

STATE OF COLORADO

John W. Hickenlooper, Governor
Larry Wolk, MD, MSPH
Executive Director and Chief Medical Officer

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

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
Located in Glendale, Colorado
www.colorado.gov/cdphe



Colorado Department
of Public Health
and Environment

May 7, 2014

Certified Mail Number: 7012 1640 0000 0801 9519

Jason Fowler, Utilities Superintendent
Town of Milliken
PO Box 290
Milliken, CO 80543

RE: Service of Notice of Violation/Cease and Desist Order, Number: DO-140507-1; Service of Notice of Violation/Cease and Desist Order, Number: IO-140507-1 and Service of Operator Certification Notice of Violation, Number: OW-140507-1

Dear Mr. Fowler:

The Town of Milliken is hereby served with the enclosed Notice of Violation / Cease and Desist Orders (the "NOV/CDOs"). These NOV/CDOs are issued by the Colorado Department of Public Health and Environment's Water Quality Control Division (the "Division") pursuant to the authority given to the Division by §§25-8-602 and 25-8-605, C.R.S., of the *Colorado Water Quality Control Act*, (the "Act"). The Division bases the NOV/CDOs upon findings that the Town of Milliken has violated the Act, and/or regulations promulgated pursuant to the Act, as described in the enclosed NOV/CDOs.

Pursuant to §25-8-603, C.R.S., the Town of Milliken is required, within thirty (30) calendar days of receipt of these NOV/CDOs, to submit to the Division an answer admitting or denying each paragraph of the Findings of Fact and responding to the Notice of Violations.

This action could result in the imposition of civil penalties. The Division is authorized pursuant to §25-8-608, C.R.S. to impose a penalty of \$10,000 per day for each day during which such violation occurs. Please be advised that the Division is continuing its investigation into this matter and the Division may identify supplementary violations that warrant amendments to these NOV/CDOs or the issuance of additional enforcement actions.

Additionally, the Town of Milliken is hereby served with the enclosed Operator Certification Notice of Violation (the "OCNOV"). This OCNOV is issued by the Division pursuant to the authority given to the Division by §25-9-110(3), C.R.S., of the *Water and Wastewater Facility Operators Certification Statute*, (the "Statute"). The Division bases this OCNOV upon findings that the Town of Milliken has violated the Statute and 5 CCR 1003-2, §100, the *Water and Wastewater Facility Operators Certification Requirements*, as described in the enclosed OCNOV.

Pursuant to §25-9-110(3), C.R.S., the Town of Milliken is required, within thirty (30) calendar days of receipt of this OCNOV, to submit to the Division an answer to each alleged violation.

This operator certification action could result in the imposition of civil penalties. The Division is authorized pursuant to §25-9-110(5), C.R.S., to impose a penalty of up to \$300 per day for each day during which such violation occurs. Please be advised that the Division is continuing its investigation into this matter and the Division may identify supplementary violations that warrant amendments to this OCNOV or the issuance of additional enforcement actions.

Should the Town of Milliken desire to discuss the NOV/CDOs or the OCNOV with the Division, or if you have any questions regarding NOV/CDOs or the OCNOV, please do not hesitate to contact Eric Mink at (303) 692-2312 or by electronic mail at eric.mink@state.co.us.

Sincerely,

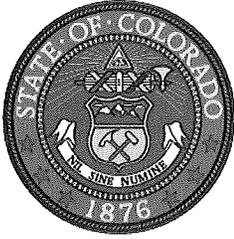


Eric T. Mink, Enforcement Specialist
Clean Water Compliance & Enforcement Unit
WATER QUALITY CONTROL DIVISION

Enclosure

cc: Enforcement File

cc: Natasha Davis, EPA Region VIII
Trevor Jiricek, Weld County Health Department
Nicole Rowan, Watershed Section, CDPHE
Michael Beck, Grants and Loans Unit, CDPHE
Doug Camrud, Engineering Section, CDPHE
Kelly Jacques, Field Services Section, CDPHE
Kenan Diker, Permits Section, CDPHE
Eric T. Mink, Compliance & Enforcement Unit, CDPHE
Tania Watson, Compliance & Enforcement Unit, CDPHE
Jackie Whelan, Facility Operators Program, CDPHE
Barry Cress, DOLA



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

NOTICE OF VIOLATION / CEASE AND DESIST NUMBER: DO-140507-1

IN THE MATTER OF: TOWN OF MILLIKEN
CDPS PERMIT NUMBER CO0042528
WELD 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 is implemented through the Department's Water Quality Control Division (the "Division"), and pursuant to §§25-8-602 and 25-8-605, C.R.S., the Division hereby makes the following Findings of Fact and issues the following Notice of Violation / Cease and Desist Order:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. At all times relevant to the violations cited herein, the Town of Milliken (the "Town") was a municipality as defined by §31-1-101(6), C.R.S.
2. The Town is a "person" as defined under the Water Quality Control Act, §25-8-103(13), C.R.S. and its implementing permit regulation, 5 CCR 1002-61, §61.2(73).
3. The Town owns and/or operates the Milliken wastewater treatment plant, located at 40°20'2.86" N and 104°50'19.45" W, near the Town of Milliken, Weld County, Colorado (the "Facility").
4. The Facility is a mechanical plant, consisting of extended aeration activated sludge treatment with secondary clarification and UV disinfection. The Facility has a hydraulic capacity of 0.70 MGD and an organic capacity of 2,000 lbs BOD₅/day.
5. The Facility is the subject of the Colorado Discharge Permit System, Permit No. CO-0042528 (the "Permit"). The current Permit became effective on May 1, 2010 and is due to expire April 30, 2015.
6. The Permit authorizes the Town to discharge treated wastewater from the Facility through Outfall 001A, into the Big Thompson River. Outfall 001A is physically located at approximately 40°20'13.6" N and 104°50'9.6" W and is the only outfall authorized by the permit. The Permit includes requirements to monitor influent loading to the Facility at a representative point prior to biological treatment, which is designated in the Permit as Outfall 300I.

7. Pursuant to 5 CCR 1002-61, §61.8, the Town must comply with all the terms and conditions of the Permit, and violations of such terms and conditions as specified in the Permit may be subject to civil and criminal liability pursuant to §§25-8-601 through 25-8-612, C.R.S.

Failure to Properly Monitor and Report

8. Pursuant to Part I.A.1. of the Permit, in order to obtain an indication of compliance or non-compliance with the effluent limitations of the Permit, the Town is required to monitor effluent parameters at the frequencies specified by the Permit and report the results on a Discharge Monitoring Report (“DMR”) form.
9. Pursuant to Part I.A.2. of the Permit, regardless of whether an effluent discharge occurs, the Town is required to monitor influent parameters and report results on a DMR form.
10. Pursuant to Part I.D.1. of the Permit, the Town is required to report all monitoring results on a monthly basis using Division approved DMRs. The Permit specifies that DMRs shall be filled out accurately and completely in accordance with requirements of the Permit and the instructions on the forms. The Town is required to ensure the DMRs are mailed to the Division so that they are received no later than the 28th day of the month following the monitoring period.
11. Division records establish that the Town failed to submit DMRs to the Division for Outfalls 001A and 300I at the Facility for the monitoring periods of February 2009 through March 2009 and April 2012 through January 2014.
12. Division records establish that the Town failed to submit DMRs to the Division by the 28th day of the month following the end of the monitoring periods identified below:

Town of Milliken LATE DMRs		
DISCHARGE MONITORING PERIOD	OUTFALL NUMBER	DMR RECEIPT DATE
January 1-31, 2009	001A, 300I	May 5, 2010
April 1-30, 2009	001A, 300I	August 14, 2009
May 1-31, 2009	001A, 300I	August 14, 2009
December 1-31, 2009	001A, 300I	March 2, 2010

13. The Town’s failure to monitor and/or submit DMRs to the Division for Outfalls 001A and 300I for the monitoring periods of February 2009 through March 2009 and April 2012 through February 2014 constitutes violations of Parts I.A.1. and I.A.2., and/or Part I.D.1. of the Permit.
14. The Town’s failure to submit DMRs to the Division by the 28th day of the month following each monitoring period, as identified above in paragraph 12, constitutes violations of Part I.D.1. of the Permit.
15. Pursuant to Part I.A.1. and Part I.A.2. of the Permit, the Town is required to monitor influent and effluent flows via continuous flow measuring devices equipped with a chart recorder or totalizer and report the results of the monitoring to the Division via monthly DMRs.

16. Pursuant to Part I.D.7. of the Permit, the permittee must be able to show proof of the accuracy of any flow-measuring device used in obtaining data submitted in the monitoring report and the flow-measuring device must indicate values within ten (10) percent of the actual flow.
17. On March 7, 2011, a representative of the Division (the "Inspector") conducted an on-site inspection of the Facility pursuant to the Division's authority under §25-8-306, C.R.S., to determine the Town's compliance with the Water Quality Control Act and the Permit. During the inspection, the Inspector interviewed Facility representatives, reviewed the Facility's records, and performed a physical inspection of the Facility.
18. During the inspection on March 7, 2011, the Inspector noted that the flow rates recorded by the influent chart recorder did not reflect the actual flows measured by the influent flume.
19. During the inspection on March 7, 2011, the Inspector noted that the effluent flow meter's ultrasonic readout was not accurate within ten (10) percent of the effluent flume's staff gage and the flow meter was not equipped with recording capabilities.
20. The Town's failure to properly monitor influent and effluent flows, as identified above in paragraphs 18 and 19, constitutes violations of Part I.A.1. and Part I.A.2. of the Permit.
21. The Town's failure to establish proof of accuracy of the effluent flow metering device, as identified in paragraph 19, constitutes a violation of I.D.7. of the Permit.
22. Pursuant to Part I.A.1. of the Permit, the Town is required to monitor the discharge at Outfall 001A and report the 30-day and 7-day averages for *E. coli* in order to provide an indication of compliance or non-compliance with the effluent limitations of the Permit.
23. Pursuant to Part I.C.6. of the Permit, the Town is required to calculate the 30-day and 7-day averages for *E. coli* using geometric mean.
24. During the inspection on March 7, 2011, the Inspector reviewed the Town's records for January 1, 2007 through January 1, 2011, including lab reports, field data, and bench sheets, and noted that the Town was calculating the 30-day and 7-day averages for *E. coli* using arithmetic mean instead of the required geometric mean.
25. The Town's failure to properly report *E. coli*, as identified above in paragraph 24, constitutes violations of Parts I.A.1. and Part I.C.6. of the Permit.

NOTICE OF VIOLATION

26. Based on the foregoing Findings of Fact and Conclusions of Law, you are hereby notified that the Division has determined that the Town has violated the following sections of the Permit.

Part I.A.1. of the Permit, which states in part: "In order to obtain an indication of the compliance or non-compliance with the effluent limitations specified in Part I, Section A.5., the permittee shall monitor effluent parameters at the following required frequencies, the results to be reported

on the Discharge Monitoring Report... In accordance with the Water Quality Control Commission Regulations for Effluent Limitations, Section 62.4, and the Colorado Discharge Permit System Regulations, Section 61.8(2), 5 C.C.R. 1002-61, the permitted discharge shall not contain effluent parameter concentrations which exceed the following limitation specified below.” *(Note: Part I.A.1. of the Permit includes a typographical error incorrectly referencing Part I.A.5. for the effluent limitation of the Permit. The effluent monitoring requirements are contained in Part I.A.1. of the Permit.)*

Part I.A.2. of the Permit, which states in part: “Regardless of whether or not an effluent discharge occurs and in order to obtain an indication of the current influent loading as compared to the approved capacity specified in Part I, Section A.2.; the permittee shall monitor influent parameters at the following required frequencies, the results to be reported on the Discharge Monitoring Report.”

Part I.C.6. of the Permit, which states in part: “Geometric mean for fecal coliform or *E. coli* bacteria concentrations, the thirty (30) day and seven (7) day averages shall be determined as the geometric mean of all samples collected in a thirty (30) day period and the geometric mean of all samples taken in a seven (7) consecutive day period respectively.”

Part I.D.1. of the Permit, which states in part: “Monitoring results shall be summarized for each calendar month and reported on Division approved discharge monitoring report (DMR) forms (EPA form 3320-1). One form shall be mailed to the Water Quality Control Division... so that the DMR is received no later than the 28th day of the following month... The Discharge Monitoring Report forms shall be filled out accurately and completely in accordance with the requirements of this permit and the instructions on the forms.”

Part I.D.7. of the Permit, which states in part: “The permittee must be able to show proof of the accuracy of any flow-measuring device used in obtaining data submitted in the monitoring report. The flow-measuring device must indicate within ten (10) percent of the actual flow entering the facility.”

REQUIRED CORRECTIVE ACTION

Based upon the foregoing factual and legal determinations and pursuant to §25-8-602 and §25-8-605, C.R.S., the Town is hereby ordered to:

27. Cease and desist from all violations of the Colorado Water Quality Control Act, §§25-8-101 through 25-8-803, C.R.S., its implementing regulations promulgated thereto and the Permit.

Furthermore, the Division hereby orders the Town to comply with the following specific terms and conditions of this Order:

28. Within thirty (30) calendar days of receipt of this Order, the Town shall submit all delinquent DMRs, as well as records of its influent and effluent discharge monitoring at the Facility for the periods of February 2009 through March 2009 and April 2012 through the date of this Order. The records shall include all laboratory data reports, all field measurement reports, and all calibration and maintenance

records, including all other information required to be retained by Part I.D.6. of the Permit. The records shall be summarized in Excel format and shall be clear and understandable.

29. The Town shall immediately initiate measures to ensure complete DMRs are submitted to the Division pursuant to the terms and conditions of the Permit. Within thirty (30) calendar days of receipt of this Order, the Town shall submit a written plan and certification to the Division outlining the Town's actions to ensure that accurate and complete DMRs are submitted to the Division by no later than the 28th day of the month following the end of a monitoring period.
30. Within thirty (30) calendar days of receipt of this Order, the Town shall revise (as necessary) and submit the DMRs for the January 2009 through January 2014 monitoring periods to report the 7-day average and 30-day average *E. coli* concentrations calculated by geometric mean. Any associated records, including sampling reports, laboratory data reports, and calibration records shall be submitted as attachments to the revised DMRs. The records shall be summarized in Excel format and shall be clear and understandable.
31. Within forty five (45) calendar days of receipt of this Order, the Town shall provide documentation that continuous flow measuring devices equipped with a chart recorder or totalizer are installed and properly operating at Outfall 300I (the influent monitoring location) and Outfall 001A (the effluent monitoring location). This documentation shall include calibration records and proof of accuracy of each flow measuring device indicating that each device is capable of measuring values within ten percent (10%) of the actual flow rates. This documentation shall also include schedules and procedures for the ongoing calibration and maintenance of each flow measuring device.
32. If the Town becomes aware of any situation or circumstances that cause the Town to become unable to comply with any condition or time schedules set forth by this Order, the Town shall provide written notice to the Division within five (5) calendar days of the Town becoming aware of such circumstances. The Town's notice shall describe what, if any, impacts will occur on the Town's ability to comply with the Colorado Water Quality Control Act and any impacts on the remaining conditions and/or time schedules specified by this Order, and what steps are being taken to mitigate the impacts.
33. All documents submitted under this Order shall be under the signature of the Town, shall use the same titles as stated in this Order, and shall reference both the number of this Order and the number of the paragraph pursuant to which the document is required. Within thirty (30) calendar days of receiving Division comments on submitted documents, the Town shall revise the submitted document(s) to properly address the Division's comments and resubmit the document(s) for Division review.

NOTICES AND SUBMITTALS

For all documents, plans, records, reports and replies required to be submitted by this Notice of Violation/Cease and Desist Order, the Town shall submit an original and an electronic copy to the Division at the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division / WQCD-CWE-B2
Attention: Eric T. Mink
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530
Telephone: (303) 692-2312
Email: eric.mink@state.co.us

For any person submitting documents, plans, records and reports pursuant to this Notice of Violation / Cease and Desist Order, that person shall make the following certification with each submittal:

“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.”

OBLIGATION TO ANSWER AND REQUEST FOR HEARING

Pursuant to §25-8-603, C.R.S. and 5 CCR 1002, §21.11 you are required to submit to the Division an answer affirming or denying each paragraph of the Findings of Fact and responding to the Notice of Violation. The answer shall be filed no later than thirty (30) calendar days after receipt of this action.

Section 25-8-603, C.R.S. and 5 CCR 1002, §21.11 also provide that the recipient of a Notice of Violation may request the Division to conduct a public hearing to determine the validity of the Notice, including the Findings of Fact. Such request shall be filed in writing with the Division and include the information specified in 5 CCR 1002, §21.4(B)(2). Absent a request for hearing, the validity of the factual allegations and the Notice of Violation shall be deemed established in any subsequent Department proceeding. The request for hearing, if any, shall be filed no later than thirty (30) calendar days after issuance of this action. The filing of an answer does not constitute a request for hearing.

FALSIFICATION AND TAMPERING

Be advised, in accord with §25-8-610, C.R.S., that any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Colorado Water Quality Control Act or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this article is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

POTENTIAL CIVIL AND CRIMINAL PENALTIES

You are also advised that any person who violates any provision of the Colorado Water Quality Control Act (the "Act"), §§25-8-101 to 803, C.R.S., or of any permit issued under the Act, or any control regulation promulgated pursuant to the Act, or any final cease and desist order or clean-up order issued by the Division shall be subject to a civil penalty of not more than ten thousand dollars per day for each day during which such violation occurs. Further, any person who recklessly, knowingly, intentionally, or with criminal negligence discharges any pollutant into any state waters commits criminal pollution if such discharge is made without a permit, if a permit is required by the Act for such discharge, or if such discharge is made in violation of any permit issued under the Act or in violation of any Cease and Desist Order or Clean-up Order issued by the Division. By virtue of issuing this Notice of Violation / Cease and Desist Order, the State has not waived its right to bring an action for penalties under §§25-8-608 and 609, C.R.S, and may bring such action in the future.

RELEASE OR DISCHARGE NOTIFICATION

Pursuant to §25-8-601, C.R.S., you are further advised that any person engaged in any operation or activity which results in a spill or discharge of oil or other substance which may cause pollution of the waters of the state, shall notify the Division of the discharge. If said person fails to so notify, said person is guilty of a misdemeanor, and may be fined or imprisoned or both.

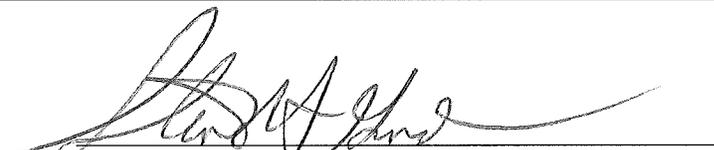
EFFECT OF ORDER

Nothing herein contained, particularly those portions requiring certain acts to be performed within a certain time, shall be construed as a permit or license, either to violate any provisions of the public health laws and regulations promulgated thereunder, or to make any discharge into state waters. Nothing herein contained shall be construed to preclude other individuals, cities, towns, counties, or duly constituted political subdivisions of the state from the exercise of their respective rights to suppress nuisances or to preclude any other lawful actions by such entities or the State.

For further clarification of your rights and obligations under this Notice of Violation / Cease and Desist Order you are advised to consult the Colorado Water Quality Control Act, §§25-8-101 to 803, C.R.S., and regulations promulgated thereunder, 5 CCR 1002.

Issued at Denver, Colorado, this 7th day of May, 2014.

FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT



Steven H. Gunderson, Director
WATER QUALITY CONTROL DIVISION



COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL DIVISION

OPERATOR CERTIFICATION NOTICE OF VIOLATION

NUMBER: OW-140507-1

IN THE MATTER OF: **TOWN OF MILLIKEN**
 CDPS PERMIT NUMBER CO0042528
 WELD COUNTY, COLORADO

Pursuant to the authority vested in the Colorado Department of Public Health and Environment's Water Quality Control Division (the "Division") by §25-9-110(3) of the C.R.S., the Division hereby makes the following findings and issues this Operator Certification Notice of Violation:

GENERAL FINDINGS

1. At all times relevant to the violations cited herein, the Town of Milliken (the "Town") was a municipality as defined by §31-1-101(6), C.R.S.
2. The Town owns and/or operates the Milliken wastewater treatment plant, located at 40°20'2.86" N and 104°50'19.45" W, near the Town of Milliken, Weld County, Colorado, (the "Facility").
3. The Facility is the subject of the Colorado Discharge Permit System, Permit No. CO-0042528 (the "Permit"). The current Permit became effective on May 1, 2010 and is due to expire April 30, 2015.
4. The Facility includes a "domestic wastewater treatment facility" as defined by §25-9-102(4.5), C.R.S., and its implementing regulation, 5 CCR 1003-2, §100.2(13).
5. The Facility includes a "wastewater collection system" as defined by §25-9-102(4.9), C.R.S., and its implementing regulation, 5 CCR 1003-2, §100.2(28).
6. Pursuant to 5 CCR 1003-2, §100.5.2, the Facility's domestic wastewater treatment facility is classified as "Class B."
7. Pursuant to 5 CCR 1003-2, §100.8.2, the Facility's domestic wastewater collection system is classified as "Class 2."

Failure to Have a Certified Operator in Responsible Charge

8. Pursuant to §25-9-110(2)(a), C.R.S., and 5 CCR 1003-2, §100.18.1(a), no owner of a wastewater collection system and/or domestic or industrial wastewater treatment facility shall allow the facility

to be operated without the direct supervision of an operator-in-responsible-charge certified in a classification equivalent to or higher than the classification of the facility as specified in 5 CCR 1003-2, §§100.4 through 100.8.

9. In accordance with 5 CCR 1003-2, §100.18.5, the Town shall operate the Facility with an operator-in-responsible-charge certified at or above the Class B Wastewater Treatment and Class 2 Wastewater Collection certifications.
10. Pursuant to 5 CCR 1003-2, §100.18.4(a), each owner of a wastewater facility shall submit in writing to the Division, no later than thirty (30) days following the date the facility is initially placed on-line and, thereafter, no later than thirty (30) days after changes to any of the following information:
 - a. Name, mailing address, phone number, and email address (if available) of the facility representative providing the information;
 - b. Name, mailing address, phone number, email address (if available) and the classification and expiration of certification of all operator(s)-in-responsible-charge employed by the owner;
 - c. Identification of the facility or facilities for which each operator-in-responsible-charge employed or contracted by the owner has responsibility;
 - d. The Colorado Discharge Permit System (CDPS) permit or certification number for all facilities listed.
11. Division records to-date establish that an appropriately certified operator was previously responsible for operating the Town's Facility but said operator is no longer appropriately certified. Therefore, the Town has failed to provide the Division with information or documents demonstrating that the Facility is operating under the direct supervision of an operator-in-responsible-charge, certified in classification equivalent to or higher than Class B Wastewater Treatment and Class 2 Wastewater Collection certifications.
12. The Town's failure to operate its domestic wastewater treatment facility under the supervision of a certified operator with the proper classification constitutes violation(s) of §25-9-110(2)(a), C.R.S., and 5 CCR 1003-2, §100.18.1(a) and §100.18.5.
13. The Town's failure to operate its wastewater collection system under the supervision of a certified operator with the proper classification constitutes violation(s) of §25-9-110(2)(a), C.R.S., and 5 CCR 1003-2, §100.18.1(a) and §100.18.5.

REQUIRED ACTION

The Division hereby orders the Town to comply with the following specific terms and conditions of this Operator Certification Notice of Violation:

14. Within thirty (30) calendar days from the date of this Notice of Violation, the Town shall retain an operator-in-responsible-charge certified in classifications equivalent to or higher than the

classifications of the Facility as specified in the *Water and Wastewater Facility Operators Certification Requirements*, 5 CCR 1003-2.

15. Within forty-five (45) calendar days from the date of this Notice of Violation, the Town shall submit to the Division the information specified in 5 CCR 1003-2, §100.18.4, documenting that the Facility is being operated under the supervision of an operator with the proper certification(s). The attached Wastewater Operator in Responsible Charge Report form may be used to report the required information.

NOTICES AND SUBMITTALS

For all documents, plans, records, reports and replies required to be submitted by this Operator Certification Notice of Violation, the Town shall submit an original and an electronic copy to the Division at the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division / WQCD-CWE-B2
Attention: Eric T. Mink
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530
Telephone: (303) 692-2312
Email: eric.mink@state.co.us

For any person submitting documents pursuant to this Operator Certification Notice of Violation, that person shall make the following certification with each submittal:

“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.”

POTENTIAL CIVIL PENALTIES

You are also advised that any owner of a water treatment facility, a domestic or industrial wastewater treatment facility, a wastewater collection system, or a water distribution system in the State of Colorado who violates the Water and Wastewater Facility Operators Certification Statute (the “Act”) at §25-9-110(2), C.R.S., shall be subject to a civil penalty of not more than three hundred dollars (\$300) per day for each day during which such violation occurs. By virtue of issuing this Operator Certification Notice of Violation, the State has not waived its right to bring an action for civil penalties under the Act at §25-9-110(5), C.R.S., and may bring such action in the future.

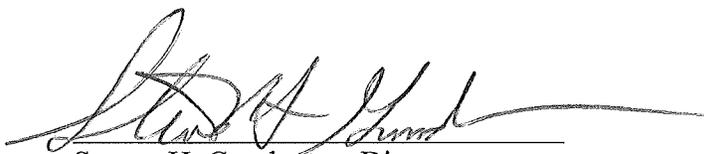
OBLIGATION TO ANSWER AND REQUEST FOR HEARING

Pursuant to §25-9-110(3), C.R.S., you are required to submit to the Division an answer to each alleged violation. The answer shall be filed no later than thirty (30) calendar days after receipt of this action.

Pursuant to §25-9-110(4), C.R.S., and 5 CCR 1003-2, §100.21.1, an alleged violator of the Act at §25-9-110(2)(a), C.R.S., may request a public hearing to contest the contents of this Notice of Violation. Such request shall be filed in writing with the Division no later than thirty (30) days after service of this action, and shall contain, at a minimum, the information specified in 5 CCR 1003-2, §100.21.1(a-c). Hearings held pursuant to §25-9-110(4), C.R.S., shall be conducted before the Colorado Water and Wastewater Facility Operators Certification Board in accordance with §24-4-105, C.R.S. The filing of an answer does not constitute a request for hearing.

Issued at Denver, Colorado, this 7th day of May, 2014.

FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT



Steven H. Gunderson, Director
WATER QUALITY CONTROL DIVISION



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

NOTICE OF VIOLATION / CEASE AND DESIST NUMBER: IO-140507-1

IN THE MATTER OF: TOWN OF MILLIKEN
CDPS PERMIT NUMBER CO0046485
WELD 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 is implemented through the Department's Water Quality Control Division (the "Division"), and pursuant to §§25-8-602 and 25-8-605, C.R.S., the Division hereby makes the following Findings of Fact and issues the following Notice of Violation / Cease and Desist Order:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. At all times relevant to the violations cited herein, the Town of Milliken (the "Town") was a municipality as defined by §31-1-101(6), C.R.S.
2. The Town is a "person" as defined under the Water Quality Control Act, §25-8-103(13), C.R.S. and its implementing permit regulation, 5 CCR 1002-61, §61.2(73).
3. The Town owns and/or operates the Milliken Reverse Osmosis ("RO") Water Treatment Plant, located at 40°19'8" N and 104°51'47" W, near the Town of Milliken, Weld County, Colorado, (the "Facility").
4. The Facility consists of a drinking water treatment plant that uses RO filtration and the addition of an anti-scalant chemical for the treatment of well water. The RO process creates a secondary waste stream that consists of RO concentrate. The facility does not provide treatment of the RO concentrate.
5. The Facility is the subject of the Colorado Discharge Permit System, Permit No. CO-0046485 (the "Permit"). The current Permit became effective on September 1, 2007. The Permit expired on August 31, 2012 and has been administratively continued pending Permit reissuance.
6. The Permit authorizes the Town to discharge RO concentrate wastewater from the Facility through Outfall 001A, and into the Little Thompson River in accordance with the effluent limits, monitoring requirements and other conditions of the Permit. The Permit includes requirements that are monitor only at Outfall MON1, which is located at Outfall 001A.

7. Pursuant to 5 CCR 1002-61, §61.8, the Town must comply with all the terms and conditions of the Permit, and violations of such terms and conditions as specified in the Permit may be subject to civil and criminal liability pursuant to §§25-8-601 through 25-8-612, C.R.S.

Failure to Comply with Permit Effluent Limitations

8. Pursuant to Part I.A.1. of the Permit, the Town’s effluent at Outfall 001A shall not exceed, among others not subject of this action, the effluent discharge limitations specified below:

Town of Milliken RO DISCHARGE LIMITATIONS			
EFFLUENT PARAMETER	30- DAY AVERAGE	7-DAY AVERAGE	DAILY MAXIMUM
Potentially Dissolved Selenium, ug/l Until 2/28/10	12	NA	Report
Beginning 3/1/10	4.6	NA	Report

9. Pursuant to Part I.B.1. of the Permit, the Town is required to monitor defined effluent parameters at specified frequencies in order to provide an indication of compliance or non-compliance with the effluent limitations of the Permit.
10. Pursuant to Part I.E. of the Permit, the Town is required to summarize and report the analytical results of its effluent monitoring to the Division via monthly Discharge Monitoring Report forms (“DMRs”). Each DMR is to include a certification by the Town that the information provided therein is true, accurate and complete to the knowledge and belief of the Town.
11. The Town’s DMRs submitted for Outfall 001A for the monitoring periods between February 2009 and March 2012 include, among other information and data, the following effluent concentration summary data which exceeded the limitations listed in Part I.A.1. of the Permit:

Town of Milliken RO EFFLUENT SELF-MONITORING DATA	
DISCHARGE MONITORING PERIOD	SAMPLE MEASUREMENTS FOR OUTFALL 001A
Potentially Dissolved Selenium	30 DAY AVG. LIMIT= 12 ug/l
May 1 – May 31, 2009	15.5
July 1 – July 31, 2009	12.1
February 1 – February 28, 2010	13.1
Potentially Dissolved Selenium	30 DAY AVG. LIMIT= 4.6 ug/l
March 1 – March 31, 2010	10.6
April 1 – April 30, 2010	10.4

**Town of Milliken RO
EFFLUENT SELF-MONITORING DATA**

DISCHARGE MONITORING PERIOD	SAMPLE MEASUREMENTS FOR OUTFALL 001A
Potentially Dissolved Selenium	30 DAY AVG. LIMIT= 4.6 ug/l
May 1 – May 31, 2010	29
June 1 – June 30, 2010	10.7
July 1 – July 31, 2010	29.3
August 1 – August 31, 2010	24.3
September 1 – September 30, 2010	15
October 1 – October 31, 2010	12.9
November 1 – November 30, 2010	14.5
December 1 – December 31, 2010	12.3
January 1 – January 31, 2011	16.8
February 1 – February 28, 2011	15
March 1 – March 31, 2011	24.8
April 1 – April 30, 2011	17.2
May 1 – May 31, 2011	22.3
June 1 – June 30, 2011	23
July 1 – July 31, 2011	30.5
August 1 – August 31, 2011	14.6
September 1 – September 30, 2011	13.4
October 1 – October 31, 2011	11.2
November 1 – November 30, 2011	16.6
December 1 – December 31, 2011	14.5
January 1 – January 31, 2012	12.6
February 1 – February 29, 2012	18.2
March 1 – March 31, 2012	18.1

12. Potentially dissolved selenium is a “pollutant” or indicator thereof, as defined by §25-8-103(15), C.R.S., and its implementing permit regulation 5 CCR 1002-61, §61.2(76).
13. The Permit does not authorize the pollutant levels identified above in paragraph 11. Division records establish that the Town does not have any other permit authorizing such discharge from the Facility into State Waters.
14. The Town’s failure to comply with the Permit effluent limitations, as identified above in paragraph 11, constitutes violations of Part I.A.1. of the Permit.

Failure to Properly Monitor and Report

15. Pursuant to Part I.B.1. of the Permit, in order to obtain an indication of compliance or non-compliance with the effluent limitations of the Permit, the Town is required to monitor effluent parameters at the frequencies specified by the Permit and report the results on a DMR. If the Town monitors any parameter more frequently than required by the Permit, the Town is required to report the results from the monitoring and indicate the increased frequency.
16. Pursuant to Part I.E. of the Permit, the Town is required to report all monitoring results on a monthly basis using Division approved DMRs. The Permit specifies that DMRs shall be filled out accurately and completely in accordance with requirements of the Permit and the instructions on the forms. The Town is required to ensure the DMRs are mailed to the Division so that they are received no later than the 28th day of the month following the monitoring period.
17. Division records establish that the Town failed to submit DMRs to the Division for Outfalls 001A and MON1 at the Facility for the monitoring periods of April 2012 through February 2014.
18. Division records establish that the Town failed to submit DMRs to the Division by the 28th day of the month following the end of monitoring periods identified below:

Town of Milliken RO LATE DMRs		
DISCHARGE MONITORING PERIOD	OUTFALL NUMBER	DMR RECEIPT DATE
February 1-28, 2009	001A, MON1	October 5, 2010
March 1-31, 2009	001A, MON1	October 5, 2010
April 1-30, 2009	001A, MON1	October 5, 2010
May 1-31, 2009	001A, MON1	August 14, 2009
June 1-30, 2009	001A, MON1	August 14, 2009
September 1-30, 2009	001A, MON1	October 5, 2010
September 1-30, 2011	001A, MON1	November 1, 2011
November 1-30, 2011	001A, MON1	January 9, 2012
December 1-31, 2011	001A, MON1	February 9, 2012
March 1-31, 2012	001A, MON1	May 8, 2012

19. The Town’s failure to monitor and/or submit DMRs to the Division for Outfalls 001A and MON1 for the monitoring periods of April 2102 through February 2014 constitutes violations of Part I.B.1 and/or Part I.E. of the Permit.

- 20. The Town's failure to submit DMRs to the Division by the 28th day of the month following each monitoring period, as identified in paragraph 18, constitutes violations of Part I.E. of the Permit.
- 21. On March 7, 2011, a representative of the Division (the "Inspector") conducted an on-site inspection of the Facility pursuant to the Division's authority under §25-8-306, C.R.S., to determine the Town's compliance with the Water Quality Control Act and the Permit. During the inspection, the Inspector interviewed Facility representatives, reviewed the Facility's records, and performed a physical inspection of the Facility.
- 22. During the inspection on March 7, 2011, among other findings, the Inspector found that the Town was incorrectly reporting pH sampling frequency on the Town's DMRs. From January 2007 through January 2011, the Town was sampling for pH seven (7) days per week while reporting a sample frequency of three (3) days per week on the DMRs.
- 23. The Town's failure to correctly report the actual pH sample frequency, as identified above in paragraph 21, constitutes violations of Part I.B.1. and Part I.E. of the Permit.

Failure to Adhere to Permit Compliance Schedule

- 24. Pursuant to Part I.A.2.a. of the Permit, the Town was required to follow the schedule for activities required to meet final potentially dissolved selenium limits, as outlined in the table below.

Compliance Schedule: Activities to Meet Potentially Dissolved Selenium Final Limits	
Activity	Milestone Date
The permittee shall submit a report on the progress of addressing the uncertainty of the underlying standard for selenium, as well as options available to the permittee for alternate disposal methods or treatment to meet the current underlying standard.	April 30, 2008
The permittee shall submit a report on the progress of addressing the uncertainty of the underlying standard for selenium, as well as options available to the permittee for alternate disposal methods or treatment to meet the current underlying standard.	April 30, 2009
The permittee shall submit a report on the progress of addressing the uncertainty of the underlying standard for selenium, as well as options available to the permittee for alternate disposal methods or treatment to meet the current underlying standard.	February 28, 2010
The permittee shall submit a report documenting the options available to meet the underlying (or new) selenium standards, including the chosen option. This should include a cost analysis of the available options, as well as potential funding sources.	February 28, 2011
The permittee shall submit a progress report summarizing the progress in implementing the chosen option to show compliance with the final potentially dissolved selenium limitations.	February 28, 2012

- 25. Pursuant to Part I.A.2. of the Permit, the Town is required to submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements by no later than 14 calendar days following each date identified in the schedules of compliance.

26. Division records establish that the Town failed to submit to the Division any of the reports required by Part I.A.2.a. and I.A.2. of the Permit.
27. The Town's failure to submit the required compliance schedule reports and complete construction or other appropriate activities to meet the final potentially dissolved selenium limitations constitutes violations of Part I.A.2.a. and I.A.2. of the Permit.

NOTICE OF VIOLATION

28. Based on the foregoing Findings of Fact and Conclusions of Law, you are hereby notified that the Division has determined that the Town has violated the following sections of the Permit.

Part I.A.1. of the Permit, which states in part: "In accordance with the Water Quality Control Commission Regulations for Effluent Limitations, Section 62.4, and the Colorado Discharge Permit System Regulations, Section 61.8(2), 5 C.C.R. 1002-61, the permitted discharge shall not contain effluent parameter concentrations which exceed the following limitation specified below."

Part I.A.2. of the Permit, which states in part: "No later than 14 calendar days following each date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement."

Part I.A.2.a. of the Permit, which states in part: "The permittee is to submit reports on the progress of addressing the uncertainty of the underlying standard for selenium, as well as options available to the permittee for alternate disposal methods or treatment to meet the current underlying standard. These reports are due on April 30, 2008, April 30, 2009, and February 28, 2010. The permittee shall submit a report documenting the options available to meet the underlying (or new) selenium standard, including the chosen option. This should include a cost analysis of the available options, as well as potential funding sources, and is due on February 28, 2011. The permittee shall submit a progress report summarizing the progress in implementing the chosen option to show compliance with the final dissolved selenium limitation, by February 28, 2012."

Part I.B.1. of the Permit, which states in part: "In order to obtain an indication of the probable compliance or noncompliance with the effluent limitations specified in Part I.A.1., the permittee shall monitor all effluent parameters at the following frequencies. Such monitoring will begin immediately and last for the life of the Permit unless otherwise noted. The results of such monitoring shall be reported on the Discharge Monitoring Report form... 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 in the Discharge Monitoring Report Form (DMRs) or other forms as required by the Division. Such increased frequency shall also be indicated."

Part I.E. of the Permit, which states in part: "Monitoring results shall be summarized for each calendar month and reported on Division approved discharge monitoring report (DMR) forms

(EPA form 3320-1). One form shall be mailed to the Water Quality Control Division... so that the DMR is received no later than the 28th day of the following month. The Discharge Monitoring Report forms shall be filled out accurately and completely in accordance with the requirements of this permit and the instructions on the forms.”

REQUIRED CORRECTIVE ACTION

Based upon the foregoing factual and legal determinations and pursuant to §25-8-602 and §25-8-605, C.R.S., the Town is hereby ordered to:

29. Cease and desist from all violations of the Colorado Water Quality Control Act, §§25-8-101 through 25-8-803, C.R.S., its implementing regulations promulgated thereto and the Permit.

Furthermore, the Division hereby orders the Town to comply with the following specific terms and conditions of this Order:

30. Within thirty (30) calendar days of receipt of this Order, the Town shall submit all delinquent DMRs as well as records of its effluent discharge monitoring at the Facility for the period from April 1, 2012 through the date of this Order. The records shall include all laboratory data reports, all field measurement reports, and all calibration and maintenance records, including all other information required to be retained by Part I.E.d. of the Permit. The records shall be summarized in Excel format and shall be clear and understandable.
31. The Town shall immediately initiate measures to ensure complete DMRs are submitted to the Division pursuant to the terms and conditions of the Permit. Within thirty (30) calendar days of receipt of this Order, the Town shall submit a written plan and certification to the Division outlining the Town's actions to ensure that accurate and complete DMRs are submitted to the Division by no later than the 28th day of the month following the end of a monitoring period.
32. Within thirty (30) calendar days of receipt of this Order, the Town shall retain the services of a qualified individual or entity experienced in RO concentrate wastewater treatment to perform an evaluation of the Facility and recommend measures to ensure adequate treatment is provided such that all Permit-required effluent limitations, including potentially dissolved selenium, are reliably and consistently met, and that the Facility complies with all other terms and conditions of the Permit. The evaluation shall include, but not be limited to:
- a. An evaluation of the personnel requirements and qualifications for the operation and management of the Facility, including an evaluation of each individual's role, duties, and responsibilities in ensuring the proper operation and maintenance of the Facility;
 - b. An evaluation of influent pollutant concentrations for all parameters/pollutants and what techniques or technologies may be utilized to consistently comply with the Permit limits;
 - c. An evaluation of whether the Facility's system as a whole can consistently comply with the limitations of the Permit.
33. Within forty five (45) calendar days of the receipt of this Order, the Town shall provide documentation to the Division that it has retained the services of the qualified individual or entity

described in paragraph 32. The documentation shall include at, a minimum, a copy of the individual or entity's qualifications and a copy of the written contract or agreement for such services, including a copy of the scope of services to be provided.

34. Within ninety (90) calendar days of receipt of this Order, the Town shall submit to the Division a final report summarizing the findings of the evaluation identified in paragraph 32 above. Along with the findings of the evaluation, the report must identify, for each criterion, specific short-term and long-term measures that will be taken by the Town to rectify deficiencies identified by the evaluation so that the Facility consistently produces effluent that meets the limitations identified in the Permit. For each short-term and long-term measure identified, the Town shall also submit a time schedule for completion of each measure. The measures and time schedule submitted shall become a condition of this Order, and the Town shall implement the measures and time schedule as submitted unless notified by the Division, in writing, that alternate measures and/or time schedules are appropriate. If the Division imposes alternate measures and/or time schedules, they shall also become a condition of this Order.
35. The Town shall submit written monthly progress reports to the Division outlining efforts taken to achieve compliance with this Order. The first report shall be submitted to the Division on or before August 1, 2014 and subsequent reports shall be due every month thereafter on the 1st day of the following month. At a minimum, each report shall outline activities completed in the previous month and planned activities for the next month to remain in compliance with this Order. The progress reports shall be required until closure of this Order or until the issuance of written notice from the Division that the reports are no longer necessary.
36. If the Town becomes aware of any situation or circumstances that cause the Town to become unable to comply with any condition or time schedules set forth by this Order, the Town shall provide written notice to the Division within five (5) calendar days of the Town becoming aware of such circumstances. The Town's notice shall describe what, if any, impacts will occur on the Town's ability to comply with the Colorado Water Quality Control Act and any impacts on the remaining conditions and/or time schedules specified by this Order, and what steps are being taken to mitigate the impacts.
37. All documents submitted under this Order shall be under the signature of the Town, shall use the same titles as stated in this Order, and shall reference both the number of this Order and the number of the paragraph pursuant to which the document is required. Within thirty (30) calendar days of receiving Division comments on submitted documents, the Town shall revise the submitted document(s) to properly address the Division's comments and resubmit the document(s) for Division review.

NOTICES AND SUBMITTALS

For all documents, plans, records, reports and replies required to be submitted by this Notice of Violation/Cease and Desist Order, the Town shall submit an original and an electronic copy to the Division at the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division / WQCD-CWE-B2
Attention: Eric T. Mink
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530
Telephone: (303) 692-2312
Email: eric.mink@state.co.us

For any person submitting documents, plans, records and reports pursuant to this Notice of Violation / Cease and Desist Order, that person shall make the following certification with each submittal:

“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.”

OBLIGATION TO ANSWER AND REQUEST FOR HEARING

Pursuant to §25-8-603, C.R.S. and 5 CCR 1002, §21.11 you are required to submit to the Division an answer affirming or denying each paragraph of the Findings of Fact and responding to the Notice of Violation. The answer shall be filed no later than thirty (30) calendar days after receipt of this action.

Section 25-8-603, C.R.S. and 5 CCR 1002, §21.11 also provide that the recipient of a Notice of Violation may request the Division to conduct a public hearing to determine the validity of the Notice, including the Findings of Fact. Such request shall be filed in writing with the Division and include the information specified in 5 CCR 1002, §21.4(B)(2). Absent a request for hearing, the validity of the factual allegations and the Notice of Violation shall be deemed established in any subsequent Department proceeding. The request for hearing, if any, shall be filed no later than thirty (30) calendar days after issuance of this action. The filing of an answer does not constitute a request for hearing.

FALSIFICATION AND TAMPERING

Be advised, in accord with §25-8-610, C.R.S., that any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Colorado Water Quality Control Act or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this article is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

POTENTIAL CIVIL AND CRIMINAL PENALTIES

You are also advised that any person who violates any provision of the Colorado Water Quality Control Act (the "Act"), §§25-8-101 to 803, C.R.S., or of any permit issued under the Act, or any control regulation promulgated pursuant to the Act, or any final cease and desist order or clean-up order issued by the Division shall be subject to a civil penalty of not more than ten thousand dollars per day for each day during which such violation occurs. Further, any person who recklessly, knowingly, intentionally, or with criminal negligence discharges any pollutant into any state waters commits criminal pollution if such discharge is made without a permit, if a permit is required by the Act for such discharge, or if such discharge is made in violation of any permit issued under the Act or in violation of any Cease and Desist Order or Clean-up Order issued by the Division. By virtue of issuing this Notice of Violation / Cease and Desist Order, the State has not waived its right to bring an action for penalties under §§25-8-608 and 609, C.R.S., and may bring such action in the future.

RELEASE OR DISCHARGE NOTIFICATION

Pursuant to §25-8-601, C.R.S., you are further advised that any person engaged in any operation or activity which results in a spill or discharge of oil or other substance which may cause pollution of the waters of the state, shall notify the Division of the discharge. If said person fails to so notify, said person is guilty of a misdemeanor, and may be fined or imprisoned or both.

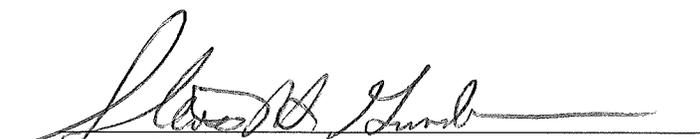
EFFECT OF ORDER

Nothing herein contained, particularly those portions requiring certain acts to be performed within a certain time, shall be construed as a permit or license, either to violate any provisions of the public health laws and regulations promulgated thereunder, or to make any discharge into state waters. Nothing herein contained shall be construed to preclude other individuals, cities, towns, counties, or duly constituted political subdivisions of the state from the exercise of their respective rights to suppress nuisances or to preclude any other lawful actions by such entities or the State.

For further clarification of your rights and obligations under this Notice of Violation / Cease and Desist Order you are advised to consult the Colorado Water Quality Control Act, §§25-8-101 to 803, C.R.S., and regulations promulgated thereunder, 5 CCR 1002.

Issued at Denver, Colorado, this 7th day of May, 2014.

FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT


Steven H. Gunderson, Director
WATER QUALITY CONTROL DIVISION