



**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
DIVISION OF ADMINISTRATION
WATER QUALITY CONTROL DIVISION**

AMENDMENT NO. 1

NOTICE OF VIOLATION / CEASE AND DESIST ORDER

NUMBER: MO-070816-1

**IN THE MATTER OF: CITY OF TRINIDAD
 CDPS PERMIT NUMBER CO-0031232
 LAS ANIMAS COUNTY, COLORADO**

Pursuant to the authority vested in the Colorado Department of Public Health and Environment's (the "Department") Division of Administration by §§25-1-109 and 25-8-302, C.R.S., which authority has been delegated to the Director of the Department's Water Quality Control Division (the "Division"), and pursuant to §25-8-605, C.R.S., the Division hereby issues the following Amendment Number 1 to Notice of Violation/Cease and Desist Order, Number: MO-070816-1. *(See attached copy marked as "Exhibit A" for reference.)*

AMENDMENT NUMBER ONE

1. On August 16, 2007, the Division issued Notice of Violation/Cease and Desist Order, Number MO-070816-1, (the "NOV/CDO") to the City of Trinidad ("Trinidad"). The NOV/CDO, among other conditions, established a compliance schedule in paragraph 24 for the installation of a reliable alarm system at each of Trinidad's sanitary sewer lift stations that does not currently have such equipment. Paragraph 24 reads as follows:

"By February 28, 2008, Trinidad shall purchase, install and provide written notice of the installation of a reliable alarm system at each of Trinidad's sanitary sewer lift stations that are not currently equipped. For each lift station already equipped with an alarm system, Trinidad shall perform an inspection to ensure it is properly functioning. At a minimum, the alarm system must be capable of activating in the case of power failure, pump failure or pump station malfunction. The written notice shall include a written certification to the Division stating that alarm system inspections, installations or upgrades have been completed on each of the lift stations and that each existing or newly installed or upgraded alarm system has been adequately tested and is functioning properly."

2. On February 27, 2008, Trinidad submitted a request for an extension of time to comply with the schedule. Trinidad's basis for the extension was related to equipment lead time and the need to secure an easement. Trinidad is undertaking a project to replace the South Side Lift Station and the Industrial Park Lift Station (the "Project") because of hazardous conditions associated with the two lift stations. The Project was planned prior to issuance of the NOV/CDO and additional funding and the easement must be secured for the Project and to comply with the NOV/CDO.
3. The Division does hereby grant Trinidad's request for extension but will require close monitoring of the lift stations to ensure they are operating properly to mitigate further releases in the interim. Accordingly, paragraph 24 of the NOV/CDO is modified to read as follows:

"By October 31, 2008, Trinidad shall purchase, install and provide written notice of the installation of a reliable alarm system at each of Trinidad's sanitary sewer lift stations that are not currently equipped. For each lift station already equipped with an alarm system, Trinidad shall perform an inspection to ensure it is properly functioning. At a minimum, the alarm system must be capable of activating in the case of power failure, pump failure or pump station malfunction. The written notice shall include a written certification to the Division stating that alarm system inspections, installations or upgrades have been completed on each of the lift stations and that each existing or newly installed or upgraded alarm system has been adequately tested and is functioning properly.

Beginning immediately, and until reliable alarm systems are installed and are fully functional, Trinidad shall conduct operation inspections of each of the lift stations. South Side Lift Station and Commercial Street Lift Station shall be inspected daily. Industrial Park Lift Station No. 1, Industrial Park Lift Station No. 2, WalMart Lift Station and Santa Fe Trail Lift Station shall be inspected weekly. At a minimum, the operation inspections shall evaluate and verify the satisfactory and reliable operation of the pumps, the pump control systems (including the recording of operational parameters, i.e. run time, motor amperage, etc.), and a visual inspection and evaluation of the wet well while the pumps are in operation. Additionally, the operation inspections shall include the testing of any existing alarm systems, check valves, shutoff valves and floats for proper operation, including testing for any existing visual or sound alarms. The results of the operation inspections shall be recorded in a written operations record, which will be made available to the Division upon request."

NOTICE OF EFFECTIVE DATE OF AMENDMENT

4. This amendment shall be fully effective and enforceable upon issuance. All other terms, conditions or requirements of Notice of Violation/Cease and Desist Order, Number MO-070816-1, remain unchanged and in effect.

Issued at Denver, Colorado, this 31st day of March, 2008.

FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

A handwritten signature in cursive script, reading "Lori M. Gerzina", written in black ink over a horizontal line.

Lori M. Gerzina, Section Manager
Compliance Assurance and Data Management Section
WATER QUALITY CONTROL DIVISION