



Colorado Department
of Public Health
and Environment

WATER QUALITY INFORMATION BULLETIN

Highlights for May 2021

- **Agenda (Remote Meeting): May 10, 2021**
<https://cdphe.colorado.gov/wqcc-meetings>
- **Notice of upcoming rulemaking hearings**
 - Biosolids Regulation, Regulation #64 (5 CCR 1002-64);
 - Chatfield Reservoir Control Regulation, Regulation #73 (5 CCR 1002-73) (Written Comment Only Rulemaking).<https://cdphe.colorado.gov/wqcc-rulemaking-proceedings>
- **Summary of Proceedings/Motions (DRAFT)**
Water Quality Control Commission Regular Meeting, April 12, 2021
<https://cdphe.colorado.gov/wqcc-meeting-summaries>

SPECIAL NOTES

OPPORTUNITY FOR COMMENTS ON 401 CERTIFICATION FOR EPA PESTICIDE GENERAL PERMIT

The draft EPA 2021 Pesticide General Permit in the chart below has been received by the Water Quality Control Division. In Colorado, this permit only applies to the discharge of pesticides from federal facilities (like Department of Defense bases, the Denver Federal Center, and federal prisons). The State of Colorado has its own pesticides permit for non-federal dischargers, <https://cdphe.colorado.gov/water-quality-aquatic-pesticides-permit>.

Under section 401 of the Clean Water Act a federal agency may not issue a permit or license to conduct any activity that may result in any discharge into waters of the United States unless a state issues a Section 401 water quality certification that the discharge will comply with the Clean Water Act, Colorado water quality protections (including standards and antidegradation protections), and Colorado law. The division can issue a regular certification with no additional conditions, a conditional certification with additional conditions necessary to ensure compliance with existing water quality standards and other protections, or deny certification because the permit will lead to a violation of Colorado law or water quality protections.

The division has made a draft determination that no additional conditions are necessary for this permit to ensure compliance with Clean Water Act, Colorado water quality protections (including standards and antidegradation protections), and Colorado law. If you have comments on this draft determination, please send them to John Nieland at john.nieland@state.co.us by May 8, 2021.

APPLICANT	EPA PERMIT #	ACTIVITY	COUNTY	WATERBODY	DRAFT DETERMINATION
EPA	-	Point source discharges of biological pesticides and chemical pesticides that leave a residue from federal facilities in Colorado	Federal facilities throughout Colorado	Various throughout Colorado	No additional conditions (regular certification)

PUBLICATION DATE: April 30, 2021

SPECIAL NOTES (cont.)

PROPOSED WITHDRAWAL OF PERMITTING POLICY WQP-5

The Water Quality Control Division is proposing to withdraw its *Permit Policy for Mining Activities* permitting policy ([WQP-5](#), published in 1987). The division will accept comment on the proposed withdrawal until June 11, 2021. Comments may be sent to meg.parish@state.co.us. The division will consider, but will not necessarily respond to, public comments in its final decision regarding this policy.

The *Permit Policy for Mining Activities* policy has several errors and is inconsistent with policy [WQP-1, Permit Inactivation Policy When a Discharge Remains](#). Further, WQP-5 includes guidance which is not consistent with or does not incorporate current regulations, including federal Effluent Limit Guidelines (ELGs); 5 CCR 1002-31, Regulation No. 31, Basic Standards and Methodologies for Surface Water, which requires protection of beneficial uses; and federal and state stormwater regulations promulgated subsequent to this policy. Therefore, the division proposes to withdraw WQP-5.

A. PERMIT ACTIONS

1. PERMITS SENT TO PUBLIC NOTICE ON APRIL 8, 2021 - COMMENTS DUE BY MAY 10, 2021

The website to view public notices and drafts:

<https://cdphe.colorado.gov/water-quality-actions-and-public-notice>

2. DISCHARGE PERMITS ISSUED - MARCH 2021

<https://cdphe.colorado.gov/water-quality-final-permit-actions> for Permits info

PERMITTEE / FACILITY	PERMIT	CITY	COUNTY	ISSUED
City of Glenwood Springs / South Canyon Landfill	CO0048815	Glenwood Spgs	Garfield	03/31/2021

3. GENERAL PERMIT CERTIFICATIONS - MARCH 2021

<https://cdphe.colorado.gov/water-quality-final-permit-actions> for Permits info

PERMITTEE / FACILITY	PERMIT	CITY	COUNTY	ISSUED
53 Corporation LLC / Metzler Ranch Pond Retrofit	COG-080194	Castle Rock	Douglas	03/01/2021
Valles Construction LLC / Lena Gulch at Westblade Park Channel Imp	COG-080195	Golden	Jefferson	03/01/2021
2360 30th Street OZ LLC / 30th & Pearl Quadrant 1	COG-317025	Boulder	Boulder	03/01/2021
Tebo Partnership LLLP / Gunbarrel Tech Center I and II	COG-318050	Boulder	Boulder	03/01/2021
8181 LLC / URS Center	COG-318051	Denver	Denver	03/01/2021
Centennial Water & San Dist / Centennial WSD Groundwater Treatment Plant 2	COG-641202	Littleton	Douglas	03/02/2021
Saunders Inc / City Center West	COG-080191	Greeley	Weld	03/03/2021
LG Everist Inc / Ragsdale Reservoirs	COG-502187	Fort Lupton	Weld	03/03/2021
Claystone Construction / Cottonwood Greens Phases 1-3	COG-080196	Fort Lupton	Weld	03/04/2021
EAS Energy Partners LLC / NWC CUP Campus Energy	COG-317026	Denver	Denver	03/04/2021
University of Denver / DU Residence Hall & Community Commons	COG-318055	Denver	Denver	03/04/2021
Ames Construction / N Lemay Ave Realignment	COG-080197	Fort Collins	Larimer	03/05/2021
Millstone Weber LLC / N 71st St Shoulders	COG-080198	Gunbarrel	Boulder	03/05/2021
Timberidge Development Group LLC / Retreat at Timberidge	COG-080199	Unincorporated	El Paso	03/05/2021
Vail Summit Resorts Inc / Keystone Lodge & Argentine Condos	COG-318057	Keystone	Summit	03/08/2021
Vail Summit Resorts Inc / Red Hawk Lodge	COG-318058	Keystone	Summit	03/08/2021
JR Filanc Construction Co Inc / Northglenn Lift Station A	COG-080201	Northglenn	Adams	03/10/2021
City of Aurora / Peter Binney Water Purification Facility	COG-318054	Aurora	Arapahoe	03/10/2021
Griffis Residential / Alexan Cherry Creek	COG-318060	Denver	Denver	03/10/2021
Naranjo Civil Constructors Inc / Niver Creek Dam Outlet Modification	COG-080203	Thornton	Adams	03/11/2021
Kiewit Infrastructure Co / Moffat Facility Improvements	COG-080204	Lakewood	Jefferson	03/15/2021
Naranjo Civil Constructors Inc / Green Acres Tributary at Compark Village S	COG-080205	Parker	Douglas	03/15/2021
EZ Excavating / West Grange Filing #3 Phase 1	COG-080200	Longmont	Boulder	03/16/2021
Ramah in the Rockies / Ramah in the Rockies WWTF	COG-589151	Sedalia	Jefferson	03/16/2021
Graland Country Day School / Graland Parking Garage	COG-318059	Denver	Denver	03/18/2021

A. PERMIT ACTIONS (cont.)

3. GENERAL PERMIT CERTIFICATIONS - MARCH 2021

<https://www.colorado.gov/pacific/cdphe/wq-final-permit-actions> for Permits info

PERMITTEE / FACILITY	PERMIT	CITY	COUNTY	ISSUED
Clayton Lane Owners Assn Inc / AmCap Clayton LLC	COG-318061	Denver	Denver	03/18/2021
Frontier Environmental Services LLC / South Platte River--North Fork	COG-080206	Bailey	Park	03/19/2021
Crow Creek Construction LLC / East Ridge Filing Four	COG-080207	Fort Collins	Larimer	03/19/2021
Gerrard Excavating Inc / Airpark North Phase 1	COG-080208	Loveland	Larimer	03/22/2021
BT Construction Inc / Northglenn Force Main A Replacement	COG-080209	Northglenn	Adams	03/22/2021
Commerce Construction Co LP / 38th Ave Roadway Imp--Picadilly to Tibet (Ph 1)	COG-080210	Aurora	Adams	03/22/2021
PC Project Managers Inc / The Cove at TAVA Waters	COG-318056	Denver	Denver	03/22/2021
TF Johnstown Farms LP / Johnstown Farms F3	COG-080211	Johnstown	Weld	03/24/2021
E-Z Excavating Inc / Northstar	COG-080212	Longmont	Boulder	03/24/2021
HEI Civil / Parkdale F1-HEI	COG-080213	Erie	Boulder	03/24/2021
Shaw Construction LLC / Havens on Fanny Hill	COG-080214	Snowmass Village	Pitkin	03/24/2021
Boulder Community Health / Boulder Community Hospital Foothills Campus	COG-318048	Boulder	Boulder	03/24/2021
Global Asset Recovery LLC / River Dance RV Park	COG-588147	Gypsum	Eagle	03/24/2021
Tezak Heavy Equipment Co Inc / 21NRC--Noe Rd Culvert Repair	COG-080215	Larkspur	Douglas	03/25/2021
Public Service Co of Colorado / Steamboat IMP 2021	COG-080216	Steamboat Spgs	Routt	03/25/2021
CODV LLC / Blue Mesa Recreation Ranch	COX-634063	Gunnison	Gunnison	03/26/2021
Connell Resources Inc / Johnstown Central Sewer Expansion	COG-080217	Johnstown	Weld	03/29/2021
Gould Construction Inc / Midland Ave Improvements	COG-080202	Glenwood Spgs	Garfield	03/30/2021
Stanek Constructors Inc / Evergreen Metro District Water Treatment Plant	COG-080218	Evergreen	Jefferson	03/30/2021

B. 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: <https://www.colorado.gov/pacific/cdphe/wq-enforcement-actions>

1. ENFORCEMENT - NEW ACTION

RESPONSIBLE PARTY	ACTION	COUNTY	DATE
Crystal Valley Ranch Development Co. LLC	Stormwater - Order for Civil Penalty	Douglas	03/26/2021
Galloway Inc. d/b/a Blue Valley Ranch	Domestic - Notice of Violation/Cease & Desist Order/Order for Civil Penalty	Grand	04/13/2021
Beacon Construction LLC	Stormwater- Order for Civil Penalty	Larimer & Weld	04/16/2021
Weld County	Stormwater- Order for Civil Penalty	Weld	04/16/2021

2. CONSENT OR SETTLEMENT AGREEMENTS TO PUBLIC NOTICE

RESPONSIBLE PARTY	ACTION	COUNTY	DATE
Maple Multi-Family Contractor LLC	Stormwater - Compliance Order on Consent	Boulder	04/06/2021
RMS Utilities Inc.	Stormwater - Compliance Order on Consent	El Paso	04/06/2021
Thompson Thrift Construction Inc.	Stormwater - Compliance Order on Consent	Denver & Boulder	04/06/2021

C. CONSTRUCTION ACTIONS

1. Site Applications Reviews

APPLICANT	TYPE	FACILITY DESCRIPTION	COUNTY	ACTION
City of Longmont	WWTP Site Application No. 4629 [ES.21.SA.05949]	City of Longmont WWTP Nutrient Removal Planning Study	Boulder	Approved 04/14/2021

2. Plans and Specifications Reviews

APPLICANT	SITE APPLICATION	FACILITY DESCRIPTION	COUNTY	ACTION
Love's Travel Stop Store #660	Site Application No. ES.20.SA.05541	New Lift Station Final P/S Approval UPDATED ES.20.CWPDR.05542	Huerfano	Approved 03/29/2021
Metro Wastewater Reclamation District	Site Application No. ES.20.SA.05840	Decommissioning of the Active Re- Aeration System PDR Approval UPDATED ES.20.CWPDR.05841	Weld	Approved 03/31/2021
Grand Mesa Metropolitan District No. 2	Site Application No. 3889 [ES.17.SA.03777]	WWTP Improvements Final P/S Approval ES.21.CWPDR.06084	Mesa	Approved 04/14/2021
South Platte Water Renewal Partners	Site Application No. 4727 [ES.20.SA.05564]	WWTP Chemical Phosphorus and UV Disinfection PDR Approval ES.20.CWPDR.05565	Arapahoe	Approved 04/19/2021
Metro Wastewater Reclamation District	Site Application No. ES.19.SA.05042	Second Creek Interceptor Phase C Self-Certification Acceptance ES.21.CWPDR.06125	Adams	Approved 04/21/2021

D. 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.

1. 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 Scott Garncarz (scott.garncarz@state.co.us), (303) 692-2374 or Trevor Klein (trevor.klein@state.co.us), (303) 691-7809. 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

E. GRANTS AND LOANS UNIT

1. PRE-QUALIFICATION SUBMITTAL

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Town of Wellington	\$41,000,000	Wastewater treatment facility expansion.	Larimer	04/01/2021

2. PLANNING GRANT AWARDS

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Town of La Jara	\$10,000	The project consists of improvements and upgrades to the existing lagoon wastewater treatment facility.	Conejos	04/15/2021

3. PROJECT NEEDS ASSESSMENT SUBMITTAL

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Mt. Werner Water and Sanitation District	\$2,438,200	The project consists of construction of a new infiltration gallery and pump station.	Routt	03/25/2021

4. DESIGN AND ENGINEERING GRANT AWARDS

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Town of Ramah	\$197,209	The proposed project will include constructing three evaporation ponds and a lift station/force main to transport water from the collection system to the evaporation ponds.	El Paso	04/20/2021

5. LOAN APPLICATIONS RECEIVED

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
City of Creede	\$1,850,000	The project consists of collection system improvements to address I&I and high levels of dissolved cadmium and zinc at the city's wastewater treatment facility.	Mineral	03/30/2021
Town of Manassa	\$474,117	The project consists of collection system improvements to address I&I.	Conejos	04/14/2021
Round Mountain Water and Sanitation District	\$1,300,000	This project consists of replacement of a municipal well, water meter upgrades, water treatment improvements and installation of a 50Kw solar array for resilient power.	Custer	04/08/2021

6. LOAN APPLICATION BOARD APPROVALS

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Forest Hills Metropolitan District	\$150,000	Supplemental loan to replace an existing distribution system booster pump station	Jefferson	04/23/2021

7. CONSTRUCTION COMPLETIONS

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
City of Lamar	\$210,000	Headworks and lift station rehabilitation project.	Prowers	04/06/2021
Town of Orchard City	\$2,991,170	The project consists of installing an additional filtration treatment unit, upgrading SCADA, rehabilitation of the water treatment plant building and piping, and any associated appurtenances.	Delta	03/29/2021

F. TOTAL MAXIMUM DAILY LOADS SENT TO PUBLIC NOTICE ON APRIL 2, 2021 COMMENTS DUE BY MAY 3, 2021

Total Maximum Daily Loads (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 waterbodies and pollutants indicated below.

Total Maximum Daily Load Assessment - Colorado River tributaries in the Grand Valley (COLCLC13b), Mesa County, Colorado - The following segments/AUIDs are included.

COLCLC13b_A - Lewis Wash, Persigo Wash, Pritchard Wash, Hunter Wash, Little Salt Wash, Big Salt Wash, Reed Wash; selenium and iron

COLCLC13b_B - Salt Creek; selenium and iron

COLCLC13b_C - Leach Creek, Adobe Creek; selenium, iron, and E. coli

COLCLC13b_D - Indian Wash; selenium and iron

The segments listed above are included in one TMDL document.

The public notice draft was made available on April 2, 2021.

The website to view the public notice drafts can be located at:

<https://cdphe.colorado.gov/tmdl-public-notice>

Comments will be accepted through (May 3, 2021).

Comments may be submitted electronically to (tristan.acob@state.co.us) or via mail. The mailing address for written public comments is: CDPHE, WQCD-WSP-B2, 4300 Cherry Creek Drive South, Denver, Colorado, 80246-1530. For more information, please call (Tristan Acob at 303-692-6398).

Additional information is available on WQCD's TMDL webpage at <https://www.colorado.gov/pacific/cdphe/total-maximum-daily-loads-tmdls>

Following the close of the public comment period, the TMDL will be revised as appropriate. The final TMDL will be noticed for 30 days and then submitted to EPA for approval. TMDL submittal constitutes final agency action.