



Colorado Department
of Public Health
and Environment

WATER QUALITY INFORMATION BULLETIN

Highlights For December 2011

- **Agenda: Rulemaking Deliberations, Rulemaking Hearing, Emergency Rulemaking Hearing, Informational Hearing and Business Meeting, December 12-13, 2011**
<http://www.cdphe.state.co.us/op/wqcc/Meetings/Agenda/wqag.html>
- **Notice of Emergency Rulemaking Hearing**
 - South Platte Segment 14 Arsenic Standard, Regulation #38 (5 CCR 1002-38)
<http://www.cdphe.state.co.us/op/wqcc/Standards/StdReview/Reg38/Reg38.htm>
- **Notice of Rulemaking Hearing**
 - Nutrients Standards, Regulations #31 and #85 (5 CCR 1002-31, 5 CCR 1002-85)
http://www.cdphe.state.co.us/op/wqcc/Hearings/Rulemaking/31_85nutrients/Nutrients.html
- **Notice of Final Adoption**
Arkansas River Basin, Regulation #32 (5 CCR 1002-32)
<http://www.cdphe.state.co.us/regulations/wqccregs/index.html>
- **Summary of Proceedings/Motions (DRAFT)**
Water Quality Control Commission Regular Meeting, November 14, 2011
<http://www.cdphe.state.co.us/op/wqcc/Meetings/MeetingSummaries/1111SUM.pdf>

PUBLICATION DATE: December 2, 2011

A. PERMIT ACTIONS

1. PERMITS SENT TO PUBLIC NOTICE ON NOVEMBER 18, 2011 – COMMENTS DUE BY DECEMBER 19, 2011

The website to view public notices and drafts:

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

2. DISCHARGE PERMITS ISSUED – OCTOBER 2011

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Town of Wiggins	CO-048853	Morgan	10/19/2011
Mt Crested Butte Water Sanitation Dist	CO-027171	Gunnison	10/24/2011
City of Mesa Co/Grand Junction	CO-040053	Mesa	10/31/2011
City of Longmont	CO-026671	Boulder	10/31/2011
POC-1, LLC	CO-000051	Moffat	10/31/2011

3. GENERAL PERMIT CERTIFICATIONS – OCTOBER 2011

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Colorado Stone Quarries Inc	COG-500356	Gunnison	10/06/2011
Jefferson County – Road & Bridge Division	COG-073859	Jefferson	10/06/2011
Stan Miller Inc	COG-073854	Summit	10/06/2011
Denver Transit Construction Group	COG-315243	Jefferson	10/07/2011
Connell Resources Inc	COG-073868	Larimer	10/07/2011
Connell Resources Inc	COG-073866	Weld	10/07/2011
Shaw Builders LLC	COG-073861	Arapahoe	10/07/2011
Hyland Hills Park & Recreation Dist	COG-073860	Adams	10/07/2011
City of Lamar Utilities Board	COG-605003	Prowers	10/12/2011
Garney Construction	COG-604108	Jefferson	10/14/2011
Magellan Midstream Partners LP	COG-604107	Adams	10/14/2011
Quick Pits LLC	COG-604106	Mesa	10/14/2011
Concrete Express Inc	COG-073879	Jefferson	10/14/2011
SMMC Building 1 LLC	COG-073878	Douglas	10/14/2011
Native Excavating	COG-073877	Routt	10/14/2011
American Construction LLC	COG-073876	Adams	10/14/2011
Duckels Construction Inc	COG-073874	Routt	10/14/2011
Contract Management Inc/dba US Roads	COG-073873	El Paso	10/14/2011
Mountain Constructors Inc	COG-073872	Larimer	10/14/2011
Concrete Express Inc	COG-073870	Arapahoe	10/14/2011
Fiore & Sons Inc	COG-073869	Arapahoe	10/14/2011
Velocity Constructors Inc	COG-073867	Douglas	10/14/2011
KR Swerdfeger Construction Inc	COG-073865	El Paso	10/14/2011
Public Service Co of Colorado	COG-073864	Weld	10/14/2011
Wildcat Construction Co Inc	COG-073883	El Paso	10/18/2011
Naranjo Civil Constructors Inc	COG-073882	Denver	10/18/2011
Sabell's Enterprises LLLP	COG-073875	Denver	10/18/2011
Western Summit Constructors Inc	COG-604109	Pitkin	10/25/2011
Centura Health	COG-315244	Jefferson	10/25/2011
Tezak Heavy Equipment Co Inc	COG-073881	El Paso	10/25/2011
Town of Seibert	COG-589120	Kit Carson	10/26/2011
Naranjo Civil Constructors Inc	COG-073880	Jefferson	10/26/2011
Public Service Co of Colorado	COG-315234	Adams	10/31/2011
Pate Construction Co Inc	COG-073887	El Paso	10/31/2011
Redline Pipeline	COG-073886	Boulder	10/31/2011

A. PERMIT ACTIONS (cont.)

3. GENERAL PERMIT CERTIFICATIONS – OCTOBER 2011

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Kraemer & Sons	COG-073885	Larimer	10/31/2011
RN Civil Construction	COG-073884	Weld	10/31/2011
Denver Transit Construction Group	COG-073028	Denver	10/31/2011

B. STORMWATER DISCHARGE GENERAL PERMIT CERTIFICATIONS – OCTOBER 2011

COR-010000	Light Industrial Activities	9
COR-020000	Heavy Industrial Activities	0
COR-030000	Construction Activities	110
COR-040000	Metal Mining	1
COR-060000	Recycling	2
COR-070000	Non-Standard MS4	0
COR-080000	Cherry Creek MS4	0
COR-090000	Statewide MS4	0
COR-340000	Sand and Gravel Mining	0
	No Exposure Certifications	0

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>
Lawrence L. Lowery d/b/a Wagon Wheel Conoco Café	Drinking Water – Enforcement Order	Sedgwick	11/04/2011
DJR Well Service, Inc	Drinking Water – Enforcement Order	Weld	11/04/2011
Wayward Wind MHP LLC	Drinking Water – Enforcement Order Amendment #1	Morgan	11/04/2011
PacifiCorp	Industrial – Notice of Violation/ Cease and Desist Order	San Miguel	11/22/2011

2. CONSENT OR SETTLEMENT AGREEMENTS TO PUBLIC NOTICE

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
Rule Feedlot, Inc	CAFO – Expedited Settlement Agreement	Adams	11/08/2011
Security Sanitation Dist	Domestic – Compliance Order on Consent	El Paso	11/15/2011

C. ENFORCEMENT/CIVIL PENALTIES/CONSENT OF SETTLEMENT AGREEMENTS (cont.)

3. FINAL AGENCY ACTIONS

NONE SINCE LAST PUBLICATION

4. NOTICE OF ENFORCEMENT HEARINGS

NONE SINCE LAST PUBLICATION

D. CONSTRUCTION ACTIONS

1. Site Applications Reviews

NONE SINCE LAST PUBLICATION

2. Plans and Specifications Reviews

<u>APPLICANT</u>	<u>SITE APPLICATION</u>	<u>FACILITY DESCRIPTION</u>	<u>COUNT</u> <u>Y</u>	<u>ACTION</u>
City of Salida	Site Application #5094 (ES.10.41879, ES.11.43149) Amendment	Addition of one tertiary filter to meet future total phosphorus limits and to further remove total suspended solids for improved UV disinfection performance	Chaffee	Approved 11/14/2011
Cherry Hills Heights Water & Sanitation Dist	N/A	Streamlined Design Review. Lining of existing 8-inch sewer collection mains; point repairs of 8-inch sewer collection mains; relocation of existing sewer manhole	Arapahoe	Approved 11/14/2011

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.***

NONE SINCE LAST PUBLICATION

- 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

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

<u>ENTITY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Navajo Western Water Dist	\$1,101,939	The proposed project is the replacement of water storage tanks, installation of water meters, and a storage building	Huerfano	11/15/2011
Forest View Acres Metro Dist	\$2,000,000	The project consists of improvements to the water distribution system and upgrades to the water treatment facilities	El Paso	11/15/2011

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>
Colorado Centre Metro Dist	\$2,000,000	Construct interceptor/plant investment fee to lower fountain, upgrade force main and lift station	El Paso	10/31/2011
Town of Nederland	\$3,961,090	Lagoon replacement and construction of a 250,000 gpd sequencing batch reactor with ultra violet disinfection	Boulder	11/07/2011
Fountain Sanitation Dist	\$6,860,303	Submitted PER for Lower Fountain Regional WWTF - A joint venture with Fountain SD and Colorado Centre MD (030056W)	El Paso	11/07/2011
Town of Windsor	\$3,110,543	The proposed new facility will consist of a 5.75 MGD lift station and headworks. It will consist of a new lift station, influent screens, screening compactor influent wet well, dry improve pumping capacity, and adding preliminary treatment	Weld	11/07/2011

F. FINANCIAL SOLUTIONS UNIT (cont.)

3. LOANS EXECUTED

<u>ENITY</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
City of Las Animas	\$309,000	The proposed project focuses on replacement of portions of the City's distribution system including water main replacements, distribution looping, replacement of lead service lines and installation and replacement of fire hydrants, as well as substantial distribution system upgrades	Bent	11/04/2011
Pueblo West Metro Dist	\$5,232,582	This project consists of upgrading grit handling facilities and upgrade aerobic digester treatment capability and capacity to meet current design conditions and more cost effectively address biosolids handling at this facility	Pueblo	11/07/2011

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

<u>LOANEE</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Town of Crested Butte	The project consists of constructing a new water storage tank and the piping to connect to the existing water system	Gunnison	11/21/2011

9. FINDING OF NO SIGNIFICANT IMPACT AND CATEGORICAL EXCLUSION DETERMINATIONS

<u>LOANEE</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Forest View Acres Water Dist	The project consists of rehabilitating the existing well, upgrading the Arapahoe Treatment Plant Facility, replace and upgrade the surface water intake structure and the associated appurtenances, install booster pumps, upgrade the Surface Water Treatment Plant, repair and rehabilitate the discharge pond, replace the pumps and associated equipment at the existing booster pump station, replace transmission and distribution lines, install six master meters, install new water meters, and install 500 feet of distribution line to connect to the Palmer Lake Water System	El Paso	11/07/2011

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 Oak Creek	The proposed project is to modify the existing Hendricks screens to prevent overflow at the plant, and to replace low lying manhole covers to prevent inflow and infiltration during the spring runoff	Routt	11/08/2011
Town of Walden	The proposed project is to upgrade the grit collection system, a mobile solids dewatering system, rehabilitate the two sludge holding ponds, construct a building to house the mobile solids dewatering system, and upgrade the electrical system at the wastewater treatment plant	Jackson	11/08/2011
Hi-Land Acres Water & Sanitation Dist	The proposed project is to Maintain and rehabilitate the north and south pump stations and the well site facilities	Weld	11/17/2011

10. CONSTRUCTION LOAN COMPLETIONS

<u>LOANEE</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
Town of Boone	\$315,000	This project consists of improvements to the existing discharging stabilization cells	Pueblo	11/10/2011
Pagosa Area Water & Sanitation Dist	\$7,158,870	The proposed water project includes upgrading the Hatcher Water Treatment Plant with a new 2.0 MGD Microfiltration water treatment facility and associated apparatuses and implementing automatic meter reading technology	Archuleta	11/16/2011

G. TOTAL MAXIMUM DAILY LOADS SENT TO PUBLIC NOTICE

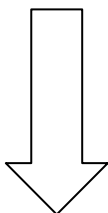
NONE SINCE LAST PUBLICATION

SPECIAL NOTES

Revocation of WQP-17 "Definition of Process Water and Stormwater at Non-Coal Mining Sites"

The WQCD is noticing its intent to revoke policy WQP-17 "Definition of Process Water and Stormwater at Non-Coal Mining Sites" which was effective 2/15/1993 and has not been since revised. This policy has been superseded by clarification provided through EPA's 1998 modification to their Multi-Sector General Permit (MSGP) and the Divisions' more recent interpretation of applicable regulations. The Division will be accepting comments on the proposed revocation until January 3, 2012. Comments and questions should be directed to Janet Kieler at the address listed on the public notice page or at janet.kieler@state.co.us. The policy document and the 1998 FR Notice are available electronically on the WQCD website at <http://www.cdphe.state.co.us/wq/PermitsUnit/PUBLICNOTICEpage.html>

See below for more Special Notes



SPECIAL NOTES

Colorado Department of Public Health and Environment
WATER QUALITY CONTROL COMMISSION

M E M O R A N D U M

TO: All Interested Persons
FROM: Paul Frohardt, Administrator
DATE: November 21, 2011
SUBJECT: 2012 Water Quality Control Commission Appointments

The Colorado Water Quality Control Commission consists of nine members with staggered 3-year terms. Commission members are appointed by the Governor, subject to confirmation by the Colorado Senate. The following members' terms expire February 15, 2012: John Klomp (finishing his first term), Robert Sakata (finishing his fifth term) and Gary Teague (finishing his second term). Governor Hickenlooper has established a policy of not reappointing current Board or Commission members who have already served two or more terms.

There are no specific statutory constraints on qualifications for these positions on the Water Quality Control Commission. The Colorado Water Quality Control Act does provide that: "Members of the Commission shall be appointed so as to achieve geographical representation and to reflect the various interests in water in the state."

Anyone interested in applying to be a member of the Water Quality Control Commission should submit an application and resume at your earliest convenience, but at least by early January, to the Governor's Office of Boards and Commissions. Application forms can be obtained from the web site for the Office of Boards and Commissions at <http://www.colorado.gov/cs/Satellite/GovHickenlooper/CBON/1249674847715>. Anyone who would like more information about the Water Quality Control Commission's roles and responsibilities should contact the Commission's Administrator, Paul Frohardt, at 303-692-3468 or paul.frohardt@state.co.us.