)
<http://www.cdphe.state.co.us/regulations/wqccregs/index.html>
- **Notice of Repeal**
 - Colorado's Monitoring and Evaluation List, Regulation 94 (5 CCR 1002-94)
<http://www.cdphe.state.co.us/regulations/wqccregs/index.html>
- **Summary of Proceedings/Motions (DRAFT)**
Water Quality Control Commission Regular Meeting, March 9, 2010
<http://www.cdphe.state.co.us/op/wqcc/Meetings/meetingsummaries/1003SUM.pdf>

PUBLICATION DATE: April 2, 2010

A. PERMIT ACTIONS

1. PERMITS SENT TO PUBLIC NOTICE ON MARCH 19, 2010 – COMMENTS DUE BY APRIL 19, 2010

The website to view public notices and drafts:

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

2. DISCHARGE PERMITS ISSUED – FEBRUARY 2010

| <u>PERMITTEE</u> | <u>PERMIT NO.</u> | <u>COUNTY</u> | <u>DATE ISSUED</u> |
|---|-------------------|---------------|--------------------|
| Mountain View Villages Water & San Dist | CO-048372 | Lake | 02/25/2010 |
| Academy School District 20 | CO-048429 | El Paso | 02/25/2010 |

(A) Denotes Amendment

3. GENERAL PERMIT CERTIFICATIONS – FEBRUARY 2010

| <u>PERMITTEE</u> | <u>PERMIT NO.</u> | <u>COUNTY</u> | <u>DATE ISSUED</u> |
|---|-------------------|---------------|--------------------|
| Edge Contracting Inc | COG-073272 | Arapahoe | 02/03/2010 |
| Tezak Heavy Equip Co Inc | COG-073273 | Prowers | 02/03/2010 |
| Naranjo Civil Constructors | COG-073286 | Arapahoe | 02/03/2010 |
| Flatiron Constructors Inc | COG-073281 | Weld | 02/08/2010 |
| Saunders Construction | COG-073282 | Denver | 02/08/2010 |
| Naranjo Civil Constructors | COG-073287 | Adams | 02/08/2010 |
| KECI Colorado Inc | COG-073290 | Arapahoe | 02/08/2010 |
| Reynolds-Tierdael | COG-073292 | Denver | 02/08/2010 |
| Garney Construction | COG-604073 | Arapahoe | 02/08/2010 |
| Connell Resources Inc | COG-501522 | Moffat | 02/09/2010 |
| Twin Peaks Utilities & Infrastructure Inc | COG-073274 | Arapahoe | 02/10/2010 |
| ESCO Construction Co | COG-073294 | Jefferson | 02/10/2010 |
| OSP Condos at Apres Ski Way Owners Assn | COG-603147 | Routt | 02/10/2010 |
| MA Concrete construction Inc | COG-073297 | Mesa | 02/19/2010 |
| BT Construction Inc | COG-073298 | Arapahoe | 02/19/2010 |
| American Infrastructure Inc | COG-073302 | Arapahoe | 02/19/2010 |
| Weld County Public Works | COG-501523 | Weld | 02/19/2010 |
| City of Pueblo Water Reclamation Facility | COG-603148 | Pueblo | 02/19/2010 |
| Concrete Express Inc | COG-073291 | Denver | 02/22/2010 |
| Naranjo Civil Constructors | COG-073295 | Adams | 02/22/2010 |
| GLH Construction Inc | COG-073299 | Larimer | 02/22/2010 |
| Town of Timnath | COG-073300 | Larimer | 02/22/2010 |
| Hamon Contractors Inc | COG-073305 | Adams | 02/22/2010 |
| High Country Pipeline Contractors | COG-073306 | El Paso | 02/22/2010 |
| R&D Pipeline Construction Inc | COG-073307 | Jefferson | 02/22/2010 |
| Mark Young Construction Inc | COG-073308 | Broomfield | 02/22/2010 |
| Whiting-Turner Contracting Co | COG-073309 | Jefferson | 02/22/2010 |
| Nelson Pipeline Constructors Inc | COG-073310 | Arapahoe | 02/22/2010 |
| Twentymile Coal Co | COG-073311 | Routt | 02/22/2010 |
| Mark Young Construction Inc | COG-073312 | Douglas | 02/22/2010 |
| Kiewit Building Group | COG-073313 | Denver | 02/22/2010 |
| Northwest Aggregates Inc | COG-501524 | Moffat | 02/22/2010 |
| Colorado Dept of Transportation | COG-603144 | Clear Creek | 02/23/2010 |
| Kiewit Building Group | COG-073314 | Denver | 03/01/2010 |
| Haynes Excavation Inc | COG-073316 | Ouray | 03/03/2010 |
| High Country Pipeline Contractors Inc | COG-073317 | El Paso | 03/09/2010 |
| Concrete Works of Colorado Inc | COG-073319 | Boulder | 03/09/2010 |

(A) Denotes Amendment

B. STORMWATER DISCHARGE GENERAL PERMIT CERTIFICATIONS – FEBRUARY 2010

| | | |
|------------|-----------------------------|-----|
| COR-010000 | Light Industrial Activities | 2 |
| COR-020000 | Heavy Industrial Activities | 0 |
| COR-030000 | Construction Activities | 102 |
| 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 | 1 |
| COR-340000 | Sand and Gravel Mining | 3 |
| | No Exposure Certifications | 1 |

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

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> |
|--------------------------------|---|-----------------|-------------|
| BearTrap Ranch | Drinking Water – Enforcement Order | El Paso | 02/26/2010 |
| CU Mountain Research | Drinking Water – Enforcement Order on Consent | Boulder | 03/01/2010 |
| Union Pacific Railroad Company | Stormwater – Order for Civil Penalty | Denver | 03/05/2010 |
| Premier Eurocase, Inc. | Stormwater – Order for Civil Penalty | Denver | 03/05/2010 |
| Native Excavating, Inc. | Stormwater – Order for Civil Penalty | Routt | 03/05/2010 |
| Heritage Farms, LLC | Heritage Farms, LLC | Kiowa & Prowers | 03/05/2010 |

2. CONSENT OR SETTLEMENT AGREEMENTS TO PUBLIC NOTICE

| <u>RESPONSIBLE PARTY</u> | <u>ACTION</u> | <u>COUNTY</u> | <u>DATE</u> |
|--------------------------|--|---------------|-------------|
| Rockrimmon Constructors | Stormwater – Compliance Order on Consent | El Paso | 03/15/2010 |

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> |
|------------------|----------------------------------|---|---------------|---------------------|
| Town of Rangely | Site Application #2111 Amendment | Six high-efficiency, floating aerators to be installed in the existing aerated lagoons; addition of a floating cover for the polishing pond | Rio Blanco | Approved 03/03/2010 |

D. CONSTRUCTION ACTIONS (cont.)

1. Site Application Reviews

| <u>APPLICANT</u> | <u>TYPE</u> | <u>FACILITY DESCRIPTION</u> | <u>COUNTY</u> | <u>ACTION</u> |
|-------------------------------|------------------------|---|---------------|---------------------|
| South Durango Sanitation Dist | Site Application #5091 | Fine screening, grit removal, insulated flow equalization basin, pump station, Fluidyne Sequencing Batch Reactor (SBR), ultraviolet (UV) disinfection | La Plata | Approved 02/19/2010 |

2. Plans and Specifications Reviews

| <u>APPLICANT</u> | <u>SITE APPLICATION</u> | <u>FACILITY DESCRIPTION</u> | <u>COUNTY</u> | <u>ACTION</u> |
|-----------------------|----------------------------------|---|---------------|---------------------|
| Town of Rangely | Site Application #2111 Amendment | Six high-efficiency, floating aerators to be installed in the existing aerated lagoons; addition of a floating cover for the polishing pond | Rio Blanco | Approved 03/10/2010 |
| Town of Crested Butte | Site Application #4257 | Construction of a new secondary clarifier for the purpose of redundancy | Gunnison | Approved 03/02/2010 |

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>PERMIT #</u> | <u>ACTIVITY</u> | <u>COUNTY</u> | <u>WATERBODY</u> | <u>DETERMINATION</u> |
|---|--------------------|--|---------------|--|---|
| #4253 Colorado Lakeshore Holding Co., LLC /Lake Woodmoor Residential Lots | SPA-2010-00111-SCO | Create buildable residential lots and place riprap to stabilize the placed fill material | El Paso | Lake Woodmoor, Lake Fork of Dirty Woman Creek, Arkansas River Basin, Seg. COARFO04 of Fountain Creek Sub-basin | Use protected water no further antidegradation review required. Draft Regular Certification |

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

1. Preliminary Determination

| <u>APPLICANT</u> | <u>PERMIT #</u> | <u>ACTIVITY</u> | <u>COUNTY</u> | <u>WATERBODY</u> | <u>DETERMINATION</u> |
|--|--------------------|---|---------------|--|---|
| #4254 Signature Reality Capital Corp/ Westgate at Powers | SPA-2010-00110-SCO | Construct a commercial development project to include riprap with vertical drop concrete walls to stabilize the channel. Install culvert and construct trail and maintenance access road | El Paso | Sand Creek tributary, Arkansas River Basin, Seg. COAPFO04 of Fountain Creek Sub-basin | Use protected water no further antidegradation review required. Draft Regular Certification |
| #4255 National Park Service- Great Sand Dunes/Sand Creek Pit Restoration | SPA-2010-00132-DRO | Filling 13 man-made pits and restoring the area to natural landscape | Saguache | Sand Creek, Rio Grande River Basin, Seg. CORGCB10 of Closed Basin SLV Sub-basin | Permanent long term water quality impacts. Draft Conditional Certification |
| #4256 City of Colorado Springs / West Fork Sand Creek | SPA-2010-00117-SCO | Construct a sloping boulder grouted riprap drop structure and an outfall | El Paso | West Fork Sand Creek, Arkansas River Basin, Seg. COARFO04 of Fountain Creek Sub-basin | Use protected water no further antidegradation review required. Draft Regular Certification |
| #4257 Urban Drainage and Flood Control Dist/Grange Hall Creek | NWO-2009-830-DEN | Improvements include placing fill material and installing drop structures riprap to include bank stabilization | Adams | Grange Hall Creek, South Platte River Basin, Seg. COSPUS16c of Upper South Platte River Sub-basin | Use protected water no further antidegradation review required. Draft Regular Certification |
| #4258 Platte Canyon School District #1 | NWO-2009-1058-DEN | AFTER THE FACT CERTIFICATION: Original Permit 19980772. Project will consist of a baseball, softball, field, track & football fields. It will include a bridge and a mitigation area. Some work as been started and has impacted a wetland area | Park | South Platte and North Fork, South Platte River Basin, Seg. COSPUS04 of Upper South Platte River Sub-basin | This project is on reviewable waters. Further antidegradation review is required |

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>PERMIT #</u> | <u>ACTIVITY</u> | <u>COUNTY</u> | <u>WATERBODY</u> | <u>CERTIFICATION</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 | Regular Conditions |
| #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 | Regular Conditions |
| #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 | 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, (303) 692-3555.

NONE SINCE LAST PUBLICATION

F. OUTREACH AND PROJECT ASSISTANCE UNIT

1. LOAN APPLICATIONS RECEIVED

NONE SINCE LAST PUBLICATION

2. LOANS APPROVED BY CWRPDA

| <u>ENTITY</u> | <u>AMOUNT</u> | <u>PROJECT DESCRIPTION</u> | <u>COUNTY</u> | <u>DATE</u> |
|----------------------|---------------|---|---------------|-------------|
| Town of Orchard City | \$2,000,000 | This project is phase one of two, which will replace approximately 60% of a 7.5 mile long treated water transmission line with high density polyethylene piping and includes the installation of several pressure reducing valves throughout the line | Delta | 03/05/2010 |

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> |
|-----------------------------------|---------------|---|---------------|-------------|
| Teller County Water & San Dist #1 | \$1,718,000 | The project consists of rehabilitation to an existing storage tank, the replacement and installation of distribution lines, and placing an existing well back in service | Teller | 03/05/2010 |
| Cheyenne Wells San Dist | \$770,000 | The project consists of lining Cell #2 and #3, upgrading the existing surface aerators, the installation of a modular cover for Cell #3, improvements to the existing disinfection system, headwork improvements, and various safety/security upgrades at the plant | Cheyenne | 03/05/2010 |

3. LOANS EXECUTED

NONE SINCE LAST PUBLICATION

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

NONE SINCE LAST PUBLICATION

8. PUBLIC HEARING/PUBLIC MEETING

NONE SINCE LAST PUBLICATION

9. FINDING OF NO SIGNIFICANT IMPACT AND CATEGORICAL EXCLUSION DETERMINATIONS

| <u>LOANEE</u> | <u>PROJECT DESCRIPTION</u> | <u>COUNTY</u> | <u>DATE</u> |
|-----------------------------------|--|---------------|-------------|
| Teller County Water & San Dist #1 | The project consists of rehabilitation to an existing storage tank, the replacement and installation of distribution lines, and placing an existing well back in service | Teller | 03/10/2010 |
| Colorado Springs Utilities | Replace the existing aging roof framing system at the 20 million gallon Highline Reservoir with a new aluminum roof framing system | El Paso | 03/10/2010 |

F. OUTREACH AND PROJECT ASSISTANCE UNIT (cont.)

10. CONSTRUCTION LOAN COMPLETIONS

| <u>LOANEE</u> | <u>AMOUNT</u> | <u>PROJECT DESCRIPTION</u> | <u>COUNTY</u> | <u>DATE</u> |
|-----------------------------------|---------------|--|---------------|-------------|
| Town of Bayfield – Gem Village | \$193,956 | Consolidate Gem Village Wastewater Service Area with Town of Bayfield. Construction of a new lift station, gravity sewer and force main | La Plata | 02/11/2010 |

G. TOTAL MAXIMUM DAILY LOADS SENT TO PUBLIC NOTICE ON APRIL 1, 2010 COMMENTS DUE BY APRIL 30, 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:

San Miguel River below Idarado Mine, COGUSM03a; cadmium
Ingram Creek, COGUSM06a; cadmium
Marshall Creek, COGUSM06b; cadmium
Geneva Creek, COSPUS05a and COSPUS05b; cadmium

Comments will be accepted through April 30, 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.

SPECIAL NOTES

NONE SINCE LAST PUBLICATION