STATE OF COLORADO

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL DIVISION
TELEPHONE: (303) 692-3500

Colorado Discharge Permit System (CDPS) General Permit

for Domestic Wastewater Treatment Works With Land Treatment of Effluent

PERMIT NO: COX-632000

In compliance with the provisions of the Colorado Water Quality Control Act (25-8-101 et seq., CRS, 1973 as amended), domestic wastewater treatment system(s) treating effluent through land application are authorized to discharge from approved treatment system locations throughout the State of Colorado to waters of the State. Such discharges shall be in accordance with the limitations, best management practices, and other conditions set forth herein.

This permit specifically authorizes the entity identified in the permit ***Certification*** to discharge from their domestic wastewater system facilities at the location specified and to the waters of the State specified in the Certification. This permit does not authorize discharges which by themselves, or in combination with other pollution, will result in pollution of ground water in excess of the level established by an applicable ground-water quality standard.

The authorization to discharge under this permit is in effect from the date of Certification until the permit expiration date identified below.

This permit and authorization to discharge shall expire at midnight, APRIL 30, 2012.

Amended, Re-issued, and Signed this January 9, 2008.

Janet Kieler, Permits Section Manager
Water Quality Control Division
Colorado Department of Public Health and Environment

AMENDMENT 1 ISSUED: JANUARY 9, 2008 and EFFECTIVE MARCH 1, 2008

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Amendment 1 includes changes to Sections I.A.2, V.A.5, V.A.6., VI.C.1, VI.C.2, and VI.C.3.

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I. GENERAL PERMIT APPLICABILITY

I.A. **Facilities Covered:** The owner or operator of any domestic wastewater treatment system can comply with all of the terms, requirements, and conditions of this general permit, and that meets the requirements for coverage under this general permit, may apply for permit coverage. This permit covers the following:

I.A.1. Facilities that discharge to only ground water and do not discharge to surface water; and

I.A.2. Facilities that treat wastewater through land application, including discharge to an unlined impoundment (e.g., infiltration basin or any impoundment with a seepage rate greater than 10^{-6} centimeters per second (cm/sec)) and/or discharge to a land treatment site.

I.B. **Excluded Facilities:** The following sources may not register for this general permit:

I.B.1. Facilities that accept for treatment and discharge, by truck, rail, or dedicated pipeline, any hazardous waste as defined in Part 261, 6 CCR 1007-3.

I.B.2. Facilities previously authorized to discharge under this permit that undergo a change in conditions resulting in the inability to qualify under Section I.A., above.

I.B.3. Facilities for which the Division denies certification under this permit under the circumstances specified in Regulation No. 61 (Ref. 61.9(2)(b)(iii)).

II. PERMIT APPLICATION AND AUTHORIZATION REQUIREMENTS

II.A. **Application for Coverage under the General Permit**

II.A.1. Facilities that qualify under Section I.A., above, may apply for coverage under this permit by submitting a complete *CDPS Permit Application* form to the Division at least ninety (90) days prior to the anticipated date of first discharge.

The permit application requires information necessary for adequate program implementation. This information may include, but is not limited to:

- Legal name and address of the owner or operator,
- Facility name and address,
- The number and date of the current Site Application Approval where applicable,
- Maps and sketches of the wastewater treatment system,
- Information on potential receptors and receiving waters,
- Geologic and hydrogeologic information, and
- Proposed Points of Compliance.

The *CDPS Permit Application* form is available through the Division web page at www.cdphe.state.co.us/wq/PermitsUnit/index.html or may be obtained by contacting the Division at 303-692-3500.

II.A.2. The Division shall review permit applications for completeness, request additional information, process completed permit applications, and issue or deny certification under this general permit in accordance with the provisions of Regulation No. 61 (Refs. 61.5(1) and 61.9(2)(b)(iv)).

II.B. Permit Coverage

II.B.1. Authorization to discharge under this permit is in effect from the date of the facility-specific certification under this permit until the permit expiration date (or as provided by the Division where the Division continues authorization under an administrative extension). The effective date of Certification under this permit and permit expiration date shall be specified in the Certification.

II.B.2. The Certification issued to the Permittee by the Division shall include all site-specific conditions of the permit, including but not limited to the service area, facility design capacity, any adjustments to effluent limitations based on natural background conditions or other considerations, and the Permittee's designated monitoring schedule.

II.B.3. Any discharge to the waters of the State from a point source other than specifically authorized herein is prohibited.

II.C. Permit Renewal

II.C.1. Should the Permittee desire to continue to discharge after the general permit expiration, the Permittee shall submit a complete discharge permit application at least 180 days prior to the expiration date of the general permit (Regulation 61, Ref. 61.4(1)(d)). Required application forms are available through the Division and may be obtained by contacting the Division at 303-692-3500.

II.C.2. Renewal requests will be processed in accordance with the provisions of Regulation 61, Sections 61.5 (2&3), 61.6, 61.7 and 61.15.

II.D. Permit Transfer

Coverage under this permit may be transferred to another party only when the conditions provided in Regulation No. 61 (Refs. 61.8(6) and 61.15) have been met, including but not limited to:

II.D.1. The current Permittee notifies the Division in writing at least 30 days in advance of the proposed transfer date;

II.D.2. The notice includes a written agreement between the existing and new Permittee containing a specific date for transfer of permit responsibility, coverage and liability between them; and

II.D.3. The Division does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue the general permit or the Permittee's certification under the general permit.

III. SERVICE AREA AND DESIGN CAPACITY

III.A. The service area for the treatment system shall be delineated in the Certification and shall be consistent with the service area provided in any applicable Site Application and Design Approval.

III.B. The 30-day average design hydraulic capacity and 30-day average design organic capacity for the treatment system shall be delineated in the Certification and shall be consistent with the design capacities provided in any applicable Site Application and Design Approval. The specified design capacities shall be binding for the purposes of determining compliance with the expansion requirements described in Section VII.B.

IV. COMPLIANCE SCHEDULES

IV.A. Where an existing treatment system certified under this general permit is subject to more stringent effluent limitations than required under a previous discharge permit, the Permittee may be eligible for a schedule of compliance for meeting effluent limitations. All Division-approved compliance schedules, including interim dates and requirements, will be delineated in the Certification.

V. EFFLUENT LIMITATIONS

V.A. Effluent Limitations

V.A.1. Beginning on the date of certification under this permit, the Permittee is authorized to discharge to ground water subject to the limitations provided in Tables 1, 2, 3, and/or 4 and as specified in the Certification. Monitoring locations and sample frequencies are further described in Section VI.

V.A.2. Where a facility adequately demonstrates in writing to the Division that site-specific ambient (background) concentrations of chloride, nitrate, sulfate, and/or total coliform in ground water exceed the limitations provided in Tables 3 and/or 4, the Division may, on a case-by-case basis, establish site-specific effluent limitations for these parameters under the provisions of Regulation No. 41, Basic Standards for Ground Water (Ref. 41.5(B)(5)). In addition, the Division may, on a case-by-case basis, grant a variance from the chloride and/or sulfate discharge limitations provided in Tables 3 and 4 under the provisions of Regulation No. 61, Colorado Discharge Permit Regulations (Ref. 61.12).

V.A.3. Where a facility adequately demonstrates in writing that to the Division that a reasonably well-defined relationship has been developed between total dissolved solids (TDS) and conductivity based on ground water sampling and analysis at the site, Division may, on a case-by-case basis, allow for continued monitoring of conductivity in lieu of TDS.

V.A.4. If determined to be appropriate to protect ground water, the Division may add site-specific monitoring requirements in accordance with Regulation No. 41, The Basic Standards for Groundwater and Regulation No. 62, Regulations for Effluent Limitations. The Permittee may apply for coverage under an individual permit in lieu of coverage under this general permit where any additional monitoring required under this general permit is disputed.

V.A.5. Wasteload allocations based on the Watershed Protection Control Regulations (Regulation Nos. 71 through 75) will be included in the Certification as applicable. Where wasteload allocations are included, the installation and sampling of lysimeters may also be required.

V.A.6. Where a facility is specifically designed to provide secondary treatment through the land application of effluent, the Division may waive monitoring requirements for secondary standards and instead employ permit-required practice-based measures and/or the submission of an annual report to ensure that the WWTW provides adequate treatment to comply with the secondary standards at an appropriate point of compliance.

V.A.7. Any site-specific amendments or modifications to the effluent limitations provided in Tables 1, 2, 3, and/or 4 shall be documented in the Certification.

Table 1
COMPLIANCE LIMITATIONS – POINT 300I

Parameter	Parameter Limitation		
	30-Day Average [a/]	**7-Day Average [b/]**	**Daily Maximum [c/]**
Point 300I (Influent)			
Flow, GPD	Equal to the facility's approved design capacity.	--	Report [d/]
BOD_5, mg/l	Report [d/]	--	--
BOD_5, lbs/day	Equal to the facility's approved design capacity.	--	--
Total Suspended Solids (TSS), mg/l	Report [d/]	--	--

Footnotes are provided after Table 4, below.

Table 2
COMPLIANCE LIMITATIONS – POINT 001A

Parameter	Parameter Limitation		
	30-Day Average [a/]	**7-Day Average [b/]**	**Daily Maximum [c/]**
Point 001A (Prior to Discharge To Unlined Pond and/or Land Treatment Site) [e/]			
Flow, GPD	Equal to the facility's approved design capacity.	--	Report [d/]
BOD_5, mg/l	30	45	--
BOD_5, Percent Removal, %	85	--	--
TSS, mg/l (Default Limit) [f/]	30	45	--
TSS, mg/l (Adjustment for Non-Aerated Waste Stabilization Ponds) [f/]	105	160	--
TSS, mg/l (Adjustment for Aerated Waste Stabilization Ponds) [f/]	75	110	--
TSS, Percent Removal, %	85	--	--
pH, s.u.	--	--	6.0 – 9.0 [g/]
Oil and Grease, mg/l [h/]	--	--	10

Footnotes are provided after Table 4, below.

Table 3
COMPLIANCE LIMITATIONS – GW MONITORING WELLS

Parameter	Parameter Limitation		
	30-Day Average [a/]	7-Day Average [b/]	Daily Maximum [c/]
Point 050B and 050C (At Down-gradient Ground Water Monitoring Wells) [i/]			
Chloride, mg/l [j/]	250	--	--
Nitrate plus Nitrite (NO_3 + NO_2), mg/l as N [j/]	--	--	10
Sulfate (SO_4), mg/l [j/]	250	--	--
Total Coliform, org/100 ml, Monthly [k/]	Report [d/]	--	--
Total Coliform, org/100 ml, Annual Average [k/]	1 or < 2.2	--	--
pH, s.u.	--	--	6.5 - 8.5 [g/]
Total Dissolved Solids (TDS), mg/l [l/]	--	--	Report [d/]
Static Water Elevation in monitoring well, ft above mean sea level	Report [d/]	--	--
Point 050A (At Up-gradient Ground Water Monitoring Well) [i/]			
Chloride, mg/l [j/]	Report [d/]	--	--
Nitrate plus Nitrite (NO_3 + NO_2), mg/l as N [j/]	--	--	Report [d/]
Sulfate (SO_4), mg/l [j/]	Report [d/]	--	--
Total Coliform, org/100 ml, Monthly [k/]	Report [d/]	--	--
Total Coliform, org/100 ml, Annual Average [k/]	Report [d/]	--	--
pH, s.u.[g/]	--	--	Report [d/]
Total Dissolved Solids (TDS), mg/l [l/]	--	--	Report [d/]
Static Water Elevation in monitoring well, ft above mean sea level	Report [d/]	--	--

Footnotes are provided after Table 4, below.

Table 4
COMPLIANCE LIMITATIONS – LYSIMETERS

Parameter	Parameter Limitation		
	30-Day Average [a/]	7-Day Average [b/]	Daily Maximum [c/]
Lysimeters (At Land Treatment Site) [m/]			
Chloride, mg/l [j/]	250	--	--
Nitrate plus Nitrite (NO_3 + NO_2), mg/l as N [j/]	--	--	10
Sulfate (SO_4), mg/l [j/]	250	--	--
Total Coliform, org/100 ml, Monthly [k/]	Report [d/]	--	--
Total Coliform, org/100 ml, Annual Average [k/]	1 or < 2.2	--	--
pH, s.u.	--	--	6.5 - 8.5 [g/]
Total Dissolved Solids (TDS), mg/l [l/]	--	--	Report [d/]

FOOTNOTES

a/ - The thirty (30) day average is defined as being the arithmetic mean of the analytical results for all samples collected during a thirty (30) consecutive day period. The Permittee shall report the arithmetic mean of all self-monitoring sample data collected during the calendar month on the Discharge Monitoring Reports. No individual sample result may be used for more than one thirty (30) day average.

b/ - The seven (7) day average shall be determined by an arithmetic mean of the analytical results for all samples collected during a seven (7) consecutive day period. Such seven (7) day averages shall be calculated for all calendar weeks, which are defined as beginning on Sunday and ending on Saturday. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday in the following month), the seven (7) day average calculated for that calendar week shall be associated with the month that contains the Saturday. No individual sample result may be used for more than one (1) seven (7) day average.

c/ The "Daily Maximum" limitation for this parameter shall be applied as a maximum daily average. The daily average is defined as the arithmetic mean of the analytical results for all samples collected during a 24-hour period. If only one sample is collected during the 24-hour period, the analytical result for that single sample shall be used as the daily average. Report the maximum of all daily average values within the calendar month. Any daily average beyond the noted daily maximum limitation for the indicated parameter shall be considered a violation of this permit.

d/ The term “Report” means that the value shall be measured and reported to obtain an indication of the concentration of the parameter in relation to the standard.

e/ Point 001A: Where a treatment system has multiple discharge points, this monitoring point shall be numbered sequentially as Point 001A, Point 002A, Point 003A, and so on, to ensure compliance with discharge limits prior to each discharge.

f/ Adjusted numeric limitations for TSS apply to waste stabilization ponds which treat domestic waste provided that (1) the waste stabilization ponds are the principal process used for secondary treatment; and (2) the facility is designed to achieve the solids removal possible with best waste stabilization pond technology. Any Division-approved adjustments to the default limitation for TSS will be delineated in the Certification. Where adjusted limitations for TSS are approved, the 85 percent removal requirement for TSS shall be waived. (Regulation No. 62, Ref. 62.4(3)).

g/ The pH shall remain at or between these values as determined by the results of any single grab sample. The “Daily Maximum” limitation for this parameter shall be applied as an instantaneous maximum (or instantaneous minimum) value. The instantaneous value is defined as the analytical result of any individual sample. Report the maximum (and/or minimum) of all instantaneous values within the calendar month. Any instantaneous value beyond the noted daily maximum limitation for the indicated parameter shall be considered a violation of this permit.

h/ If visible sheen is noted, a grab sample shall be collected and analyzed for oil and grease.

i/ Points 050A, 050B, and 050C: At least one up-gradient ground water monitoring well (designated as 050A) and two down-gradient ground water monitoring wells (050B and 050C) are typically required. Where more than two down-gradient ground water monitoring wells are provided or required, the Points of Compliance shall be numbered sequentially as Point 050B, Point 050C, Point 050D, and so on.

j/ Measured as dissolved concentration. The sample water shall be filtered through a 0.45 micron membrane filter prior to preservation. The total concentration (not filtered) may be required on a case-by-case basis if deemed necessary to characterize the pollution caused by the activity.

k/ - For total coliform bacteria concentrations, the limitation is a yearly average. When the Membrane Filter Technique (MFT) is used for analysis, the average of all samples taken within a year must be less than 1 organism per 100 milliliters of sample. When the Multiple-Tube Fermentation Technique (MTFT) is used for analysis, the average of all samples taken within a year must be less than 2.2 organisms per 100 milliliters of sample. The Permittee is to select one method of analysis to demonstrate compliance with the permit limit. The selected method shall be indicated on the DMR form by the permittee. If the Permittee later decides that the other method would be more appropriate, the Permittee must request an amendment to the permit to change the selected method.

The Permittee will be required to report the total coliform counts on a monthly basis starting on the date of certification under this general permit. At the end of one year (the twelfth month of the Certification), the annual average will be reported on the DMR. Summing the reported monthly averages for the preceding twelve months, and dividing by twelve will determine the annual average. The next annual averaging period will begin on the

thirteenth month and end on the twenty-fourth month of the permit term, and continue on a yearly basis throughout the entire permit term. The thirty (30) day average shall be determined as explained in footnote a/ above.

In calculating the mean, for those individual sample results that are reported by the analytical laboratory to be "less than" a numeric value, the numeric value shall be used in the calculations unless the result is "less than 2.2". If the result is "less than 2.2", use a value of 0 in the calculations. If all individual analytical results for the month are reported to be less than numeric values, then report "less than" the largest of those numeric values on the monthly DMR. Otherwise, report the calculated value.

For any individual analytical result of "too numerous to count" (TNTC), that analysis shall be considered to be invalid and another sample shall be promptly collected for analysis.

If another sample cannot be collected within the same sampling period for which the invalid sample was collected (during the same month if monthly sampling is required, during the same week if weekly sampling is required, etc.), then the following procedures apply:

i) A minimum of two samples shall be collected for coliform analysis within the next sampling period.

ii) <u>If the sampling frequency is monthly or less frequent:</u> For the period with the invalid sample results, leave the spaces on the corresponding DMR for reporting coliform results empty and attach to the DMR a letter noting that a result of TNTC was obtained for that period, and explain why another sample for that period had not been collected.

iii) <u>If the sampling frequency is more frequent than monthly:</u> Eliminate the result of TNTC from any further calculations, and use all the other results obtained within that month for reporting purposes. Attach a letter noting that a result of TNTC was obtained, and list all individual analytical results and corresponding sampling dates for that month.

l/ The Division may establish a limitation for total dissolved solids (TDS) dependent upon demonstrated background TDS values as follows:

Background TDS Value (mg/l)	Maximum Allowable TDS Concentrations
0 - 500	400 mg/l or 1.25 times the background level, whichever is least restrictive
501 - 10,000	1.25 times the background value
10,001 or greater	No limit

m/ Where lysimeters are required, lysimeter numbers and locations shall be specified in the Certification. The Permittee shall inspect the lysimeters for fluid on a monthly basis. If fluid is found in a lysimeter during a monthly inspection, then the Permitted shall collect self-monitoring samples as specified herein.

VI. <u>MONITORING REQUIREMENTS</u>

VI.A. Monitoring Requirements

At a minimum, the parameters provided in Table 1, 2, 3, and/or 4 (and as specified in the Certification) are to be monitored beginning the date of certification under this general permit (or as specified in the Certification), regardless of whether or not an effluent discharge occurs. The required parameters shall be monitored in accordance with the requirements specified in Table 5 (and as specified in the Certification). Monitoring locations are further described in Section VI.C.

If the Permittee, using the approved analytical methods, monitors any parameter more frequently than required by this permit, then the results of such monitoring shall be included in the calculation and reporting of the values required on the Discharge Monitoring Report (DMR) form or other forms as required by the Division (Regulation No. 61 (Ref. 61.8(4)(g)(i)). Such increased frequency shall also be indicated.

Table 5
MONITORING FREQUENCIES

Parameter	Monitoring Frequency	Sample Type [n/]
Point 300I (Influent)		
Flow, GPD	Provided in Certification	Recorder [o/]
BOD_5, mg/l	Provided in Certification	Composite
BOD_5, lbs/day	Provided in Certification	Calculated
TSS, mg/l	Provided in Certification	Composite
Point 001A (Prior to Discharge To Unlined Pond and/or Land Treatment Site)		
Flow, GPD	Provided in Certification	Calculation or Recorder [o/]
BOD_5, mg/l	Provided in Certification	Composite
BOD_5, Percent Removal, %	Provided in Certification	Calculated
TSS, mg/l	Provided in Certification	Composite
TSS, Percent Removal, %	Provided in Certification	Calculated
pH, s.u.	Provided in Certification	Grab
Oil and Grease, mg/l	Provided in Certification	Visual and Grab
Points 050A, 050B, and 050C (At all Ground Water Monitoring Wells)		
Chloride, mg/l	Provided in Certification	Grab
Nitrate plus Nitrite (NO_3 + NO_2), mg/l as N	Provided in Certification	Grab
Sulfate (SO_4), mg/l	Provided in Certification	Grab
Total Coliform, org/100 ml, Monthly	Provided in Certification	Grab
Total Coliform, org/100 ml, Annual Average	Provided in Certification	Calculated
pH, s.u.	Provided in Certification	Grab
Total Dissolved Solids (TDS), mg/l	Provided in Certification	Grab
Static Water Elevation in monitoring well, ft above mean sea level	Provided in Certification	Grab
Lysimeters		
Chloride, mg/l	Provided in Certification	Grab
Nitrate plus Nitrite (NO_3 + NO_2), mg/l as N	Provided in Certification	Grab
Sulfate (SO_4), mg/l	Provided in Certification	Grab
Total Coliform, org/100 ml, Monthly	Provided in Certification	Grab
Total Coliform, org/100 ml, Annual Average	Provided in Certification	Calculated
pH, s.u.	Provided in Certification	Grab
Total Dissolved Solids (TDS), mg/l	Provided in Certification	Grab

FOOTNOTES

n/- Definitions for sample types are as follows:

i) A "recorder" requires the continuous operation of a chart and/or totalizer (or drinking water rotor meters or pump hour meters where approved by the Division and indicated in the Certification).

ii) A "composite" sample, for monitoring requirements, is defined as a minimum of four (4) grab samples collected at equally spaced two (2) hour intervals and proportioned according to flow.

iii) A "grab" sample, for monitoring requirements, is defined as a single "dip and take" sample collected so as to be representative of the parameter being monitored.

iv) For oil and grease, where a “visual” sheen is detected, a “grab” sample is required.

o/ - Flow metering devices shall be installed to give representative values of influent and effluent flow. For an “instantaneous” sample type at the effluent meter, the Permittee shall measure the effluent flow at the frequency specified in the Certification and average those values for the month.

VI.B. **Monitoring Frequency**

The Permittee shall monitor the parameters provided in Section V.A. according to the monitoring frequencies designated in the Certification. The Division shall determine the site-specific monitoring frequencies based on review of the data and information provided in the permit application.

Where the Permittee is unable to conduct monitoring at the frequency specified in the Certification due to inclement weather that restricts safe and reasonable access to required monitoring locations, the Permittee shall write “sampling not performed due to inclement weather” on DMRs required under the Certification. Sampling shall be performed as soon as possible thereafter.

VI.C. **Monitoring Locations**

VI.C.1. This general permit requires monitoring at the point of influent (Point 300I) and effluent (Point 001A) to the treatment system and in one (1) up-gradient and (2) down-gradient ground water monitoring wells. On a case-by-case basis, the Division may increase or decrease the number of required ground water monitoring wells as necessary to achieve: representative sampling of effluent from the treatment system, representative sampling of ambient ground water quality, and the determination of ground water flow direction. In addition, per Section VI.C.6, the Division may require lysimeters in addition to, or in lieu of ground water monitoring wells. The monitoring locations and Point of Compliance approved by the Division will be delineated in the Certification.

VI.C.2. The Permittee shall submit proposed influent (Point 300I) and effluent (Point 001A) monitoring locations and the locations of ground water monitoring wells (i.e., Point 050A, 050B, and 050C) as part of the complete permit application. The proposed monitoring locations and Point of Compliance with ground water standards shall be determined by a qualified person, e.g., Professional Geologist, geotechnical engineer or other similarly qualified professional hired or employed by the Permittee.

VI.C.3. Point 300I (Influent): The Permittee shall monitor the influent parameters specified in Table 1 using the sample type provided in Table 5 at the frequency specified in the Certification beginning the date of certification under this general permit. Point 300I shall be so designed or modified as to provide a representative sample of influent to the treatment system. Results shall be reported on the Discharge Monitoring Report (DMR) (See Section VIII.A.).

The Permittee must compare the measured organic loading (BOD_5) and hydraulic loading (flow) to the approved design capacities specified in Section III of this permit, and determine if the expansion requirements in Section VII.B. apply. The monitoring results shall be reported on the Discharge Monitoring Report (DMR).

VI.C.4. Point 001A (Discharge To Unlined Pond and/or Land Treatment Site): The Permittee shall monitor the discharge parameters specified in Table 2 using the sample type provided in Table 5 at the frequency specified in the Certification beginning the date of certification

under this general permit. Point 001A shall be so designed or modified as to provide a representative sample of the discharge to the unlined pond(s) and/or land treatment site. Where a treatment system has multiple discharge points, this monitoring point shall be numbered sequentially as Point 001A, Point 002A, Point 003A, and so on, to ensure compliance with discharge limits prior to each discharge. Results shall be reported on the Discharge Monitoring Report (DMR).

VI.C.5. Ground Water Monitoring Wells (e.g., 050A, 050B, 050C): At a minimum, the Permittee shall propose at least one (1) up-gradient and two (2) down-gradient ground water monitoring well locations as part of the complete permit application. The up-gradient location (delineated as 050A) is necessary to determine the quality of ground water coming onto the Permittee's property. The down-gradient well locations (e.g., 050B, 050C) shall meet the requirements for a "Point of Compliance" provided in Regulation No. 41 and shall be based on a risk-based approach that considers design and performance of the system, depth to ground water, location of nearest uses, distance to and/or barriers to mixing of effluent with ground water, and other pertinent factors. The approved Points of Compliance shall be delineated in the Certification.

For *existing* ground water monitoring wells, the Permittee shall monitor the parameters specified in Table 3 using the sample type provided in Table 5 at the frequency specified in the Certification beginning the date of certification under this general permit. Results shall be reported on the Discharge Monitoring Report (DMR).

All *new* ground water monitoring wells required under this permit shall be developed and installed as soon as practicable and no later than 150 days after the date of certification under this general permit. (On a case-by-case basis, the Division may grant an extension to the 150-day well installation period. All requests for extension must be submitted to the Division in writing and must include justification for the requested extension and proposed alternative well installation due-date[s].) Well installation must comply with the minimum standards provided in 2 CCR 402-2. A copy of the well completion report submitted to the State Engineer's Office shall be submitted to the Division no later than 30 days after well completion.

The monitoring of new ground water wells as specified in Tables 3 and 5 must be accomplished such that the initial Discharge Monitoring Reports (DMRs) for all new ground water monitoring wells are submitted to the Division no later than the 28th day of the 8th month following the date of certification under this general permit. (Where the Division grants an extension to a well installation due-date, DMRs will be required within 60-days of the agreed-upon well installation date). (See Section VIII.A. for DMR requirements.)

VI.C.6. Lysimeters (At Land Treatment Site): The Division may require lysimeters in addition to, or in lieu of ground water monitoring wells. Site-specific lysimeter locations will be delineated in the Certification.

Where lysimeters are required and *existing* at the facility, the Permittee shall monitor the parameters specified in Table 4 using the sample type provided in Table 5 at the frequency specified in the Certification beginning the date of certification under this general permit. Results shall be reported on the Discharge Monitoring Report (DMR).

All *new* lysimeters required under this permit shall be developed and installed as soon as practicable and no later than 150 days after the date of certification under this general permit.

The monitoring of new lysimeters as specified in Tables 4 and 5 must be accomplished such that the initial Discharge Monitoring Reports (DMRs) for all new lysimeters are submitted to the Division no later than the 28th day of the 8th month following the date of certification under this general permit. (See Section VIII.A. for DMR requirements.)

VI.D. **Sampling Requirements**

VI.D.1. The samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge or of the ground water at the point of compliance. All samples shall be taken at the monitoring points specified in the Certification and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water, or substance. Monitoring points shall not be changed without notification to and approval by the Division.

VI.D.2. All sampling shall be performed by the Permittee according to specified methods in 40 CFR Part 136; methods approved by EPA pursuant to 40 CFR Part 136; or methods approved by the Division, in the absence of a method specified in or approved pursuant to 40 CFR Part 136. (Reference Regulation 61.8(4)(i))

VI.E. **Flow Measuring Requirements**

VI.E.1. The Permittee shall install continuous flow measuring devices to determine the throughput and treatment of the wastewater system as required by Regulation No. 61 (Ref. 61.8(7)(a)(vi) and as provided in this Section.

VI.E.2. The Permittee shall install continuous flow measuring devices to determine the throughput and treatment of the wastewater system as required by Regulation No. 61 (Ref. 61.8(7)(a)(vi) and as provided in this Section.

VI.E.2.a. Influent flow monitoring and recording is continuous. The influent flow monitoring equipment shall be comprised of the following:

i) Primary device (flume, weir, or similar) with staff gauge
ii) Secondary device (ultrasonic, pressure transducer, or similar) for measurement of liquid level within the primary device.
iii) Local flow-indication/recording/totalization device that is suitable for recording flow data from the primary and secondary devices, 24 hours per day and 7 days per week that can be maintained as permanent flow records.

VI.E.2.b. Effluent flow monitoring is continuous with instantaneous flow recording. The effluent flow monitoring equipment shall be comprised of the following:

i) Primary device (flume, weir, or similar) with staff gauge
ii) Secondary device (ultrasonic, pressure transducer, or similar) for measurement of liquid level within the primary device.
iii) A means for reading and recording local flow indication for obtaining instantaneous flow readings.

VI.E.3. The Division may, on a case-by-case basis, approve site-specific modifications to the flow measuring requirements provided in this Section. All requests for modifications to these flow measuring requirements must be provided to the Division in writing. Any Division-approved modifications to these flow measuring requirements will be delineated in the Certification.

VI.E.4. At the request of the Division, the permittee must be able to show technical documentation of the accuracy of any flow measuring device used in obtaining data that is submitted in the monitoring report. At a minimum, the flow measuring devices must be accurate to within ± ten percent (10%) of the actual flows undergoing measurement. Accuracy of the flow meter is to be determined annually.

VII. OPERATION AND MAINTENANCE REQUIREMENTS

VII.A. Proper Operations and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee as necessary to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the Permittee, only when necessary to achieve compliance with the conditions of the permit, as required by Regulations No. 61 (Ref. 61.8(3)(g)(i)).

VII.B. Expansion Requirements

The Permittee is required to initiate engineering and financial planning for expansion of the domestic wastewater treatment works whenever throughput and treatment reaches eighty (80) percent of design capacity. Whenever throughput and treatment reaches ninety-five (95) percent of the design capacity, the Permittee shall commence construction of the necessary treatment expansion as required by Regulation No. 61 (Refs. 61.8(7)(a)(iii) - (iv)).

If, during the previous calendar year, the monthly hydraulic loading (gallons per day) to the facility in the maximum month exceeded either 80% or 95% of the flow capacity documented in the Certification, the Permittee shall submit a report by March 31st of the following year that includes:

VII.B.1. A schedule for planning for a facility expansion if 80% of the hydraulic capacity was exceeded; or

VII.B.2. A schedule for construction of a facility expansion if 95% of the hydraulic capacity was exceeded; or

VII.B.3. An analysis that indicates that the exceedance of the applicable percentage of the hydraulic capacity (80% or 95%) was an anomaly and is not expected to occur during the current calendar year.

If the Permittee has reason to believe that the peak flow in any major interceptor or pump house is expected to cause an overflow from the interceptor or pump house during the current calendar year, the Permittee shall submit a report within 30 days of such finding that includes a schedule of actions to be taken immediately that will prevent any overflow to state waters.

VII.C. Bypass Procedures

VII.C.1. For essential maintenance to assure efficient operation of the treatment plant, the Permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded. In this case, Division notification is not required.

VII.C.2. A bypass, which causes effluent limitations to be exceeded, is prohibited, and the Division may take enforcement action against a Permittee for bypass unless the following provisions of Regulation No. 61 apply (Ref. 61.8(3)(i)):

VII.C.2.a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

VII.C.2.b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the Permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

VII.C.2.c. If the Permittee knew in advance of the need for a bypass, the Permittee submitted written notification to the Division of the need for such bypass at least ten (10) days before the date of the contemplated bypass.

VII.D. **Waste Handling and Disposal**

The Permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment. Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State and in accordance with State and Federal regulations (See Regulation No. 61, Refs: 61.8(3)(l); 61.8(7)(e); and 61.8(3)(h)).

If and when the Permittee removes solids from its treatment system, the facility is required to obtain coverage under the EPA Region 8 General Sewage Sludge Permit prior to the solids removal, hauling, beneficial use, and/or landfilling. In addition, if land application for beneficial use is practiced or if solids are sold or given away, then the facility is also subject to the provisions of Colorado Regulation 64 *Biosolids Regulation*. Select reporting requirements are described in Section VIII.B.

VII.E. **Industrial Waste Management**

VII.E.1. The Permittee has the responsibility to protect the wastewater treatment system (the system) from any contributing discharges, which would inhibit, interfere, or otherwise be incompatible with operation of the treatment facility including the use or disposal of municipal sludge.

VII.E.2. The Permittee shall not allow wastes from the following activities to enter into the system:

- Clean-up from underground storage tanks;
- Hauled industrial wastes; and
- Ground water clean-up from RCRA of Superfund sites.

VII.E.3. The Permittee shall prohibit the introduction of the following pollutants into the system.

- Pollutants which create a fire or explosion hazard, including, but not limited to, waste streams with a closed cup flashpoint of less than sixty (60) degrees Centigrade (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21;
- Pollutants which will cause corrosive structural damage to the system, but in no case discharges with pH lower than 5.0, unless the works are specifically designed to accommodate such discharges;
- Solid or viscous pollutants in amounts which will cause obstruction to the flow in the system, or other interference with the operation of the system
- Any pollutant, including oxygen demanding pollutants (e.g. BOD), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the system;
- Heat in amounts which will inhibit biological activity in the system resulting in interference, but in no case heat in such quantities that the temperature at the lagoon(s) exceeds forty (40) degrees Centigrade (104 degrees Fahrenheit);

- Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
- Pollutants which result in the presence of toxic gases, vapors, or fumes within the system in a quantity that may cause acute worker health and safety problems.

VIII. REPORTING REQUIREMENTS

The Permittee shall prepare and submit reports and notifications in accordance with the conditions provided in this permit. Falsification and tampering of information may result in criminal liability pursuant to section 25-8-610 C.R.S. (See Regulation No. 61, Ref. 61.8(4)(m)).

VIII.A. Discharge Monitoring Report (DMR) Reporting

Monitoring results shall be summarized and reported on the Discharge Monitoring Report forms (EPA Form 3320-1) on a monthly, quarterly, or other schedule consistent with the monitoring frequency delineated in the Certification. The forms shall be mailed to the Division so that they are received no later than the 28th day of the following month that the monitoring occurred.

If no ground water is found in any of the compliance points, the Permittee shall complete the form as required with the words “no ground water” entered in place of the monitoring results. The DMR form shall be completed accurately and in accordance with the requirements of the permit and the instructions provided on the DMR form.

The DMR form consists of four pages – the top “original” copy, and three attached copies. After the DMR form has been filled out and signed, the four copies must be separated and the top, original copy submitted to the Division at the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division
WQCD-Permits-B2
4300 Cherry Creek Drive South
Denver, CO 80246-1530

The remaining three copies are for the Permittee’s records. The DMR form is provided to the Permittee by the Division and may be obtained by contacting the Division at 303-692-3500.

VIII.B. Annual Biosolids Report

If and when biosolids generated at the wastewater treatment plant are withdrawn for beneficial use, the Permittee shall be subject to the provisions of Regulation No. 64 – *Biosolids Regulation*, and shall submit an annual biosolids self-monitoring report in conformance with Regulation No. 64 reporting requirements. In addition, all solids removed from the facility are subject to EPA Region VIII General Sewage Sludge Permit requirements and solids removal shall be reported in conformance with those requirements.

VIII.C. Noncompliance Notifications

VIII.C.1. If for any reason, the Permittee does not comply with or will be unable to comply with any maximum discharge limitations or conditions specified in this permit, the Permittee shall, at a minimum, submit a Noncompliance Notification to the Division including the following information:

VIII.C.1.a. A description of the discharge and cause of non-compliance;

VIII.C.1.b. The period of noncompliance, including exact dates and times and/or the anticipated time when the discharge will return to compliance; and

VIII.C.1.c. Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

VIII.C.2. The following instances of noncompliance shall be reported orally within twenty-four (24) hours, and by written report within five (5) working days, of the time the Permittee becomes aware of the circumstances.

VIII.C.2.a. Any instance of noncompliance which may endanger human health or the environment, regardless of the cause for the incident.

VIII.C.2.b. Any unanticipated bypass, or any upset or spill, which causes any permit limitation to be violated.

VIII.C.2.c. Any suspected significant discharges of toxic pollutants or hazardous substances, which are listed in Tables II and V of 40 CFR Part 122, regardless of the cause for the incident. The complete list of toxic pollutants or hazardous substances may be obtained by contacting the Division at 303-692-3500.

VIII.C.3. Other Instances of Noncompliance. The Permittee shall report all other instances of noncompliance, which are not required to be reported within twenty-four (24) hours, at the time the DMRs are submitted, except as required for bypass in Section VIII.D.1. The reports shall contain the information in Section VIII.C.1.

VIII.D. **Other Notifications**

VIII.D.1. Bypass. If the Permittee knows in advance of the need for a bypass, it shall submit written notification to the Division of the need for such bypass at least ten (10) days before the date of the contemplated bypass.

VIII.D.2. Change in Discharge or Wastewater Treatment Facility. The Permittee shall inform the Division in writing of any intent to construct, install, or alter any process, facility, or activity that is likely to result in a new or altered discharge either in terms of location or effluent quality prior to the occurrence of the new or altered discharge, and shall furnish the Division such plans and specifications which the Division deems reasonably necessary to evaluate the effect on the discharge and receiving water (See Regulation No. 61, Ref. 61.8(5)(h)).

If the Division finds that such new or altered discharge might be inconsistent with the conditions of the permit, the Division shall require a new or revised permit application and shall follow the procedures specified in Regulation No. 61, Sections 61.5 through 61.9(2), and 61.15 prior to the effective date of the new or altered discharge.

Changes in discharge or in the wastewater treatment facility are subject to the Site Application and Design Approval requirements provided in Regulation No. 22, Site Location and Design Approval Regulations for Domestic Wastewater Treatment Works.

VIII.D.3. Deactivation. The Permittee shall notify the Division within thirty (30) days before deactivation of the permitted facility. Deactivation includes ceasing operation of the facility, ceasing all discharges to State Waters for the remaining term of the existing permit and/or the connection to another wastewater treatment facility.

IX. RECORDKEEPING REQUIREMENTS

IX.A. Records may be kept in either electronic format or hard copy provided that they can be promptly supplied to the Division upon request. All records shall be retained for a period of three years and shall be furnished to the Division upon request (Regulation No. 61, Ref. 61.8(3)(q)).

IX.B. For Division review, the following records shall be maintained onsite, or at a local field office with site responsibility:

IX.B.1. The current version of the general permit and Certification.

IX.B.2. The current Site Application and Design Approval where applicable.

IX.B.3. The most recently submitted discharge permit application.

IX.B.4. Any original approval letters from the Division for the proposed Points of Compliance.

IX.B.5. Sampling and Analysis Records:

IX.B.5.a. For each measurement or sample taken, records shall include, but not be limited to the: (1) date, type, exact place, and time of sampling or measurements; (2) individual(s) who performed the sampling or measurements; (3) date(s) the analyses were performed; (4) individual(s) who performed the analyses; (5) analytical techniques or methods used; and (6) results of such analyses.

IX.B.5.b. All monitoring information, including all calibration and maintenance records, copies of all reports required by this permit and records of all data used to complete the permit application. (The period of retention for these records shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Division.)

IX.B.6. Operation and Maintenance Records:

IX.B.6.a. Inspection records and maintenance logs.

IX.B.6.b. Descriptions, dates, and receipts for maintenance and repairs performed.

IX.B.6.c. Copies of manifests of all biosolids and/or septage shipments.

X. GENERAL PERMIT TERMS AND ADMINISTRATION

This general permit is granted subject to all rules and regulations of Regulation No. 61, including but not limited to those general and specific terms and conditions included in this document.

X.A. **Severability.** The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit in any circumstance, is held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected (Regulation No. 61, Ref. 61.1(3)).

X.B. **Signatory Requirements.** The Permittee is subject to all signatory requirements provided in Regulation No. 61, Section 61.4(1), including but not limited to the requirement that all reports, applications, or information required for submittal shall be signed and certified for accuracy by the Permittee in accord with the following criteria:

X.B.1. In the case of corporations, by a principal executive officer or at least the level of vice-president or his or her duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the form originates;

X.B.2. In the case of a partnership, by a general partner;

X.B.3. In the case of a sole proprietorship, by the proprietor;

X.B.4. In the case of a municipal, state, or other public facility, by either a principal executive officer, ranking elected official or other duly authorized employee.

The Permittee shall make the following certification on all such documents:

”I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations".

X.C. **Modification, Suspension, or Termination of Permit or Permit Certification**

X.C.1. The filing of a request by the Permittee for modification, revocation and reissuance, or termination of certification under this general permit, or the filing of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

X.C.2. Whenever a Permittee wishes to terminate coverage under this general permit, the Permittee must submit a written request to the Division.

X.C.3. This general permit will remain in effect until revised or terminated by the Division in accordance with the provisions of Regulation No. 61. Modification to the general permit (except for minor modifications), termination or revocation and reissuance actions shall be subject to the requirements of Regulation No. 61, Sections 61.5 (2&3), 61.6, 61.7 and 61.15. If the Division terminates this general permit, it will notify the affected registrants prior to the date of termination.

X.D. **Confidentiality**. Any information relating to any secret process, method of manufacture or production, or sales or marketing data, which may be acquired, ascertained, or discovered, whether in any sampling investigation, emergency investigation, or otherwise, shall not be publicly disclosed by any member, officer, or employee of the commission or the Division, but shall be kept confidential. Any person seeking to invoke the protection of this Subsection (X.D.) shall bear the burden of proving its applicability. This section shall never be interpreted as preventing full disclosure of effluent data (Regulation No. 61, Ref. 61.5(4)(b)).

X.E. **Permit Violations.** The Permittee must comply with all the terms and conditions of the permit. Violation of the terms and conditions specified in this permit may be subject to civil and criminal liability pursuant to sections 25-8-601 through 612, C.R.S., and the Federal Act. Upon a finding and determination, after hearing, that a violation of a permit provision has occurred, the Division may suspend, modify, or revoke the permit or take such other action with respect to the violation (Regulation No. 61, Ref. 61.8).

X.F. **Division Emergency Power.** Nothing in this permit shall be construed to prevent or limit application of any emergency power of the Division (Regulation No. 61, Ref. 61.8(3)(a)).

X.G. **Inspection and Entry.** The Division has the power, upon presentation of proper credentials, to enter and inspect at any reasonable time and in a reasonable manner any property, premise, or place for the purpose of investigating any actual, suspected, or potential source of water pollution, or ascertaining compliance or noncompliance with any control regulation or any order promulgated by the Division. Such entry is also authorized for the purpose of inspecting and copying records required to be kept concerning any effluent source (Regulation No. 61, Ref. 61.8(3)(c)).

X.H. **Upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with effluent limitations if the Permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

X.H.1. An upset occurred and the Permittee can identify its cause(s);

X.H.2. The facility was being properly maintained at the time;

X.H.3. The Permittee submitted proper notice of the upset in compliance with Section VIII.C.2 of this permit (24-hour notice); and

X.H.4. The Permittee took all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

In addition to the demonstration required above, a Permittee who wishes to establish the affirmative defense of upset for a violation of effluent limitations based upon water quality standards shall also demonstrate through monitoring, modeling or other methods that the relevant standards were achieved in the receiving water. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof (Regulation No. 61, Ref. 61.8(3)(j)).

X.I. **Reduction, Loss, or Failure of Treatment Facility.** The Permittee has the duty to halt or reduce any activity if necessary to maintain compliance with the effluent limitations of the permit. Upon reduction, loss, or failure of the treatment facility, the Permittee shall, to the extent necessary to maintain compliance with this permit, control sources of wastewater, or all discharges, or both until the facility is restored or an alternative method of treatment is provided. This provision also applies to power failures, unless an alternative power source sufficient to operate the wastewater control facilities is provided. In an enforcement action a Permittee shall not use a defense that it would be necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. In the event of unavoidable reduction, loss or failure of the facility, the Permittee shall, to the extent necessary to maintain compliance with this permit, control the influent and/or effluent of wastewater until the facility is restored to operating condition or until an alternative method of treatment is provided. This provision also applies to power source sufficient to operate the facility is provided.

X.J. **Contract Requirements.** The Permittee shall include pertinent terms and conditions of this permit in all contracts for receipt by the Permittee of any effluent not required to be received by the Permittee (Regulation No. 61, Ref. 61.8(7)(a)(ii)).

X.K. **Property Rights.** The issuance of this permit does not convey any property or water rights in either real or personal property or stream flow or any exclusive privileges, nor does it authorize any injury to private property, any invasion of personal rights, nor any infringement of State or local laws or regulations (Regulation No. 61, Ref. 61.8(9)).

X.L. **Fees.** The Permittee is required to submit an annual fee as set forth in the Water Quality Control Act, Section 25-8-502 (l) (b), and State Discharge Permit Regulations 5CCR l002-61, Section 61.l5.0 as amended. Failure to submit the required fee when due and payable is a violation of the permit and will result in enforcement action pursuant to Section 25-8-601 et. seq., C.R.S. l973 as amended (Regulation No. 61, Ref. 61.15).

X.M. **State Laws.** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibility, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

X.N. **Oil and Hazardous Substance Liability.** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject under Section 311 (Oil and Hazardous Substance Liability) of the Act, except as recognized by federal law.