



Colorado Department
of Public Health
and Environment

WATER QUALITY INFORMATION BULLETIN

Highlights For November 2021

- **Agenda: November 8, 2021**
<https://cdphe.colorado.gov/wqcc-meetings>
- **Notice of upcoming administrative action hearings**
 - Commission Policy 13-1.
 - Commission Policy 96-2.<https://cdphe.colorado.gov/wqcc-administrative-action-hearings>
- **Notice of upcoming informational hearing**
 - Pretreatment Regulations, Regulations #63 (5 CCR 1002-63)<https://cdphe.colorado.gov/wqcc-public-informational-hearings>
- **Notice of Final Adoption**
 - Regulation #101, Water Quality Civil Penalty Inflation Adjustment Regulation (5 CCR 1002-101).<https://cdphe.colorado.gov/water-quality-control-commission-regulations>
- **Summary of Proceedings/Motions (DRAFT)**
Water Quality Control Commission Regular Meeting, October 12, 2021
<https://cdphe.colorado.gov/rulemaking-boards-and-commissions/water-quality-control-commission/wqcc-meeting-summaries>

SPECIAL NOTES

The Water Quality Control Division's Clean Water Permits Section has issued a new policy, [Reporting and Permitting of Discharges from Gravity Flow Dewatering Systems for Select Activities](#). It is effective October 20, 2021. The division shared a draft of the policy for public comment between September 14, 2021 and October 14, 2021. No comments were received.

SPECIAL NOTES

Notice of Administrative Appeal Hearing

The Environmental Agriculture Program and the Water Quality Control Division received a [request for an administrative hearing](#) on CAFO General Permit [COA-934000](#) from the University of Denver Environmental Law Clinic on October 7, 2021. The Environmental Agriculture Program and the Water Quality Control Division granted this request for an administrative hearing on the specific matter requested (generally, groundwater monitoring requirements) in [an October 18, 2021 order](#). This matter will be referred to the state Office of Administrative Courts in the near future. No hearing has been scheduled yet. Updates on this matter will be included in [this chart of permit appeals](#). Any person or group who may be affected or aggrieved by the state's action on [COA-934000](#) may request "party status" to participate as an intervener in this hearing. For more information regarding intervention, please see <https://cdphe.colorado.gov/permit-adjudications>. [COA-934000](#) has not been stayed and will become effective on January 11, 2022. For questions about the permit, please contact Chad DeVolin at chad.devolin@state.co.us.

PUBLICATION DATE: October 29, 2021

A. PERMIT ACTIONS

1. PERMITS SENT TO PUBLIC NOTICE ON OCTOBER 14, 2021 - COMMENTS DUE BY NOVEMBER 15, 2021

The website to view public notices and drafts:

<https://cdphe.colorado.gov/water-quality-draft-permit-actions>

2. GENERAL PERMIT CERTIFICATIONS - SEPTEMBER 2021

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

PERMITTEE/FACILITY NAME	PERMIT	COUNTY	ISSUED
L4 Construction LLC/Evans WW Lagoons	COG-080320	Weld	09/02/2021
Siete Inc/Cheyenne Canyon Bridge	COG-080321	El Paso	09/02/2021
TMD Custom Builders/987 Columbine Dr	COG-080322	Grand	09/02/2021
The Weitz Company/26th Ave and Alcott St	COG-317040	Denver	09/02/2021
RN Civil Construction LLC/Sterling Headworks	COG-080323	Logan	09/03/2021
HEI Civil/District Imprv-Reunion F38	COG-080324	Adams	09/03/2021
Public Service Co of Colorado/Winter Park	COG-080325	Grand	09/03/2021
Four Corners Materials/US 160 McCabe Creek Pagosa	COG-080326	Archuleta	09/07/2021
Aspen Center for Environmental Education/Aspen Center	COG-080327	Pitkin	09/07/2021
Residences at the Little Nell Condo Assn/Little Nell	COG-318099	Pitkin	09/07/2021
Dietzler Construction Corp/CR47 Lyons	COG-080328	Larimer	09/08/2021
Hank Williams Inc d/b/a Hank Williams Construction Contractors/Us 550 Red Mountain Pass	COG-080329	Ouray	09/08/2021
QuikTrip Corp/QuikTrip Store 4210	COG-317041	Denver	09/08/2021
Smith Environmental & Engineering/7400 E. Crestline Cir	COG-080330	Arapahoe	09/13/2021
Grand Valley Hydro LLC/Vinlands Power Plant	COG-080331	Mesa	09/13/2021
AMH Development LLC/Sterling Hills Filing No. 15	COG-080332	Arapahoe	09/13/2021
Hall Irwin Corp/Hidden Creek Phase 2&3	COG-080333	Weld	09/13/2021
Western Midstream Partners LP/Lapha & Beierle Pipeline Hydrostatic	COG-604423	Weld	09/14/2021
Indian Hills Water District/Turkey Creek WTP	COG-641205	Jefferson	09/14/2021
IKAV Energy Inc/ Barnes SWD to Florida SWD Pipeline	COG-080334	La Plata	09/15/2021
Crow Creek Construction LLC/Chilson-Stroh Farm	COG-080335	Larimer	09/15/2021
Remedy Medical Properties Inc/Dillon Medical Office Bldg.	COG-318104	Summit	09/15/2021
Wagner Construction Inc/Overlook Park Subdivision	COG-080336	Routt	09/16/2021
EZ Excavating Inc/St. Vrain WTP Pipeline	COG-080337	Weld	09/17/2021
R Cap Blake Street LLC/40 th & Blake	COG-317042	Denver	09/17/2021
Routt County/Big Red Park Gravel Pit	COG-502198	Routt	09/17/2021
Confluence Builders LLC/1750 Jackson St	COG-318103	Jefferson	09/20/2021
Connell Resources Inc/35 th Ave Wateline	COG-317043	Weld	09/21/2021
Colorado State University/CSU Env Health Svcs MS4	COR-070002	Larimer	09/21/2021
RTD/RTD MS4	COR-070023	Denver/Arapahoe/ Jefferson	09/21/2021
Adams 12 Five Star Schools/Adams 12 Schools MS4	COR-070026	Broomfield	09/21/2021
University of Colorado/CU Boulder Env Health & Safety	COR-070028	Boulder	09/21/2021
Boulder Valley School Dist/Boulder Valley School MS4	COR-070029	Boulder	09/21/2021
Kiewit Infrastructure Co/Airport Rd Over Spring Creek Bridge	COG-080338	El Paso	09/23/2021
Naranjo Civil Constructors Inc/Willow Creek-Sterling Ranch	COG-080340	Weld	09/27/2021
Milender White Inc/Modera Golden Triangle 11 th & Bannock	COG-317044	Denver	09/27/2021
J.R. Filanc Construction Co Inc/Rock Creek Lift Station	COG-080339	El Paso	09/28/2021
Brannan Construction Co/Ridgegate Happy Canyon Truck Sanitary Sewer -Phase2	COG-317045	Douglas	09/28/2021

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
ADC Construction LLC	Industrial - Order for Civil Penalty	Denver	10/07/2021

2. CONSENT OR SETTLEMENT AGREEMENTS TO PUBLIC NOTICE

RESPONSIBLE PARTY	ACTION	COUNTY	DATE
Town of Hot Sulphur Springs	Domestic- Compliance Order On Consent Amendment Number 2	Grand	10/01/2021

SPECIAL NOTIFICATION: The Discharge Monitoring Report (DMR) Guidance Document was updated (effective September 2021) to clarify calculation and reporting requirements for E.coli. For more information, please contact Andrea Nestler at andrea.nestler@state.co.us.

C. CONSTRUCTION ACTIONS

1. Site Applications Reviews

APPLICANT	TYPE	FACILITY DESCRIPTION	COUNTY	ACTION
Town of Windsor	WWTP Site Application No. 4286 [ES.21.SA.06070]	Windsor WWTP Biosolids Management Improvements Correction	Weld	Approved 09/27/2021
Elbert Creek Water Company	WWTP Site Application No. 3678 [ES.21.SA.06153]	Elbert Creek WC WWTP Rehabilitation	La Plata	Approved 09/29/2021
City of Lafayette	WWTP Site Application No. 4547 [ES.19.SA.04820, ES.21.SA.06333]	City of Lafayette WWTP Nutrient Removal Process Improvements Extension	Boulder	Approved 10/06/2021
Left Hand Water and Sanitation District	Lift Station Site Application No. ES.21.SA.06236	Lake of Pines Lift Station Replacement	Boulder	Approved 10/12/2021

2. Plans and Specifications Reviews

APPLICANT	SITE APPLICATION	FACILITY DESCRIPTION	COUNTY	ACTION
Elbert Creek Water Company	Site Application No. 3678 [ES.21.SA.06153]	Elbert Creek WC WWTP Rehabilitation Process Design Approval ES.21.CWPDR.06154	La Plata	Approved 10/18/2021
Centennial Water and Sanitation District	Site Application No. ES.11.43428	Bluffs Lift Station Final P/S Approval ES.18.CWPDR.04183	Douglas	Approved 10/20/2021

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.

APPLICANT	PERMIT	ACTIVITY	COUNTY	WATERBODY	DETERMINATION
#4478 - Mile High Flood District / Happy Canyon Creek	NWO-2021-01478-DEN	Channel improvements, including raising the channel invert, installing boulder drop and bank stabilization	Douglas	Happy Canyon Creek, South Platte River Basin, Seg. COSPCH04a of Cherry Creek Sub-basin	Draft 82.5(A)(3) 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.

APPLICANT	PERMIT	ACTIVITY	COUNTY	WATERBODY	CERTIFICATION
#4477 - Mile High Flood District / Big Dry Creek Westcliff to Wadsworth	NWO-2021-01275-DEN	Stabilize the channel realignment, stabilization structure, and soil riprap and other bank protection practices to reconnect the channel to the floodplain, restore riparian habitat, protect existing infrastructure and prevent future degradation.	Jefferson	Big Dry Creek, South Platte River Basin, Seg. COSPBD01 of Big Dry Creek Sub-basin	82.5(A)(2) Regular Certification

E. GRANTS AND LOANS UNIT

1. PRE-QUALIFICATION SUBMITTAL

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Paint Brush Hills Metropolitan District	\$3,000,000	This project consists of treatment plant upgrades including improvements for fire suppression as well as the installation of a granular activated carbon system to address taste and odor.	El Paso	10/05/2021

2. PROJECT NEEDS ASSESSMENT SUBMITTAL

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Crested Butte South Metropolitan District	\$5,141,000	This project includes constructing a secondary treatment process building, a replacement of the solids processing equipment, and a rehabilitation of the existing compost building. In addition, site improvements include stormwater management and upsizing the potable water service to meet fire protection standards.	Gunnison	10/19/2021
Pagosa Area Water And Sanitation District	\$18,690,000	The project consists of a new water treatment plant, replacing the existing Snowball WTP.	Archuleta	09/30/2021
Park Water Company	\$402,600	This project consists of the replacement of distribution lines.	Jefferson	10/11/2021
Town of Wellington	\$39,049,319	This project includes an expansion of the existing wastewater treatment facility. This will include several new buildings as well including headworks, ultraviolet disinfection, RAS/WAS, administration, new secondary clarifiers, new aeration facilities, and expansions to the existing aerobic digester and drying beds.	Larimer	10/19/2021

3. DESIGN AND ENGINEERING GRANT AWARDS

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Town of Hayden	\$54,000	The project consists of relining the existing hospital hill water storage tank.	Routt	10/25/2021

4. PUBLIC HEARING/PUBLIC MEETING

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Town of Bethune	\$1,600,810	This project includes the construction of a retention/evaporative pond system to eliminate discharge from the facility.	Kit Carson	09/23/2021

5. LOAN APPLICATIONS RECEIVED

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Town of Bethune	\$1,600,810	This project includes the construction of a retention/evaporative pond system to eliminate discharge from the facility.	Kit Carson	10/11/2021

E. GRANTS AND LOANS UNIT (cont.)

6. LOAN APPLICATION BOARD APPROVALS

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Town of Eckley	\$2,117,000	The project consists of installing a new water storage tank and water system improvements to the existing water treatment facility.	Yuma	10/08/2021
Town of Empire	\$1,824,000	The project consists of installing a new alluvial well and installing a membrane filtration system to the existing treatment facility.	Clear Creek	10/08/2021

7. SMALL COMMUNITIES AND NATURAL DISASTER CONTRACTS EXECUTED

ENTITY	AMOUNT	PROJECT DESCRIPTION	COUNTY	DATE
Town of Kit Carson	\$50,000	This project serves to create the necessary planning and design documents to convert the existing wastewater treatment facility into a non-discharging lagoon system.	Cheyenne	10/12/2021
Town of Limon	\$49,250	This project serves to survey the Town's sanitary sewer system and create a preliminary engineering report.	Lincoln	09/27/2021
Town of Akron	\$17,250	This project serves to create a wastewater system master plan for the Town.	Washington	09/28/2021
City of Creede	\$400,000	This project serves to improve the wastewater system by replacing broken sewer pipes.	Mineral	10/05/2021
Westcreek Lakes Water District	\$39,069	This project serves to procure and install the necessary equipment to treat GWUDI for the district.	Douglas	10/12/2021

F. TOTAL MAXIMUM DAILY LOADS NEWS

Grand Valley TMDL Withdrawal

The division is withdrawing the final Grand Valley TMDL report that was sent to public notice on August 10, 2021, and October 1, 2021, so that the division can reconsider and revise the Grand Valley TMDLs based on input received from the public. The division plans to publish for public comment a revised draft version of the TMDL report in February 2022.