Colorado Discharge Permit System (CDPS)
Fact Sheet to General Permit Number COG590000

DOMESTIC WASTEWATER TREATMENT FACILITIES THAT DISCHARGE TO RECEIVING WATERS WITH A CHRONIC LOW FLOW: DESIGN FLOW RATIO OF 100:1 OR GREATER AND NOT DISCHARGING TO WATERS THAT ARE DESIGNATED AS THREATENED AND ENDANGERED HABITAT

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TABLE OF CONTENTS

I. TYPE OF PERMIT

A. Permit Type: General Permit, Second Renewal (previously COG588000)

B. Discharge To: Surface Water

II. FACILITY INFORMATION

A. SIC Code: 4952 Sewerage Systems

B. Facility Flows: Less than 1.0 MGD

C. Facilities and Discharges Covered

General Permit COG590000 (the general permit) authorizes discharges from domestic wastewater treatment plants as defined in Regulation 22 (5 CCR 1002-22): Site Location and Design Approval Regulations for Domestic Wastewater Treatment Works. The general permit also authorizes domestic discharges from facilities that accept industrial waste that are not required to develop an industrial pretreatment program pursuant to either Section 307 of the federal Clean Water Act or Section 63.9 of Regulation No. 63 (5 CCR 1002-63): Pretreatment Regulations. The general permit authorizes direct discharges to surface water and discharges to surface water via hydrologically connected

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groundwater. The applicant must meet all of the qualifications in Part I.A.3 of the general permit in order to qualify for coverage.

D. Major Changes From Last Renewal:

The Water Quality Control Division (division) is reissuing the Colorado Discharge Permit System (CDPS) general permit for domestic wastewater treatment facilities that discharge to receiving waters with a chronic low flow: design flow ratio of 100:1 or greater and do not discharge to waters that are designated as a threatened and endangered habitat. The 2020 renewal replaces the previous 2013 permit, which expired on May 31, 2018.

The division conducted a routine review of all the terms and conditions in this permit and determined that some minor changes were necessary. The changes made to the permit are mostly organizational and to update the terms and conditions to better reflect the applicable regulations and to match the content presented in the individual permit. The changes in this renewal are as follows:

1. The General permit number has changed from COG588000 to COG590000.
2. Text and formatting were updated throughout the document to create a better understanding of this general permit. The permit was reorganized to match the structure and organization of the domestic individual permit. Some sections of the previous permit were combined; others were separated. The wording was also updated to incorporate any changes to the regulations, division policies, and practices.
3. Parts II and III of this general permit were updated. This includes an update of the terms and conditions, practical quantitation limits (PQLs), and Tables I-V in Part III of the permit.
4. Provisions for Whole Effluent Toxicity (WET) testing requirements are included in this general permit.
5. Specific provisions were added to the permit include coverage for discharges to surface water though hydrologically connected groundwater.
6. Nutrient technology-based effluent limitations, which are applicable to new facilities applying for the COG590000 general permit, in accordance with Regulation 85. Tables 1a - 1c are included in Part I.B.6 of the Permit for calculation of applicable nutrient effluent limitations for new facilities.
7. Provisions for best management practice requirements are added to Part I.C.5 of the permit and are applicable to all certifications under this general permit for on-site wastewater treatment systems (OWTS), which is a septic tank and a leach field configuration.

III. RECEIVING STREAM

A. Water Quality Assessment:

An assessment of the limiting stream standards, utilizing a 100:1 dilution ratio (30E3 stream flow to design flow) and conservative ambient stream conditions has been performed to determine the assimilative capacities for certifications under this general permit for potential pollutants of concern. This information is available upon request from the division. The division's Permits Section has reviewed the assimilative capacities to determine the appropriate water quality-based effluent limitations for certifications under this general permit. The limitations based on the assessment and other evaluations conducted as part of this fact sheet can be found in Part I.B of the permit.

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IV. FACILITY DESCRIPTION

A. Collection System

Some facilities operate a separate sewer system that conveys wastewater to the WWTF. Infiltration and inflow (I/I) into the collection system will be evaluated on a case-by-case basis.

Inflow is water, other than wastewater, that enters a sewer system from sources such as roof leaders, cellar drains, yard drains, area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross sections between storm drains and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters or other drainage. Inflow does not include, and is distinguished from, infiltration. (40 CFR 35.2005 Definitions)

Infiltration is water other than wastewater that enters a sewer system (including sewer service connections and foundation drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow. (40 CFR 35.2005 Definitions)

I/I is assessed by calculating the gallons per capita per day. The facility reports the total estimated flows for residential, industrial, commercial, and also the population of the service area in Part C of the permit application. The calculation to determine gallons per capita per day is:

$$gallons\ per\ capita\ per\ day = \frac{gal.per\ day}{population}\ X\ \%residential\ flows$$

$$\%\ residential\ flows = \frac{residential\ flows}{residential + commercial\ + industrial\ flows}\ X\ 100\%$$

Applicability of an I/I study will be determined on a case-by-case basis using influent flows, service area population and other pertinent information, as available.

B. Chemical Usage

Prior to use of any applicable chemical, the permittee must submit a request for approval that includes the most current Material Safety Data Sheet (MSDS) for that chemical. Until approved, use of any chemical in waters that may be discharged could result in a discharge of pollutants not authorized under the permit. Also see Part II.R.1 of the permit.

Chemicals deemed acceptable for use in waters that will or may be discharged to waters of the State are acceptable only when used in accordance with all state and federal regulations, and in strict accordance with the manufacturer's site-specific instructions.

C. Treatment Facility, Facility Modifications and Capacities

Pursuant to Section 100.5.2 of the Water and Wastewater Facility Operator Certification Requirements, facilities certified under this general permit will require a certified operator. If the facility has a question on the level of the certified operator it needs then the facility will need to contact the Engineering Section of the Division.

D. Biosolids Treatment and Disposal

For mechanical facilities, biosolids are typically treated in an aerobic digester. Liquid is removed in a centrifuge, then the biosolids are applied to on-site drying beds.

For lagoon facilities, as this type of treatment facility consists of aerated lagoons, sludge removal will probably be infrequent (once every 5 to 10 years) and only take place if the ponds are drained and cleaned. If sludge is removed from the lagoons for any reason, it must be disposed of in accordance with local, State and Federal regulations.

1. EPA Regulation

   The Facility is required under the Direct Enforceability provision of 40 CFR §503.3(b) to meet the applicable requirements of the regulation.

2. Biosolids Regulation (Regulation No. 64, Colorado Water Quality Control Commission)

   Colorado facilities that land apply biosolids must comply with requirements of Regulation No. 64, such as the submission of annual reports as discussed later in this fact sheet.

V. DISCUSSION OF EFFLUENT LIMITATIONS

A. Regulatory Basis for Limitations

1. Technology Based Limitations

   a. Federal Effluent Limitation Guidelines – The Federal Effluent Limitation Guidelines for domestic wastewater treatment facilities are the secondary treatment standards. These standards have been adopted into, and are applied out of, Regulation 62, the Regulations for Effluent Limitations.

   b. Regulation 62: Regulations for Effluent Limitations – These Regulations include effluent limitations that apply to all discharges of wastewater to State waters. These regulations are applicable to the discharge from facilities certified under the COG590000 general permit.

   c. Regulation 85: Nutrients Management Control Regulation – These regulations include effluent limitations that apply only to new facilities certified under the COG590000 general permit. New treatment facilities are defined in Regulation 85 and include domestic wastewater treatment facilities on a new site that commence discharge to surface water or receive PELs after May 31, 2012.

2. Numeric Water Quality Standards – For minor domestic WWTFs, the standard set of applicable water quality standards are pH, Total Residual Chlorine (TRC), Escherichia coli (E. coli), and total ammonia. The maximum allowable pollutant concentrations determined as part of these calculations represent the calculated effluent limits that would be protective of water quality. These are also known as the water quality-based effluent limits (WQBELs). Both acute and chronic WQBELs may be calculated based on acute and chronic standards, and these may be applied as daily maximum (acute) or 30-day average (chronic) limits.

   Effluent limitations for total inorganic nitrogen (nitrate), metals, and other parameters are not automatically included in certifications under this general permit, because normal domestic

effluent is not expected to contain these parameters at levels that would have reasonable potential at 100:1 dilution. However, based on special discharge, influent characteristics, or segment specific consideration, such as a TMDL or 303(d) listing for impaired waters, any parameter might be included in the effluent limitations under this general permit. Additionally, if a receiving water is listed in Regulation 93 on the Monitoring and Evaluation (M&E) list for a parameter, a reporting requirement may be included in the certification for that parameter.

3. Narrative Water Quality Standards - Section 31.11(1)(a)(iv) of The Basic Standards and Methodologies for Surface Waters (Regulation No. 31) includes the narrative standard that State surface waters shall be free of substances that are harmful to the beneficial uses or toxic to humans, animals, plants, or aquatic life.

   a. Whole Effluent Toxicity - The Water Quality Control Division has established the use of WET testing as a method for identifying and controlling toxic discharges from wastewater treatment facilities. WET testing is being utilized as a means to ensure that there are no discharges of pollutants "in amounts, concentrations or combinations which are harmful to the beneficial uses or toxic to humans, animals, plants, or aquatic life" as required by Section 31.11 (1) of the Basic Standards and Methodologies for Surface Waters. The requirements for WET testing are being implemented in accordance with division policy, Implementation of the Narrative Standard for Toxicity in Discharge Permits Using Whole Effluent Toxicity (Sept 30, 2010).

      The main parameters of concern for minor domestic wastewater treatment facilities are TRC, *E. Coli*, and ammonia. All three of these parameters are limited in the general permit based on the protection of aquatic life. Therefore, the division makes a default determination of no reasonable potential for a violation of the narrative standard. However, if conditions exist at a specific facility where the division makes a determination of reasonable potential for WET (e.g. non domestic, industrial contributions), WET testing may be required.

4. Water Quality Regulations, Policies, and Guidance Documents

   a. Antidegradation - Since the receiving water has at least 100:1 dilution, an antidegradation review is not required pursuant to Section 31.8 of The Basic Standards and Methodologies for Surface Water.

   b. Antibacksliding – As the receiving water has satisfied the antidegradation-based considerations, in accordance with the Antidegradation Significance Determination Guidance, the antibacksliding requirements in Regulation 61.10 have been met.

   c. Determination of Total Maximum Daily Loads (TMDLs) – If the facility certified under this general permit discharges to a stream segment on the State's 303(d) list, TMDLs may apply. The certification may include TMDLs established for this segment and the corresponding waste load allocations (WLAs) for parameters of concern. As required under the Clean Water Act Section 303(d), these TMDLs have been submitted, through the normal public notification process, to EPA Region VIII for their review and approval.

      If the receiving stream is the portion of a segment or may affect a downstream portion of a segment that is currently listed on the State's 303(d) list for development of TMDLs, further limits may also be imposed in the certifications under this general permit. Consistent with division practice, this permit establishes monitoring requirements for these pollutants until such time as the TMDLs is complete and waste load allocations have been determined. The permit may be reopened to include limitations based upon a finalized TMDL.

d. Colorado Mixing Zone Regulations – Pursuant to section 31.10 of The Basic Standards and Methodologies for Surface Water, a mixing zone determination is required for this permitting action. The Colorado Mixing Zone Implementation Guidance, dated April 2002, identifies the process for determining the meaningful limit on the area impacted by a discharge to surface water where standards may be exceeded (i.e., regulatory mixing zone). This guidance document provides for certain exclusions from further analysis under the regulation, based on site-specific conditions.

The guidance document provides a mandatory, stepwise decision-making process for determining if the permit limits will not be affected by this regulation. Exclusion, based on Extreme Mixing Ratios, may be granted if the ratio of the chronic low flow to the design flow is greater than 20:1. Since the ratio of the chronic low flow to the design flow is at least 100:1, certifications under this general permit are eligible for an exclusion from further analysis under the regulation.

e. Watershed Protection Control Regulations – If the discharge from a facility certified under this general permit ultimately impacts a water body subject to a Control Regulation, such as WQCC Regulations 71-74, restrictions on the amount of total phosphorus may be placed in the certification under this general permit. These control regulations may specify a mass limitation for dischargers of record.

f. Salinity Regulations – In compliance with the Colorado River Salinity Standards and the Colorado Discharge Permit System Regulations, the permittees certified under this general permit in the Colorado River Watershed may be required to monitor for total dissolved solids.

For municipal dischargers, an incremental increase of 400 mg/l above the flow weighted averaged salinity of the intake water supply is allowed. This may be waived where the salt load reaching the mainstem of the Colorado River is less than 1 ton per day, or less than 366 tons per year. The division may permit the discharge of salt in excess of the 400 mg/l incremental increase, upon a satisfactory demonstration that it is not practicable to attain this limit. See Regulation 61.8(2)(l)(vi)(A)(1) for more information regarding this demonstration.

g. Reasonable Potential Analysis – This reasonable potential (RP) analysis is based on the Determination of the Requirement to Include Water Quality Standards-Based Limits in CDPS Permits Based on Reasonable Potential (November 2018). This guidance document utilizes both quantitative and qualitative approaches to establish RP depending on the amount of available data.

A qualitative determination of RP may be made where ancillary and/or additional treatment technologies are employed to reduce the concentrations of certain pollutants. Because it may be anticipated that the limits for a parameter could not be met without treatment, and the treatment is not coincidental to the movement of water through the facility, limits may be included to assure that treatment is maintained. This is the case for effluent limits established for pH, TRC, E. coli, and total ammonia.

A qualitative RP determination may also be made where a state or federal ELG exists for a parameter. This is the case for Oil and Grease, BOD5, CBOD5, and TSS. As the federal pH ELG is typically less stringent than a limitation based on the WQBELs, the discharge may cause or contribute to an exceedance of a water quality standard. Therefore the pH stream standards are used to establish effluent limits under this permit.

B. Parameter Evaluation

$CBOD_5$ or BOD_5 - The $CBOD_5$ or BOD_5 concentrations in Reg 62 are the most stringent effluent limits and are therefore applied. BOD_5 will be the default parameter in the certification, unless the division receives a request from the permit holder to implement $CBOD_5$ instead, in accordance with Section 62.5(6) of the regulations. The removal percentages for BOD_5 also apply based on the Regulation 62, Regulations for Effluent Limitations. These limitations are the same as those contained in the previous permit and are imposed upon the effective date of this permit.

In accordance with Regulation 62.5(2), where the permittee has demonstrated that the treatment facility is unable to meet the 85 percent removal requirement for a parameter and the inability to meet the requirement is not caused by infiltration and inflow, a lower percent removal requirement or a mass loading limit may be substituted provided that the permittee can demonstrate that the numeric limitations for BOD_5 or $CBOD_5$ can be met.

In cases where the facility discharges to surface water through hydrologically connected groundwater (e.g. an alluvial leach field), sampling after all treatment may be infeasible due to the nature of the existing treatment system, and the facility may not be expected to meet the BOD limitations prior to the leach field. For these facilities (i.e., groundwater discharge permit conversions to surface water discharge permit) that are neither lagoon nor mechanical treatment systems, the division will not impose BOD_5 limitations before entering the leach field, but will require a substitute BOD mass loading limitation at the internal outfall to be a surrogate for compliance with the 30/45 limitation and 85% percent removal limitation as discussed below. This surrogate for compliance will apply only to system configurations with decentralized irregular flows (e.g., cabins with inconsistent occupancy) that provide BOD reductions in the collection system (e.g, septic tanks at individual buildings). This surrogate will not apply to new facilities or facilities that are expanding capacity beyond the previous permit. Regulation 62.5 requires application of chemical monitoring without dilution from other waters. Except as required under federal law, where the division determines that a numeric limit is infeasible, the division shall require implementation of best management practices as a condition of the permit as necessary to control or abate the discharge of pollutants to state waters.

EPA's Onsite Wastewater Treatment System Manual estimates greater than 90% BOD removal from septic tank effluent passing through a leach field, assuming a system that is well designed and operated. Since the facility is operating under the approved design capacity, it is assumed that this facility will remove BOD5 below the 30/45 mg/l limitations at the end of the leach field. Based on a discussion with the WQCD Engineering Section, septic tanks are expected to provide a 30% removal of BOD. **Thus, a limitation of 70% of the approved organic loading capacity from the facility's site approval would be expected prior to entering the leach field. This is calculated by multiplying the approved organic loading capacity by 0.70, and should be included in the permit as an effluent loading limit in lbs/day.** Compliance with this limitation prior to the leach field would therefore be an indication that a concentration of 30/45 mg/l and 85% removal would be met at the end of the leach field. Thus, the 85% removal and 30/45 mg/l limitations may be waived for these facilities. Note that this kind of internal outfall is used regularly in groundwater permitting.

Total Suspended Solids - The TSS concentrations in Reg 62 are the most stringent effluent limits and are therefore applied. The removal percentages for TSS also apply based on the Regulations for Effluent Limitations. For domestic lagoon systems, the TSS percent removal requirement is waived under this general permit. These limitations are the same as those contained in the previous permit and are imposed upon the effective date of this permit.

In accordance with Regulation 62.5(2), where the permittee has demonstrated that the treatment

facility is unable to meet the 85 percent removal requirement for a parameter and the inability to meet the requirement is not caused by infiltration and inflow, a lower percent removal requirement or a mass loading limit may be substituted provided that the permittee can demonstrate that the numeric limitations for TSS can be met.

For dischargers to surface water through hydrologically connected groundwater that discharge to a leach field, TSS is expected to be reduced in the leach field soil. The TSS effluent limitations and percent removal requirement may be waived for these facilities that are neither lagoon nor mechanical treatment systems (e.g. septic tanks that discharge to leach fields) under this general permit.

Oil and Grease – The oil and grease limitations from the Regulations for Effluent Limitations are applied as they are the most stringent limitations.

This limitation is the same as those contained in the previous permit and is imposed upon the effective date of this permit.

pH - This parameter is limited by the Regulation 62 limit of 6.0-9.0 s.u., even though this range is less stringent than the water quality standard (6.5-9.0). The minimum 6.0 value is being used as the large available dilution protects the water quality standard of the receiving stream.

This limitation is the same as that contained in the previous permit and is imposed upon the effective date of this permit.

E. Coli – Due to the large dilution required to be certified under this permit, the calculated *E. Coli* WQBEL is greater than that allowed by the division procedure for *E. coli*, which specifies a maximum of 2,000 organisms per 100 ml (30-day geometric mean) and 4,000 organisms per 100 ml (7-day geometric mean). Therefore, the limits will be set to 2,000 and 4,000 respectively. A qualitative determination of RP has been made as the treatment facilities certified under this general permit have been designed to treat specifically for this parameter.

This limitation is the same as that contained in the previous permit and is imposed upon the effective date of this permit.

Facilities discharging to receiving waters listed on the 303(d) list of impaired waters or with a Total Maximum Daily Load for *E. Coli* will not be allocated assimilative capacity based on 100:1 dilution. In this case, the effluent limitation in the certification is equal to the water quality standard or the WLA for that segment.

In the event that a facility does not have the technology to meet the effluent limitation of 2,000 organisms per 100 ml (30-day geometric mean) and 4,000 organisms per 100 ml (7-day geometric mean) at the end of the pipe (i.e., septic tank discharge to leach field), an *E. Coli* limitation may be calculated based on site-specific characteristics to determine reasonable potential for the facility to exceed the water quality standard for *E. Coli*.

Total Residual Chlorine (TRC) - The calculated effluent limit for TRC is greater than the 0.5 mg/l daily maximum limit that is allowed by the State Regulations for Effluent Limitations, and therefore the 0.5 mg/l limit has been added to the permit. A qualitative determination of RP has been made as chlorine may be used in the treatment process.

This limitation is the same as that contained in the previous permit and is imposed upon the effective date of this permit.

Ammonia - The AMMTOX Model was used to determine the maximum assimilative capacity of the receiving stream. It was found that the most restrictive monthly effluent limitation at 100:1 dilution needed is 50 mg/l. This limit was set in the general permit to be protective of all waters. A qualitative determination of RP has been made as the treatment facilities certified under this general permit have been designed to treat specifically for this parameter.

This limitation is the same as that contained in the previous permit and is imposed upon the effective date of this permit.

In the event that a facility does not have the technology to meet the effluent limitation of 50 mg/l at the end of the pipe (e.g. septic tank discharge to leach field), the AMMTOX model may be run based on the site-specific effluent and receiving water characteristics to determine reasonable potential for the facility to exceed the water quality standard for ammonia.

Facilities discharging to receiving waters listed on the 303(d) list of impaired waters or with a TMDL for ammonia will not be allocated assimilative capacity based on 100:1 dilution. In this case, the effluent limitation in the certification is equal to the water quality standard. The AMMTOX Model will be used to determine site-specific standards based on effluent and receiving water characteristics, and the TMDL will be implemented

Total Inorganic Nitrogen - Effluent limitations for total inorganic nitrogen (nitrate) are not automatically included in certifications under this general permit, because normal domestic effluent is not expected to contain these parameters at levels that would have reasonable potential at 100:1 dilution.

However, if a stream segment is on the 303(d) list of impaired streams for nitrate (Water Supply) or has a TMDL, a daily maximum effluent limit of 10 mg/l will be included in the certification and the TMDL will be implemented.

Effective December 31, 2022, Regulation 31 requires implementation of a nitrate water supply standard of 10 mg/l (as Total Inorganic Nitrogen) in stream segments classified for water supply, regardless of the presence or the location of domestic water supply wells and intakes within the segment. This is based on the results of the June 2016 Water Quality Control Commission (WQCC) hearing, during which the WQCC repealed footnote 4 to Table II (Inorganic Parameters) of Regulation 31 with an effective date of December 31, 2022. The removal of footnote 4 will result in a requirement to calculate permit limits to implement the nitrate water supply standard of 10 mg/l for any discharge to a segment designated as water supply, and to apply the standard either at the point of discharge or, where a mixing zone is allowable, at the end of the mixing zone. The WQCC chose the delayed effective date to allow time to thoroughly evaluate the receiving water below outfalls to determine whether there is an actual existing Water Supply use and to propose modifications of the segments or standards if warranted.

Nutrients (For new facilities only):

> **Nitrogen** – Technology-based **total inorganic nitrogen** limits (Regulation 85.5(1)(b)) apply to new facilities, as defined in Regulation 85. These technology-based effluent limitations are shown in Part I.B.6 (Table 1a) of the permit.
>
> If there is assimilative capacity available for potential interim numeric **total nitrogen** standards at 31.17, those values may apply in lieu of the technology based effluent limitations (Regulation 85.5(1)(b)). Note that these WQBELs are calculated based on the 1 in 5

year median low flow (1E5), which is greater than or equal to than the 30E3. The division determined that using the 100:1 dilution ratio for these calculations is a conservative estimate of this number and determined that approach to be appropriate in this general permit. These potential WQBELs would be applied on a running annual median basis.

Calculated Total Nitrogen WQBELs based on a 100:1 dilution ratio and a range of ambient upstream total nitrogen are shown in Part I.B.6 (Table 1b) of the permit. In addition, these total nitrogen annual median limits will be capped at 100 mg/l in accordance with division practice and based on characteristic high strength influent concentrations of total nitrogen (Metcalf and Eddy, 2012). This cap reflects an effluent value that most (97%) existing COG588000 permittees can meet based on effluent monitoring data collected in accordance with Regulation 85 from December 2012 through December 2017. It is therefore expected that a new facility would be able to meet this maximum effluent limit as a running annual median upon commencement of discharge.

New facilities are required to meet either Regulation 85 limits or Regulation 31 nitrogen limits, as applicable, upon commencement of discharge. Note that the running annual median requires 1 year of data collection prior to reporting.

Total Phosphorus - Technology-based **total phosphorus** limits (Regulation 85.5(1)(b)) apply to new facilities, as defined in Regulation 85. These technology-based effluent limitations are shown in Part I.B.6 (Table 1a) of the permit.

If there is assimilative capacity available for potential interim numeric **total phosphorus** standards at 31.17, those values may apply in lieu of the technology based effluent limitations (Regulation 85.5(1)(b)). Note that these WQBELs are calculated based on the 1 in 5 year median low flow (1E5), which is greater than or equal to than the 30E3. The division determined that using the 100:1 dilution ratio for these calculations is a conservative estimate of this number and determined that approach to be appropriate in this general permit.

Calculated WQBELs based on a 100:1 dilution ratio and a range of ambient upstream total phosphorus are shown in Part I.B.6 (Table 1c) of the permit. In addition, these total phosphorus annual median limits are capped at 12 mg/l in accordance with division practice and based on characteristic high strength influent concentrations of total phosphorus (Metcalf and Eddy, 2012). This cap reflects an effluent value that most (90%) existing COG588000 permittees can meet based on effluent monitoring data collected in accordance with Regulation 85 from December 2012 through December 2017. It is therefore expected that a new facility would be able to meet this maximum effluent limit as a running annual median upon commencement of discharge.

New facilities are required to meet either Regulation 85 limits or Regulation 31 phosphorus limits, as applicable, upon commencement of discharge. Note that the running annual median and 95th percentile requires 1 year of data collection prior to reporting.

Temperature- All certifications under this general permit are minor domestic WWTFs with a minimum dilution ratio of 100:1. Therefore, facilities certified to discharge under this general permit are exempt from the temperature requirements based on flow ratios.

Metals – The division generally does not consider metals to have reasonable potential for minor domestic wastewater treatment facilities because the waste water character is from domestic (household) sources. Therefore, a default determination of no reasonable potential has been made

for certifications under the COG590000 general permit, with exceptions noted below.

If a domestic facility discharges to a stream segment listed on the 303(d) list of impaired waters for a parameter or a stream segment that has a TMDL for that parameter, effluent limitations will be established for that metal and will be equal to the applicable water quality standard in Regulation 31 or in Basin-specific Regulations 32-38. Receiving stream hardness will be assessed on a case-by-case basis to establish effluent limitations for metals with hardness-based table value standards.

If a domestic facility receives non domestic waste steams (such as reverse osmosis brine or ion exchange backwash), associated pollutants of concern (e.g. metals) will be evaluated for reasonable potential, and effluent limitations will be established any parameters that may be present in the effluent, based on the water quality standards in Regulations 31 and 32-38. Assimilative capacity will be calculated individually for each certification. Receiving stream hardness will be assessed on a case-by-case basis to establish effluent limitations for metals with hardness-based table value standards.

Other Pollutants - The division will consider other pollutants of concern on a case-by-case basis based on the numeric water quality standards in Regulation 31, basin-specific standards in Regulations 32-38, or the narrative water quality standard in Regulation 31.11(1); and considering non domestic contributions to the facility.

Groundwater Standards – Groundwater standards will generally not apply to dischargers under this permit. For permittees that discharge to surface water through hydrologically connected subsurface flow, nearby wells will be evaluated. If a well is determined to be under the influence of the effluent prior to mixing with the receiving stream, applicable groundwater standards in Regulation 41 will be applied in the certification based on the classified use of the well. This review will be done on a case-by-case basis, taking into account the extent of the alluvium, the distance to the well, and the design flow of the discharger.

In the limited circumstances where the division has determined that groundwater standards in Regulation 41 will apply, they will apply at the end of pipe. Leach fields with a direct hydrologic connection to surface water may, at times, be below the water table. For these systems, monitoring wells at the end of a leach field may not represent the treated effluent without dilution with other sources. Therefore, in the case of a septic tank discharge to a leach field, these standards must be met prior to discharge to the leach field. Below are examples of groundwater pollutants of concern for domestic wastewater treatment facilities:

Total Coliform - If a water supply well is under the influence of the effluent prior to mixing with the receiving stream, a daily maximum effluent limit of 23 org/100ml and a 30-day average limitation of 2.2 org/100ml will be included in the certification.

Total Inorganic Nitrogen - If a water supply well is under the influence of the effluent prior to mixing with the receiving stream, a daily maximum effluent limit of 10 mg/l will be included in the certification.

Chloride - If a water supply well is under the influence of the effluent prior to mixing with the receiving stream, and a 30-day average limitation of 250 mg/l will be included in the certification.

Sulfate - If a water supply well is under the influence of the effluent prior to mixing with the receiving stream, and a 30-day average limitation of 250 mg/l will be included in the

certification.

Total Dissolved Solids - If a well is under the influence of the effluent prior to mixing with the receiving stream, a daily maximum effluent limit will be established based on the background TDS concentrations in accordance with Regulation 41, Table 4.

Whole Effluent Toxicity (WET) testing – All certifications under this general permit are minor domestic WWTFs with a minimum dilution ratio of 100:1. The division may assign acute and/or chronic WET requirements, in accordance with the Whole Effluent Toxicity (WET) Testing policy.

The division will determine, on a case-by-case basis, whether WET Testing requirements will be applicable to facilities and included in the certification based on factors such as facility type, influent characteristics, variability of the discharge, chemical usage, and industrial contributions.

The permittee should read the WET testing section of Part I.C.7 of the permit carefully, as this information has been updated in accordance with the division's updated policy, Implementation of the Narrative Standard for Toxicity in Discharge Permits Using Whole Effluent Toxicity (Sept 30, 2010) . The permit outlines the test requirements and the required follow-up actions the permittee must take to resolve a toxicity incident. The permittee should also read the above mentioned policy which is available on the Permit Section website. The permittee should be aware that some of the conditions outlined above may be subject to change if the facility experiences a change in discharge, as outlined in Part II.L.1 of the permit. Such changes shall be reported to the division immediately.

C. Parameter Speciation

Total / Total Recoverable Metals (Except Arsenic)
For standards based upon the total and total recoverable methods of analysis, the limitations are based upon the same method as the standard.

Total / Total Recoverable Arsenic
For total recoverable arsenic, the analysis may be performed using a graphite furnace, however, this method may produce erroneous results and may not be available to the permittee. Therefore, the total method of analysis will be specified instead of the total recoverable method. An August 19, 1998 EPA memo states that the terms "total metals" and "total recoverable metals" are synonymous. Total metals and total recoverable metals are used to describe methods of hard mineral acid digestion.

Total Mercury
Until recently there has not been an effective method for monitoring low-level total mercury concentrations in either the receiving stream or the facility effluent. To ensure that adequate data are gathered to show compliance with the limitation and consistent with division initiatives for mercury, quarterly effluent monitoring for total mercury at low-level detection methods will be required by the permit.

Dissolved Metals / Potentially Dissolved
For metals with aquatic life-based dissolved standards, effluent limits and monitoring requirements are typically based upon the potentially dissolved method of analysis, as required under Regulation 31, Basic Standards and Methodologies for Surface Water. Thus, effluent limits and/or monitoring requirements for these metals will be prescribed as the "potentially dissolved" form.

Dissolved Iron and Dissolved Manganese if WS based
The dissolved iron and chronic manganese standards are drinking water-based standards. Thus,

sample measurements for these two parameters must reflect the dissolved fraction of the metals.

Cyanide
For cyanide, the acute standard is in the form of "free" cyanide concentrations. Historically, analytical procedures were not readily available for measuring the concentration of free cyanide in a complex effluent therefore the division required weak acid dissociable cyanide to be reported instead. Even though methods are now available to measure free cyanide, weak acid dissociable cyanide will be still required as this analytical procedure will detect free cyanide plus those forms of complex cyanide that are most readily converted to free cyanide. Therefore, ASTM (American Society for Testing and Materials) analytical procedure **D2036-09, Method C,** will be used to measure weak acid dissociable cyanide in the effluent.

TR Trivalent Chromium/Total Chromium
For total recoverable trivalent chromium, the regulations indicate that standard applies to the total of both the trivalent and hexavalent forms. Therefore, monitoring for total recoverable chromium will be required.

Dissolved Hexavalent Chromium
For hexavalent chromium, samples must be appropriately buffered. Dissolved concentrations will be measured rather than potentially dissolved concentrations.

VI. ADDITIONAL TERMS AND CONDITIONS

A. Monitoring

Effluent Monitoring – Effluent monitoring will be required as shown in the certification. Refer to the certification for locations of monitoring points. Monitoring requirements and reduced monitoring frequencies based on facility performance are established in accordance with the frequencies and sample types set forth in the Baseline Monitoring Frequency, Sample Type, and Reduced Monitoring Frequency Policy for Industrial and Domestic Wastewater Treatment Facilities (WQP-20). In accordance with Regulation 61.8(7)(a)(ix), the treatment facility must have at least one flow monitoring device installed that can be considered representative of both influent and effluent flows.
Where effluent flow metering is not practicable, the division may approve on a case-by-case basis flow metering at the influent end of the septic tank or treatment facility or flow metering by some other means (e.g. potable water well flow meter or lift station pump). For these facilities, the effluent flow measuring and sampling type will be specified in the certification.

Influent Monitoring– Influent monitoring will be required as shown in the certification. Refer to the certification for locations of monitoring points. Monitoring requirements and reduced monitoring frequencies based on facility performance are established in accordance with the frequencies and sample types set forth in the Baseline Monitoring Frequency, Sample Type, and Reduced Monitoring Frequency Policy for Industrial and Domestic Wastewater Treatment Facilities. In accordance with Regulation 61.8(7)(a)(ix), the treatment facility must have at least one flow monitoring device installed that can be considered representative of both influent and effluent flows.

Small systems can have limited collection area and/or influent flow that is highly variable or consistently low enough that using a flume for influent flow measuring is not practical or representative due to issues with accuracy and plugging from solids. Where influent flow metering is not practicable, the division may approve on a case-by-case basis flow metering at the effluent end of the septic tank or treatment facility or flow metering by some other means (e.g. potable water well flow meter or lift station pump). For these facilities, the influent flow measuring and sampling

type will be specified in the certification. The circumstances for the basis of this allowance will be re-evaluated when conditions change. In accordance with WQP-20, for potable water well flow meter to be used, the facility must be less than 10,000 gpd, and potable water flow must be representative of wastewater flow on a daily basis, (i.e. the water is not used for other purposes like irrigation), and the daily water flow must be collected on data logger. For small systems with an influent lift station, flow measuring of pumped influent flow may be allowed.

Monitoring of influent loading for BOD and TSS is specified in the permit. Where representative influent samples may not be obtained (e.g. partial treatment in the collection system or settling of solids in a septic tank) the influent sample may be collected after an initial septic/primary settling tank that does not receive recycle flow. In that case, the results would be adjusted for reporting based on the following procedure: The influent concentration reported on Discharge Monitoring Reports (DMRs) shall be calculated as the sample result divided by 0.7 for BOD and 0.4 for TSS. Monitoring of influent loading and concentration for secondary treatment parameters, BOD and TSS, is specified in the certification.

Sample type - For composite samples, where flow-weighted influent or effluent composite samples are not practicable, the division may approve time-weighted on a case-by-case basis. Additionally, small or intermittent-type discharges (other than sequencing batch reactors) may not be able to reliably collect aliquots for a composite sample at time-weighted intervals. For situations when the final discharge is intermittent, the effluent sample may be collected following the allowance for SBR type treatment system, where a composite sample is defined as sampling equal aliquots during the beginning, middle and end of a decant period, for two consecutive periods during a day (if possible). The monitoring frequency and sample type will be specified in the certification.

B. Reporting

1. Discharge Monitoring Report – The permittee must submit Discharge Monitoring Reports (DMRs) on a monthly basis to the division. These reports should contain the required summarization of the test results for all parameters and monitoring frequencies shown in Part I.B of the permit or specified in the certification. See the permit, Part I.E of the permit for details on such submission.

2. Additional Reporting – Reporting requirements for a salinity study, groundwater protection, inflow/infiltration study, or an annual compliance report, or other special study may be included in the certification. All special studies must be submitted to the division accompanied by a fully completed "Permit Narrative Conditions Form" available at https://www.colorado.gov/pacific/cdphe/wq-permit-forms. Example requirements are included below:

    a. Salinity Study – As summarized in this fact sheet, the total salinity loading from this facility exceeds that allowable in Section 61.8(2)(l) of the Colorado Discharge Permit System Regulations (Regulation No. 61). The regulations specify that in such cases, the permittee must submit a report addressing salinity. Because there is no record that the permittee has previously submitted this report, a compliance schedule is included for the performance of the study. However, if a report has previously been submitted, the permittee should submit a copy of this report in lieu of the performance of another study.

Code	Event	Description	Due Date
00508	Salinity Study	Submit salinity study results.	~1 yr

b. Ground Water Protection – The current lagoon system is not lined and there have been no evaluations to determine whether the lagoons currently meet the allowable exfiltration rate of 10^{-6} cm/sec as required by the Colorado Discharge Permit System Regulations. Therefore, a compliance schedule covering the installation of liners is set forth below.

Code	Event	Description	Due Date
04399	Inflow/Infiltration Report	Investigate and submit conclusive information on the seepage from the lagoon system to determine if the allowable exfiltration rate of 10^{-6} cm/sec is exceeded. If liner integrity is the basis for determination that the seepage meets the criteria, then the report must be prepared by a professional engineer registered in Colorado.	~1 yr
CS008	Written Commitment to Perform Required Work	If the lagoon is found to be seeping in excess of the maximum rate, the facility must submit a plan for the installation of liners. The plan must specify that installation of the liner will begin by <<insert date>> and be completed by <<insert date>>.	~2 yr
CS010	Status/Progress Report	Submit a progress report summarizing the efforts to install the lagoon liner.	~3 yr
60799	Corrective Action Completed	The permittee must submit a report completed by a professional engineer registered in the state of Colorado indicating that the liner of the lagoon has been replaced. The report must certify that the liner material meets the allowable seepage rate of 10^{-6} centimeters per second or less, and that the placement was accomplished according to the manufacturer's requirements (i.e., all welds were tested and the liner was checked for holes prior to backfilling).	~4 yr

c. Inflow/Infiltration Study – The permittee shall identify areas where significant I/I exists and begin reducing I/I in accordance with the following schedule.

Code	Event	Description	Due Date
04399	Inflow/Infiltration Report	Submit a plan that identifies sources of I/I and prioritizes repairs and rehabilitation to the collection system to reduce I/I below 120 gallons per day per capita, monthly average influent flow. The plan must be based on a study of the collection system that identifies the areas of the collection system that are contributing significant I/I. A report, summarizing the findings of the study, must be prepared by a professional engineer registered in Colorado, and must accompany the plan. The plan must include annual milestones that should correct I/I at 25% each year over the next four years beginning <<insert date>>, with elimination of the most significant contributions of I/I beginning first.	~1 yr
04399	Inflow/Infiltration Report	Submit a progress report summarizing the progress in implementing the I/I control program, including	~2 yr

		notification that the first 25% of I/I targeted repairs have been completed.	
04399	Inflow/Infiltration Report	Submit a progress report summarizing the progress in implementing the I/I control program, including notification that 50% of I/I targeted repairs have been completed.	~3 yr
04399	Inflow/Infiltration Report	Submit a progress report summarizing the progress in implementing the I/I control program, including notification that 75% of I/I targeted repairs have been completed.	~4 yr
04399	Inflow/Infiltration Report	Submit final study results that indicate that 100% of I/I targeted repairs have been completed and that the 120 gallons per day per capita maximum monthly average influent flow goal is met.	~5 yr

d. Onsite-Wastewater Treatment System Annual Report – The permittee shall submit a report identifying best management practices in accordance with the following schedule.

Code	Event	Description	Due Date
06001	Annual BMP Report	Submit a report demonstrating the use of best management practices (BMPs) to effectively manage the onsite treatment system and to minimize potential risk of any unintentional release of pollutants. These BMPs should include, at a minimum: (1) Properly operate and manage the wastewater treatment system at no greater than its maximum treatment capacity. Keep a logbook to demonstrate the average and maximum daily flows for each month of operation. (2) Inspect the scum level and sludge level in each septic tank in order to know when the particular septic tank needs to be pumped. Have the septic tank pumped by a licensed pumping contractor. (3) Conduct routine inspections of all facilities and systems of treatment and control. Maintain a log book on inspection results and a description of any repairs made. (4) Make every effort to prevent hazardous waste, toxic waste, and/or recreational vehicle (RV) septage from entering the collections system. (5) Operate and maintain the wastewater treatment plant in accordance with the division-approved O&M plan, if applicable.	Annually

3. Special Reports – Special reports are required in the event of an upset, bypass, or other noncompliance. Please refer to Part II.L of the permit for reporting requirements. As above, submittal of these reports to the US Environmental Protection Agency Region VIII is no longer required.

C. Compliance Schedules

The following compliance schedules may be included in the certification. As discussed in the Colorado WQCD Compliance Schedule Policy CW-3 and federal requirements, the division evaluates the need for compliance schedules for discharges that are not new on the basis of what is necessary, appropriate, and whether the compliance schedule will achieve compliance with the underlying water quality based effluent limit "as soon as possible."

Necessary
"Necessity" for a compliance schedule is determined on the basis of whether associated effluent limits can be met upon the effective date of the certification. A compliance schedule is necessary if there is information in the permit record that shows that the discharger cannot immediately comply with the underlying permit limits. A compliance schedule is only necessary if the effluent limitations are being added to the certification for the first time or if more stringent effluent limits are being added to a renewal permit based on a change in water quality standards. If water quality data exists to establish a level of water quality that can be achieved, then it is also necessary to establish an interim limit in the certification for the pollutant of concern. If data does not exist, then a report-only requirement should be included in the permit. A compliance schedule is not necessary if it is being proposed for a new discharger, if the compliance schedule is being issued to meet federal technology-based effluent limitation guidelines, or if a compliance schedule is based solely on the time needed to develop a use attainability analysis, site specific standard, alternatives analysis for antidegredation or a discharger specific variance.

Appropriate
Once necessity has been determined, the division evaluates the "appropriateness" of a compliance schedule. Factors relevant to whether a compliance schedule in a specific certification under this permit is "appropriate" under 40 C.F.R. § 122.47(a) include: how much time the discharger has already had to meet the WQBEL(s) under prior certifications; the extent to which the discharger has made good faith efforts to comply with the WQBELs and other requirements in its prior certification(s); whether there is any need for modifications to treatment facilities, operations or measures to meet the WQBELs and if so, how long would it take to implement the modifications to treatment, operations or other measures; or whether the discharger would be expected to use the same treatment facilities, operations or other measures to meet the WQBEL as it would have used to meet the WQBEL in its prior certification. The compliance schedule proposed must be an enforceable sequence of events that contains milestones. If the compliance schedule lasts longer than one year, the milestones must be no more than one year apart and must describe how the compliance schedule will lead to compliance with the underlying permit limit at the end of the compliance schedule. The final effluent limits must contained in the certification and should be included at the end of the compliance schedule.

As soon as possible
Once the division determines that a compliance schedule is necessary and appropriate, the division then uses information to develop a certification compliance schedule with enforceable milestones appropriate for the type of actions that are anticipated to be conducted to attain the underlying permit limits that ensure that compliance with the effluent limitations is achieved "as soon as possible." In determining the duration of the compliance schedule to meet the underlying permit limits, the division intends to provide adequate time to conduct the actions needed leading to compliance with the limits, including the steps necessary to modify or install treatment facilities, retaining expertise, securing funding, characterizing sources, identifying control alternatives, and/or planning, designing and implementing the preferred alternative.

1. Listed below are examples of some types of compliance schedules that may be tailored and included in certifications under this permit. **All documents required by these compliance schedules (except permit modification applications) must be submitted to the division accompanied by a fully completed "Permit Narrative Conditions Form" available at https://www.colorado.gov/pacific/cdphe/wq-permit-forms.**

Regulation 61.8(3)(n)(i) states that a report shall be submitted to the division no later than 14 calendar days following each date identified in the schedule of compliance. The 14 days have already been incorporated into the below dates and therefore all reports are due on or before the date listed in the table.

a. Activities to Meet Total Ammonia, Total Inorganic Nitrogen Final Limits, E. Coli or TRC – In order to

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meet Total Ammonia or Total Inorganic Nitrogen final limits, the following schedule for construction (if deemed necessary by the permittee) are included in the permit.

Code	Event	Description	Due Date
06599	Hire a Consultant/ Professional Engineer	Submit a letter of notification that a Colorado licensed engineering consultant has been obtained and funding has been secured for planning aspects	~ 6 months
CS011	Plan, Report, or Scope of Work	Submit a progress report in obtaining funding for design and construction aspects	~ 1 yr 6 mo
73905	Engineering Plan	Submit a letter of notification that funding has been obtained for design and construction aspects, and final plans specifications have been submitted to the division. Note that a Site Application and a preliminary design must be submitted and approved by the division prior to final plans and specifications.	~ 2 yr 6 mo
CS015	Commence Required Work or On-Site Construction	Submit a letter of notification that Final Design Approval has been received from the division and construction has commenced.	~3 yr 6 mo
CS010	Status/Progress Report	Submit a construction progress report summarizing the progress in construction or other activities.	~ 4 yr
CS016	Complete Required Work or On-Site Construction	Complete construction of facilities or other appropriate actions, which will allow the permittee to meet the final limitations.	~ 4 yr 6 mo

b. Activities to Meet Dissolved Copper and Dissolved Zinc Final Limits – In order to meet Dissolved Copper and Dissolved Zinc limitations, the following schedule are included in the permit.

Code	Event	Description	Due Date
43699	Facility Evaluation Plan	Submit a report that identifies sources of copper and zinc to the wastewater treatment facility and identifies strategies to control these sources or treatment alternatives such that compliance with the final limitations may be attained.	~ 1 yr
00899	Implementation Schedule	Submit a progress report summarizing the progress in implementing the strategies to control sources such that compliance with the final limitations may be attained.	~2 yr
CS017	Achieve Final Compliance with Emissions or Discharge Limits	Submit study results that show compliance has been attained with the final limitations.	~ 3 yr

D. Economic Reasonableness Evaluation

Section 25-8-503(8) of the revised (June 1985) Colorado Water Quality Control Act required the division to "determine whether or not any or all of the water quality standard based effluent limitations are reasonably related to the economic, environmental, public health and energy impacts to the public and affected persons, and are in furtherance of the policies set forth in sections 25-8-192 and 25-8-104."

The Colorado Discharge Permit System Regulations, Regulation No. 61, further define this requirement under 61.11 and state: "Where economic, environmental, public health and energy impacts to the public and affected persons have been considered in the classifications and standards setting process, permits written to meet the standards may be presumed to have taken into consideration economic factors unless:

1. A new permit is issued where the discharge was not in existence at the time of the classification and standards rulemaking, or

2. In the case of a continuing discharge, additional information or factors have emerged that were not anticipated or considered at the time of the classification and standards rulemaking."

*****For existing discharges*****

The evaluation for this permit shows that the Water Quality Control Commission, during their proceedings to adopt the *Classifications and Numeric Standards for Arkansas River Basin, Classifications and Numeric Standards for Upper Colorado River Basin and North Platte River (Planning Region 12), Classifications and Numeric Standards for San Juan River and Dolores River Basins, Classifications and Numeric Standards for Gunnison and Lower Dolores River Basins, Classifications and Numeric Standards for Rio Grande Basin, Classifications and Numeric Standards for Lower Colorado River Basin, and Classifications and Numeric Standards for South Platte River Basin, Laramie River Basin, Republican River Basin, Smoky Hill River Basin*, considered economic reasonableness.

Furthermore, this is not a new discharger and no new information has been presented regarding the classifications and standards. Therefore, the water quality standard-based effluent limitations of this permit are determined to be reasonably related to the economic, environmental, public health and energy impacts to the public and affected persons and are in furtherance of the policies set forth in Sections 25-8-102 and 104. If any party disagrees with this finding, pursuant to 61.11(b)(ii) of the Colorado Discharge Permit System Regulations, that party should submit all pertinent information to the division during the public notice period.

*****For new discharges*****

The evaluation for this permit shows that this is a new facility not in existence at the time of water quality standards rulemaking. However, based on available data, the resulting water quality standard-based effluent limitations are determined to be reasonably related to the economic, environmental, public health, and energy impacts to the public and affected persons. If any party disagrees with this finding, pursuant to 61.11(b)(ii) of the Colorado Discharge Permit System Regulations, that party should submit all pertinent information to the division during the public notice period.

E. Opportunities for public comment, public meetings, and administrative adjudication

1. Opportunity to Submit Public Comment on the Draft Permit

Interested persons may submit written comments to the division on this draft permit and fact sheet during the term of the public comment period. Note that if you do not identify an issue in your comments on the draft permit, you may not be allowed to raise that issue in an administrative adjudication.

2. Opportunity to Request an Extension to the Public Comment Period

Interested persons may also request an extension of the comment period. This should be a stand-alone request via email or letter to the permit writer during the duration of the public comment period. The request should include specific reasons why the extension is needed.

3. Opportunity to Request a Responsive Public Comment Period

Interested persons may also request a responsive period of public comment in which any person may file a written response to the material filed by any other person during the comment period. This should be a stand-alone request via email or letter to the permit writer during the duration of the public comment period or within 10 days of the close of the public comment period. If the division grants a responsive comment period, there will also be a 10-day rebuttal period immediately following the close of the deadline for responsive comments. Filing of rebuttal comments is optional.

4. Opportunity to Request a Public Meeting

Interested persons, states, agencies, and groups may request a public meeting on the terms of the draft permit in accordance with 61.5(3). This should be a stand-alone request via email or letter to the permit writer during the duration of the public comment period. The request should discuss the degree of public interest regarding the draft, including the reasons why a public meeting is warranted. The division shall hold a meeting if there is a significant degree of public interest.

5. Opportunity for Administrative Adjudication

Once the final permit is issued, the applicant or any other person affected or aggrieved by the division's final determination may request an adjudicatory hearing within thirty (30) calendar days of the date of issuance, under 5 CCR 1002-61 (Colorado Discharge Permit System Regulations), Regulation 61.7. Any request must comply with the Water Quality Control Act, 24-4-101, C.R.S., et seq. and the Water Quality Control Commission's regulations, including Regulation 61.7 and 5 CCR 1002-21 (Procedural Rules), Regulation 21.4(B). Failure to contest any term and condition of the permit in this request for an adjudicatory hearing constitutes consent to the condition by the permittee.

6. Opportunity to Request a Stay of Terms and Conditions of Final Permit

If an applicant for a renewal permit files a request for an administrative hearing in accordance with section 24-4-105, C.R.S., the applicant may also request that the division stay the contested terms and conditions of the renewal permit. This request must be made within thirty (30) days of issuance of the final permit.

F. Compliance with Section 25-8-503.5 of the Water Quality Control Act (Cost-Benefit Analyses)

Section 25-8-503.5(1) of the Colorado Water Quality Control Act requires the division to do the following when it proposes new or amended permit general permit requirements:

(a) Prepare a statement of basis and purpose explaining the need for the proposed requirements;

(b) Present evidence supporting the need for the proposed requirements, including information regarding pollutant potential and available controls, incidents of environmental damage, and permit violations;

(c) Before implementing the proposed requirements, provide public notice of, and consider comments received from affected parties about, the proposed requirements; and

(d) Upon request by an affected party, consider and give due weight to a cost-benefit analysis:

(I) Received by the division during the comment phase set forth in paragraph (c) of this subsection (I);

(II) Concerning one or more proposed requirements that are not already required by federal or state statute or rule;

(III) Prepared by a third party chosen from an approved list of analysts, as developed by the division in consultation with representatives of the industries that are subject to general permitting; and

(IV) Paid for by the affected party.

The division will comply with Section 25-8-503.5(1)(a) and (b) as follows. In accordance with Section 25-8-503.5(1)(a), this draft fact sheet constitutes the draft statement of basis and purpose explaining the need for the proposed requirements; the final fact sheet and responses to comments will together constitute the final statement of basis and purpose explaining the need for the proposed requirements. In accordance with Section 25-8-503.5(1)(b), the fact sheet, response to comments, and permit-related documents found in the division's public databases (including compliance and enforcement data for permit certifications covered by the general permit) constitute evidence supporting the need for the proposed requirements.

The division will comply with Section 25-8-503.5(1)(c) by providing public notice of the draft permit and fact sheet, establishing a public comment period, and considering and responding to the comments received during the public comment period.

The division will comply with Section 25-8-503.5(1)(d) by considering and giving due weight to any cost benefit analysis submitted to the division during the public comment period meeting the criteria established by Section 25-8-503.5(d). In accordance with Section 25-8-503.5(1)(d)(III), if a party would like to pay for and submit to the division a cost-benefit analysis meeting the criteria established by Section 25-8-503.5(1)(d), the party must let the division know as soon as possible during the comment period. The division will then develop an approved list of analysts to conduct such a cost benefit analysis in consultation with representatives of the industries or other entities that are subject to general permitting.

VII. REFERENCES

A. Colorado Department of Public Health and Environment, Water Quality Control Division Files, for Permit Number COG588000.

B. "Design Criteria Considered in the Review of Wastewater Treatment Facilities", Policy 96-1, Colorado Department of Public Health and Environment, Water Quality Control Commission, April 2007.

C. Basic Standards and Methodologies for Surface Water, Regulation No. 31, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective January 31, 2018.

D. *Classifications and Numeric Standards for Arkansas River Basin*, Regulation No. 32, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective June 30, 2019.

E. *Classifications and Numeric Standards for Upper Colorado River Basin and North Platte River (Planning Region 12)*, Regulation No. 33, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective June 30, 2019.

F. *Classifications and Numeric Standards for San Juan River and Dolores River Basins*, Regulation No. 34, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective June 30, 2019.

G. *Classifications and Numeric Standards for Gunnison and Lower Dolores River Basins*, Regulation No. 35, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective June 30, 2019.

H. *Classifications and Numeric Standards for Rio Grande Basin*, Regulation No. 36, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective June 30, 2019.

I. *Classifications and Numeric Standards for Lower Colorado River Basin*, Regulation No. 37, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective June 30, 2019.

J. *Classifications and Numeric Standards for South Platte River Basin, Laramie River Basin, Republican River Basin, Smoky Hill River Basin*, Regulation No. 38, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective June 30, 2019.

K. Colorado Discharge Permit System Regulations, Regulation No. 61, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective December 31, 2018.

L. Regulations for Effluent Limitations, Regulation No. 62, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective July 30, 2012.

M. Pretreatment Regulations, Regulation No. 63, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective March 1, 2017.

N. Biosolids Regulation, Regulation No. 64, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective June 30, 2014.

O. Nutrients Management Control Regulation, Regulation No. 85, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective December 30, 2017.

P. Colorado River Salinity Standards, Regulation No. 39, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective May 9, 2007.

Q. Section 303(d) List of Water Quality Limited Segments Requiring TMDLs, Regulation No 93, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective

November 30, 2016.

R. Colorado's Section 303(d) List of Impaired Waters and Monitoring and Evaluation List, Regulation No 93, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective November 30, 2016.

S. Antidegradation Significance Determination for New or Increased Water Quality Impacts, Procedural Guidance, Colorado Department of Public Health and Environment, Water Quality Control Division, effective December 2001.

T. Memorandum Re: First Update to (Antidegradation) Guidance Version 1.0, Colorado Department of Public Health and Environment, Water Quality Control Division, effective April 23, 2002.

U. Determination of the Requirement to Include Water Quality Standards-Based Limits in CDPS Permits Based on Reasonable Potential, Policy Number CW-1, Colorado Department of Public Health and Environment, Water Quality Control Division, effective November 18, 2013.

V. The Colorado Mixing Zone Implementation Guidance, Colorado Department of Public Health and Environment, Water Quality Control Division, effective April 2002.

W. Baseline Monitoring Frequency, Sample Type, and Reduced Monitoring Frequency Policy for Domestic and Industrial Wastewater Treatment Facilities, Water Quality Control Division Policy WQP-20, May 1, 2007.

X. Implementing Narrative Standards in Discharge Permits for the Protection of Irrigated Crops, Water Quality Control Division Policy WQP-24, March 10, 2008.

Y. Implementing Narrative Standard for Toxicity in Discharge Permits Using Whole Effluent Toxicity (WET) Testing. Colorado Department of Public Health and Environment, Water Quality Control Division Policy Permits-1, September 30, 2010.

Z. Policy for Conducting Assessments for Implementation of Temperature Standards in Discharge Permits, Colorado Department of Public Health and Environment, Water Quality Control Division, Policy Number WQP-23, effective July 3, 2008.

AA. Permit Compliance Schedules, Colorado Department Public Health and Environment, Water Quality Control Division Policy Number CW-3, effective March 4, 2014.

BB. Procedural Regulations for Site Applications for Domestic Wastewater Treatment Works, Regulation No. 22, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective September 30, 2009.

CC. Regulation Controlling discharges to Storm Sewers, Regulation No. 65, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective May 30, 2008.

DD. Water and Wastewater Facility Operator Certification Requirements, Regulation No. 100, Colorado Department of Public Health and Environment, Water Quality Control Commission, effective August 31, 2017.

EE. Metcalf and Eddy. 2003. Wastewater Engineering: Treatment and Reuse, Boston: McGraw-Hill. 4th Edition.

VIII. PUBLIC NOTICE COMMENTS

The public notice period was from PN START DATE to PN END DATE. No comments were received during the public notice period.

OR

The public notice period was from PN START DATE to PN END DATE. Comments were received from _____. Topical summaries of the comments and the response of the Division are given below.