



Colorado Department  
of Public Health  
and Environment

# WATER QUALITY INFORMATION BULLETIN

## Highlights For March 2011

- **Agenda: Rulemaking Hearing, Adjudicatory Hearing and Business Meeting, March 8, 2011**  
<http://www.cdphe.state.co.us/op/wqcc/Meetings/Agenda/wqag.html>
- **Notice of Written Comment Rulemaking**
  - Extension of effective date of Discharge Specific Variance in the Basic Standards and Methodologies for Surface Water, Regulation #31 (5 CCR 1002-31) and
  - Extension of Temporary Modifications in certain segments in
    - Classifications and Numeric Standards for Arkansas River Basin, Regulation #32 (5 CCR 1002-32),
    - Classifications and Numeric Standards for Upper Colorado River Basin and North Platte River (Planning Region 12), Regulation #33 (5 CCR 1002-33),
    - Classifications and Numeric Standards for San Juan River and Dolores River Basins, Regulation #34 (5 CCR 1002-34),
    - Classifications and Numeric Standards for Gunnison River and Lower Dolores River Basins, Regulation #35 (5 CCR 1002-35),
    - Classifications and Numeric Standards for Rio Grande River Basin, Regulation #36 (5 CCR 1002-36),
    - Classifications and Numeric Standards for Lower Colorado River Basin, Regulation #37 (5 CCR 1002-37),
    - Classifications and Numeric Standards for South Platte River Basin, Laramie River Basin, Republican River Basin, Smoky Hill River Basin, Regulation #32 (5 CCR 1002-32),  
<http://www.cdphe.state.co.us/op/wqcc/StandardsReview/JunTMwcrm/TMwcrm.html>
- **Notice of Administrative Action Hearing**
  - Water Quality Management Plan  
<http://www.cdphe.state.co.us/op/wqcc/Hearings/AAH/WQmanplan/wQmanplan.html>
- **Notice of Informational Hearings**

For consideration of read options of revision to the...

  - Procedural Rules, Regulation #21 (5 CCR 1002-21) – Routine Review Informational Hearing
  - Regulations Controlling Discharges to Storm Sewers, Regulation #65 (5 CCR 1002-65) – Triennial Review Informational Hearing  
<http://www.cdphe.state.co.us/op/wqcc/Hearings/IH/IH.html>
- **Summary of Proceedings/Motions (DRAFT)**  
**Water Quality Control Commission Regular Meeting, February 14, 2011**  
<http://www.cdphe.state.co.us/op/wqcc/Meetings/MeetingSummaries/1102SUM.pdf>

**PUBLICATION DATE: March 4, 2011**

## A. PERMIT ACTIONS

### 1. PERMITS SENT TO PUBLIC NOTICE ON FEBRUARY 18, 2011 – COMMENTS DUE BY MARCH 21, 2011

The website to view public notices and drafts:

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

### 2. DISCHARGE PERMITS ISSUED – JANUARY 2011

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Ogilby Corp / DBA Avalanche Ranch Cabins & Antique	CO-048823	Pitkin	01/28/2011
Peaceful Valley Ranch, LLC	CO-048828	Boulder	01/28/2011
City of Loveland	CO-048811	Larimer	01/31/2011

(A) Denotes Amendment

### 3. GENERAL PERMIT CERTIFICATIONS – JANUARY 2011

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Painted Sky RC&D	COG-073586	Delta	01/10/2011
Naranjo Civil Constructors	COG-073590	Arapahoe	01/10/2011
Scott Contracting Inc	COG-073591	Adams	01/10/2011
Moltz Construction Inc	COG-073592	Morgan	01/10/2011
Connell Resources	COG-073593	Larimer	01/10/2011
SaBell's Enterprises	COG-073594	Douglas	01/10/2011
SaBell's Enterprises	COG-073595	Douglas	01/10/2011
Naranjo Civil Constructors Inc	COG-073596	Arapahoe	01/10/2011
Reynolds Inc	COG-604092	Adams	01/10/2011
Naranjo Civil Constructors Inc	COG-073602	Denver	01/14/2011
Naranjo Civil Constructors Inc	COG-073603	Denver	01/14/2011
G.E. Johnson Construction Co	COG-073608	Denver	01/14/2011
Naranjo Civil Constructors Inc	COG-073609	Arapahoe	01/14/2011
Concrete Structures Inc	COG-073610	Adams	01/14/2011
Base Village Co Inc	COG-603175	Pitkin	01/18/2011
Reynolds Inc	COG-073597	Adams	01/21/2011
Hirschfeld Backhoe & Pipeline Inc	COG-073598	Jefferson	01/21/2011
Naranjo Civil Constructors Inc	COG-073601	Jefferson	01/21/2011
E-Z Excavating Inc	COG-073607	Weld	01/21/2011
Naranjo Civil Constructors Inc	COG-073611	Douglas	01/21/2011
Naranjo Civil Constructors Inc	COG-073612	Boulder	01/21/2011
BT Construction Inc	COG-073617	Arapahoe	01/21/2011
Saunders Construction Inc	COG-604093	Arapahoe	01/21/2011
Garney Construction	COG-604094	El Paso	01/21/2011
Waste Water Treatment Services, LLC	COG-589110	Garfield	01/26/2011
Loma Linda Sanitation Dist	COG-589111	La Plata	01/26/2011
Fox Acres Community Services Corp	COG-589112	Larimer	01/26/2011
Connell Resources Inc	COG-073599	Larimer	01/27/2011
Concrete Express Inc	COG-073604	Adams	01/27/2011
American Infrastructure Inc	COG-073618	Douglas	01/27/2011

(A) Denotes Amendment

## B. STORMWATER DISCHARGE GENERAL PERMIT CERTIFICATIONS – JANUARY 2011

COR-010000	Light Industrial Activities	1
COR-020000	Heavy Industrial Activities	1
COR-030000	Construction Activities	78
COR-040000	Metal Mining	1
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	6
	No Exposure Certifications	

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

Documents related to the below enforcement actions are available for public inspection at the Division. Copies of the below actions are available upon written request to the Division or, in some instances, may be obtained from the Divisions' Enforcement Action website: <http://www.cdphe.state.co.us/wq/enforcement/index.html>

### 1. ENFORCEMENT – NEW ACTION

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
Sedalia Water & San Dist	Drinking Water – Enforcement Order	Douglas	02/01/2011
XTO Energy Inc	Stormwater – Order for Civil Penalty	Las Animas	02/08/2011

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

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
American Civil Constructors Inc	Stormwater – Compliance Order on Consent	Clear Creek	01/28/2011
Antero Resources Pipeline Corp	Stormwater – Compliance Order on Consent	Garfield	02/08/2011

### 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>
Shambhala International (Vajradhatu)	Site Application #4097 (ES.10.41853) <b>Correction</b>	Corrected the peak hourly flow to 0.132 MGD	Larimer	Approved 02/07/2011
St. Vrain Sanitation Dist	Site Application #4469 (ES.10.42111)	Improvements to the headworks to provide additional screening capacity, grit classifying/washing and influent lift station capacity; construction of two 3MGD capacity deep-basin oxidation ditches for secondary treatment; construction of two secondary clarifiers and associated return activated sludge and waste activated sludge pumping systems; expanding the ultraviolet light disinfection system and relocating the system to the new pumping/solids handling/disinfection building; installing a new outfall pipe with direct discharge to St. Vrain Creek; construction of a biosolids treatment system that includes screw thickeners, autothermal thermophilic aerobic digestion, and screw presses; renovation of the operations building	Weld	Approved 02/03/2011
Town of Akron	Site Application #4790 (ES.10.42100)	Installation of a mechanical bar screen at the influent to the wastewater treatment facility	Washington	Approved 02/07/2011
Mesa County Whitewater PID – Lift Station	Site Application #ES.10.41873	Lift Station and Force Main. Design capacities 0.25 MGD Average Capacity, 1.000 MGD Peak Capacity	Mesa	Approved 02/07/2011
Town of Kit Carson	Site Application #ES.10.42082	Cleaning, reshaping and installing a synthetic membrane liner in the two existing treatment lagoons; construction of two parallel- plumbed wetland cells; and new effluent calcium hypochlorite disinfection process	Cheyenne	Approved 01/28/2011
Mesa County Lower Valley PID	Site Application #5059 (ES.10.42032)	Extended the site application approval until 06/24/2011	Mesa	Approved 02/07/2011
Colorado Division of Parks & Outdoor Recreation – Cherry Creek State Park Shooting Center Lift Station	Site Application #ES.10.41997	Lift Station and Force Main. Design capacities 0.0026 MGD Average Capacity, 0.1152 MGD Peak Capacity	Arapahoe	Approved 02/09/2011

## D. CONSTRUCTION ACTIONS (cont.)

### 1. Site Applications Reviews

<u>APPLICANT</u>	<u>TYPE</u>	<u>FACILITY DESCRIPTION</u>	<u>COUNTY</u>	<u>ACTION</u>
RMCS, LLC – Takoda Lift Station	Site Application #ES.10.41995	Lift Station and Force Main. Design capacities 0.075 MGD Average Capacity, 0.29952 Peak Capacity	Boulder	Approved 02/23/2011

### 2. Plans and Specifications Reviews

<u>APPLICANT</u>	<u>SITE APPLICATION</u>	<u>FACILITY DESCRIPTION</u>	<u>COUNTY</u>	<u>ACTION</u>
Echo Canyon River Expeditions – New ISDS	Site Application #ES.10.41921	Septic tanks, dosing tank/pump station, and absorption field	Fremont	Approved 01/13/2011
Vickers Ranch Enterprise, Inc. – Vickers Horse River Ranch Wastewater Treatment Facility	Site Application #ES.10.42018	Twenty-four, 1250-gallon septic tanks for primary treatment, a pressurized septic collection system, one 10,000-gallon recirculation tank, an Advantex Recirculation Pack-Bed Filter, one 1500-gallon dosing tank, and a UV disinfection system	Hinsdale	Approved 02/01/2011
Town of Keenesburg	Site Application #ES.10.41824	Current system replaced with a 3- step Advanced Integrated Pond System (AIPS) and a new chlorine contact chamber. Modification of existing Basin 2 to reduce its capacity and provide flow equalization for the intermediate lift station. New intermediate lift station. Expansion of existing aeration basins. New polishing pond. Expansion of existing disinfection system utilizing sodium hypochlorite	Weld	Approved 02/03/2011
Town of Kit Carson – Lift Station	Site Application #ES.10.42083	Lift Station and Force Main. Design capacities 0.0313 MGD Average Capacity, 0.181 Peak Capacity	Cheyenne	Approved 02/04/2011
Sangre de Cristo School Dist R22-J	Site Application #ES.10.41804	Orenco Advantex System with AX100 filter units and an absorption field. The system consists of a septic tank/sludge storage tank, an anoxic tank, a recirculation blending tank, AX100 textile filters, a flow splitter basin, a dosing tank, and an engineered sand filter absorption field	Alamosa	Approved 02/18/2011

## 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>
#4276 Denver Regional Transportation District / FasTracks – North Metro Corridor	NWO-2006-80505-DEN	Construct an 18 mile rail transit corridor including eight stations from Denver Union Station North to 162 <sup>nd</sup> Ave	Denver and Adams	South Platte River, Burlington Ditch, Sand Creek, Niver Creek, Hoffman Drainage, Lower Clear Creek Canal, Colorado Agricultural Canal, Grange Hall Creek (N & NE forks), Brantner Gulch, Wadley Creek, Big Dry Creek, tribs to Big Dry Creek and miscellaneous wetlands along the route South Platte River Basin, Seg. COSPUS14, COSPUS15(UP), COSPUS16a, COSPUS16c(UP), COSPBD01(UP) of Upper and Middle South Platte River and Big Dry Creek Sub-basin	Only temporary impacts to water quality are expected to be reviewable segments. Draft Conditional Certification
#4277 Colorado Group Realty, Inc / Steamboat 40	SPK-2009-00178	Construction of a 5 building mixed-use development at the south end of Steamboat Springs	Routt	Wetland and pond adjacent to the Yampa River, Upper Colorado River Basin, COUCYA03 of Yampa River Sub-basin	Potential long-term water quality impacts. Draft Conditional 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>
#4278 Denver Water / Harriman Reservoir	NWO-2010-2108-DEN	Due to dam safety concerns the Colorado State Engineer's Office restricted the original water storage level. They provided a list of dam safety deficiencies to Denver Water. Denver Water to rebuild the existing dam in approximately the same footprint	Jefferson	Harriman Reservoir, Turkey Creek, Bear Creek, South Platte River Basin, Seg. COSPBE01B, COSPBE01E, & COSPBE06A of Bear Creek Sub-basin	This project is located on reviewable water. Further antidegradation 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>
#4270 Town of Parker / Sulphur Gulch Channel Improvements Project	NWO-2010-02004-DEN	Proposed improvements include three existing drop structures, installing two concrete drop structures, grading a low-flow channel, and installing bank protection treatments	Douglas	Sulphur Gulch, South Platte River Basin, Seg. COSPCH04 of Cherry Creek Sub-basin	Regular with Special Conditional Certification
#4272 Urban Drainage & Flood Control Dist / Dutch Creek	NWO-2010-00605	Channel and bank stabilization and installing grade control structures	Jefferson	Dutch Creek, South Platte River Basin, Seg. COSPUS16C of South Platte River Sub-basin	Regular Certification
#4273 Urban Drainage & Flood Control Dist / Babi Yar Park	NWO-2010-1945-DEN	Channel and bank stabilization and installing lining	Denver	Tributary to Cherry Creek, South Platte River Basin, Seg. COSPCH04 of Cherry Creek Sub-basin	Regular Certification

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

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. FINANCIAL SOLUTIONS UNIT

### 1. LOAN APPLICATIONS RECEIVED

<u>ENTITY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Town of Nunn	\$2,424,000	Project includes Replacement of failing/leaking existing water system infrastructure as well as replacement of water mains, water meters, and water storage tank	Weld	02/15/2011

### 2. LOANS APPROVED BY CWRPDA

NONE SINCE LAST PUBLICATION

### 3. LOANS EXECUTED

<u>ENTITY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Town of Manassa	\$492,900	The project consists of installing disinfection systems within each of the Town's two ground water pump stations, construction of a 1980 l.f. of 24-inch diameter pipe to serve as a chlorine contact chamber, and installation of two backup power generators	Conejos	01/31/2011

### 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



## F. FINANCIAL SOLUTIONS UNIT (cont.)

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

NONE SINCE LAST PUBLICATION

### 10. CONSTRUCTION LOAN COMPLETIONS

<u>LOANEE</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Town of Holly	\$103,392.00	The project consists of water main replacement, renovation of meter pit assemblies, and installation of new meters with touch read hardware	Prowers	02/24/2011

## G. TOTAL MAXIMUM DAILY LOADS SENT TO PUBLIC NOTICE

NONE SINCE LAST PUBLICATION

## SPECIAL NOTES

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### COLORADO DISCHARGE PERMIT SYSTEM (CDPS)

#### BASIS FOR WITHDRAW OF THE STATEWIDE AMENDMENT REGARDING DMR REPORTING AND PRACTICAL QUANTITATION LIMITS

In April of 2009, the Water Quality Control Division (Division) noticed its intention to do a Statewide amendment to all permits which have conditions regarding practical quantitation limits (PQLs), method detection limits (MDLs) and conditions for reporting nondetects or non quantified results including individual permits, general permits, certifications under a general permit, and groundwater permits. The Division received comments on various issues including but not limited to: the procedural process for which the amendment was noticed; the administrative process for which each separate permit would be amended; the PQL values published in the amendment and; the ability for facilities to create site specific PQLs.

The Division is withdrawing this amendment based on two underlying issues. First, issuance of the amendment would set the proposed PQLs in each permit, without considering permittee's abilities to get site specific PQLs. This would potentially set up numerous amendments to specific permits to incorporate a site specific PQL. Second, the Division is unable to amend administratively extended permits. Currently, approximately 30% of the permits that would be subject to the proposed statewide amendment are administratively extended.

In April 2009, the Division provided guidance to permittees under separate cover regarding reporting non detects or non quantified results on discharge monitoring reports (DMRs). The Division has also been working with permittees on a case by case basis to further explain reporting requirements and receive corrected DMRs as appropriate. The Division has been incorporating the changes contemplated in the statewide amendment into each individual permit, general permit, and certification as it is renewed. This has been occurring since the proposed statewide amendment was public noticed, and will continue until the changes have been made to each permit. Permittee's are able to comment specifically to their permits, as they come up for renewal during the public notice of the draft permit or of the master general permit as appropriate.