

STATE OF COLORADO

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Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

MEMORANDUM

TO: Water Quality Forum

FROM: Dick Parachini, Clean Water Program Manager, Water Quality Control Division

SUBJECT: Regulation 85 Triennial Review Informational Hearing Information

DATE: July 2, 2014

Attached please find the following information that will be reviewed at the Colorado Water Quality Forum Retreat on July 11, 2014:

- A memorandum outline that provides an overview of the material that will be develop for the Water Quality Control Commission prior to the October 2015 Triennial Review Informational Hearing for Regulation 85.
- A schedule summarizing the time for completing the analysis and review needed to develop the information needed for the Regulation 85 Triennial Review Informational Hearing.
- Updated Nutrient Limits Eligible Facilities List.

We look forward to discussing these items with you during the retreat next week.

Attachments

cc: Trisha Oeth, Administrator, WQCC
Ron Falco, Acting Division Director, WQCD
Janet Kieler, Permits Section Manager, WQCD
Bret Icenogle, Engineering Section Manager, WQCD
Nicole Rowan, Watershed Section Manager, WQCD

Regulation 85 Triennial Review Outline

1. Regulation 85
 - 1.1 Progress on Implementing Regulation 85 - 85.5 Specific Limitation for Dischargers of Nutrients
 - 1.1.1 DWWTF
 - 1.1.1.1 Report on progress/status (as of TRIH) of effluent limits incorporated into permits and target date for full implementation (2020)
 - 1.1.1.2 Report on progress/status (as of TRIH) of how many facilities are meeting Reg 85 effluent limitations, and expected date for full compliance with Reg 85 effluent limits (2025)
 - 1.1.1.3 Describe if existing facilities could meet limitations (under capacity) vs. those that will need upgrades
 - 1.1.1.4 Report on status of nutrient grants and loans
 - 1.1.1.5 Report on status of any engineering reviews
 - 1.1.2 Non-DWWTF
 - 1.1.2.1 Report on progress/status (as of TRIH) of effluent limits incorporated into permits and target date for full implementation (2020)
 - 1.1.2.2 Report on progress/status (as of TRIH) of how many facilities are meeting Reg 85 effluent limitations, and expected date for full compliance with Reg 85 effluent limits (2025)
 - 1.1.3 Status of Nutrient Removal Technology
 - 1.1.3.1 Qualitative review of new technologies and developments
 - 1.1.3.2 Cost/Affordability of new technology
 - 1.1.4 Additional Provisions Applicable to DWWTF and Non-DWWTF
 - 1.1.4.1 Compliance Schedules
 - 1.1.4.1.1 See 1.1.1 and 1.1.2
 - 1.1.4.2 Exceptions
 - 1.1.4.2.1 Document number of exceptions to the extent possible
 - 1.1.4.3 Variances
 - 1.1.4.3.1 Develop guidance document
 - 1.1.4.3.2 Track facilities with variances
 - 1.1.4.4 Nutrient Trading
 - 1.1.4.4.1 Report out on any efforts related to trading
 - 1.1.5 MS4 Permit Requirements for Nutrient Source Reductions
 - 1.1.5.1 Report out on where we are with MS4 Permit Renewal and how it addresses Regulation 85
 - 1.1.6 Nonpoint Source Discharges
 - 1.1.6.1 Report out regarding how we are tracking efforts related to BMP implementation
 - 1.1.6.2 Report out on funding efforts
 - 1.1.6.3 Report out on Public Information and Education efforts

1.1.6.4 Report out on other activities and how we have coordinated: CSU Clean Grant and Colorado Monitoring Framework's Agricultural Alliance

1.2 Progress on Implementing Regulation 85 – 85.6 Monitoring Requirements

1.2.1 Point Source Monitoring – Process Wastewater Discharges

1.2.1.1 Summarize data submitted to date. Evaluate whether we are collecting the right data, and how long we will want to collect it.

1.2.2 Point Source Data Collection – MS4 Discharges

1.2.2.1 Report out on where we are with MS4 data collection report

1.2.3 Data Quality Requirements

1.2.3.1 Report out on how well we achieved our goals with this

1.2.4 Nonpoint source and Unpermitted Point Source Monitoring

1.2.4.1 Report out on monitoring efforts that have taken place (CSU Clean and Colorado Monitoring Framework Agricultural Alliance)

1.2.5 Availability and Reporting of Data

1.2.5.1 Summarize how process has gone regarding receiving data and our efforts to make the information readily available to outside parties

1.3 Regulation 85 Data Summary and Analysis

1.3.1 Point Sources

1.3.1.1 Based on information to date confirm original analysis regarding critical watersheds

1.3.1.2 Assess if possible if the magnitude, duration and frequency of effluent limits are appropriate. If not, then will need to add to recommendations.

1.3.1.3 For Non-DWWTF is using SIC Code 20 appropriate (analysis will be based on institutional knowledge)? If not, then will need to add to recommendations.

1.3.1.4 Assess whether there should be an end date to monitoring for some or all facilities, and based on assessment may include a recommendation.

1.3.2 Nonpoint source and Unpermitted Point Sources

1.3.2.1 Identify what we can infer from about nonpoint sources from 1.3.1 efforts

1.3.2.2 Coordinate with Air division on nitrogen atmospheric deposition and how this related to total nitrogen interim value

1.3.3 Preliminary predictive analysis

1.3.3.1 Based on data received to date provide magnitude of the expected nutrient reductions that will occur and potential changes to instream concentrations when Reg 85 is fully implemented (2025) (will be based on resource availability))

- 1.4 Recommended Changes to Regulation 85 - 85.5 Specific Limitation for Dischargers of Nutrients
 - 1.4.1 DWWTF
 - 1.4.1.1 Clarify what “new” means in exclusions for all sized facilities
 - 1.4.2 Non-DWWTF
 - 1.4.2.1 Commission made a policy decision during June Regulation 37/38 rulemaking hearing to not apply Reg 85 limits below a facility with cooling towers.
 - 1.4.3 Additional Provisions Applicable to DWWTF and Non-DWWTF
 - 1.4.3.1 Compliance Schedules
 - 1.4.3.1.1
 - 1.4.3.2 Exceptions
 - 1.4.3.3 Variances
 - 1.4.3.4 Nutrient Trading
 - 1.4.4 MS4 Permit Requirements for Nutrient Source Reductions
 - 1.4.5 Nonpoint Source Discharges

- 1.5 Recommended changes to Regulation 85 – 85.6 Monitoring Requirements
 - 1.5.1 Point Source Monitoring – Process Wastewater Discharges
 - 1.5.1.1 Do we need different type of data?
 - 1.5.1.2 Will we have enough data to remove the cooling towers monitoring provisions?
 - 1.5.2 Point Source Data Collection – MS4 Discharges
 - 1.5.2.1 Will provide recommendation based on review of discharge data assessment report.
 - 1.5.3 Data Quality Requirements
 - 1.5.4 Nonpoint source and Unpermitted Point Source Monitoring
 - 1.5.5 Availability and Reporting of Data

- 2. Regulation 31
 - 2.1 Progress on Implementing Regulation 31 – 31.17 Nutrients
 - 2.1.1 Status of implementing interim phosphorus values in headwaters and if there are any new WWTPs in these areas
 - 2.1.2 Status of implementing interim chlorophyll a values in DUWS Lakes and Reservoirs
 - 2.2 Recommended changes to Regulation 31 – 31.17 Nutrients

ID	Task Name	Resource Names	2015																
			Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	
1	1.1.1 DWWTF Reg 85 Progress																		
2	1.1.1.1 number of permits w/ Reg 85 limits	Kieler																	
3	1.1.1.2 number of facilities meeting Reg 85 limits	Kieler																	
4	1.1.1.3 report on existing facilities ability to meet Reg 85 limits	Icenogle																	
5	1.1.1.4 report on status of grants and loans	Beck																	
6	1.1.1.5 report on status of engineering reviews	Icenogle																	
7	1.1.2 Non-DWWTF Reg 85 Progress																		
8	1.1.2.1 number of permits w/ Reg 85 limits	Kieler																	
9	1.1.2.2 number of facilities meeting Reg 85 limits	Kieler																	
10	1.1.3 Status of Nutrient Removal Technology	Icenogle																	
11	1.1.4 Status of Additional Reg 85 Provisions																		
12	1.1.4.1 number of compliance schedules	Kieler																	
13	1.1.4.2 number of exceptions	Kieler																	
14	1.1.4.3 number of variances	Kieler/Rowan																	
15	1.1.4.4 report out on trading efforts	Rowan																	
16	1.1.5 MS4 Permit Requirements Status	Kieler																	
17	1.1.6 Nonpoint Source Status	Rowan																	
18	1.2.1 Process Wastewater Point Source Monitoring Status	Rowan																	
19	1.2.2 MS4 Point Source Monitoring Status	Kieler/Rowan																	
20	1.2.3 Data Quality Requirements Status	Rowan																	
21	1.2.4 Nonpoint Source Monitoring Status	Rowan																	
22	1.2.5 Availability and Reporting of Data Status	Rowan																	
23	1.3.1 Point Source Data Summary and Analysis	Kieler/Rowan/Icenogle																	
24	1.3.2 Nonpoint Source Data Summary and Analysis	Rowan																	
25	1.3.3 Preliminary Predictive Analysis	Rowan																	
26	1.4 Effluent Limits Recommended Changes	Kieler/Icenogle/Rowan																	
27	1.5 Monitoring Requirements Recommended Changes	Rowan																	
28	2.1 Progress on Implementation Regulation 31.17	Rowan/Johnson																	
29	2.2 Recommended Changes to 31.17	Rowan/Johnson																	
30	Stakeholder Meetings																		
31	Data Analysis Methodology Meeting 1	Rowan/Konowal																	
32	Data Analysis Methodology Meeting 2	Rowan/Konowal																	
33	Stakeholder Meeting 1	All																	
34	Stakeholder Meeting 2	All																	
35	Regulation 85 IH Memo	All																	
36	Regulation 85 Informational Hearing	All																	

Explanation: This list identifies industrial and municipal wastewater treatment facilities required to evaluate potential future nutrient (phosphorus and nitrogen) discharge reductions. Inclusion on the list is primarily a function of Capacity to Use (discharge volume) and Watershed Priority (current/future impacts). Permits not renewed are administratively continued. Actual treatment improvements can not be determined until facility-specific engineering analyses are completed.

PERMIT	Permittee	Facility name	Permit Exp date	Permit Status	Capacity to Use, MGD	Watershed Priority	Permit Type	Justification	Special condition
CO0039977	Anheuser Busch Inc	Nutriturf Fort Collins	5/31/2013	effective	3.1	High	Industrial	SIC Group 20	
CO0026387	Aspen Consolidated Sanitation District	Aspen Consolidated San Dist WWTF	11/30/2013	effective	3	High	Domestic	>2 MGD	
CO0026611	Aurora City of	Sand Creek WRF	10/31/2017	effective	5	High	Domestic	>2 MGD	
CO0024147	Boulder, City Of	75 St WWTF	4/30/2016	effective	25	High	Domestic	>2 MGD	
CO0020478	Boxelder Sanitation District	BoxelderSan Dist WWTF	8/31/2013	effective	2.34	High	Domestic	>2 MGD	
CO0021547	Brighton City of	Brighton WWTF	6/30/2015	effective	3	High	Domestic	>2 MGD	
CO0026409	Broomfield City and County	Broomfield WWTF	3/31/2015	effective	12	High	Domestic	>2 MGD	
CO0032158	Carestream Health Inc	Carestream Health Colorado (Weld County)	12/31/2013	effective	1.8	High	Industrial	Other Industrial	Credible Evidence
CO0044270	Cargill Meat Solutions	Cargill Meat Solutions Ft Morgan	7/31/2013	effective	1.68	Low	Industrial	SIC Group 20	Credible Evidence
CO0037966	Centennial Water and Sanitation Dist	Marcy Gulch WWTF	10/31/2012	admin continued	8.48	High	Domestic	>2 MGD	
CO0026735	Colorado Springs Utilities	Las Vegas Street WWTF	1/31/2011	admin continued	65	High	Domestic	>2 MGD	
CO0046850	Colorado Springs Utilities	J D Phillips WRF	5/31/2011	effective	20	High	Domestic	>2 MGD	
CO0024082	Durango City of	Durango WWTF	2/28/2018	effective	3	High	Domestic	>2 MGD	
CO0024431	Eagle River Water & San Dist	Avon WWTF	1/31/2016	effective	4.3	High	Domestic	>2 MGD	
CO0037311	Eagle River Water & Sanitation Dist	Edwards WWTF	1/31/2016	effective	2.95	High	Domestic	>2 MGD	
CO0021369	Eagle River WSD	Vail WWTF	2/29/2012	admin continued	2.7	High	Domestic	>2 MGD	
CO0026425	Fort Collins City of	Mulberry WRF	10/31/2013	effective	6	High	Domestic	>2 MGD	
CO0047627	Fort Collins City of	Drake WRF	10/31/2013	effective	23	High	Domestic	>2 MGD	
CO0021440	Fort Lupton City of	Fort Lupton WWTF	10/31/2017	effective	2.75	High	Domestic	>2 MGD	
CO0039748	Fremont Sanitation District	Rainbow Park WWTF	3/31/2014	effective	8.5	High	Domestic	>2 MGD	
CO0048854	Fruita, City of	Fruita WRF	1/31/2017	effective	2.33	High	Domestic	>2 MGD	
CO0048852	Glenwood Springs City of	Glenwood Springs New WWTF	9/30/2016	effective	2.34	High	Domestic	>2 MGD	
CO0040258	Greeley City of	Greeley WWTF	3/31/2017	effective	14.7	High	Domestic	>2 MGD	
CO0023124	Lafayette City of	Lafayette WWTF	9/30/2016	effective	2.8	High	Domestic	>2 MGD	
CO0048860	Leprino Foods Company, Leprino Greeley Facility	Leprino Foods Company, Leprino Greeley Facility WWTF	10/31/2016	effective	2.3	High	Industrial	SIC Group 20	
CO0032999	Littleton/Englewood Cities of	Littleton/Englewood WWTF	10/31/2014	effective	34	High	Domestic	>2 MGD	
CO0026671	Longmont City of	Longmont WWTF	11/30/2016	effective	17	High	Domestic	>2 MGD	
CO0023078	Louisville City of	Louisville WWTF	9/30/2016	effective	3.4	High	Domestic	>2 MGD	
CO0026701	Loveland City Of	Loveland WWTF	10/31/2015	effective	10	High	Domestic	>2 MGD	
CO0040053	Mesa Co Grand Junction City of	Persigo WWTF	11/30/2016	effective	12.5	High	Domestic	>2 MGD	
CO0026638	Metro Waste Water Reclamation District	Robert W. Hite WWTF	2/28/2013	admin continued	220	High	Domestic	>2 MGD	
CO0001163	MillerCoors LLC	MillerCoors Golden Facility	4/30/2014	effective	8.11	High	Industrial	SIC Group 20	
CO0036757	Northglenn City of	Northglenn WWTF	3/31/2015	effective	6.5	High	Domestic	>2 MGD	
CO0031755	Pagosa Area Water and San Dist	Vista WWTF	12/31/2017	effective	3.75	High	Domestic	>2 MGD	
CO0026646	Pueblo City of	James R Dilorio WRF	5/31/2015	effective	19	High	Domestic	>2 MGD	
CO0024392	Security Sanitation District	Security Sanitation District WWTF	9/30/2016	effective	2.4	High	Domestic	>2 MGD	
CO0020826	Silverthorne/Dillon Joint Sewer Authority	Blue River WWTF	7/31/2011	admin continued	4	High	Domestic	>2 MGD	
CO0023086	Snowmass Water & Sanitation District	Snowmass Water and San Dist	1/31/2015	effective	3.2	High	Domestic	>2 MGD	
CO0026662	South Adams County Water & Sanitation District	Williams Monaco WWTF	7/31/2015	effective	8	High	Domestic	>2 MGD	
CO0020737	South Fort Collins Sanitation District	South Fort Collins San Dist WWTF	1/31/2018	effective	4.5	High	Domestic	>2 MGD	
CO0041700	St Vrain Sanitation District	St Vrain San Dist WWTF	11/30/2017	effective	3	High	Domestic	>2 MGD	
CO0043010	Superior Metropolitan District No 1	Superior Metropolitan Dist No1 WWTF	7/31/2014	effective	2.2	High	Domestic	>2 MGD	
CO0027707	Swift Beef Company	Swift Beef Lone Tree	8/31/2010	admin continued	2.06	High	Industrial	SIC Group 20	
CO0020435	Tri-Lakes Wastewater Treatment Facility	Tri-Lakes WWTF	12/31/2016	effective	4.2	High	Domestic	>2 MGD	
CO0024171	Westminster City of	Big Dry Creek WWTF	3/31/2015	effective	11.9	High	Domestic	>2 MGD	
CO0021067	Widefield Water and Sanitation District	Widefield WSD WWTF	9/30/2016	effective	2.5	High	Domestic	>2 MGD	
CO0020320	Windsor Town of	Windsor WWTF	4/30/2014	effective	2.8	High	Domestic	>2 MGD	
CO0000005	Lower Fountain Metro Sewage Disposal District	Harold D. Thompson WRF	6/3/2018	effective	2.5	High	Domestic	>2 MGD	