



## MEMORANDUM

TO: Interested Stakeholders

FROM: Bradley T. Monson, Water Quality Control Division - Grants and Loans Unit

Date: April 19, 2015

Re: Notice of Stakeholder Meetings  
Regulation 51 - Colorado Water Pollution Control Revolving Fund - Modifications  
Regulation 52 - Colorado Drinking Water Revolving Fund - Modifications

This provides notice for the upcoming stakeholder meetings to be held on April 21, April 28, and May 7 to provide the opportunity for the Water Quality Control Division to discuss the regulation modifications. The modifications being implemented are based upon federal and state law requirements, and primarily by P.L. 113-121 Water Resources Reform and Development Act of 2014 (WRRDA) for the Water Pollution Control Revolving Fund program and the Colorado Senate Bill 15-121 (Private Nonprofits) for the Drinking Water Revolving Fund program. The proposed revisions are being implemented into the Regulation 51 - Colorado Water Pollution Control Revolving Fund and the Regulation 52 - Colorado Drinking Water Revolving Fund. The proposed revisions are scheduled to be addressed in the rulemaking hearing by the Water Quality Control Commission in August 2015.

The information herein provides a consolidated listing of the modifications and the associated justification.

### Regulation 51 - Colorado Water Pollution Control Revolving Fund

- Regulation #51 is being modified in order to align with the requirements within the Water Resources Reform and Development Act of 2014 (WRRDA) and to clarify the grant terminology within the loan process. Specific modifications include:
  - Section 51.2 - Definitions - Revisions to section 51.2(19) to add security and decentralized wastewater treatment systems as eligible project types.
  - Section 51.7 - Disadvantaged Communities - Revisions to section 51.7 to delete the loan duration terms which are addressed in Section 51.3(2)(c) and the IUP, to allow for extended term financing up to 30 years.
  - Section 51.8 - Planning and Design Grants - Revisions to the section title to reflect the two grant programs being (1) Planning Grants and (2) Design and Engineering Grants based upon changes to the Water Pollution Control Revolving Fund program.



## Regulation 52 - Colorado Drinking Water Revolving Fund

- Regulation #52 is being modified in order to align with the requirements within Colorado Senate Bill 15-121 providing eligibility for private nonprofit entities for the Drinking Water Revolving Fund; to clarify the grant terminology within the loan process; and miscellaneous minor corrections within the regulation. Specific modifications include:
  - Section 52.2 - Definitions - Added definition (6) Private Nonprofit, and re-numbered remaining definitions accordingly.
  - Section 52.2(7) - Definitions - Project Eligibility List - Document correction as the Commission deleted "from time to time" per the correction identified in the previous 52.14 action.
  - Sections 52.2(13); 52.3(1); 52.5(2); 52.6(3)(a),(b),(c), and (d); and 52.7 - Added the phrase ", or private nonprofit entity(ies)," following "governmental agency(ies)".
  - Sections 52.3(2) - Added the phrase ", and private nonprofit entities," following "governmental agencies".
  - Section 52.4 - Intended Use Plan - Deleted sentence "The Division shall recommend the IUP to the Commission each year for final agency action at a public hearing, and shall also provide for public notice and an opportunity to comment to comply with the SDWA." This duplicates the information in 52.3 and is not necessary.
  - Section 52.7 - Disadvantaged Communities Procedures - "Procedures" was deleted from the heading per the correction identified in the previous 52.14 action.
  - Section 52.8 - Planning and Design Grants - Revisions to the section title to reflect the two grant programs being (1) Planning Grants and (2) Design and Engineering Grants based upon changes to the Drinking Water Revolving Fund program.

The referenced Draft - Water Quality Control Commission Regulation #51 - Water Pollution Control Revolving Fund August 2015 Modifications and Draft - Water Quality Control Commission Regulation #52 - Drinking Water Revolving Fund August 2015 Modifications may be found on the Division's website at <https://www.colorado.gov/pacific/cdphe/wq-grants-and-loans-news-and-announcements>.