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Bret Linenfelser	City of Boulder		Additional time is needed to evaluate the effects of Regulation 85 requirements and to also collect additional instream data to support state-wide or site specific numeric nutrient criteria.	Boulder would support a TIN reduction to 10 mg/L to help show progress. Also, Boulder would support other facilities being covered under Regulation 85.		Additional time would be beneficial to dischargers and the hearing process.	Developing a state-wide approach first is preferable and should include flexibility to allow site-specific conditions to be considered in the basin hearings.	Developing sector specific variances that would focus only on small or non-mechanical wastewater treatment facilities is not a priority. At some point even the small/non-mechanical facilities need to make progress in the level of treatment, and not just for nutrients.	Implementing nutrient reduction requirements for true nonpoint sources is critical to attaining proposed interim nutrient values. This should be high priority.	Thanks for the open process and willingness to consider input from the regulated entities.
Philip Russell	As a citizen scientist	So groups do not have to make multiple adjustments	We only have good scientific data on a few watersheds ... so far		The direct linkage between Chlor a and other biological growth, and nutrients is still pretty fuzzy		The watersheds are not the same			
Roger Sams	GMS, Inc.			Do not reduce the TIN effluent limit to 10 mg/l in the 2017 RMH as shown in the draft Roadmap. Setting goals for effluent levels less than the 15 mg/l TIN and recognizing those facilities that achieve those goals in a meaningful way would be more effective than reducing the regulatory limits. Recognition from peers, regulatory agencies and the public for excellence in wastewater management is more effective to show progress than threat of penalty and mandates by a governmental regulatory agency to perform at specified levels. The approach described below may appear absolutely ridiculous and frivolous, but, based on the professionalism and pride of the wastewater management operators and their facilities, I believe it to be effective. First step...establish a time line over which facilities will be evaluated; i.e. the Reg 85 reporting year 2018 (after the 2017 Reg 85 RMH), reported in April 2019. Establish a simple but effective recognition with "First Place Awards," and a		Establish the time line at 12 months. There would need to be an intensive "draft criteria" workgroup and/or forum so it really is firm and "accepted" criteria, just not yet adopted and effective. Alternatively, do a good job of developing the "draft criteria," go to RMH within 6 months, but make the effective date of the application of the WQS and WQBELS two years after the WQS is adopted by the WQCC. Permits issued after that trigger date would have WQBELS from that criteria.	Consider required WQCD resources, WPCRF resources and design & construction resources. Separate adoption in the basin RMHs rotating schedule makes better use of limited resources.	For all but the handful of "largest" utilities in the state, we envision the feasibility to be primarily economic; aside from the severe shortage of qualified water professionals. Development of universally applicable feasibility information, and finding acceptance by EPA, would enhance the effectiveness of the use of local, state and national resources, i.e. money and talent. Feasibility MUST include the recognition and "roadmap" to sustainable solutions; the "insatiable beast" we know as "wastewater management" will be at the feed trough everyday.	In our opinion, the point sources are easy to control in comparison to non-point sources; other than maybe in areas of concentrated OWS/ISDSs. Demonstrating progress by looking at nutrient loading from nonpoint sources to classified waters is very likely to be sporadic, erratic and only recognized over a long time horizon, 20+ years.	Thanks for the opportunity to comment.

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				<p>recognition event with the press, including national professional publications, for all of the facilities with a 12-month median TIN less than 10 mg/l. For the following year, do the same, but add First Place Awards with a "Silver Star" (or some such incremental award) for those facilities with a 12-month median less than, say 7 mg/l. Proceed the next year to recognize these two groups PLUS those with the 12-month median less than 5 mg/l. Follow that with the same deal but the Gold Star Award for less than 3 mg/l performance.</p> <p>Any increase in the number of facilities in each group each year would be a very obvious sign of progress, without backsliding. If the number of facilities in each "category" remained static, that tells a lot...then attack those recognized issues with the CWP team members, not the AAG assigned to the Enforcement Unit.</p> <p>This would precede the implementation of WQBELs for nitrogen and phosphorus.</p> <p>Cost to the Division...almost nothing except obligating WQCD and/or WQCC personnel to take part in the encouragement and recognition of excellence in wastewater management. Let the WWUC and WQF run the program under a WQCD/WQCC task force of 3 or 4. What facility that has received an award of any kind from RMWEF doesn't have it prominently displayed at the facility?</p>						

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				Very, very few !! The Division, and WQCC, has already made a determination of the broad scope effect of the facilities with permitted discharges greater than 1 mgd. Keep the course with that approach. Those facilities less than 1 mgd...leave them alone to consistently attain secondary limits and ammonia control.						
										Will Regulation No. 85 Section 85.5.(1)(a) "(ii) Delayed Implementation of Effluent Limits The numeric limits in subsections (iii)(a) and (b) below will not be included in preliminary effluent limitations for Site Location and Design Approvals or in effluent limitations in CDPS permits prior to May 31, 2022 for the following categories of dischargers:" be extended to 2027?
rob fleck	svsd			Wastewater plants are not the only source of the problem. More effort and resources need to get all discharges and run off to be part of the solution. Meaning everyone needs to do their part and yes that means putting up their share, money, and not seeking handouts. By comparison, many WW MSFs are lower than a cell phone bill. I agree reducing technologies efficiencies should be what drive, develop and set limits.		Only if the draft is an actual, realistic, proven attainable value. If an RO plant was put on every WW plant, what would you do with the rejects and what would be the stream water quality? Would the other dischargers then be regulated?	The current system mimics a divide and conquer approach. However geology, population and costs are likely individual to each basin.	A system needs to be in place. Latitude in the Division to authorize variance.	See #3	Make S.M.A.R.T. goals
Todd Fessenden	Town of Erie	It would make sense to know all the potential regulatory impacts before utilities embark on costly capital projects and planning.		Lowering the limits on TIN is problematic as many facilities have already begun design and/or construction to meet the limits established when Regulation 85 was adopted. If including	This should be more of a site specific criteria.	This would be helpful.	Each basin is different and it makes more sense to continue the basin approach, starting with the most impacted basins first.	It may make sense to have dischargers develop feasibility criteria and present that information to the Division/Commission.		Planning for nutrient reductions is a multi-year effort for utilities and can be a significant economic burden on communities (especially small ones). Timelines

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				more facilities would increase timing of needing to comply with Reg. 85 this would also be difficult for smaller facilities that are aiming for a 2022 implementation or even smaller facilities that have not previously expected to fall under this regulation. Focusing more effort on non-point sources would be a better enhancement.						should be adhered to and data should be reviewed to demonstrate success of existing regulations prior to changes or enhancements.
		This seems important in terms of treatment technology trade-offs; however, selenium has some additional problematic aspects that may warrant its own hearing. I agree that coordination/holistic approach is needed though.	The selenium-related fish study in Colorado is very important and sufficient time should be allowed to finish that study prior to the selenium hearing.	It seems that further analysis of data being collected as part of the existing Reg. 85 requirements and synthesis reports on these findings with recommendations for the next hearing could show incremental progress. Given the uncertain regulatory climate, this seems type of progress seems valuable and sufficient.	I have some concerns with the instream chlorophyll-a criteria downstream of dischargers that I think warrant further study. This additional study could be part of incremental progress. On the lakes topic, is there evidence that these values need to be refined?	This seems very constructive.	It seems this would provide the most synergy among affected parties and increase efficiency for the Division.	Could this also be counted as part of incremental progress?	Nonpoint nutrient reduction is important, but WWTP discharges are still the controlling input on many streams.	
michael billingsley	east river regional sanitation district									
Laurie Rink	Farmers Reservoir and Irrigation Company	No comment.	The case for delaying criteria adoption for TP, TN, and NH3 may make sense for a number of reasons as discussed in the workgroup meetings. However, if implementation of the Barr Milton TMDL is tied to his delay, then FRICO would be opposed for the reasons stated in our response to question #4. Our position is that there should be no ties between the timing of full TMDL implementation and the timing for stream and river nutrient criteria adoption.	The workgroup process that was initiated to address nutrient issues in Colorado started in 2000 with a draft nutrient plan issued in 2002 and a subsequent revision following in 2004. Colorado has been working on this issue now for sixteen years. That being said, the response from the regulated and non-regulated community (nonpoint) during the 2012 Reg 85 rulemaking verified that most stakeholders had not anticipated the implications of pending nutrient criteria. The 2012 hearing was instrumental in motivating entities to evaluate the feasibility and cost of achieving prescribed nutrient reductions. The hearing also motivated some of the larger, initially affected dischargers to	Again, I will point to the initiation of the nutrient workgroup process dating back to 2000. We have collectively been aware of and working towards workable solutions for nutrient criteria development and implementation for sixteen years. The Barr Lake and Milton Reservoir Watershed (BMW) Association was formed shortly after the nutrient workgroup process started in 2000. After a few years of informal meetings, the BMW Association was formalized in 2005. In the years that followed, a TMDL was developed to address nutrient loading (pH impairment) through the control of TP. The TMDL was a 3rd party effort compiled by the BMW		This proposed approach helps offset the time lost in delaying adoption of Reg 31 criteria for streams and rivers, as currently on the table.		The point source community has made it clear that their investments in nutrient controls should be met with appropriate controls on other sources, including nonpoint. Leaders from the agricultural community have heard this perspective and been motivated by the language in Regulation 85 to take action within their industry. As we are learning, mostly through the efforts of the Colorado Monitoring Framework - Ag Task Force - incremental steps have been taken at various levels to install BMPs for	Thank you for the opportunity to comment. The on-line form and set of questions was very helpful!

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				<p>investigate alternative treatment technologies, including optimization of existing treatment trains. The results, overall, have been both educational and encouraging. In recognition of the amount of time/energy invested to date (since 2000) moving the ball forward along with the more recent advancement in our understanding of what is achievable (based on more intense stakeholder engagement around the Reg 85 hearing), I think history shows that continued regulatory pressure in making incremental improvements is important for Colorado.</p>	<p>stakeholders, submitted to the Division in 2011 and approved in final form in 2013. Nutrient controls are not a new subject to the stakeholders that have been actively engaged in the Barr/Milton TMDL development process.</p> <p>It was clear in the last meeting of the nutrient "delay" subgroup on 1/31/17 that some folks had questions about the interplay between the timing for implementation of the BMW TMDL and adoption of nutrient criteria for lakes and reservoirs. This is a good question and I would like to weigh in on the subject. The BMW TMDL was finalized in 2013, right on the heels of the 2012 nutrient rulemaking hearing. During TMDL finalization, it became obvious that Reg 85 provided a vehicle for implementation of the first phase of TP reductions for POTWs with wasteload allocations (WLAs) specified in the TMDL. There is text in the TMDL describing how Reg 85 would be utilized in this regard. The text further discusses the need for a second phase of TP reductions at POTWs but is silent on how and when that would occur. It was assumed that the second phase of reductions would follow the first set mandated by Reg 85 and would be implemented in individual discharge permits as they rolled up for renewal. Our position is that full implementation of the TMDL should not be</p>				<p>nutrient reductions, monitor the outcomes, and make this information widely available to the ag community. Efforts are now underway through the Ag Task Force, CLEAN center, Colorado Department of Ag, Colorado Conservation Districts, and others to disseminate Reg 85 information, BMP information, etc. to producers in an effort to encourage wider participation in control measures. We have also heard that conversations are underway to determine whether a statewide incentives program for voluntary participation in nutrient reductions makes sense. It is important to maintain the momentum already developed through our collective efforts to keep the ag sector focused on this topic and making progress towards reductions. I rated this a "4" in recognition that progress may come slower with this sector as compared to others because of the time needed for just basic outreach and education on the issues to be effective.</p>	

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					<p>tyed unnecessarily to Reg 31 adoption of nutrient criteria, particularly if any portion of criteria adoption is delayed. That being said, it would be helpful to POTWs to know the in-lake endpoints that would need to be met for both Reg 31 TN and TP values as they proceed with facility planning. The in-lake nutrient criteria will likely be more controlling than in-stream nutrient criteria, so we favor maintaining the current schedule for adopting in-lake criteria in 2022.</p>					
Rich Fabbro	Pueblo West Metro District			<p>Lowering TIN limits from 15 to 10 mg/L, would be an additional 50% TIN removal imposed on technology based effluents, most of which would not be able to afford plant upgrades to meet these stricter TIN limits. Expansion of Reg 85 will only delay the process.</p>	<p>Additional, unnecessary and costly regulation to try and control these nutrients.</p>					
Mindi May	CPW	<p>From a perspective of developing criteria (not treatment) it is not necessary to develop these concurrently. Would it be possible to do the variance package for these parameters first (2024/ or 2025?), and then update the criteria in three separate hearings in 2025/2026/2027?</p> <p>None of these parameters are "typical" pollutants, and we are concerned about having adequate resources to participate in simultaneous criteria development for all of these parameters. For TP and TN, CPW has been impacted by HABs, algal toxins, excessive algae growth in streams. We have been collecting data on limiting nutrients, and algal toxins that will be useful for criteria development. For</p>	<p>We support taking additional time to address data gaps, complete a thorough analysis, and allow time for stakeholder input.</p>	<p>We agree it is important to continue to show progress in treating nutrients. We would prefer to see a reduction in TIN from 15 to 10 mg/L. We believe this approach is more likely to result in measurable improvements to the most impacted waterways (ex. Cherry Creek Reservoir).</p>	<p>CPW's manages several lakes and reservoirs that have drinking water and recreational resources affected by excessive algal growth and algal toxins. CPW is also receiving an increase in complaints from anglers about excessive algae growth in streams, and we have investigated an algae bloom affecting angling in the White River. It is important to have criteria to address those issues as soon as reasonably possible.</p>					<p>We are generally supportive of the long-range planning reflected in the draft roadmap. Thank you.</p>

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		ammonia, CPW is working to collect information on mussel distributions. For selenium, CPW has been collaborating with WQCD and CSU to study selenium toxicity in fish species in Colorado that have not been tested, and to study selenium transfer in stream and lake food chains. We would prefer not to have simultaneous criteria development and/or hearings for these parameters so we can fully participate in all three.								
		Overall it probably makes sense to develop these criteria at the same time to make better use of resources and provide some certainty for dischargers. However, my company is probably most interested in selenium criteria and not as interested in nitrogen, phosphorus, and ammonia.	The delay obviously provides additional time to develop appropriate criteria for Colorado.	It seems that there needs to be more discussion on the reduction from 15 to 10, as not all dischargers were comfortable with this approach, before this option should go forward. No opinion currently on including more facilities.			Adopting the criteria in all basins concurrently as it is adopted in Regulation No. 31 makes sense from a resource perspective.		It seems that nonpoint sources are a contributor and should be addressed in addition to point sources.	It is appreciated that the Division took some time to think about how this process could be done better and make the most of everyone's limited resources, but still make progress towards the goal of nutrient reduction.
	City of Northglenn	Most of these constituents have direct impacts/interactions to one another. Thinking of the pollutants together is a better approach for realistic management and improved outcomes. Also, consider including chl-a for streams to the list at the same time.	Delay is supported to measure stream response to reductions related to implementation of Reg 85. It is unclear whether by "delay" the division is referring to the 2025 or 2027 timeframe. When considering the effect on discharge permits, more time allows for better planning, budgeting, and improved technologies.	Northglenn does not support reducing the TIN limit to 10 mg/L, unless the division can provide proof that the reduction would significantly improve in-stream water quality. Though we generally support increasing the number of facilities, please define what would be included in "more facilities". It is difficult to measure water quality progress for both the POTW (optimization) and in-stream when a group of wastewater facilities are not sampling. Additionally, there is a fraction of plants that are supposed to be sampling but are not complying. A watershed approach only works if all the pieces of the puzzle are accounted for. Northglenn suggests providing assistance &/or potentially increasing compliance enforcement for these plants. If smaller plants cannot afford the expense of analyses,	Comments related to lakes: The presence/abundance of chl-a is influenced by many factors including internal loading, depth of light penetration, algae species, presence of zooplankton, etc. Reg 85 and Reg 31.17 address source water protection. Current mechanisms for addressing internal loading such as aeration or mixing are not consistently effective and their M&O costs are high. Northglenn is interested in working with division staff and other interested stakeholders on a way to more easily use alum or other means to address internal loading. Other suggestions include: phasing-in lake standards, beginning with DUWS and reservoirs upstream of POTWs; addressing HABS simultaneously; and considering exceptions for extreme weather	Great idea. Some of these issues are so complex and contentious, this would give plenty of time for stakeholders to come together and compile data to generate pragmatic and science-based solutions.	We do not understand what the benefit (to division or regulated community) would be. This scenario seems as though it could cause increased work load to division staff.	Not sure what the benefits or consequences would be for this. Also, it seems as though multiple definitions are used for 'sector', please clearly define. During the January stakeholder meeting, sector was defined as multiple DSVs in one geographic region, but here it is used as a treatment technology. It is also used for SIC codes.	This is consistent with a watershed approach, which Northglenn supports. It's important to characterize and acknowledge non-point source contributions to nutrient loading, both in streams and lakes. Northglenn supports science-based regulatory decisions. This can only be accomplished when there is data on all potential sources.	It is important when adopting regulations to consider all impacted factors, including facility operation and maintenance, staff training, budget constraints and timeframes, future population and climate changes, etc. Northglenn also wants to acknowledge the effort that division staff has made toward engaging stakeholders to tackle this urgent and complicated issue. Thank you!

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				perhaps larger facilities would be willing to run analyses for them at a reduced rate. Northglenn supports the divisions/stakeholders ideas for enhancing Reg 85 including: monitoring at more facilities representative of more regions, addressing NPS & agriculture, adding PELs eligibility and SIC 20 facilities, and enhancing trading options.	circumstances. Comments related to streams: Periphyton growth is influenced by multiple ecological factors in addition to nutrients. For example, a sampling site on the stream that Northglenn discharges to largely meets the TP and TN values based on a preliminary review of 2000-2015 data. Furthermore, the MMI scores meet or are better than those outlined in Policy 10-1 at this sampling site. However, based on photo comparisons, it does not appear that the proposed 150 m2 standard would be met at this site. Northglenn proposes that, since periphyton is considered a response variable, a chl-a standard not be adopted if stream nutrient standards are met.					
Michael McCrary	City of Loveland WWTP	These constituents will require complex and expensive methods for removal. Disposal of these constituents is also a concern. Dealing with this issue pollutant by pollutant will be much more time consuming, expensive and create larger room for error due to differing technologies installed at different times.	As my comments above demonstrate, these are very complex and interactive processes and removal and disposal must be well understood before massive expense is expended for unproven methods. Additionally, the effects of current removal efforts are not yet understood.	As stated above, the effects of current removal efforts are not yet understood. Some facilities are still in design and construction to meet the recently enacted limits. Will they actually provide an increase in water quality concurrent with the much increased cost to customers? That is not yet known and the results of these efforts are what should drive Reg #85 enhancements, not that some anticipated yet unknown improvement is being made.	Within 500 yards of our mixing zone the receiving stream is covered with overhanging trees that drop leaves in the stream to breakdown. With in a mile are pastures where cattle stand in the receiving stream and add their nutrient load. These non-point type issues are very prevalent in our state and holding a point source discharger responsible for the water quality in a lake miles from their discharge point does not seem to be the most efficient way to address this issue.	This is very beneficial to all parties. Discussion and dissent may increase but a better, more encompassing, and yet more attainable rule will hopefully result.	That depends. Will the basin by basin approach really be that and take an open look at the differences a particular basin from all other basins and create rules solely for that basin? Or, will the methods and decision making parameters become established in the first few basins and all following basins will end up with little room for basin specific rules? In that case the statewide approach may be better so later basins have more lead time to prepare for the criteria adoption process.	Feasibility options are crucial for responsible for intelligent and effective rule making. It should have been formally defined and used many years ago.	I believe, in our state and particularly outside the I-25 Northern corridor, non-point source nutrient contributions to our water ways are now currently larger than all non-point sources. We have made much progress with point source facilities including feed lots and upgraded lagoon facilities. As I stated earlier, a point source contributor cannot ensure the water quality of a water supply entering a lake miles away. Implementing non-point source nutrient will have a much larger impact on that	

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									than a WWTP 15 miles upstream.	
Ken Rutt	City and County of Broomfield	Given the treatment challenges and difficulties related to Colorado's specific issues, this approach seems appropriate.	It is critical to take into account the capital costs associated with several of the recent water quality standards adopted (e.g., temperature) as well as local issues such as odor control.	In 2001 we started construction to upgrade our treatment facility from secondary treatment to a 3 stage MLE BNR treatment facility. This upgrade has been very successful in meeting the ammonia standards but has limitations in how much TIN we can remove. In 2016, our influent ammonia max month was 37.4 mg/L and TKN was 53.5 mg/L. Given the technology limits of the 3 stage MLE of 60 to 70% TIN removal we are limited to 14.96 mg/L at 60% and 11.22 mg/L at 70% removal efficiency. Therefore, the reduction from 15 mg/L to 10 mg/L will require significant capital investment. The length of any compliance schedule will be very important.	We have two discharge points, 001 Big Dry Creek and 002 Great Western Reservoir. It is critical for the Division and stakeholders to understand implementation issues and challenges before criteria are adopted by the Commission. The acceleration of lake criteria is a major concern because the criteria could result in replacing the Regulation 85 effluent limits with much more stringent QBELs. In our case, Great Western is solely a irrigation storage reservoir with no public access, fishing or water contact. For chlorophyll-a, it is important to understand how this standard would be implemented. It seems prudent to use TMDLs as the primary tool for implementing the chlorophyll-a standard due to the difficulty of modelling whether algal growth is related to the discharge of pollutants.	Extremely important given the significant capital expenses. The earlier, the better.	Given the resource demands and staffing limitations both at the Division and local municipality, a basin approach would allow time for the development and consideration of site-specific data. Therefore, the resource demands are likely to be very high if all are addressed in a single hearing. In addition, it is likely to be especially important for warm-water lakes.	This is very important since the criteria (nutrients, ammonia, and selenium) are likely to be associated with serious feasibility problems.	The new MS4 permits have just been issued and need some time to evaluate the effectiveness of the new permits. Public education and buy in will be important in achieving progress.	
Lisa Hollander	Metro Wastewater Reclamation District	The Metro District appreciates and supports the Division's development of a holistic approach to developing criteria, as water quality issues continue to become more complex and interrelated. The District also recognizes that nutrients are a primary regulatory concern for all water bodies in Colorado and the nation and believes that criteria for nitrogen, phosphorus and ammonia should be developed concurrently. Because not all streams have selenium issues, concurrent development of selenium criteria should be	The Metro District believes that a delay in adopting criteria for total nitrogen (streams), total phosphorus (streams), ammonia (all water bodies) is critical to enabling continued progress toward nutrient reduction in Colorado. At this time the Reg. 85 technology-based values are not incorporated into a majority of the CPDS permits in the state, and most treatment entities are still in the planning stages of identifying the best treatment processes for their facilities. Extending the timeline for identification	The Metro District supports the enhancement of Reg. 85 during the proposed delay in order to show incremental progress. The District is encouraged by the Division's initial ideas for enhancements and is looking at additional options to propose. The District looks forward to seeing a legal analysis of these incentives with regard to QBELs. Additionally, the District believes that the existing DSV framework is more than adequate to fulfill the intent of the waivers proposed in these incentive options.	The District agrees that some level of implementation of TP and TN to lakes is needed and recommends that the first step would be to apply TN and TP number in lakes and reservoirs located above dischargers. This "headwaters approach" is not a new concept considering the implementation of TP in rivers/streams. Implementing TP and TN in lakes above discharges would show incremental progress in the application of nutrient standards in	The Metro District supports the Division's intention to provide draft criteria to stakeholders well in advance of the initiation of the rulemaking process. More time for collaborative evaluation and discussion will result in more appropriate and scientifically-based criteria.	The Metro District believes that the current process of adopting new criteria in the basins on a rotating schedule is preferable to statewide adoption as proposed by the Division. Consideration of criteria in each basin provides the opportunity to identify and address the unique and site-specific characteristics of each basin and to identify potential issues as they arise during the rulemaking process. The District believes that statewide adoption will	The Metro District strongly supports the development of treatment technology feasibility information, and believes that this information is critical at all stages of DSV development and implementation.	There can be no question that nonpoint sources of nutrients are the most significant unaddressed source of nutrients to water bodies throughout Colorado and the rest of the country. As treatment facilities implement nutrient reduction technologies, the proportion of their contribution to related water quality issues will diminish and be redistributed	

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		considered only where it is an issue.	and development of technology-based solutions will enable continuous progress toward the State's water quality goals. See also response to Comment 1 regarding selenium.		Colorado, allow time for development of appropriate stream nutrient criteria, and provide regulatory certainty to move toward developing facilities to meet Regulation 85 numbers.		result in more confusion and additional work for the Division as these basin-specific issues appear.		to nonpoint sources. As an example, phosphorus loading to Barr Lake prior to 2012 was dominated (87%) by wastewater discharges, while storm water (MS4) contributed only 3% of the 70,376 kg/yr annual load. Once the Barr Lake TMDL is fully implemented and wastewater phosphorus is reduced by 95%, storm water becomes the largest source of phosphorus: 36% of the reduced annual load of 4,866 kg/yr. This redistribution of the phosphorus loading also applies to the S. Platte River as the Metro District treatment improvements progress. Reducing nonpoint source contributions as point sources are reducing nutrient loads will result in both significant incremental progress and a more defined assessment of where issues remain and additional reductions may be needed.	
			Obtaining representative stream analysis to gauge the impact of the top 44 wastewater effluent dischargers AFTER all nutrient improvements were made was the original intent of Regulation No. 85. Since ALL the improvements for all 44 dischargers will not be complete until June 2019, there needs to be ample time to evaluate their impact on receiving streams	Before the enhancement is even considered, the impacts of the current Regulation No. 85 effluent limits needs to be evaluated. There is not even credible evidence that the proposed Regulation No. 85 OR 31 limits will have a beneficial impact on receiving streams (see WERF report for Boulder Creek)						

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			before any consideration to implementing Regulation 31 effluent limits is considered.							
Tad Foster	None			Reducing TIN from 15 mg/l to 10 mg/l is not as easy as it sounds. As an incremental step, it is a big step and a change to 13 mg/l maybe more an incremental step without triggering major structural changes. It is more of an optimization. An expansion to other dischargers could be limited to those in high recreational mountain streams, in particular with rafting, Blue Medal fisheries, Scenic Byways.	DUWS lakes should be the top priority. Chlorophyll a adoption should be limited to cold water streams with cobble beds. Chlorophylla adoption should not be for the sandy bottom streams, as the sampling protocol does not apply there. On a risk assessment basis, the mountain streams should be evaluated first, as the standard is derived mostly from such streams in Montana.	With a target and rationale, this will enable dischargers to budget to obtain expertise, data, and analysis on the appropriateness of the standards, as well as the need for DSV applications. If multiple parameters are in the mix, then more time to evaluate each of them and their treatment consequences will be needed.	This may not be the correct choice. The evaluation must be whether adoption of the statewide standard and then subsequent basin opportunity to derive site specific standards or obtain DSVs puts a greater burden of proof on the discharger, than having the Reg 31 standards and a Basin hearing to adopted the TVS or a site specific standard in lieu of it. While the Division is seeking to be efficient in its use of its resources, some scenarios should be tested to see it that really will work. I would be concerned that the subsequent basin hearings will be a repeat of the statewide adoption hearing but in the context of a site specific standard. There should not be a presumption of propriety for the statewide standard in the second hearing. Rebuttal of the state wide standard should be on an equal footing with the alternative proposal.	This is a great step forward in recognizing that the more stringent standards are not treatable with most of the current technology, and that adoption of the TVS might be in conjunction with a DSV or other similar measure.	There should be an opportunity to trade or combine NPS control with REG 85 controls. This maybe more pollutant effective and cost effective. It may enable reductions in the time and place where they count. The great strength of a Regulation 85 approach rather than a Reg 31 standard is that trading could be combined. However, if lakes are first addressed, then downstream sources such as NPS could also be a part of the loading reduction mix where trades and cost-effective load reductions are material and relevant.	
Julie Tinetti	Centennial Water and Sanitation District	This is appropriate because of the treatment challenges and difficulties developing criteria tailored to Colorado specific issues.	We need time to be able to learn how to run our WWTF after Reg. 85 improvements are complete (2020) and also be able to address other compliance issues associated with temperature, copper, and iron too.	Centennial would be fine with either approach the division has outlined. We are able to meet 10 mg/l TIN with our Reg. 85 improvements. In addition, a delay in adopting criteria may encourage development of innovative approaches such as treatment process optimization and identification of trading opportunities.	Both of these proposals accelerate the adoption of standards compared to the Commission's plan in the 2012 Nutrient RMH. For lakes criteria, it is critical for the Division and stakeholders to understand implementation issues and challenges before criteria is adopted by the Commission. For chlorophyll-a, it is important to understand how this standard would be implemented, if at all, in sandy bottomed streams. It	The earlier, the better!	Nutrients are likely to lead to multiple site specific/DSV proposals. Because of this, the resource demands for the Division and stakeholders are likely to be very high if all are addressed in a single hearing. This is especially true if the Division plans to conduct a new analysis and revisions to interim values to lakes and reservoirs in addition to site specific information for lakes and reservoirs as the EPA "approval" letter	This is very important since the criteria (nutrients, ammonia, and selenium) are likely to be associated with serious feasibility problems.	As Metro Wastewater has already vocalized, WWTF cannot achieve Regulation 31 nutrient limits (or similar low limits) without nonpoint source reductions.	

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					<p>is also important to understand the implementation of chlorophyll-a standard once adopted. Temperature, flow, and light are important factors in the formation of attached algae and the relationship to nutrient enrichment is complex. Adopting lake criteria earlier worries us a lot since this could result in replacing Regulation 85 effluent limits with much more stringent WQBELs for some facilities. Also, as I mentioned in the last subgroup meeting, how does this work with the Barr Milton Watershed TMDL??</p>		<p>requires. A basin approach would allow time for the development and consideration of site specific lake data, which is likely to be especially important for warm water lakes.</p>			
Blair Corning	South Adams County Water and Sanitation	<p>The multi-parameter perspective is important when considering treatment upgrades. Plants have large capital outlays for upgrades and process changes and the more information about all criteria that will translate into permit limits the better the planning and eventual product will be. River health can also be assessed more accurately when a holistic look at the stream or lake is modeled.</p>	<p>We have recently undergone major upgrades at our plant to meet Regulation 85 limits. I think the 5-year time delay allows a period for upgrades to take place allowing for more accurate assessment of the benefits. This information can go a long way in formulation of the ultimate nitrogen and phosphorus criteria.</p>	<p>I believe that incremental progress is being achieved through permits, watershed monitoring, education of the public about the effects of nitrogen and phosphorus, as well as training of operators to run the new complex treatment processes that will be necessary. I believe the reduction from 15 mg/L to 10 mg/L for inorganic nitrogen would be problematic for many treatment plants. Although the Reg 85 data may make it look relatively easy to achieve the 10 mg/L limit, I think it is deceiving. This is based on sampling schedule differences, and the basing of permit limits on the max discharge at lowest flows. Another complicating factor is the fact that plants must design to meet well-below 10 mg/L if the limit is 10 mg/L to include a necessary margin of safety. I think progress should be shown by increasing the breadth of improvements</p>	<p>Lakes are filled by rivers and streams and are tied to them not only through those flows but through TMDL's and modelling and permit limits. I think a cautious approach to nutrient refinement on lakes should be undertaken or the risk of derailing any planned timeline developed for streams and thereby treatment plants could be high. I think chlorophyll A as a translation of the algal community is a tricky criteria to develop due to the many non-chemical influences and is something that deserves not to be rushed.</p>	<p>More time is better for everyone. It aids planning, gives more time to brainstorm improvements and increases buy-in from stakeholders. I applaud the Division for thinking outside the box and embracing procedures that are different from traditional practices.</p>	<p>I like the current basin approach which allows easing into the criteria. This facilitates learning from the experiences of others. The approach also doesn't take time added on the front-end for monitoring and planning off the back end of the process.</p>	<p>I think this is one of the most important parts of all of this. We live in reality. Sometimes that reality requires variances and exceptions to make general rules align with common sense and rationality. I think there is only upside to developing feasibility information over the next decade. The fields of hydraulics, engineering, and economics can't read rules. They are hard sciences governed by nature not policy. When we forget to account for this, communities can be drastically affected.</p>	<p>I feel this is extremely important. It is known that nutrient pollution comes from nonpoint sources as well as point sources. The fact that there it is not as easy to permit or control nonpoint sources often means limits are focused on point sources but not addressed adequately for nonpoint. This creates a discrepancy within the system and limited improvements within some streams. When the public sees tightening limits and higher rates for wastewater treatment I think they assume other sources are being addressed with the same level of scrutiny.</p>	<p>I believe the process, planning, and communication regarding this issue has been done in an inclusive and well thought out manner. I like the opportunity this form provides, as well as the Division's efforts to seek feedback. Nutrients have been a large looming issue for years. I believe that although there is always sticker-shock over the costs, no one will deny the need to control nutrients. That being said, criteria for the sake of limits does not benefit anyone. Streams that meet the many needs they are used for provides these benefits. That is why taking the extra time necessary to get it right the first time is always a better plan.</p>

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				across plants as well as sectors such as non-point source and stormwater. These sectors are often overlooked when addressing nutrients due the inherent regulatory and technical complexities associated with them.						
Bonnie Pierce	City of Fort Collins	This is appropriate because of the treatment challenges and difficulties developing criteria specific to our discharge locations.	Additional time is critical to complete planned major process modifications; collect sufficient data to determine the resulting reductions in both phosphorous and nitrogen; and begin planning for possible additional capital improvements to meet stream nutrient criteria. It is vital to include sufficient time to inform and gain approval from multiple stakeholders and for budget planning.	The proposal to change the Regulation 85 TIN limit from 15 mg/L to 10 mg/L is of such magnitude that it presents challenges for facilities still undergoing major process changes and conducting optimization. Time is needed to collect sufficient data to determine nutrient reduction results for biological treatment processes that are inherently variable. Our planning has been based on a compliance schedule to reach 15 mg/L TIN as an annual median by 2020 because we discharge to segments without the water supply use, and this proposal represents a substantial change to those plans. We anticipate additional significant capital improvements to provide carbon feeds at 2 facilities should this proposal be implemented. We would recommend that a TIN limit of 12 or 13 mg/L would be more achievable during the proposed timeline.	Accelerating the adoption of lake and reservoir criteria in 2022 will result in stringent nutrient standards 3 years earlier for one of our facilities than the current schedule. Our planning has been focused on meeting the water quality standards for Fossil Creek Reservoir in the next basin hearing in 2025. The acceleration of lake criteria are especially worrying because the criteria could result in replacing the Regulation 85 effluent limits with much more stringent WQBELs. It is important to understand the implementation of the chlorophyll-a standard once adopted. Temperature, flow, and light are important factors in the formation of attached algae, and the relationship to nutrient enrichment is complex. It seems prudent to use TMDLs as the primary tool for implementing the chlorophyll-a standard because of the difficulty of modeling whether algal growth is related to the discharge of pollutants.	The earlier, the better.	We may be looking at a site-specific proposal and/or discharger-specific variance for nutrient criteria for Fossil Creek Reservoir because of the EPA's conditional approval of the interim lakes/reservoirs criteria. We anticipate that other facilities will be presented with this same challenge, and that the resource demands for the Division and stakeholders could be very high if all are addressed in a single hearing. Completion of these tasks by 2022 will present a serious resource drain for affected dischargers. A basin approach would allow time for development and consideration of site-specific data for Fossil Creek Reservoir and not require significant shifting of resources to meet the accelerated schedule.	This is very important since the criteria (nutrients, ammonia, and selenium) are likely to be associated with serious feasibility problems.	It is important that the responsibility for nutrient reduction be shared by both point and nonpoint sources. This could prove crucial to meeting nutrient criteria.	
Dan DeLaughter	Littleton/Englewood WWTP	While it is always helpful to look at the big picture, in our case, the nutrients lake criteria for Barr/Milton are likely to require more stringent discharge limits than the ultimate stream criteria for nutrients and ammonia. The	There is a major lack of site-specific data to support site-specific standards development, particularly for nutrients. For selenium, there has been very little fish tissue sampling work, and data linking water	We have significant concerns regarding the proposal to lower the technology-based effluent limits for TIN from 15 mg/L to 10 mg/L. During the 2012 rulemaking hearing, a technological feasibility	While we recognize that EPA has adopted the lakes criteria, it is important to understand the timeline of how standards development and permits implementation will occur. Adoption of lake criteria	It will be useful to have the draft criteria in advance of the hearing. L/E supports the use of targeted technical groups for criteria development, as long as there is	From a resources standpoint, this approach appears to make sense. The Division should consider how this approach will fit with the permitting by basin approach that has recently been used. It is	L/E supports the streamlining of feasibility assessments to the extent possible, although site-specific information should always be considered.	Very little work has been done to implement nonpoint source controls since Regulation No. 85 was adopted. The workgroup should continue to discuss	Thank you for your hard work and responsiveness to stakeholder input on this issue.

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		concept of concurrent development may need to be looked at more carefully for dischargers above lakes and reservoirs, particularly for selenium and nutrients.	column or fish tissue concentrations to actual impairment of beneficial uses. The workgroup has discussed the need to develop a very clear set of data requirements and sampling protocols that will be needed for site-specific standards development for nutrients. We strongly support this concept.	study was conducted to identify nutrient levels that could be expected to be attained routinely, and at design flow, using Biological Nutrient Removal. Ultimately, the Water Quality Control Commission adopted the standard at 15 mg/L. The 10 mg/L proposal appears to be arbitrary, and was originally presented to the Regulation No. 85 workgroup as being based on the drinking water supply standard. The Division already has the authority to implement the drinking water standard on stream segments classified for water supply, however, implementing the drinking water standard as an end-of-pipe limit is not consistent with the Division's practice of calculating limits based on the available assimilative capacity at critical low flow conditions. Any proposed reduction of the nutrient limits in Regulation No. 85 should be based on the same feasibility, cost, and other considerations that were carefully evaluated by the Commission during the 2012 hearing. For the L/E WWTP, a reduction in the permit limit to 10 mg/L would likely mean significantly higher chemical costs and/or risk of permit violations without significant capital improvements. We appreciate the Division's recognition that facilities may have more trouble meeting more stringent limits at higher design flows; however, based on initial discussions, the Division has not formally proposed any changes to the site application/review process	and chlorophyll-a stream criteria state-wide in 2022 is an acceleration of the schedule that was established in 2012. In the South Platte Basin, these values would not have been adopted into the Basin Regulation until 2025. L/E is concerned that the truncated schedule may not provide enough time to fully understand the stressors and responses in the stream system or within Barr Lake and Milton Reservoir. Lakes that are subject to control regulations such as Chatfield and Cherry Creek have spent many years collecting data in their watersheds and reservoirs, and are just now beginning to put that information to use through watershed and reservoir modeling efforts. It would be unfortunate to initiate a TMDL process based on new nutrient numeric criteria, before we have had adequate time to evaluate the extent and causes of any use impairments and the potential for site-specific standards development.	adequate time for all stakeholders to fully vet the criteria. It seems that the approach of providing advance release of draft criteria will provide that opportunity. The Division should cast a wide net early in the process to identify potential concerns statewide. Technical groups could end up focusing on a narrow set of issues, and other issues could be overlooked as a result.	likely that as water quality standards become more stringent, the Division and Commission will be tasked with reviewing and working on more site-specific proposals, including site-specific standards, temporary modifications, and DSVs. In theory, the basin approach would allow these changes to be incorporated relatively easily into discharge permits, and the basin hearings provided an opportunity for a limited number of proposals to be considered. It is difficult to predict how the statewide approach would impact the workload of the Standards and Permits sections of the Division, but it needs to be considered.		regulatory options that encourage nutrient trading with nonpoint sources. The CSU E-RAMs modeling seems like a promising tool that will help to quantify loads from various types of sources in the state. The lack of work on nonpoint sources further highlights an important issue - that Regulation 85 has not really been implemented yet.	

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				<p>that would accommodate this approach. Proposals that would require a facility to forgo assimilative capacity in order to meet limits would likely be met with strong political opposition, and were not the Commission's intent when it adopted Regulation No. 85; specifically: The Commission respects that municipalities and industries have planned growth and other economic activity around the availability of the existing facility design capacity and that such capacity should not be presumed to be available for removal of nutrients. (Regulation No. 85.15)</p> <p>The Division should recognize the varying stages of implementation of the current Regulation No. 85 requirements. At the present time, very few dischargers have actually been required to implement Regulation No. 85 in their discharge permits. Some permits, like that of the L/E WWTP have not been renewed since the original regulation was adopted. Others have been renewed, but with long-term compliance schedules. For facilities that are currently subject to Regulation No. 85, the Division should provide more data regarding the treatment processes</p> <p>Regarding the expansion of facilities subject to Regulation No. 85, the L/E WWTP does not intend to take a position. However, the modeling work being conducted at CSU through the E-Rams program would probably be a good starting point to determine whether</p>						

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				<p>inclusion of additional facilities would have a significant impact on nutrient levels in Colorado's waters. The Division has recently put forward several alternative proposals for expanding Regulation No. 85. The two incentive options that have recently been presented warrant more discussion. Incentive Option No. 1 would require facilities to develop an optimization plan in order to obtain a waiver from WQBELs for a number of years. Incentive Option No. 2 would require a facility to develop a source reduction plan in return for a similar waiver and extension of the timeline to meet WQBELs. It is unclear to us whether these options are proposed as being in lieu of the two "Exchange options" or in addition to them. It is also unclear whether these proposals were intended to be applied to lake-based WQBELs and also to TMDL-based Wasteload Allocation (WLA). It is noted that Utah's waiver approach includes WLAs. Additionally, the two Incentive Options are likely to be applied subjectively if not bounded by some clear criteria. It is possible that the limitations on requirements under these options could be linked to a second tier of application of the Municipal Screener or some other cost-related criteria.</p>						
Mike Rousey	City of Fort Lupton	It would make the most sense. otherwise facilities will be implementing multiple treatment plant upgrades	Funding and costs for this are a major problem for small communities. A funding mechanism needs to be discussed. If the criteria is known earlier this would			This would allow more input from local communities	A statewide approach could be a problem. If a plant is discharging to a protected segment the statewide levels would either have to be for the	Getting total nitrogen limits as low as Reg 31 levels will require a massive amount of upgrade with little or no impact on receiving waters. Until the	Much of the nutrient levels in our water we have no control over	

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			allow cities to develop funding plans prior to implementation.				worst body of water or negative impacts would be felt on protected waters.	technology catches up and cost/benefits can be seen this presents problems		
	Colorado Monitoring Framework	The CMF appreciates the Division looking holistically at a portfolio of water quality issues over an appropriate development and implementation timeframe. This approach should help reduce unintended consequences (e.g., treatment issue conflicts) that have been associated with traditional "parameter-by-parameter" rulemaking and permitting processes.	The CMF recognizes the need to make progress with respect to nutrients on a statewide basis. To that end, delay in adopting criteria may encourage development of innovative approaches including, but not limited to, treatment process optimization and identification of trading opportunities.	Individual CMF members will provide their unique perspectives on this issue.	The CMF encourages additional discussion on the adoption of nutrient criteria on lakes/reservoirs located downstream of regulated facilities. For example, some CMF members, particularly representatives from smaller communities, are concerned about potential 303(d) listing impacts, e.g., implementation of wasteload allocations that could be in conflict with Reg. 85 technology-based requirements. Based on experiences of some CMF members the aesthetics-based warm water streams chlorophyll a criterion may actually reflect factors other than nutrient (TP or TN) levels since it is a response variable to site-specific conditions, e.g., some stream sites with very low nutrient levels would exceed the chlorophyll a criterion. Additional investigation of such site-specific circumstances likely will be needed. Individual CMF members will provide their unique perspectives on these issues.	Individual CMF members will provide their unique perspectives on this issue.	Individual CMF members will provide their unique perspectives on this issue.	Individual CMF members will provide their unique perspectives on this issue.	Individual CMF members will provide their unique perspectives on this issue.	The CMF appreciates the time and attention that the Division has given to stakeholder concerns during the development of Regulation 85 revisions. Division staff has been responsive and receptive to stakeholder input, which is critical for long-term facility planning as well as development and implementation of appropriate watershed planning activities. Following the Regulation 85 hearing, the CMF encourages continuing discussions on these issues. In addition, stakeholders may want to consider future guidance on the development of appropriate and approvable UAA-based site-specific nutrient standards.
	Aurora Water	Why is it important for the draft roadmap to develop criteria for total nitrogen (streams), total phosphorus (streams), ammonia and selenium concurrently? We are wondering if nitrogen is as big a problem in Colorado as it is in coastal areas? There was a reason why nitrogen had a delayed implementation date in the 2012 hearing and we think	We are assuming the question is asking if a five-year delay for total nitrogen (streams), total phosphorus (streams), ammonia (all water bodies), and selenium (all water bodies) is until 2027. The concern is applying the criteria statewide rather than using the basin hearing schedule	A better way to show incremental progress being accomplished by Regulation #85 is through better analysis of the data and the improvements that have been done to date at facilities, along with what is scheduled to be done at facilities. There has been a lot of progress that should have time to reflect that	Our concern is applying the criteria statewide rather than using the basin hearing schedule that has long been the practice. Also, we are concerned with implementing chlorophyll "a" downstream of dischargers. Many Front Range utilities discharge to sandy bottom shallow streams. We are	We agree that it is a good idea to provide "draft criteria" approximately 12 to 18 months before the rulemaking hearing vs. the current practice of six months, the stakeholders are going to need the extra time.	We don't understand the purpose of adopting criteria in both Regulation #31 and the basins concurrently vs. the current approach of adopting in Regulation #31 and then adopting in the basins on a rotating schedule. Much is learned from each basin and they all have different types of	The question is confusing since "feasibility" is not used in the roadmap. Does "feasibility information" resemble a cost benefit analysis? If so, sounds like a good idea.	It is important to demonstrate progress for nutrient reduction. However a distinction between regulated stormwater (MS4s) and non-regulated, as well as regulated agricultural discharges (CAFOs, e.g.) needs to be clear if that's	We appreciate the opportunity to provide feedback on the DRAFT roadmap and all the work that the sub-group has put into this document. However, we found that the survey questions were confusing. After discussing the survey questions with co-

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		<p>there are still concerns about the division's wish to "show progress" by decreasing the number by a third without adequate stakeholder input. It seems putting all of the criteria together, even with a 10 year timeline, will mean that decisions will have to be made about which criteria are most important. Fish tissue values for selenium are still problematic and there still isn't a water column translator, to our knowledge. Selenium is being discussed on the national level and we haven't heard much about what the division's plan is. Selenium isn't related to nutrients so why would it be important to develop criteria for it along with the others?</p>	<p>that has long been the practice.</p>	<p>progress adequately with the data analysis now and additional analysis in the future before we move the peg as to where everyone should be by changing the TIN requirement. That incremental step would be better accomplished for a future RMH after 2017.</p> <p>We have concern with reducing TIN effluent Limitation to 10 mg/L because many utilities have begun their internal processes for achieving a TIN effluent of 15 mg/L. As the division is aware, public utilities require planning, approval of funds and a vetting of possible candidates to complete the work. In many cases this can take up to a year before construction even begins. How will these instances be handled for those utilities that are already undergoing construction for a TIN of 15mg/L?</p> <p>"Cover more facilities" This statement seems a little vague and will need some clarification. What does the division mean by "cover more facilities"? Are we now including smaller systems into the fray of the regulation? Or are we going outside of the intended regulation to include "new" facilities we originally didn't anticipate this regulation would affect?</p>	<p>unaware of a testing method for collecting specimens in these conditions that would accurately portray the chlorophyll "a" data. Who will collect the data? What will it prove with chlorophyll "a" growth naturally happening in the shallow, sunny streams on the plains?</p>		<p>streams and site specific conditions. With the limited resources at the Divisions disposal, we are a little concerned as to how implementation of these standards into permits will work. Under the current implementation practices, which takes a basin to basin approach, many dischargers have waited up to a year or more before our application is even reviewed. Implementing these numbers across all basins as a onetime approach, could easily cause a backlog of permits.</p>		<p>included in the nonpoint discussion. We would prefer the avoidance of the term nonpoint since it's easily misunderstood and misinterpreted. We do agree with demonstrating progress in the agricultural industry, especially since there are many examples here and nationwide.</p>	<p>workers in order to provide comments we found that we interpreted the questions differently among us. Some of our comments reflect that confusion.</p> <p>We were a bit apprehensive on how best to rank the questions from not important to extremely important without knowing how these rankings will be used or possibly misused. Consequently, we attempted to provide comments and rankings in order to give as thorough perspective of our thoughts regarding the DRAFT roadmap.</p>
Gabe Racz	Vranesh and Raisch, representing Upper Blue Sanitation District	<p>We are not aware of selenium issues for this facility. However, it is useful to consider multiple criteria together because of related treatment challenges and difficulties developing standards tailored to Colorado-specific conditions.</p>	<p>The Division's proposal is based on available resources over the next several years. Regulated facilities also face resource limits on efforts to collect data and to do the analysis necessary to develop site-specific data. This is especially true for the</p>	<p>In the Dillon Reservoir watershed, additional progress on nutrient reductions should be developed and implemented through the existing Control Regulation. UBSD has implemented a successful phosphorus trading program</p>	<p>UBSD operates facilities that discharge directly to Dillon Reservoir and to streams that flow into Dillon Reservoir. For lakes criteria, it is critical for the Division and stakeholders to understand implementation issues and</p>	<p>If the Commission decides to proceed with statewide adoption of criteria in 2022 and 2027, then it will be critical for stakeholders to have more time to review draft criteria. The</p>	<p>It is important for the state to retain the current basin approach. The current basin approach provides an important opportunity to collect and consider site-specific data to determine whether table value standards or</p>	<p>Developing sector-based feasibility information could provide a starting point for facilities to develop variances as necessary.</p>	<p>Nonpoint sources, primarily OWs, are a very important source of nutrients in the Dillon watershed. UBSD has a successful phosphorus trading program based on credits for removing</p>	

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			stream total phosphorus and total nitrogen standards, because the approach to setting criteria is unclear based on the EPA's failure to approve the Regulation 31 interim values.	and has proposed a way to build on this program to implement nitrogen trading. Implementing a nitrogen trading program would result in incremental progress on nitrogen reductions during the proposed delay in developing nitrogen standards.	challenges before standards are adopted by the Commission for specific water bodies. The Division's proposal would accelerate the adoption of lake and reservoir standards, by combining all lake and reservoir nutrient standards in a statewide hearing instead of adopting standards in the regularly-scheduled basin review hearings. UBSD would like more information about whether the adoption of water quality standards in Dillon Reservoir would require the implementation of water quality-based effluent limitations for facilities that are subject to the Dillon Control Regulation (Reg. 71), even though Regulation 85 provides an exception for facilities in control regulation basins. For chlorophyll-a, it is also important to understand the implementation of the standard. Chlorophyll-a growth may be related to factors beyond nutrients, including water temperature, light availability, and growing season length. Therefore a great deal of data may be needed to determine the appropriate phosphorus or nitrogen concentrations to prevent exceedances of the chlorophyll-a standard. Does the Division intend to implement the streams chlorophyll-a standard primarily through TMDLs?	standard rulemaking schedule of 3 to 6 months would be inadequate.	alternative site-specific standards are appropriate for a site. For example, for Dillon Reservoir more data are needed to support an appropriate nitrogen standard.		older OWSs and connecting the residences to sanitary sewer. UBSD has collected data to demonstrate that a similar approach would result in progress in reducing nitrogen in the basin.	
			In light of the EPA's "no action" decision on Regulation 31 TN and TP Interim Values for Rivers and Streams ((31.17 (b), (c)) and Phased Application Provisions	Colorado's nutrient control strategy was initially designed to provide an intermediate step toward reduction of nutrient loading to water bodies from						

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			<p>((31.17 (e), (f), (g)), there is implied uncertainty regarding the appropriateness of the interim standards for protecting beneficial uses. Therefore, it's important that adoption of the interim criteria be delayed at least 5 years while the state's existing nutrient control strategy is revised, or a new strategy set, to address the lack of approved nutrient criteria.</p>	<p>wastewater treatment facilities (Regulation 85) and eventual implementation of Regulation 31 numeric criteria for total phosphorus (TP) and total nitrogen (TN). Regulation 85 is intended, in part, to provide a measurable advantage over implementation of Regulation 31 standards in terms of the timing and magnitude of capital expenditures required by utilities to meet the criteria.</p> <p>Prior to the 2012 Nutrients Rulemaking Hearing, the WQCD revised its Regulation 85 proposal to increase the total inorganic nitrogen (TIN) technology-based effluent limits from 10 mg/L to 15 mg/L. The revision was based on several factors including findings of the Regulation 85 technical subgroup that an effluent concentration of 15 mg/L TIN is most appropriate for first-stage BNR. There was also concern from the regulated community that the significantly higher costs to meet limits lower than 15 mg/L may not be justified, especially in watersheds that don't exhibit any signs of nutrient-related degradation. For the reasons mentioned, and a lack of evidence that reducing the tech-based TIN limit would provide a need environmental benefit, this option should be eliminated from the list of options to show incremental progress for an "enhanced Regulation 85.</p> <p>Other ideas that are being considered for enhancement, including</p>						

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				expansion of the universe of facilities subject to the regulation, are more appealing and would likely be supported if compliance costs are justified by expected environmental benefits. Most importantly, any revisions to Regulation 85 should continue to support flexibility needed to meet nutrient reduction requirements with cost effective control measures and management strategies that can be tailored to individual watersheds and local community needs.						
Mark Maxwell	Tetra Tech, Inc.	While not all POTWs in the state will have selenium compliance issues, many will and various oxidation states (oxic, anoxic, and anaerobic) impact the biological removal of both nutrients and selenium, but not necessarily in the same way or to the same degree. Wastewater treatment is becoming a more complicated balancing act, particularly when energy efficiency is added to the mix, which is of great interest (green \$ and GHG concerns) to virtually all utilities.	The delay is needed to gather the data needed to reduce uncertainty associated with determining technically appropriate in-stream standards that are protective of aquatic life in Colorado. While the parameters listed may or may not be antagonistic with each other regarding aquatic life impacts, facility design and operation must take into account, for example, that high levels of ammonia oxidation and removal may not be conducive to biological phosphorous and nitrate reduction. Designing and operating an advanced wastewater treatment plant to remove nutrients and metals in a cost and energy-efficient manner is a difficult balancing act and having confidence in the removal requirements is essential to community 'buy in' of the roadmap.	Having been part of the Reg 85/31 consultant subcommittee five years ago, I can tell you that Reg 85 effluent TP and TIN limits were set where three-stage biological nutrient removal (BNR) could meet them. That's it...nothing more magical than that. With three-stage BNR, removal of up to 80-90% of TP and 60-70% of TIN are possible...but not reliably higher than these levels. With a more or less fixed range of BNR removals, that means when raw influent concentrations are high, effluent levels will trend up as well. This impact is more noticeable for TIN because BNR percent removals are less than for TP. Accordingly, the 12-month running median for TIN was set at 15 mg-N/L. When influent ammonia levels exceed 35 mg-N/L, it becomes virtually impossible for three-stage BNR to produce an effluent with less than 10 mg-N/L of TIN. With the trend toward more concentrated influent	In-stream nutrient value refinements and statewide chlorophyll 'a' adoption should be based on best scientific judgment regarding the albeit imprecise linkage between nutrients and beneficial use impairments. There is a link, but it is not precise. For example, attached algae might be a decent indicator of impairments in a mountain stream, but not in the Platte or the Lower Colorado.	More time to 'get it right' is always a good approach. It also helps communities do long-term facility and financial planning based on possible outcomes.	For nutrients, a statewide approach makes sense and is more equitable to the utilities that will have to pay the bill.	See comments above and remember...not all nutrient removal systems are the same and can provide the same level of performance and cost/energy efficiency. Recognizing these differences is critically important to gaining 'buy in' from the regulated community.	You need to know if you are squeezing the turnip (point source dischargers) too hard when non-point sources are providing the majority of nutrients in the receiving streams, which will happen when more POTWs are doing nutrient removal. The State must not be afraid to tackle non-point sources, if they are the primary source of nutrients in a water body, just because it is difficult to do so. Again, it is a matter of equity.	

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				<p>concentrations, more three-stage BNR plants will find it difficult to meet an effluent TIN of 10 mg-N/L without supplemental treatment stages, which was not the intent of Reg 85 (at that time anyway). I recognize that three-stage BNR plants with lower strength influent wastewater will be able to meet 10 mg-N/L. In addition, other types of BNR such as SBRs, MBRs, Bardenpho (five-stage BNR) or oxidation ditches will be better able to meet a TIN of 10 mg-N/L, but these systems are not well-suited to large plants (e.g. large land area and costs).</p> <p>One idea is to make Reg 85 compliance an either/or proposition. That is, allow dischargers to meet either a minimum percent removal (say 80% for TP and 60% for TIN) or the specific effluent values of 1 mg-P/L for TP and 15 mg-N/L for TIN. In terms of 'fairness', it may be more equitable to have additional POTWs subject to Reg 85 (assuming they don't meet the opt out criteria) than to require more TIN removal out of the plants already subject to Reg 85. This can be done by lowering the current applicability threshold from 2.0 MGD to say 1.5 MGD or by re-designating some river basins from low to high priority with respect to Reg 85. I recognize you can get more pounds of nutrients out of the receiving streams by requiring the larger flow plants to do more removal...but is that fair? And it is hard to do this via trading because the larger</p>						

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				plants tend to be located lower in the watershed.						
Jim Kendrick	Monument Sanitation District, Monument, CO	<p>The word "selenium" is not found in Regulation 85. Nor is the word "selenium" found in Regulation 31.17, specifically not in pages 66 through 118 of 219 pages. The introduction of "selenium" into this stakeholder process is conflating and unsolvable for the city of Pueblo.</p> <p>All four of these will need to be analyzed at the same time to allow the three WW districts that own TLWWTF in one-third shares to determine the positive and negative synergies that apply to practical planning, design, engineering, and simultaneous disparate constructions in addition to the on-going but only partially-state-grant-financed total phosphorus (TP) chemical clarifier expansion.</p> <p>All the other towns, cities, and special districts that own and operate WWTFs need the same amount of time, measured in years, to conduct their own new practical planning, design, engineering, and construction of the concurrent disparate expansions required for each of these four new tighter and in all likelihood unattainable discharge limits.</p> <p>Since most of the other roughly 360 WWTFs and the small owner districts, towns, and cities that own them will have a larger technological hurdle to surmount in meeting the various Reg 85 nutrient discharge limits, not counting less ammonia and/or selenium, the each will have a proportionally higher financial obstacle and an even larger proportional trained/skilled/qualified-for-</p>	<p>In Monument Sanitation District's case there are no demonstrable algae or ammonia or temperature or selenium influent problems for TLWWTF. MSD could not reasonably be accused of either causing or worsening downstream water quality for these constituents in the northern rural section of Monument Creek above the service area of very urban Colorado Springs Utilities nor CSU's Pikeview Reservoir. Yet the proposal is extremely important to Monument's AF CURE partners, hence to MSD as well.</p> <p>The division's proposal is centered on its own self-derived recommendations and inward-looking assessments of the division's own potentially dwindling staffing and financial resources between now and 2027. There is no assessment of the current disparate individual WWTF treatment capabilities, financial resources, unique discharger specific geographic and technical situations, or time tables required to try to comply with shifting and as yet unspecified treatment requirements or changes in applicable future water quality stream standards that preclude any reasonably certain planning goals for any wastewater entities. For a typical WWTF with a staff of only a few operators and a small pool of home and commercial customers, and particularly for those WWTFs already unable to meet a 15 mg/l TP limit, early adoption of a previously-un-demanded and self-imposed state 10</p>	<p>The division outlined two potential enhancements in the roadmap (reducing technology based effluents for existing treatment facilities for total inorganic nitrogen from 15 mg/L to 10 mg/L and expanding Regulation #85 to cover more facilities). Please provide feedback on these two options but more importantly if you have other ideas on how to enhance Regulation #85 please share them here.</p> <p>The staffs of MSD and TLWWTF do not take credit for how well its existing WWTP already removes TIN serendipitously since treating TIN was not part of the original design.</p> <p>Neither should the Division claim that TLWWTF already meeting 10 mg/l for TIN is part of the progress that the state has produced by creating Reg 85. This is merely evidence that TIN may not be as big a problem in some large state WWTFs as first thought.</p> <p>Tri-Lakes WWTF is rated at 4.2 MGD and expects to meet its TP goal of 1 mg/l by the end of its current discharge permit's compliance schedule. However, the Tri-Lakes WWTF has already been meeting the Division's proposed 10 mg/l for some time through sheer serendipity.</p> <p>This happy result for Pikeview Reservoir for years has nothing to do with Division proposals or the</p>	<p>MSD has no ability to pick a number for importance level at this time.</p> <p>MSD does not believe TLWWTF is contributing to any problems in lakes or reservoirs at this time. There is no evidence of significant algae or chlorophyll "a" issues in the TLWWTF upper portion of Monument Creek, upstream of Baptist Road to the TLWWTF discharge pipe, at this time.</p> <p>Furthermore, MSD and co-owner PLSD are being sued by Woodmoor Water and Sanitation District (WWSD), the third co-owner of the Tri-Lakes WWTF over how to divide the costs for nutrient treatment expansions for TLWWTF. MSD and PLSD are much smaller than WWSD which currently has some \$21 million in cash reserves. Neither MSD nor PLSD have any cash reserves left that are not committed to this lawsuit, nor the budgetary ability to have paid consultant firm GEI determine if either district would ever be reasonably likely to be subjected to any regulatory algae or chlorophyll "a" limits by the Division or EPA.</p> <p>Neither MSD nor PLSD have had the money to investigate realistic TN expansions after Tetra Tech admitted that the Tetra Tech proposal for TN treatment that Tetra Tech submitted to WQSD in its Nutrient Engineering Report would never meet</p>	<p>The only way MSD will be able to respond will be to hire consultants so the sooner a stable credible draft can be evaluated at MSD's cost-effective expense, the better. This is especially important for the more complicated site specific variance applications MSD and TLWWTF to make. While 12 to 18 months is a long time ahead for regulators it is a very tight time constraint for ballot questions in special district situations that may include a loss of enterprise status that would be challenging for meeting other district requirements.</p> <p>At this time, MSD has already borrowed the maximum amount of money possible to pay for its share of the TLWWTF TP chemical removal clarifier expansion project. Any further substantial cash demands for TLWWTF expansion would require a ballot initiative that can only be ethically and credibly phrased after a lengthy and costly planning, design, and engineering phase before going out for construction bids. It is extremely unlikely that the state will be able to provide grants that would cover</p>	<p>This proposed change will create all kinds of unavoidable "traffic jams" for both the Division/Commission and the regulated community</p> <p>This will cause districts, municipalities, and WWTFs to have to deal with several issues in parallel and a great deal of price-hiking competition for the services of lawyers, engineers, and construction contractors. The EPA may not care about this but the Division is a state entity that should care more about the state's regulated community than the EPA apparently does. The Division should care the regulated community's collective simultaneous access to professional services that is at least a bit easier currently when these necessary consultant services it is metered out over time by the existing rotating basin review policy. Numerous grants will be lost, WWTF construction completion suspense dates will be missed, and many wastewater community audits will be unfavorable if the Division creates a bidding war for insufficient services by this proposal.</p>	<p>At this time every one of the four constituent criteria appear to have profoundly serious feasibility problems if they were each to implemented for MSD and TLWWTF other than the Reg 85 TP limit. They would be unattainable, unaffordable, or unsustainable unless one or more were irrelevant due to non-detects.</p>	<p>To date the array of data that the staff at Tri-Lakes WWTF have collected, including the data for 2016 that will be forwarded to the Colorado Data Sharing Network, demonstrate that the constituents that would appear to be of greatest concern to all are wildly variable and appear to be highest during high stormwater runoff periods. When they peak, these particular constituent concentrations are much higher than the more frequent mid-range values measured.</p> <p>TLWWTF has no observable adequate ameliorative control of downstream concentrations for several constituents when upstream, discharge, and downstream concentrations are compared month-by-month or all available sample values that TLWWTF has collected for a constituent are compared.</p>	<p>It is important to note that none of the above comments address how TLWWTF and MSD will be able to hire, train, certify, and retain operators. It is a shame that the outstanding water entity work done for the right reasons for the greater good in the Tri-Lakes region by the members of the 208 plan Upper Monument Water Quality Management Association aren't more visible to the folks who live and work here.</p> <p>It's also a shame that good leaders in the Colorado Wastewater Utility Council are retiring in frustration at such a high rate with no apparent replacements in sight to take their posts.</p> <p>MSD appreciates the opportunity to provide in-depth comment on these complicated issues using this open-ended information collection vehicle. MSD and TLWWTF sincerely wish to be partners with the Division and WQCC, appreciate the time taken by the Division to come up with alternative approaches to treatment issues that do not fit the simple chemical testing regime of the past, and the opportunity to present information that we feel may not be available to you as EPA increases your roles and missions faster than anyone of us can respond</p>

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		<p>all-four-skills operator hurdle to surmount than MSD and TLWWTF.</p> <p>It's a lot easier to sit and draft the first italicized sentence above in a CDPHE cubicle than it is for any WWTF staff to attain functional, affordable, sustainable, and reliable Reg 31.17 compliance without any meaningfully substantial state funding assistance when even Bret Icenogle has acknowledged in the Aurora stakeholder meetings that sustainable TN treatment technology is not emerging at this time. Setting a 2028 one size fits all implementation date sounds nice as a medium term deadline for an EPA that is unfettered by the need to consider cost realities even momentarily. Where are the various human, equipment, and financial resources going to come from to respond to these four challenges in parallel by 2028, when even TLWWTF cannot hope to meet whichever of the four set of limits will apply to it?</p> <p>The total amount of work and money required to perform just the TP/TN tasks concurrently have already been shown to exceed the state's practical available engineering and financial resources limits in the state's CDM study that was conducted as part of the first nutrients stakeholder workgroup process for the June, 2012 Reg 85 and Reg 31.17 rulemaking hearings. The resources needed for up to 400 WWTFs to comply for all four of these limits are even higher.</p>	<p>mg/l TP limit, to show "good faith" progress/appeasement to EPA from the division staff, is both perplexing and daunting.</p> <p>These division staff members, who sit in CDPHE office buildings with little or no practical familiarity with real-world WWTF operations or current technological constraints, appear to believe they are tasked with trying to control wastewater operators from afar, folks that some members of the state's various regulatory staffs have called "the polluters." This disconnect with the regulated community's operators is particularly onerous for these operators.</p> <p>These operators are the actual pragmatic committed conservationists at the tip of the spear. They are subject to the WQCC's decreed limits with little or no feedback other than that provided by the Colorado Wastewater Utility Council. These operators are doing the real round-the-clock under-the-gun work of environmental compliance. The operators of Tri-Lakes WWTF have always tried to be at 99/99% removal for both BOD5 and TSS because it is the right thing to do even though the limits are only 85/85% removal, not because it will make EPA happier. EPA could albeit grudgingly acknowledge realistic constraints to meeting EPA's currently unattainable TP/TN goals that would compel every state WWTF to be on DSVs for TP and TN in perpetuity.</p>	<p>existence of Reg 85. Very many of the 360 WWTFs not currently compelled to meet a TP or TIN limit by Reg 85 will likely have profound difficulty meeting a TIN limit of 15 mg/l, much less 10 mg/l. It's hard to discern what practical effect this 10 mg/l proposal will have other than creating an illusion of division-driven progress, while creating widespread concern if not panic for those communities not blessed with the inherent, though not specifically designed, nitrogen and phosphorus removal capabilities that happen to have blessed TLWWTF's owners for years.</p> <p>Several WWTFs rated below 2 MGD are members of AF CURE and this 10 mg/l proposal without any announced scientific justification appears to be almost randomly and arbitrarily endangering to the financial stability of these AF CURE partners, much less the practical ability to comply in parallel with limited engineering and financial resources. They may or may not be able to articulate the impact of these two proposals due to lack of cash reserves to even investigate/analyze them due to suddenly existing PFC and selenium compliance expenses, having already devoted their entire "nest egg" to merely complying chemically to TP limits that may come their way since these appear to be more attainable if not solely attainable.</p>	<p>Regulation 31.17 interim values for TN. The district court judge then dismissed the TN portions of WWSD's lawsuit based on Tetra Tech's admission. Neither MSD nor PLSD have current resources to address this other nutrient issue for lakes and reservoirs. The lawsuit is currently under appeal and has already cost a cumulative total of more than the amount of TP money in dispute.</p> <p>This is an unfortunate, unintended, but nevertheless real consequence of the WQCC nutrient mandates of just Regulation 85 and a probable predictor of other similar lawsuits that will occur when the financial viability of co-owners of other WWTFs are raced with bankruptcy. The interim values of Regulation 31.17 that EPA has not acted on will exacerbate this cost sharing problem.</p>	<p>anything more than a token fraction of the \$80 million estimate we already have for a project that will always and forever fail to meet current Reg 31.17 TN interim values, which the EPA now deems unsatisfactory, without scientific validity, and indefensible in court.</p>				<p>to through our current paradigms.</p> <p>We are all environmentalists. We would be happy to show TLWWTF to you to help you understand one unique design for attempting to affordably and sustainably meet feasible treatment limits with cost-effective reliable treatment methods and technologies.</p>

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			<p>Applying for the development of site specific standards and/or discharger specific variances has not, to date, been shown to be a pragmatically achievable goal for either the MSD board or the Tri-Lakes Joint Use Coordinating Committee (the TLWWTF board.)</p> <p>How would all the additional expense for administering continuous renewals for these arbitrarily eternal nutrient and selenium DSVs help any state WWTFs and other wastewater entities that have TABOR limits on their ability to cull revenue from its tax and rate payers via expensive attorney-crafted arcanelly-worded ballot questions?</p> <p>MSD and its other partner AF CURE wastewater entities have been collecting a large array of apples and oranges data throughout the Monument Creek/Fountain Creek Basin in excess of the Reg 85 requirements. AF CURE has several contracts with Brown and Caldwell to model AF CURE's service area to help determine if and where any affordably treatable problems may exist and whether the sole efforts of this mere dozen or so WWTFs in the AF CURE/Fountain Creek watershed can cure or partially ameliorate watershed streams and reservoirs. In order for these voluntary AF CURE contracts to be affordable, they will not address whether equally aggressive state regulation of each and every non-point agricultural and MS4 source in our basin, coupled with state-required creation and</p>							

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			<p>operation of separate and perhaps synergistic treatment plants by each of these non-point and MS4 sources is similarly feasible or cost effective.</p> <p>Where would the division find the funds and people to administer this additional agricultural and/or MS4 monitoring, if not regulatory, tasking?</p> <p>MSD and PLSD have also experienced a demonstrated and documented lack of accurate cost assessments by Tetra Tech for the Tri-Lakes WWTF Total Phosphorus chemical removal clarifier expansion. Tetra Tech told TLWWTF's Joint Coordinating Committee (its board) that this expansion would cost about \$1 million, the nutrient grant amount that was awarded to TLWWTF by Governor Hickenlooper. Soon after Tetra Tech was awarded the sole source engineering contract to "keep it simple" the Tetra Tech estimate ballooned to \$4.3 million when there was not enough time to go out for engineering bids to meet state nutrient grant time limits.</p> <p>Tetra Tech's preliminary estimate for TN treatment construction was about \$20 million, which would make it reasonable to for MSD and TLWWTF to assume that any TN treatment would, using the same inflation factor of four for the TP clarifier expansion, most likely cost no less than \$80 million for a customer base of 5,500 homes and about 100 businesses - clearly unaffordable regardless of</p>							

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			<p>how the division moves forward on setting a 2027 date for TP, TN, ammonia, and selenium.</p> <p>The three wastewater special districts that own Tri-Lakes WWTF at 7,000 feet in the Front Range foothills will likely spend their limited resources on feasible TP compliance, then feasible TN compliance in turn. The Division cannot reasonably expect MSD and the other TLWWTF owner districts to spend a great deal of money, time, and energy on untreatable selenium issues that do not exist in their service areas. These districts are not the cause of much of the state to the south being desiccated hot desert, a fact that renders these proposed Division temperature limits thermodynamically unattainable here in our basin as well as a large part of the state.</p> <p>The fact is that TLWWTF cools Monument Creek already and never exceeds 20 degrees. The currently proposed Division temperature limits are thermodynamically unattainable south of MSD and TLWWTF regardless of how many refrigeration units AF CURE WWTFs install and operate using vastly more electricity that would be provided largely by burning more coal.</p> <p>In addition, Monument Sanitation District faces substantial expenses it has not created in dealing with TENORM that would be produced not by MSD but rather by the Town of Monument to remove</p>							

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			<p>excessive radium from some of its groundwater. Radium removal within the town's drinking water system is necessary due to the Town's apparent inability to dilute the ground water from its "hot" non-compliant high radium wells by dilution from the Town's other "less hot" groundwater wells.</p> <p>Applying for the development of site specific standards and/or discharger specific variances has not, to date, been shown to be a pragmatically achievable goal for either the MSD board or the Tri-Lakes Joint Use Coordinating Committee (the TLWWTF board.)</p> <p>, nor what is likely a substantial lawsuit over TENORM produced by the Town of Monument due to its inability to treat existing radium levels in its groundwater that cannot be mitigated by dilution from its "less hot" groundwater wells.</p> <p>MSD and TLWWTF ameliorate Fountain Creek watershed selenium issues nor the simple geographical and meteorological facts that result from much of AF CURE's southern service area, and much of the state, being desiccated hot desert that is and always has been unamenable for breeding of some types of fish. CPW, with the help of Doug Krieger, can breed these fish elsewhere and stock them in the hot parts of Fountain Creek and the Arkansas River with the financial and technical support of the tourist industry as a more</p>							

Name (optional):	Organization (optional):	Comments on the DRAFT roadmap regarding developing criteria for total nitrogen (streams), total phosphorus (streams), ammonia and selenium concurrently.	Comments on the DRAFT roadmap regarding a five-year delay in adoption of criteria for total nitrogen (streams), total phosphorus (streams), ammonia (all water bodies), and selenium (all water bodies).	Comments on the DRAFT roadmap regarding potential options for enhancing Regulation #85 so that incremental progress on nutrient reductions can be achieved during the proposed delay.	Comments on the DRAFT roadmap regarding a rulemaking in 2022 that would refine the total nitrogen and total phosphorus criteria for lakes as well as adopting chlorophyll 'a' downstream of dischargers in all basins.	Comments on the DRAFT roadmap regarding providing "draft criteria" to stakeholders approximately 12 to 18 months before the rulemaking vs. the current practice of six months.	Comments on the DRAFT roadmap regarding adopting criteria in both Regulation #31 and the basins concurrently vs. the current approach of adopting in Regulation #31 and then adopting in the basins on a rotating schedule.	Comments on the DRAFT roadmap regarding developing feasibility information over the next decade that could be used in developing sector based variances or for individual discharger specific variances.	Comments on the DRAFT roadmap includes milestones related to documenting progress on nonpoint source nutrient reduction. Please respond to the importance of demonstrating progress for nonpoint source nutrient reduction.	Additional feedback on the DRAFT roadmap.
			feasible alternative as shown by numerous illustrative fish spawning and trucking photos displayed within their premises.							
Lane Wyatt	NWCCOG									Site specific standards are likely to be proposed in areas where current phosphorus control are adequate to control algae in both streams and lakes, and concentrations are well under the proposed chlorophyll standards, without additional nitrogen control. How do site specific proposals based on complying with the chlorophyll standard fit into the Division's thinking?