



Colorado Department  
of Public Health  
and Environment

# WATER QUALITY INFORMATION BULLETIN

## Highlights For September 2012

- ❖ **Agenda: Rulemaking Hearings and Business Meeting, September 10 and 11, 2012**  
<http://www.colorado.gov/cs/Satellite/CDPHE-WQCC/CBON/1251590399491>
- ❖ **Notice of Public Rulemaking Hearing**
  - ❖ For consideration of the adoption of revisions to current temporary modifications of...
    - 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 Gunnison and Lower Dolores River Basins, Regulation 35 (5 CCR 1002-35),
    - Classification and Numeric Standards for Rio Grande Basin Regulation 36 (5 CCR 1002-36),
    - Classification and Numeric Standards for Lower Colorado River Basin, Regulation 37 (5 CCR 1002-37),
    - 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.colorado.gov/cs/Satellite/CDPHE-WQCC/CBON/1251629098316>
- ❖ **Notice of Administrative Action Hearings**
  - ❖ FY 2013 Water Pollution Control Revolving Fund and Drinking Water Revolving Fund Intended Use Plans  
<http://www.colorado.gov/cs/Satellite/CDPHE-WQCC/CBON/1251629170195>
  - ❖ Human Health-Based Water Quality Criteria and Standards, Policy 96-2  
<http://www.colorado.gov/cs/Satellite/CDPHE-WQCC/CBON/1251629170106>
- ❖ **Notice of Issues Scoping Hearing**
  - ❖ Classification and Numeric Standards for Upper Colorado River Basin and North Platte River (Planning Region 12), Regulation 33 (5 CCR 1002-33), and
  - ❖ Classification and Numeric Standards for Lower Colorado River Basin, Regulation 37 (5 CCR 1002-37),  
<http://www.colorado.gov/cs/Satellite/CDPHE-WQCC/CBON/1251590851421>
- ❖ **Notice of Public Comment Informational Hearing**
  - ❖ Public Informational Hearing for comment on water pollution problems in Colorado  
<http://www.colorado.gov/cs/Satellite/CDPHE-WQCC/CBON/1251590840957>
- ❖ **Notice of Final Adoption**
  - ❖ 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.colorado.gov/cs/Satellite/CDPHE-Main/CBON/1251595703337>
- ❖ **Summary of Proceedings/Motions (DRAFT)**  
**Water Quality Control Commission Regular Meeting, August 13, 2012**  
<http://www.colorado.gov/cs/Satellite/CDPHE-WQCC/CBON/1251590399298>

**PUBLICATION DATE: August 30, 2012**

## A. PERMIT ACTIONS

### 1. PERMITS SENT TO PUBLIC NOTICE ON AUGUST 17, 2012 – COMMENTS DUE BY SEPTEMBER 17, 2012

The website to view public notices and drafts:

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

### 2. DISCHARGE PERMITS ISSUED – JULY 2012

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
Meridian Metro Dist (A)	CO-039110	Douglas	07/12/2012
Running Sun Advisory Services, LLC	CO-048869	San Juan	07/13/2012
XTO Energy Inc	CO-048054	Las Animas	07/18/2012
Petroglyph Operating Co	CO-048020	Huerfano	07/19/2012
Public Service Co of Colorado (A)	CO-001139	Denver	07/24/2012
Bear Coal Co Inc	CO-044377	Gunnison	07/26/2012
Wattenberg Improvement Assn	CO-046477	Weld	07/26/2012
Town of Lochbuie	CO-047198	Weld	07/26/2012

(A) Denotes Amendment

### 3. GENERAL PERMIT CERTIFICATIONS – JULY 2012

<u>PERMITTEE</u>	<u>PERMIT NO.</u>	<u>COUNTY</u>	<u>DATE ISSUED</u>
L&M Enterprises Inc	COG-074184	Boulder	07/01/2012
Safeway Inc	COG-315260	Denver	07/01/2012
Colorado Retail Ventures Services LLC	COG-604144	Mesa	07/01/2012
Integrated Safety Services LLC	COG-604145	Statewide	07/01/2012
Alco Construction Inc	COG-074150	El Paso Lower	07/09/2012
Naranjo Civil Constructors Inc	COG-074152	Denver	07/09/2012
L&M Enterprises Inc	COG-074155	Jefferson	07/09/2012
Ames Granite Joint Venture	COG-074157	Broomfield	07/09/2012
Neenan Co LLLP	COG-074158	Larimer	07/09/2012
RMA Group Inc	COG-074159	Arapahoe	07/09/2012
Saunders Construction Inc	COG-074160	Arapahoe	07/09/2012
Left Hand Excavating	COG-074161	Jefferson	07/09/2012
Hogan Action Services Inc	COG-074163	Boulder	07/09/2012
Left Hand Excavating	COG-074165	Boulder	07/09/2012
Mountain Constructors Inc	COG-074167	Weld	07/09/2012
Colorado Designscapes Inc	COG-074174	Larimer	07/12/2012
City of Greeley	COG-074130	Weld	07/13/2012
Naranjo Civil Constructors Inc	COG-074141	Boulder	07/13/2012
Con-SY Inc	COG-074148	Pitkin	07/13/2012
7-Eleven Inc	COG-074149	El Paso Lower	07/13/2012
Structures Inc	COG-074173	Archuleta	07/24/2012

(A) Denotes Amendment

## B. STORMWATER DISCHARGE GENERAL PERMIT CERTIFICATIONS – JULY 2012

COR-030000	Construction Activities	128
COR-040000	Metal Mining	0
COR-070000	Non-Standard MS4	0
COR-080000	Cherry Creek MS4	0
COR-090000	Statewide MS4	0
COR-340000	Sand and Gravel Mining	3
COR-900000	Non-Extractive Industrial	17
	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](http://twitter.com/WQCD_Enforce))

### 1. ENFORCEMENT – NEW ACTION

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
Sunset Lake Summer Home Improvement Association	Drinking Water – Enforcement Order Amendment #1	Mesa	07/30/2012
Shambhala International (Vajradhatu)	Domestic – Compliance Order on Consent Amendment #2	Larimer	07/30/2012
Shambala Center, Inc. and Rachel Medina a/k/a Electrum Amor	Drinking Water – Enforcement Order Amendment #1	Saguache	07/30/2012
Timbers Water and Sanitation District	Drinking Water – Enforcement Order Amendment #1	Routt	07/30/2012
Lawrence L. Lowery (d/b/a Wagon Wheel Conoco Café)	Drinking Water – Enforcement Order	Sedgwick	07/31/2012
Colorado Holiday Properties, LLC, Prospectors RV Resort at the Royal Gorge LLC, Warrant Clark Sr., and Michael Johnston	Drinking Water – Enforcement Order	Fremont	08/24/2012
Sun Meadow Estates, LLC	Drinking Water – Enforcement Order	Garfield	08/24/2012

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

<u>RESPONSIBLE PARTY</u>	<u>ACTION</u>	<u>COUNTY</u>	<u>DATE</u>
City of Littleton / City of Englewood	Domestic – Compliance Order on Consent	Arapahoe	08/21/2012
Bargath LLC	Stormwater – Compliance Order on Consent	Garfield	08/21/2012

## 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

<u>APPLICANT</u>	<u>TYPE</u>	<u>FACILITY DESCRIPTION</u>	<u>COUNTY</u>	<u>ACTION</u>
Aspen Park Metro Dist	Site Application #4683 [ES.12.44377] Amendment	In-Kind Replacement Determination – Aspen Park MD WWTF Influent Flume Replacement Project	Jefferson	Approved 07/31/2012

### 2. Plans and Specifications Reviews

NONE SINCE LAST PUBLICATION

## 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>
#4320 Town of Castle Rock	NWO-2012- 1689-DEN	Implement a measure to reduce erosive conditions and increase channel stability	Douglas	East Plum Creek, South Platte River Basin, Seg. COSPUS01a of Upper South Platte River Sub-basin	Draft 82.5(A)(3) Conditional 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.**

<u>APPLICANT</u>	<u>PERMIT #</u>	<u>ACTIVITY</u>	<u>COUNTY</u>	<u>WATERBODY</u>	<u>CERTIFICATION</u>
#4309 Metro Wastewater Reclamation Dist / Northern Treatment Plant	NWO-2011-0217-DEN	To construct an interceptor and effluent pump back pipeline to and from the proposed treatment plant	Adams & Weld	South Platte River, South Platte River Basin, Seg. COSPUS15, COSPUS16e & COSPMS03a of Upper South Middle South Platte River Sub-basin	82.5(A)(2) Regular Certification
#4317 City of Delta / Alternate Truck Route	SPK-2011-00704	Construction of an alternate truck route around downtown to reduce heavy truck traffic volumes in Delta's Historic Main Street	Delta	Wetlands adjacent to the Gunnison and Uncompahgre Rivers, Gunnison River Basin, Seg. COGULG04 & COGUUN12 of Lower Gunnison River and Uncompahgre River Sub-basins	82.5(A)(2) Regular Certification
#4318 Urban Drainage and Flood Control District / Newlin Gulch	NWO-2012-1082-DEN	This project to include stabilizing the channel banks and protect existing infrastructure	Douglas	Newlin Gulch, South Platte River Basin, Seg. COSPCH054 of Cherry Creek Sub-basin	82.5(A)(3) 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](mailto:Nathan.moore@state.co.us), (303) 692-3555.**

NONE SINCE LAST PUBLICATION

## F. GRANTS AND LOANS 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>
City of Rifle	\$23,858,367	Water study focused on replacing old treatment plant	Garfield	08/14/2012

**F. GRANTS AND LOANS UNIT (cont.)**

**4. STATE GRANT CONTRACTS EXECUTED**

NONE SINCE LAST PUBLICATION

**5. WATER QUALITY IMPROVEMENT FUND**

NONE SINCE LAST PUBLICATION

**6. SMALL SYSTEMS TRAINING & TECHNICAL ASSISTANCE GRANT**

NONE SINCE LAST PUBLICATION

**7. CONSTRUCTION LOAN COMPLETIONS**

<u>LOANEE</u>	<u>AMOUNT</u>	<u>PROJECT DESCRIPTION</u>	<u>COUNTY</u>	<u>DATE</u>
City of Fruita	\$21,830,000	The project consists of constructing new 3.5 MGD wastewater treatment facility, approximately 2 miles of interceptor sewers and a new lift station	Mesa	08/06/2012
Town of Blanca	\$488,050	The project consists of distribution system improvements which will allow for adequate chlorine residual contact time. Construction to include a new water storage tank, new transmission main, new source water well, well improvements and a new chlorine contact chamber	Costilla	08/01/2012
Town of Georgetown	\$900,000	The project consists of the replacement of the Town's existing 1.5 million gallon storage tank with a new .5 million gallon storage tank, stabilizing the tank's foundation, and constructing erosion control improvements	Clear Creek	06/30/2012

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

NONE SINCE LAST PUBLICATION

**9. DRINKING WATER ELIGIBILITY ASSESSMENT**

NONE SINCE LAST PUBLICATION

**10. PUBLIC HEARING/PUBLIC MEETING**

NONE SINCE LAST PUBLICATION

**11. FINDING OF NO SIGNIFICANT IMPACT AND CATEGORICAL EXCLUSION DETERMINATIONS**

NONE SINCE LAST PUBLICATION

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

NONE SINCE LAST PUBLICATION

## SPECIAL NOTES

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### Discharger Specific Variance Work Group Meeting

The Water Quality Control Division in conjunction with the Colorado Water Quality Forum has formed a Discharger Specific Variance Work Group. The intent of this group is to help develop additional detail regarding the implementation of the discharger-specific variance provisions that will become effective on October 1, 2013 (see Basic Standards Section 31.7(4)). The kickoff meeting to review the provisions and discuss issues and ideas about what the guidance should contain, will be on **September 5, 2012** from **1:30 to 4 pm** in Conference Room C1E at CDPHE (4300 Cherry Creek Drive South, Denver, CO).

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