

Regulation 85 - Nutrients Management Control

Stakeholder Meeting
September 29, 2014



Agenda

- Introduction, agenda review and ground rules.
- Overview of Regulation 85 triennial review process and schedule.
- Overview of Regulation 85 implementation progress.
- Monitoring/data submittal update and brainstorm data analysis opportunities.
- Next Steps.

INTRODUCTION, AGENDA REVIEW AND GROUND RULES

OVERVIEW OF REGULATION 85 TRIENNIAL REVIEW PROCESS AND SCHEDULE

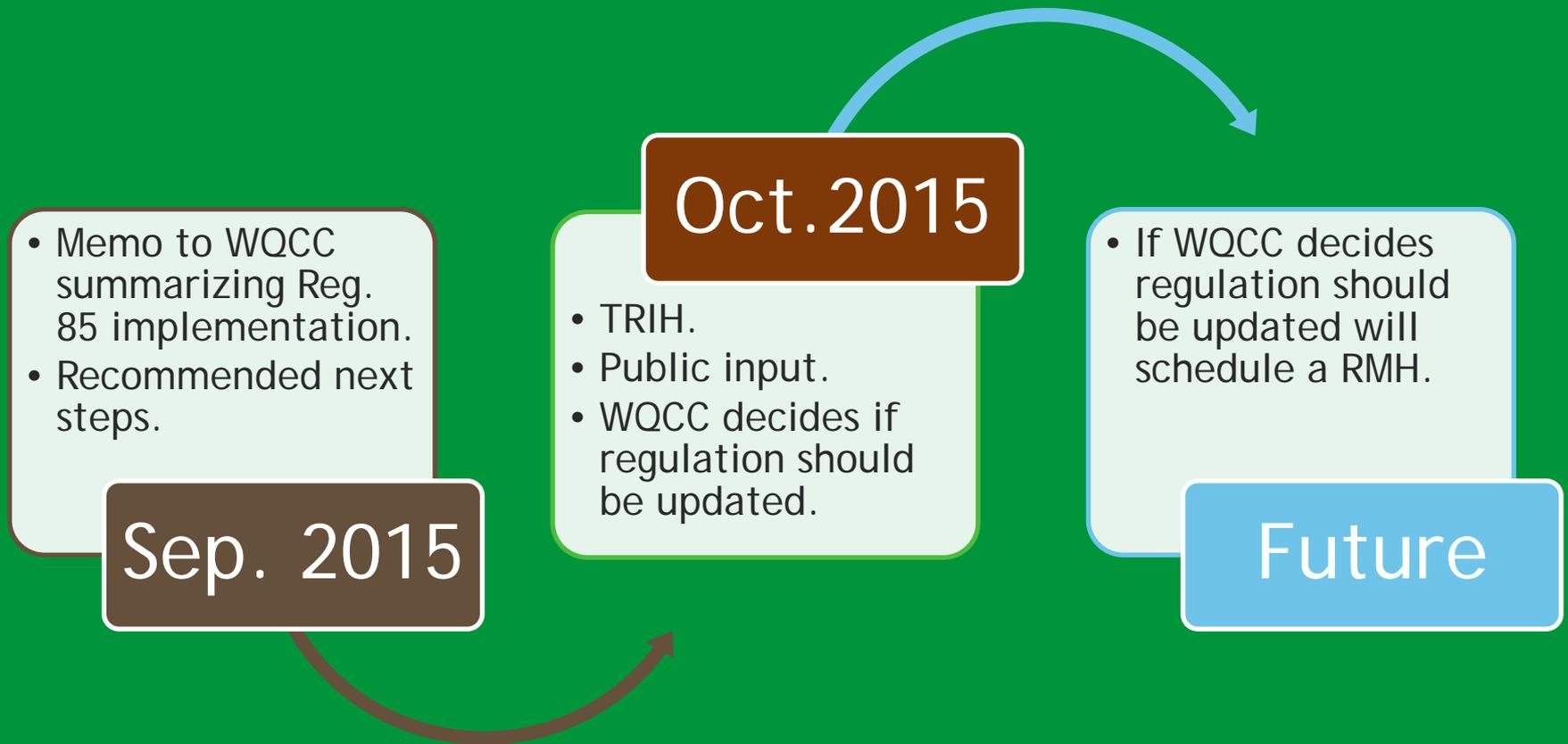
Regulation 85 Overview

- Technology based effluent limits vs. water quality based effluent limits for domestic and non-domestic wastewater treatment facilities
- Minimum practices for MS4s
- Voluntary best management practices, voluntary nutrient management, and education and outreach for Nonpoint Sources

Regulation 85 Overview

- Domestic and non-domestic wastewater treatment facility monitoring
- MS4 discharge assessment data report
- Nonpoint source - no specific data collection requirement

Triennial Review Informational Hearing



Regulation 85 RMH would follow normal rulemaking process

- Notice (WQCC and Colorado Register)
- Party status
- Proponents prehearing statements
- Responsive prehearing statements
- Rebuttal statements
- Prehearing conference
- Rulemaking hearing

Triennial Review Informational Hearing Schedule

Effluent Limits

- Report out
- June/July 2015

Monitoring

- Report out
- June/July 2015

Data Summary & Analysis

- Two years of monitoring data
- July/August 2015

Recommendations

- Implementation of regulation is going OK!
- August/September 2015

Regulation 31

- Report out
- July/August 2015

OVERVIEW OF REGULATION 85 IMPLEMENTATION PROGRESS

A low-angle, upward-looking photograph of an industrial facility, likely a water treatment plant. The image is dominated by large, dark, cylindrical pipes and metal structural beams. In the background, several tall, white, cylindrical storage tanks are visible against a clear blue sky. The lighting suggests a bright, sunny day. A semi-transparent dark grey horizontal band is overlaid across the middle of the image, containing the text 'Engineering Update' in white.

Engineering Update



Facility Implementation

46 Facilities

Original List
Changed

19 working
with WQCD

Nutrient
Grant Funding
\$14.7M

21 DWWTW
Funded

14 working
with WQCD

Outside 46

2+ Delayed
Implemented

5+ Not
Required
Implemented

Nutrient Grant Funding

Long Bill

- \$2M
- Superior; Windsor; Louisville
- 23 Facilities @ \$16.7M (15/23)

HB14-1002

- \$17M Total
- \$200K to WQCD
- \$4.2M for OWTS
- \$12.6M to Flood/Nutrients

Implementation Trends (\$/MG)

- Variable gains (TN/TP)
- Incorporating other repairs
- Rethinking process – other priorities
- Some phased

Implementation Approaches

- Variety (Silverthorne Dillon; Snake River)
- Alternative technologies (Bio-Dome; Demon; Lemna)



Permits Update



COLORADO
Department of Public
Health & Environment

Regulation 85 Permits Update

- PELs issued as part of site application
- Effluent limits included in PELs
- Some facilities have met dilution exception
- One permit issued with Regulation 85 effluent limits



Nonpoint Source Update



Nonpoint Source

- Funding
- Outreach - Colorado Association of Conservation Districts
- Data Analysis - Colorado State University CLEAN Center



Monitoring and Data Submittal Update

Sampling & Analysis Plans (SAPs)

- Regulation 85 required SAP certification
- Division staff outreach: 388 of 388!
- SAP Certification Received: 378 of 388
- No SAP Certification Received : 13 of 388

2013 Data Submittal

- 2013 data due 4/15/2014
- 219 facilities have submitted data
- 119 facilities plan to submit data soon
- ~30 facilities will not submit 2013 data

2013 Data Submittal

Goal is to get everyone compliant with this requirement and that includes having data in correct format to enter into EQulS.

Reasons Facilities not Compliant

- Thought Regulation 85 did not apply
- Facility did not discharge in 2013
- Refused to submit data
- Unknown

Cooling Towers

- Monitoring requirement ends 10/2014
- Submittal deadline 2/28/2015
- No compliance information yet

Cooling Towers

- No SAP certification was required
- 36 facilities received letters
- 19 of 36 determined to be exempt

Stormwater

- Discharge data assessment report
- Report due to division by 10/31/2014
- Report covering majority of MS4s was submitted to division

BRAINSTORM DATA ANALYSIS OPPORTUNITIES

NEXT STEPS