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DEPARTMENT OF PLANNING AND DEVELOPMENT

August 18, 2011

Ms. Allison Mosser
Southern Delivery System
Colorado Springs Utilities
121 South Tejon Street, 3rd Floor
P.O. Box 1103, MC 930
Colorado Springs, Colorado 80947-0930

Dear Ms. Mosser:

Colorado Springs Utilities has requested a waiver of a Condition of Approval associated with Pueblo County's approved 1041 Permit No. 2008-002 (Southern Delivery System). The waiver request is for the following Condition:

MITIGATION APPENDIX

C-11 Dust and Other Air Emission Controls (Dust Control)

4. Use construction equipment that meets Colorado opacity standards for operating emissions. Construction equipment will be emissions tested at an approved facility prior to use on the site. This test will be performed each year that the equipment is used on the project. The certificates of approval for each item of construction equipment will be maintained by the Applicant and be available for inspection by Pueblo County if requested.

The waiver request has been reviewed by me, as the 1041 Permit Administrator, and by the Board of County Commissioners, as the 1041 Permit Authority. As it has been determined that the State of Colorado does not have opacity standards or emissions testing for construction equipment, Condition of Approval No. C-11, 4. is hereby waived. This waiver applies only to construction equipment for the Southern Delivery System Project that is not subject to Colorado opacity standards for operating emissions.

Please be advised that this determination does not constitute an exemption from any other applicable regulations. The project is subject to approval by any regulatory agency where required by regulation or statute.

Sincerely,

Joan Armstrong
Interim Director

c: Pueblo Board of County Commissioners
Gary Raso, Assistant County Attorney