



Colorado Department
of Public Health
and Environment

WATER QUALITY INFORMATION BULLETIN

Highlights For October 2011

- **Agenda: Administrative Action Hearing, Informational Hearing and Business Meeting, October 11, 2011**
<http://www.cdphe.state.co.us/op/wqcc/Meetings/Agenda/Agenda1110.pdf>
- **Notice of Administrative Action Hearing**
 - North Front Range Water Quality Planning Association 208 Plan Update
<http://www.cdphe.state.co.us/op/wqcc/Hearings/AAH/NFRWQPA208/NFRWQPA208Plan.html>
- **Notice of Written Comment Rulemaking**
 - Colorado Discharge Permit System Regulations, Regulation #61 (5 CCR 1002-61)
<http://www.cdphe.state.co.us/op/wqcc/Hearings/Rulemaking/Rulemaking.html>

PUBLICATION DATE: September 30, 2011

A. PERMIT ACTIONS

1. PERMITS SENT TO PUBLIC NOTICE ON SEPTEMBER 16, 2011 – COMMENTS DUE BY OCTOBER 17, 2011

The website to view public notices and drafts:

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

2. DISCHARGE PERMITS ISSUED – AUGUST 2011

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
City of Louisville	CO-023078	Boulder	08/16/2011
City of Lafayette	CO-045926	Weld	08/16/2011
Town of Erie	CO-045926	Weld	08/16/2011
Public Service Co of Colorado	CO-001091	Denver	08/30/2011
MillerCoors, LLC	CO-001163	Jefferson	08/30/2011
City of Brighton	CO-046728	Adams	08/30/2011
Front Range Airport Authority	CO-047741	Adams	08/30/2011
Fountain Sanitation Dist	CO-020532	El Paso	08/31/2011
Widefield Water & San Dist	CO-021067	El Paso	08/31/2011
Security San Dist	CO-024392	El Paso	08/31/2011
Colorado Dept of Transportation	CO-026069	Clear Creek	08/31/2011
Edgemont Ranch Metro Dist	CO-040266	La Plata	08/31/2011
Clear Creek Skiing Corp	CO-040835	Clear Creek	08/31/2011
Young Life Campaign Inc	CO-045411	Grand	08/31/2011
City of Glenwood Springs	CO-048852	Garfield	08/31/2011

3. GENERAL PERMIT CERTIFICATIONS – AUGUST 2011

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Fraser Valley Metro Recreation Dist	COX-621059	Grand	08/01/2011
Gerber Construction Inc	COG-073703	San Miguel	08/03/2011
City of Greeley	COG-073800	Weld	08/03/2011
L&M Enterprises Inc	COG-073801	Boulder	08/03/2011
Concrete Express Inc	COG-073803	Eagle	08/03/2011
GH Phipps Construction Co	COG-315242	Boulder	08/03/2011
Garney Construction	COG-073798	El Paso	08/08/2011
Town of Silverthorne	COG-073799	Summit	08/08/2011
L&M Enterprises Inc	COG-073802	Boulder	08/08/2011
DeFalco Construction Co	COG-073804	Boulder	08/08/2011
Garney Construction	COG-073805	Arapahoe	08/08/2011
Garney Construction	COG-073806	El Paso	08/08/2011
Metroz Park & Lake Co	COG-073809	Mineral	08/08/2011
Garney Construction	COG-604105	Arapahoe	08/08/2011
3B Enterprises, LLC	COG-500419	Moffat	08/12/2011
GSL Brush, LLC	COG-501530	Adams	08/12/2011
Aslan Construction	COG-073705	Fremont	08/15/2011
Lawrence Construction Co	COG-073807	Denver	08/15/2011
Coulson Excavating Co Inc	COG-073808	Larimer	08/15/2011
Cortez Construction Co Inc	COG-073810	Pueblo	08/15/2011
Antero Resources Corp	COG-073811	Garfield	08/15/2011
Fiore & Sons Inc	COG-073813	Weld	08/15/2011
AP Mountain States, LLC	COG-073815	Larimer	08/15/2011
Moltz Constructors Inc	COG-073816	Jefferson	08/15/2011
Mortenson Construction	COG-073817	Denver	08/15/2011
Arrow J Landscape & Design Inc	COG-073818	Denver	08/15/2011

A. PERMIT ACTIONS (cont.)

3. GENERAL PERMIT CERTIFICATIONS – AUGUST 2011

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Bolthouse, LLC	COG-073819	Summit	08/15/2011
Lamar Construction	COG-073823	Weld	08/15/2011
Northern Colorado Constructors	COG-073825	Gunnison	08/15/2011
Moltz Construction Inc	COG-073827	Chaffee	08/15/2011
SEMA Construction Inc	COG-073830	Adams	08/15/2011
YMCA of the Rockies	COG-641143	Larimer	08/15/2011
Otis San Dist	COX-622038	Washington	08/17/2011
Colorado State Parks	COX-631045	Gilpin	08/22/2011
Ted Seipel Construction Inc	COG-073820	Eagle	08/23/2011
Connell Resources Inc	COG-073822	Weld	08/23/2011
Mueller Construction Services Inc	COG-073826	Eagle	08/23/2011
SEMA Construction Inc	COG-073831	Adams	08/23/2011
Public Service Co of Colorado	COG-315241	Boulder	08/23/2011
Gunbarrel Tech Center I & II, LLC	COG-603190	Boulder	08/23/2011
Stanek Constructors Inc	COG-073812	Eagle	08/24/2011
KR Swerdfeger Construction Inc	COG-073772	Denver	08/25/2011
Public Service Co of Colorado	COG-073824	Mesa	08/25/2011
Recycled Materials Co Inc	COG-073828	Weld	08/25/2011
Public Service Co of Colorado	COG-073832	Routt	08/25/2011
Pioneer Sand	COG-073833	El Paso	08/25/2011
Tezak Heavy Equipment Co Inc	COG-073835	El Paso	08/25/2011
Scott Contracting Inc	COG-073834	Jefferson	08/31/2011
Garney Construction	COG-073836	Yuma	08/31/2011
Concrete Express	COG-073840	Grand	08/31/2011

B. STORMWATER DISCHARGE GENERAL PERMIT CERTIFICATIONS –AUGUST 2011

COR-010000	Light Industrial Activities	3
COR-020000	Heavy Industrial Activities	1
COR-030000	Construction Activities	140
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	4
	No Exposure Certifications	7

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 most instances, may be obtained from the Divisions' Enforcement Action website: <http://www.cdphe.state.co.us/wq/enforcement/index.html>



Regular enforcement updates are also available on Twitter (http://twitter.com/WQCD_Enforce)

1. ENFORCEMENT – NEW ACTION

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
Meadow Mountain Water Supply Co	Drinking Water – Enforcement Order	Boulder	08/29/2011
Concrete Express, Inc	Stormwater – Order for Civil Penalty	Denver	09/02/2011
Town of Swink	Drinking Water – Enforcement Order Amendment No. 1	Otero	09/23/2011

2. CONSENT OR SETTLEMENT AGREEMENTS TO PUBLIC NOTICE

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
The Western Sugar Cooperative	Industrial – Compliance Order on Consent	Morgan	08/31/2011

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>
City of Fort Collins – Drake Water Reclamation Facility	Site Application #4020	<u>In-Kind Replacement</u> – Removal of two existing multistage centrifugal blowers rated at 2,650 scfm with 250 HP motors that provide aeration air to the North Plant; and installation of two new single-stage centrifugal blowers rated at 1,900 to 4,200 scfm with 250 HP motors VFDs; controls limiting the overall North Plant aeration system output to the existing capacity of 9,500 scfm	Larimer	Approved 08/23/2011

D. CONSTRUCTION ACTIONS (cont.)

1. Site Applications Reviews

<u>APPLICANT</u>	<u>TYPE</u>	<u>FACILITY DESCRIPTION</u>	<u>COUNTY</u>	<u>ACTION</u>
Superior Metro Dist #1	Site Application #4481	<u>In-Kind Replacement</u> – Replacement of the existing aeration basin sock diffusers with disc diffusers; and replacement of the existing aerobic digester impingement plate diffusers and mechanical mixer with course bubble diffusers	Boulder	Approved 09/09/2011
City of Fruita – Little Salt Wash Lift Station	Site Application #5078 (ES.11.43399)	Capacity Re-Rating, no construction. Lift Station and Force Main. Design capacities 1.06 MGD (decreased) Average Capacity; 2.91 MGD (decreased) Peak Capacity	Mesa	Approved 09/02/2011
Metro Wastewater Reclamation Dist – Robert W. Hite Treatment Facility	No Site Approval Required	<u>Authorization for Enhanced Phosphorus Removal Pilot Study</u> – Pilot test includes installation of mixers with CaRRBs No. 2 and No. 4; pumping and piping to convey gravity thickener over to CaRRBs No. 2 and No. 4; and appurtenances	Adams	Approved 08/24/2011
City of Pueblo – Portland Lift Station Rehabilitation	Site Application #ES.11.43111	Lift Station and Force Main. Design capacities 0.006 MGD Average Capacity, 0.546 MGD Peak Capacity	Pueblo	Approved 09/13/2011

2. Plans and Specifications Reviews

<u>APPLICANT</u>	<u>SITE APPLICATION</u>	<u>FACILITY DESCRIPTION</u>	<u>COUNTY</u>	<u>ACTION</u>
City of Grand Junction	Site Application #2470 (ES.10.41926)	Addition of a World Water Works DAFT System, model ROP-20SW with a surface area of 180 square feet and ancillary piping/valving, treating only sludges associated with the secondary clarifiers and aerobic digesters. Flow and solids loading to the system at plant design flows will be 0.288 MGD and 24,000 lb TSS/day	Mesa	Approved 08/23/2011
City of Fruita – Little Salt Wash Lift Station	Site Application #5078 (ES.11.43399)	Capacity Re-Rating, no construction. Lift Station and Force Main. Design capacities 1.06 MGD (decreased) Average Capacity 2.91 MGD (decreased) Peak Capacity	Mesa	Approved 09/07/2011

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>
Town of Windsor	Site Application #ES.11.42994	Existing portions of the East Side Interceptor: Various lengths of 30-inch, 27-inch, and 36-inch PVC interceptor along Sundance Dr. from CR19 to Keystone Dr., Sundance Dr. east and south to Hwy 392. Hwy 92 south to East Guarden Dr., East Guarden Dr. south to Eastman Park Dr., and Eastman Park Dr. south to the terminus of the existing interceptor line where it crosses Poudre Trail Dr. Hydraulic Design Capacities of these reaches range from 4.0 MDG to 7.1 MGD (MMADF), Peak Hydraulic Capacities range from 8.9 MGD to 17.1 MGD (PHF). Proposed portions of the East Side Interceptor and Kodak Interceptor: 2700 feet of 36-inch PVC interceptor from the terminus of the existing line where it crosses Poudre Trail Drive south to the Winsor WWTF and 2300 feet of 24-inch PVC interceptor from the Kodak Lift Station (to be disconnected as part of this project) to the East Side Interceptor manhole, south of Poudre Trail Dr. Hydraulic Design Capacities and Peak Hydraulic Capacity for the East Side Interceptor and Kodak Interceptor are 7.5 MGD (MMADF)/23.7 MGD (PHF) and 2.3 MGD (MMADF)/4.9 MGD (PHF), respectively	Weld	Approved 09/01/2011

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), (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>
#4292 Silt Water Conservancy Dist/Harvey Gap 400	FERC	Retrofitting the open canal with a 30 inch pipeline to generate hydropower	Garfield	Harvey Gap Reservoir, Lower Colorado River Basin, Seg. COLCLC20 of Lower Colorado River Sub-basin	No new or increased impacts to water quality. Draft Regular Certification
#4293 Silt Water Conservancy Dist/Harvey Gap 5k W	FERC	Small hydropower development at the inlet of Harvey Gap Reservoir from the Grass Valley Canal	Garfield	Harvey Gap Reservoir, Lower Colorado River Basin, Seg. COLCLC20 of Lower Colorado River Sub-basin	No new or increased impacts to water quality. Draft Regular Certification
#4294 City of Arvada/Ralston Creek Channel	NWO-2005-80275-DEN	Excavate and place fill material into area in connection with proposed channel improvements and bridge replacement	Jefferson	Ralston Creek, South Platte River Basin, Seg. COSPCL18a of Clear Creek Sub-basin	Potential long-term water quality impacts. Draft Conditional Certification
#4295 Southeast Metro Stormwater Authority/Lone Tree Creek	NWO-2009-01023-DEN	Excavate and place fill material into area associated wetlands to construct a detention facility to minimize downstream flooding during 100 yr flood events	Arapahoe	Lone Tree Creek, South Platte River Basin, Seg. COSPCH04 of Cherry Creek Sub-basin	This project is located on Use Protected water. No further anti-degradation determination is required. Draft Regular 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>
#4263 Parker Jordan Metro Dist / Parker Jordan Open Space	Re-Issuance Public Notice NWO-2009-02909-DEN	Excavate and place fill material to enhance and restore channel improvements. Project will include constructing a trail system in area	Arapahoe	Cherry Creek, South Platte River Basin, Seg. COSPCC01 of Cherry Creek Sub-basin	Regular with Special Conditions/ 82.5(A)(3) Conditional Certification
#4286 George Wenschhof /23kW Meeker	FERC/P-14230	Utilization of existing head pressure to generate power to offset electrical demand of a center pivot irrigation system	Rio Blanco	White River, Lower Colorado River Basin, Seg. COLCWH03 of White River Sub-basin	Regular Conditions/ 82.5(A)(2) 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, (303) 692-3555.*

NONE SINCE LAST PUBLICATION

F. FINANCIAL SOLUTIONS UNIT

1. LOAN APPLICATIONS RECEIVED

NONE SINCE LAST PUBLICATION

2. LOANS APPROVED BY CWRPDA

NONE SINCE LAST PUBLICATION

3. LOANS EXECUTED

<u>ENITY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Town of La Jara	\$729,000.00	The project consists of a new above-ground water storage tank with disinfection system, accompanied by a booster pump station, and back-up power generation system	Conejos	09/09/2011
Town of Kit Carson	\$270,000.00	Converting the existing two cell non-discharging stabilization system to a discharging system and installing 1210 lineal feet of 8-inch sewer mains and related manholes and service lines	Cheyenne	08/30/2011

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

<u>LOANEE</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Town of Crested Butte	The proposed project is to construct a new 600,000 gallon water storage tank at the existing Water Treatment Plant	Gunnison	08/19/2011
Town of Merino	The proposed project is the construction of a new well and treatment process to meet compliance with the uranium MCL	Logan	09/20/2011
Sheridan San Dist #1	The proposed project is to use cured-in-place lining in the existing sanitary sewer lines	Jefferson	09/20/2011

10. CONSTRUCTION LOAN COMPLETIONS

<u>LOANEE</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
City of Alamosa	\$11,865,063	The project consists of the construction of a new, regional, 6.3 mgd water treatment facility extensive raw water and treated water line work, chlorination, pumping waste disposal and storage facilities	Alamosa	08/24/2011
Evergreen Metro Dist	\$2,000,000	Remove and replace the twin t-roof, concrete block wall and blower room roof of the District's secondary wastewater treatment plant. Additionally, the driveway and parking lot will be repaved	Jefferson	08/24/2011

G. TOTAL MAXIMUM DAILY LOADS SENT TO PUBLIC NOTICE

NONE SINCE LAST PUBLICATION

SPECIAL NOTES

Same Issuance and Effective Date for CDPS General Permit No. COG860000 for Discharges from Applications of Pesticides

The Division is disclosing intent to have this general permit in effect when issued and to not to follow the practice of providing a 30-day period between the issuance date and the effective date.

Regulation 61.6.d identifies this time period and Regulation 61.7.a describes the purpose is to provide an opportunity for a demand for an adjudicatory hearing to stay the permit. This process is mandatory for individual permits and, historically, the Division has chosen to follow the same practice for general permits. For the reasons provided below, the Division will not continue with this practice for general permit COG860000. Essentially, EPA has followed a practice of having the same issue and effective date for their general permits (i.e., Vessel General Permit for Discharges Incidental to the Normal Operation of a Vessels was issued on December 18, 2008, and was effective on December 19, 2008).

In 2010, the Division made the decision to develop and issue a general permit that mirrors EPA's general permit with a few notable exceptions. This position was stated in the Fact Sheet when the draft of the general permit was sent to public notice on January 28, 2011. The Division's draft permit was based on EPA's draft sent to public notice in 2010. Consequently, the federal court's deadline for having EPA's permit in effective was changed from April 11, 2011 to October 31, 2011.

As of September 21, 2011, EPA did not have a permit in effect and has indicated that a number of changes have been made to the draft permit sent to public notice in 2010. Without EPA's final permit, the Division permit can not be completed and be publically available 30 days before the effective date of October 31, 2011. Upon receipt of EPA's effective permit, the Division's permit will be finalized and placed in effect on October 31, 2011.